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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 23, 2007.

I hereby appoint the Honorable JERRY MCNERNEY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

PLIGHT OF IRAQI REFUGEES

Mr. BLUMENAUER. Mr. Speaker, the front page of the Washington Post yesterday had the harsh and ugly reality. We cannot afford not to help the Iraqis who trusted and worked with the United States with the opportunity for refugee status.

I quote:

''The American Ambassador in Baghdad, Ryan Crocker, has asked the Bush administration to take the unusual step of granting immigrant visas to all Iraqis employed by the United States Government in Iraq because of growing concern that they will quit and flee the country if they cannot be assured of eventual safe passage to the United States.''

For the last 7 months, I have been working with a broad bipartisan group of people on legislation that would deal with the largest ongoing humanitarian crisis in the world other than Darfur. And unlike the tragedy in the Darfur region of the Sudan, the United States is front and center in Iraq. We have over 300,000 American soldiers, contractors, and civilian U.S. Government employees. We see firsthand every day the train wreck, while officials at the top of the food chain appear, sadly, oblivious and powerless to do anything about it.

I am proud to say that there are young American soldiers who will try to do something about it, even after they rotate out of the country. That is how I first became involved in this issue, as young Oregonian Guard members fought valiantly to try to save the life of their interpreter when they returned to Oregon, knowing that her life was at risk. Working with those young guardsmen and with high school students from Lincoln High School in Portland, Oregon, we were able to have a happy resolution in this one case. But, sadly, it is only one case.

I have become acquainted with another true American hero. Kirk Johnson was a young USAID worker who, as he rotated out, embarked upon a crusade to save the lives of Iraqis who were at risk because they were known to have helped the United States. He has compiled a list of over 500 Iraqis who were interpreters, who were guides, who were civilian employees. Not one, the last time I talked to Mr. Johnson, had been able to make it to the United States.

The sad fact is that we are failing miserably in terms of responding to the refugee requirements. Since I became involved last fall, the United States has admitted the grand total of 133 Iraqi refugees, a shocking number when we consider that over 2 million Iraqis have fled the country and another 2 million within Iraq have been displaced from their homes. It's not that we can't figure out how to do it if we care, if we establish a priority, if we work on it. In that same period of time that we could only admit 133 Iraqis, we have allowed 3,500 refugees from Iran, a country with whom we have rocky relations, to say the least, where we have deep concerns about terrorism.

It makes a mockery of our commitment to accept 7,000 during this fiscal year which ends September 30. There must be a sense of urgency and a profound sense of obligation. In order to make even that modest goal of 7,000, we are going to have to admit more Iraqi refugees every working day than we have for the entire last 9 months.

It is not just the right thing to do for these poor souls and their families. There is a harsh geopolitical reality. With 4 million Iraqis displaced, more than half fleeing the country, there's 1.2 million in Syria, and the accounts of what these people are forced to do to keep body and soul together are truly disturbing. Or three-quarters of a million Iraqi refugees across the border in Jordan, threatening to overwhelm that small country, adding another element of instability to this already unsettled part of the world.

I urge my colleagues in the House of Representatives to look at a letter that we are circulating to them today that includes this article from the Post. I urge them to cosponsor our bipartisan legislation, H.R. 2265, have them urge a markup and action before we recess for August. Our failure to keep our commitment will be exceedingly serious. We undermine our ability to carry out

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our current mission in Iraq if people we depend upon know that they can't depend upon us.

RECESS

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

Accordingly (at 10 o'clock and 38 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

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

Lord God, America returns to another workweek while some coworkers and family members are away on summer vacation.

May this be a lesson to us all; that life must be lived with balance and none of us is irreplaceable in Your divine plan.

Inspire Members of the House of Representatives, Lord, to make the best use of the time given them. In the midst of many duties, let family needs be attended to. May the productive work of Congress stabilize this Nation and create a better social order, so that all Your people may enjoy responsible freedom and equal justice under the law.

To You be praise and glory 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 Maryland (Mr. SARBANES) come forward and lead the House in the Pledge of Allegiance.

Mr. SARBANES 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.

COMMUNICATIONS FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following communications from the President of the United States:

THE WHITE HOUSE,
Washington, July 21, 2007.

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

DEAR MADAME SPEAKER: This morning I will undergo a routine medical procedure requiring sedation. In view of present circumstances, I have determined to transfer temporarily my Constitutional powers and duties to the Vice President during the brief period of the procedure and recovery.

In accordance with the provisions of Section 3 of the Twenty-Fifth Amendment to the United States Constitution, this letter shall constitute my written declaration that I am unable to discharge the constitutional powers and duties of the office of the President of the United States. Pursuant to Section 3, the Vice President shall discharge those powers and duties as Acting President until I transmit to you a written declaration that I am able to resume the discharge of those powers and duties.

Sincerely,

GEORGE BUSH.

THE WHITE HOUSE,
Washington, July 21, 2007.

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

DEAR MADAME SPEAKER: In accordance with the provisions of Section 3 of the Twenty-Fifth Amendment to the United States Constitution, this letter shall constitute my written declaration that I am presently able to resume the discharge of the Constitutional powers and duties of the office of the President of the United States. With the transmittal of this letter, I am resuming those powers and duties effective immediately.

Sincerely,

GEORGE BUSH.

THE STOCK MARKET SOARS, AMERICA'S ECONOMY IS BOOMING

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

Mr. WILSON of South Carolina. Mr. Speaker, all Americans should be grateful that the New York Stock Exchange closed at a record high of 14,000 last Thursday. Students benefit as college endowments grew, reducing tuition costs. Retirees benefit as retirement accounts appreciated. And with increased liquidity, jobs are created for small businesses. The stock market in 5 years has soared 91 percent from the decline caused by the 9/11 terrorist attacks.

More than 2 million jobs have been created in the last year, and 8.2 million jobs have been created since the tax relief was initiated in June 2003. This has led to an unemployment rate lower than the average of the 1970s, 1980s and 1990s. There is record high homeownership.

The Republican tax reductions are helping workers. I urge my colleagues to act immediately to make the tax cuts permanent so American workers, not the Federal Government, can continue to decide how to spend their hard-earned money. This proves the point of Jerry Bellune, editor of the Lexington County Chronicle, that the earnings of America's workers belong to the people and are not a handout from the government.

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

BRITISH PETROLEUM POLLUTING LAKE MICHIGAN

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

Mr. KIRK. Mr. Speaker, the Great Lakes are the source of our drinking water for 30 million Americans, and the Congress has enacted new laws to protect the Great Lakes ecosystem, including the Great Lakes Legacy Act and the Regional Collaboration.

This is why we were surprised, no, stunned, when British Petroleum applied for the rights to increase its pollution of Lake Michigan. A 35-percent increase in ammonia dumping, a 54-percent increase in the dumping of suspended solids.

BP is one of the most profitable companies on Earth. Their plans include a $3 billion upgrade to the facility, but they presented excuses from their own paid consultant that they had to increase their pollution of the lake.

Now, tomorrow the Congress will take up a resolution condemning BP and the actions of the State of Indiana that approved this pollution.

BP is a company spending millions to brand itself as a friend of the environment, but we know what BP stands for, ''Bad Polluter.''

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, July 20, 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 July 20, 2007, at 12:00 p.m.:

That the Senate passed with an amendment and requests a conference with the House, appoints conferees, H.R. 2272.

That the Senate passed with an amendment and requests a conference with the House, appoints conferees, H.R. 2669.

Appointments:

United States Holocaust Memorial Council.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM CONGRESSIONAL AIDE OF HON. MARK UDALL OF COLORADO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from John Bristol, Congressional Aide, Office of the Honorable MARK UDALL of Colorado, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 12, 2007.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the U.S. House of Representatives, that I have been served with a subpoena, issued by the Westminster, Colorado Municipal Court, for testimony in a criminal case.

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

Sincerely,

JOHN BRISTOL,
Congressional Aide.

COMMUNICATION FROM CONGRESSIONAL AIDE OF HON. MARK UDALL OF COLORADO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Carter Ellison, Congressional Aide, Office of the Honorable MARK UDALL of Colorado, Member of Congress:

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

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the U.S. House of Representatives, that I have been served with a subpoena, issued by the Westminster, Colorado Municipal Court, for testimony in a criminal case.

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

Sincerely,

CARTER ELLISON,
Congressional Aide.

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.

STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL ACT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1388) to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1388

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 ''Star-Spangled Banner National Historic Trail Act''.

SEC. 2. AUTHORIZATION AND ADMINISTRATION OF TRAIL.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(____) STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Star-Spangled Banner National Historic Trail, a trail consisting of water and overland routes totaling approximately 290 miles, extending from Tangier Island, Virginia, through southern Maryland, the District of Columbia, and northern Virginia, in the Chesapeake Bay, Patuxent River, Potomac River, and north to the Patapsco River, and Baltimore, Maryland, commemorating the Chesapeake Campaign of the War of 1812 (including the British invasion of Washington, District of Columbia, and its associated feints, and the Battle of Baltimore in summer 1814), as generally depicted on the map titled 'Star-Spangled Banner National Historic Trail', numbered T02/80,000, and dated June 2007.

''(B) MAP.—The map referred to in subparagraph (A) shall be maintained on file and available for public inspection in the appropriate offices of the National Park Service.

''(C) ADMINISTRATION.—Subject to subparagraph (E)(ii), the trail shall be administered by the Secretary of the Interior.

''(D) LAND ACQUISITION.—No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.

''(E) PUBLIC PARTICIPATION.—The Secretary of the Interior shall—

''(i) encourage communities, owners of land along the trail, and volunteer trail groups to participate in the planning, development, and maintenance of the trail; and

''(ii) consult with other affected landowners and Federal, State, and local agencies in the administration of the trail.

''(F) INTERPRETATION AND ASSISTANCE.—Subject to the availability of appropriations, the Secretary of the Interior may provide, to State and local governments and nonprofit organizations, interpretive programs and services and technical assistance for use in—

''(i) carrying out preservation and development of the trail; and

''(ii) providing education relating to the War of 1812 along the trail.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. 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 Arizona?

There was no objection.

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

Mr. Speaker, H.R. 1388 would designate the Star-Spangled Banner Trail in Maryland, Virginia, and the District of Columbia as a National Historic Trail to commemorate the events of the Chesapeake campaign during the War of 1812. The bill was introduced by my colleague on the Natural Resources Committee, Mr. SARBANES of Maryland, who is a valued member of our National Parks, Forests and Public Lands Subcommittee.

The Star-Spangled Banner National Historic Trail designated by H.R. 1388 would follow the historic routes used by British and American troops during the war. The National Park Service supports this designation, as do an impressive array of State and local governments and numerous private organizations.

Mr. Speaker, as the bicentennial of the War of 1812 approaches, this historic trail will help Americans retrace some of the crucial events of a war that fashioned our Nation's character. Mr. SARBANES has done great work on this measure, and I urge my colleagues to support the bipartisan legislation.

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

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

We cannot support H.R. 1388 for a number of reasons. To start, a more apt description of this bill is the ''Trail With No Beginning or End.'' It sprawls over a 200-mile radius, has countless possible routes, and isn't even continuous. How can the public possibly support a trail when the National Park Service doesn't even know where the trail is? The American people deserve transparency in the legislation we create.

More importantly, if this legislation were to become law along with Chairman RAHALL's Energy Policy Reform and Revitalization Act, the outcome would be devastating to people living within 100 miles of this Chamber. Section 103 of that bill, which could be debated on the floor next week, prevents desperately needed energy corridors from being designated within 1 mile of historic areas such as this proposed Federal trail. Edison Electric Institute, whose members represent 67 percent of all electric customers nationwide, recently submitted a statement to the Natural Resources Committee. It states: ''New and arbitrary siting restrictions established by section 103 of H.R. 2337 . . . could have negative impacts far beyond the effects envisioned by many proponents of such designations.'' It clearly lays out the ramifications of the majority's unsound energy policy coupled with Federal designations such as this proposed trail.

At this point, I will include this statement in the CONGRESSIONAL RECORD.

STATEMENT OF THE EDISON ELECTRIC INSTITUTE WITH RESPECT TO LEGISLATION TO DESIGNATE SEVERAL NEW NATIONAL HERITAGE AREAS

The Edison Electric Institute (EEl) appreciates the opportunity to provide comments with respect to proposed legislation to designate additional National Heritage Areas for inclusion in the record of the July 12 hearing. EEI appreciates the importance of such designations for encouraging tourism and expanding opportunities for Americans to learn about and experience the richness of American history. In making such designations, we believe it is important for Congress to assure that these designations do not become an automatic impediment to the siting of infrastructure necessary to provide essential services that are critical to American consumers and a productive and competitive American economy. Towards that end, EEI would be pleased to work with the Committee to develop language that would address the concern.

EEI is the association of U.S. shareholder-owned electric companies. Our members serve 92% of the ultimate customers in the shareholder-owned segment of the industry and represent approximately 67% of all electric utility customers nationwide. As such, EEI's member companies are charged with assuring that Americans continue to receive reliable, reasonably-priced electricity. Fulfilling this responsibility requires a robust electricity transmission grid. Yet, recent long term reliability assessments of the grid by the North American Electric Reliability Corporation (NERC) and the August 2006 congestion study by the Department of Energy (DOE) confirm that additional transmission capacity is necessary. Our growing economy, expanding population, increasing use of efficient electric technologies, and demand for renewable and clean coal generation resources require expansion of the transmission grid.

As proposals to designate National Heritage Areas have increased and the geographic areas proposed for inclusion in the heritage areas have expanded to include hundreds of square miles comprising major portions of states throughout the country, EEI believes that it is important for Congress to address the potential conflict between these designations and the equally important responsibility to assure that the most basic and critical infrastructure needs of localities, regions and the nation can be met. Under the best of circumstances, electric transmission and other infrastructure facilities are extraordinarily difficult to site, can take many years to complete, and necessarily involve a balancing of interests. The length of time it takes to site the facilities does not come without a cost. For example, already some of our largest population centers are experiencing significantly higher electricity costs because of a congested electricity grid. Siting complications also affect the cost of capital and overall project costs—costs that are ultimately born by the electricity consumer.

Legislation proposing National Heritage Area designations generally leave this potential conflict unaddressed or allow the unelected private management boards of each heritage area to decide what would be considered an adverse impact on the heritage area. Thus we are concerned that heritage designations could be used to block the siting of needed infrastructure.

Of related concern, the House Committee on Natural Resources recently reported H.R. 2337, ''The Energy Policy Reform and Revitalization Act of 2007.'' Section 103 of that bill would halt current federal agency reviews of areas suitable for energy transmission corridors across federal land, and it would establishing as a principle that rights-of-way for energy facilities cannot be sited ''within one mile of any [area] designated or otherwise identified by State or Federal law or any applicable Federal or State land use plan for recognition or protection of scenic, natural, cultural, or historic resources. . . .'' The Secretaries of Agriculture, Commerce, Energy, Defense, and Interior would be required to complete and regularly update a study in which these protected areas are identified and made off limits, and use of that study is made mandatory when right-of-way decisions are made.

EEI is deeply concerned that Section 103 will halt recent progress underway to plan for new energy facilities that will be needed to transmit electricity to American consumers where that goal cannot be accomplished without crossing federal land. We believe that planning for such facilities is the best way to assure that the facilities can be accommodated in a way that is compatible with the other significant values for which federal land is managed.

Furthermore, because of the new and arbitrary siting restrictions established by Section 103 of H.R. 2337, if it were enacted into law, heritage area designations covering large areas could have negative impacts far beyond the effects envisioned by many proponents of such designations. For example, there are regions of this country in which currently proposed heritage area designations, in light of Section 103, would make it impossible to import electricity produced from renewable energy resources and clean coal facilities to urban population centers where such power is in demand. Yet, geographic, population, zoning, environmental, and other constraints make it virtually impossible to locate new generating facilities to meet local demand in these urban areas.

EEI firmly believes that, given the projected vulnerabilities in the nation's electricity grid that have been identified for the next five to fifteen years, the Congress should not—as it does in Section 103—be establishing new and arbitrary barriers to the siting or upgrading of transmission facilities.

Given the importance of electric transmission and other infrastructure to serve our nation, while also recognizing the value of National Heritage Area designations to local and state economies and historic preservation, we strongly urge the Subcommittee and Congress to resolve the potential for conflict between the benefits of such designations and the need for basic, critical infrastructure.

H.R. 1388, coupled with the Democrats' ''No Energy Policy'' bill, has the effect of leaving millions of people across the United States in the dark. I urge my colleagues to oppose the bill.

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

□ 1215

Mr. GRIJALVA. Mr. Speaker, at this time I yield such time as he may consume to the sponsor of the legislation, my colleague from the Natural Resources Committee, Representative JOHN SARBANES.

Mr. SARBANES. I thank my colleague for yielding his time.

Mr. Speaker, I rise to ask for my colleagues' support of the Star-Spangled Banner National Historic Trail Act.

At the outset, I would like to thank Chairman GRIJALVA and Chairman RAHALL for their support of this bill all through the process.

This legislation is the product of thorough study and planning by interested parties such as the Park Service; local jurisdictions in Maryland, Virginia and the District of Columbia; and historians and experts on the War of 1812.

There are too many to mention here, but over several years these individuals have been dedicated advocates for creating the Star-Spangled Banner Trail. This legislation represents the culmination of their efforts and hard work.

With the bicentennial of the War of 1812 fast approaching us, now is the time to pass the legislation and begin the process of implementing the Star-Spangled Banner Trail, which will measurably enhance the celebration of one of the seminal moments in American history.

The Star-Spangled Banner Trail, through the Park Service at the Fort McHenry National Monument and Shrine, would commemorate the routes used by the British and Americans during the 1812 Chesapeake Campaign of the War of 1812.

The trail, which, in fact, is quite clearly demarcated, would begin with the June 1814 battles between the British Navy and the American Chesapeake Flotilla in St. Leonard's Creek in Calvert County, Maryland, and end at Fort McHenry, where Francis Scott Key composed our national anthem as he witnessed the Battle of Baltimore and the British met their ultimate defeat. It would also mark the British invasion of Washington, D.C., the burning of the Capitol and the White House, and other battles in between.

Mr. Speaker, this legislation has special meaning for me because of the time I spent growing up in Baltimore and the long relationship my family has had with the centerpiece of the trail, Fort McHenry. On countless occasions, I've enjoyed the fort's history, its vistas of the Chesapeake Bay, and the surrounding wetlands. I highly recommend that Members visit the site themselves.

Many refer to the War of 1812 as the ''second war of independence.'' When the war began, our fragile experiment in democracy was still in its early stages, and the Nation found itself under attack from one of the most powerful countries in the world. Many wondered whether a democracy could hold together through the trials of war. The War of 1812 proved that it could, and set the stage for the spread of democracy around the world.

I urge my colleagues to support the bill. And I yield my time back, again, with many thanks to Chairman GRIJALVA for his strong support.

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

Mr. GRIJALVA. 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 Arizona (Mr.

GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1388, 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.

LEWIS AND CLARK NATIONAL HISTORIC TRAIL LAND CONVEYANCE

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 761) to authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as a historical interpretive site along the trail, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 761

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

SECTION 1. LAND CONVEYANCE, LEWIS AND CLARK NATIONAL HISTORIC TRAIL, NEBRASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. (a 501(c)(3) not-for-profit organization with operational headquarters at 100 Valmont Drive, Nebraska City, Nebraska 68410), all right, title, and interest of the United States in and to the federally owned land under jurisdiction of the Secretary consisting of two parcels as generally depicted on the map titled ''Lewis and Clark National Historic Trail'', numbered 648/80,002, and dated March 2006.

(b) SURVEY; CONVEYANCE COST.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey and all other costs incurred by the Secretary to convey the land shall be borne by the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc.

(c) CONDITION OF CONVEYANCE, USE OF CONVEYED LAND.—The conveyance authorized under subsection (a) shall be subject to the condition that the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. use the conveyed land as an historic site and interpretive center for the Lewis and Clark National Historic Trail.

(d) DISCONTINUANCE OF USE.—If Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. determines to discontinue use of the land conveyed under subsection (a) as an historic site and interpretive center for the Lewis and Clark National Historic Trail, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. shall convey lands back to the Secretary without consideration.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) or the conveyance, if any, under subsection (d) as the Secretary considers appropriate to protect the interests of the United States. Through a written agreement with the Foundation, the National Park Service shall ensure that the operation of the land conveyed under subsection (a) is in accordance with National Park Service standards for preservation, maintenance, and interpretation.

(f) AUTHORIZATION OF APPROPRIATIONS.—To assist with the operation of the historic site and interpretive center, there is authorized to be appropriated $150,000 per year for a period not to exceed 10 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

Mr. GRIJALVA. Mr. Speaker, H.R. 761, sponsored by Representative FORTENBERRY of Nebraska, would transfer to a nonprofit foundation an existing visitor center for the Lewis and Clark Historic Trail in Nebraska. The legislation turns the site over to the nonprofit entity which currently manages the facility in partnership with the National Park Service.

This measure includes a reversionary clause and other safeguards to protect the Federal investment in the center.

We have no objection to H.R. 761 and support its passage by the House today.

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 761 and yield myself such time as I may consume.

H.R. 761 has been adequately explained by the majority. I am pleased that Mr. FORTENBERRY has brought us this legislation that will benefit both his constituents and taxpayers across the Nation.

Mr. SMITH of Nebraska. Mr. Speaker, along with my colleagues from Nebraska, I am pleased to offer my support for H.R. 761, a bill that would authorize the conveyance of certain federal lands by the Secretary of Interior to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. and authorize the appropriation of annual funds to operate the Center.

The journey of Meriwether Lewis and William Clark does not belong to Nebraska, but to all of America.

The Lewis and Clark Interpretive Center features descriptions of 178 plants and 122 animals recorded by Lewis and Clark during their explorations.

This center should be a destination for any person who is interested in American history, in the species of flora and fauna then found in the unexplored regions of our country, or in the spirit of expansion that helped form our country.

I urge my colleagues to join me in supporting this bill authorizing the transfer of Federal lands associated with the Lewis and Clark National Historic Trail in Nebraska to the private nonprofit foundation. It is a valuable resource for every American.

Mr. FORTENBERRY. Mr. Speaker, I am pleased to offer my strong support for H.R. 761, a bill to authorize the Secretary of the Interior to convey a Lewis and Clark visitor center in my district from the National Park Service to a well-respected non-profit organization. As the sponsor of this bill, I encourage my colleagues to support this important legislation.

I would like to begin by expressing my sincere appreciation to the distinguished gentleman from West Virginia (Mr. RAHALL), the Chairman of the House Committee on Natural Resources and the distinguished gentleman from Alaska (Mr. YOUNG), the Ranking Member on the Committee, as well as the distinguished gentleman from Arizona (Mr. GRIJALVA), the Chairman of the National Parks, Forests and Public Lands Subcommittee, and the distinguished gentleman from Utah (Mr. BISHOP), the Ranking Member on the Subcommittee for their outstanding work in bringing this legislation to the Floor.

The Lewis and Clark Interpretive Trail and Visitor Center is the culmination of a vision that was outlined 20 years ago. Starting with the efforts of former Congressman Doug Bereuter, the Center's completion required a great deal of hard work and dedication for which the entire Nebraska City community should be proud.

I would also like to take this opportunity to express my gratitude to Nancy Hoch from Nebraska City, who has played such a key role in the construction of the visitor center and its ongoing operation. Her vision and leadership have been instrumental in making the center such an outstanding success.

The bill is very straightforward. It would simply convey certain federal land near Nebraska City associated with the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center to the related non-profit group, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. The bill also authorizes $150,000 annually for 10 years to operate the facility. This legislation would actually save the federal government about $50,000 a year since the National Park Service currently provides about $200,000 for the center.

It is important to note that I worked with the National Park Service in drafting the language for the bill and this proposed conveyance fits with the long-range plans for the center. I also believe that it would be the most cost-effective option for the Park Service.

H.R. 761 is cosponsored by both of my colleagues from Nebraska, Representatives LEE TERRY and ADRIAN SMITH. A companion bill in the Senate, S. 471, has the support of both Nebraska senators, CHUCK HAGEL and BEN NELSON.

The Interpretive Trail and Visitor Center is an outstanding resource and impressive facility. The non-profit organization associated with it includes a committed group of individuals who have spent many years making the center a reality and ensuring that it provides a meaningful and educational experience for those who visit. This legislative action is needed to fulfill the original plan for operating the visitor center.

The Missouri River Basin Lewis and Clark Interpretive Center is truly unique. It is the only visitor center or museum in the United States to focus on the flora and fauna and scientific discoveries recorded by Lewis and Clark.

The Lewis and Clark Expedition was a watershed mark in American history. Two centuries later, the courageous story of these two outstanding explorers and the Corps of Discovery continues to inspire Americans of all ages. This legislation will help ensure that future generations will have the opportunity to learn about this remarkable journey.

Again Mr. Speaker, I encourage my colleagues to vote for H.R. 761.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 761, 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.

SNOQUALMIE PASS LAND CONVEYANCE ACT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1285) to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1285

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 ''Snoqualmie Pass Land Conveyance Act''.

SEC. 2. LAND CONVEYANCE, NATIONAL FOREST SYSTEM LAND, KITTITAS COUNTY, WASHINGTON.

(a) CONVEYANCE REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the King and Kittitas Counties Fire District #51 of King and Kittitas Counties, Washington (in this section referred to as the ''District''), all right, title, and interest of the United States in and to a parcel of National Forest System land in Kittitas County, Washington, consisting of approximately 1.5 acres within the SW¼ of the SE¼ of section 4, township 22 north, range 11 east, Willamette meridian, for the purpose of permitting the District to use the parcel as a site for a new Snoqualmie Pass fire and rescue station.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) SURVEY.—If necessary, the exact acreage and legal description of the lands to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of a survey shall be borne by the District.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

Mr. GRIJALVA. Mr. Speaker, H.R. 1285, introduced by Representative DOC HASTINGS of Washington, conveys 1.5 acres of land in the Mt. Baker-Snoqualmie National Forest to facilitate the construction of a new fire and rescue station.

Snoqualmie Pass Fire and Rescue is in need of a new fire station as the current station has numerous deficiencies. The fire station is important to the community and often responds to fires on Federal lands.

Mr. Speaker, it is our understanding that there are ongoing discussions in Washington State to address some lingering issues related to this conveyance, and we support those efforts.

With that understanding, we have no objection to H.R. 1285, and support its adoption by the House today.

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

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

The majority has adequately explained the bill. I would like to commend Congressman DOC HASTINGS and his staff for their work on this legislation.

Mr. HASTINGS of Washington. Mr. Speaker, the Snoqualmie Pass Land Conveyance Act would transfer an acre and a half of Forest Service land to the King and Kittitas Counties Fire District No. 51—also known as Snoqualmie Pass Fire and Rescue. This land would be conveyed at no cost, but would have to be used by the Fire District specifically for the constructon of a new fire station or it would revert back to the federal government.

Snoqualmie Pass Fire and Rescue serves a portion of two counties on both sides of the Cascade Mountains along Interstate 90. This is a very rural area, with a small number of full-time residents, but it is also the major transportation corridor for goods and services between Eastern and Western Washington, as well as a destination for winter recreation. In recent years, this area has been the scene of major winter snowstorms, multi-vehicle accidents, and even avalanches. The Fire District is often the first responder to incidents in the area.

For decades, the Fire District has been leasing its current site from the Forest Service. They operate out of an aging building that was never designed to be a fire station. Through their hard work and dedication, they have served their community ably despite this building's many shortcomings. However, with traffic on the rise and the need for emergency services in the area growing, the Fire District needs to move to a true fire station.

They have identified a nearby site that would better serve the public safety needs of interstate travelers. This location would provide easy access to the interstate in either direction, reducing response times in emergencies. The parcel is on Forest Service property, immediately adjacent to a freeway interchange, between a frontage road and the interstate itself. The parcel was formerly a disposal site during construction of the freeway and is now a gravel lot.

I acknowledge that the Forest Service does not normally support conveyances of land free of charge. However, I believe an exception should be made in this particular circumstance because of the important public service provided by the Fire District, the heavy traffic and emergency calls created by non-residents in the area, the distance of Snoqualmie Pass from other communities with emergency services, and because of the high amount of federal land ownership in the area, which severely limits the local tax base. In fact, the Forest Service has acquired 20,000 acres in King and Kittitas counties at a cost of more than $52 million over just the last ten years. I would also note again that under this bill, this land would revert back to the Forest Service if for whatever reason a new fire station is not built on the property.

Passage of this legislation would not guarantee that a new station would be built—the Fire District would have to work hard to gather the financing that would be required from state and local sources, as well as any applicable federal grants or loans. However, the conveyance of this site at no cost would help this Fire District hold down the overall cost of this project.

I first introduced this legislation last year, with my colleague from Washington, Mr. Reichert. Unfortunately, the bill was not considered before the end of the last Congress. We reintroduced the bill in early March and were pleased the Natural Resources Committee held a subcommittee hearing on the bill in April to take testimony on the issues involved. At a subsequent markup of the bill last month, the acreage involved was reduced to acre and a half to address concerns that a fire station would not require three acres. With this change, the bill was approved by voice vote in committee.

Last week, at a meeting in the region, several environmental interest groups expressed reservations about the conveyance. Over the next several weeks, it is understood these groups will meet with the Fire District to discuss their concerns. I am committed to working with my colleagues from Washington state in the Senate, as well as the Natural Resources Committee, to facilitate these discussions to ensure we have the public safety infrastructure necessary to meet the needs of this unique area. I am confident this can be done with little or no impact to the environment. It is my hope that the parties can reach agreement on this issue by September when

the Congress will reconvene and can resume work on the legislation.

I appreciate the efforts of my colleagues on the Natural Resources Committee to review this issue and bring this bill forward. I look forward to continuing to work with the community at the Pass and my Washington colleagues to improve public safety in the area.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1285, 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.

SANTA ROSA URBAN WATER REUSE PLAN ACT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 716) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 716

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 ''Santa Rosa Urban Water Reuse Plan Act''.

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 at the end the following new section:

''SEC. 16____. CITY OF SANTA ROSA, CALIFORNIA, URBAN WATER REUSE PLAN.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Santa Rosa, California, is authorized to participate in the design, planning, and construction of projects to implement the plan titled 'Santa Rosa Urban Water Reuse Plan'.

''(b) COST SHARE.—The Federal share of the costs of the projects authorized by this section shall not exceed 25 percent of the total cost. The Secretary shall credit the City of Santa Rosa with the value of all expenditures made before the date of the enactment of this section that are used toward completion of projects that are compatible with this section.

''(c) LIMITATIONS.—

''(1) Federal funds shall not be used for the operation or maintenance of a project authorized by this section.

''(2) Funds authorized by this legislation shall not be used for the development of new wetland areas.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.''.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is amended by inserting after the last item relating to title XVI the following:

''Sec. 16____. City of Santa Rosa, California, Urban Water Reuse Plan.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

Mr. GRIJALVA. Mr. Speaker, the purpose of H.R. 716, as amended, is to authorize the Secretary of the Interior to participate in the design and construction of the Santa Rosa Urban Water Reuse Plan. The water recycling facilities authorized by this legislation will result in significant improvements in water quality and water supply reliability in the Santa Rosa area.

I commend the sponsor of this legislation, Ms. WOOLSEY, for her commitment in this important project.

I urge my colleagues to join me in supporting this important bill.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I rise in support of H.R. 716.

Mr. Speaker, I want to thank Chairman RAHALL for his leadership in bringing H.R. 716, the Santa Rosa Urban Water Reuse bill, to the floor. The Santa Rosa Urban Water Reuse bill is a huge step in the right direction for the City of Santa Rosa. It will help the city increase its reuse of wastewater as an alternative to releasing the water into the Russian River, where my district receives the great majority of our drinking water. The project is especially important in a region that remains arid for 6 months of the year and where droughts pose a genuine threat to humans and endangered species.

Under the reuse plan, the City of Santa Rosa will use recycled water for landscape irrigation, allowing the city to conserve valuable water for human consumption and for watershed preservation and enhancement. It is essential that we find new ways to reuse wastewater and prevent further discharge into nearby waterways. This project can help the City of Santa Rosa by making great strides in its water reuse program and give the city an opportunity to help endangered species, and at the same time protect the Russian River from further discharge.

Mr. Speaker, I ask for support of H.R. 1716, the Santa Rosa Urban Water Reuse bill.

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

The chairman and sponsor have adequately explained the bill. I applaud the amendment agreed to in committee that prohibits taxpayer dollars from being used to create unrelated wetlands in this project.

However, given that the majority has not fully funded the title XVI program in the Energy and Water appropriations bill, I note that this bill makes the $328 million backlog problem worse.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 716, 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.

AVRA/BLACK WASH RECLAMATION AND RIPARIAN RESTORATION PROJECT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1503) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1503

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 ''Avra/Black Wash Reclamation and Riparian Restoration Project''.

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 at the end the following:

''SEC. 16____. AVRA/BLACK WASH RECLAMATION AND RIPARIAN RESTORATION PROJECT, PIMA COUNTY, ARIZONA.

''(a) AUTHORIZATION.—The Secretary, in cooperation with Pima County, Arizona, may participate in the planning, design, and construction of water recycling facilities and to enhance and restore riparian habitat in the Black Wash Sonoran Desert ecosystem in Avra Valley west of the metropolitan Pima County area.

''(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the cost of the project.

''(c) LIMITATION.—Federal funds provided under this section shall not be used for operation or maintenance of the project described in subsection (a).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $14,000,000.

''(e) USE OF FUNDS.—Federal funds provided under this section shall only be used for the design, planning and construction of water-related infrastructure.''.

(b) CLERICAL AMENDMENT.—The table of sections for Public Law 102–575 is amended by inserting after the last item relating to title XVI the following:

''Sec. 16____. Avra/Black Wash Reclamation and Riparian Restoration Project, Pima County, Arizona.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

Mr. GRIJALVA. Mr. Speaker, this legislation, which I introduced on March 13 of this year, authorizes the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project.

The extremely arid climate of Tucson, Arizona, and that metropolitan area requires careful and innovative planning of both water supply and wastewater treatment systems.

The proposed Avra Valley Reclamation and Riparian Restoration Site would spread treated wastewater on mesquite riparian forest in Black Wash, creating valuable riparian habitats for migrating birds, while recharging groundwater for the greater Tucson area.

I want to thank the chairwoman of the subcommittee on Water and Power, Mrs. NAPOLITANO, and the chairman of the Committee on Natural Resources, Mr. RAHALL, for their assistance in advancing this legislation.

I urge my colleagues to support the passage of H.R. 1503, as amended.

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

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

The chairman and sponsor of this legislation has adequately explained the bill.

As amended, the funding in this bill is now specifically targeted for wastewater infrastructure rather than trails and a visitors center. Despite this positive change, however, I note this bill also adds to the $328 million funding backlog in the overall program.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1503, 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.

BAY AREA REGIONAL WATER RECYCLING PROGRAM AUTHORIZATION ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1526) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1526

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 ''Bay Area Regional Water Recycling Program Authorization Act of 2007''.

SEC. 2. PROJECT AUTHORIZATIONS.

(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 at the end the following:

''SEC. 16xx. MOUNTAIN VIEW, MOFFETT AREA RECLAIMED WATER PIPELINE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Palo Alto, California, and the City of Mountain View, California, is authorized to participate in the design, planning, and construction of recycled water distribution systems.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000.

''SEC. 16xx. PITTSBURG RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Pittsburg, California, and the Delta Diablo Sanitation District, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,750,000.

''SEC. 16xx. ANTIOCH RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Antioch, California, and the Delta Diablo Sanitation District, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,250,000.

''SEC. 16xx. NORTH COAST COUNTY WATER DISTRICT RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the North Coast County Water District, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,500,000.

''SEC. 16xx. REDWOOD CITY RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Redwood City, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,100,000.

''SEC. 16xx. SOUTH SANTA CLARA COUNTY RECYCLED WATER PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the South County Regional Wastewater Authority and the Santa Clara Valley Water District, is authorized to participate in the design, planning, and construction of recycled water system distribution facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,000,000.

''SEC. 16xx. SOUTH BAY ADVANCED RECYCLED WATER TREATMENT FACILITY.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the City of San Jose, California, and the Santa Clara Valley Water District, is authorized to participate in the design, planning, and construction of recycled water treatment facilities.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $8,250,000.''.

(b) CONFORMING AMENDMENTS.—The table of sections for Public Law 102–575 is amended by inserting after the last item relating to title XVI the following:

''Sec. 16xx. Mountain View, Moffett Area Reclaimed Water Pipeline Project.
''Sec. 16xx. Pittsburg Recycled Water Project.
''Sec. 16xx. Antioch Recycled Water Project.
''Sec. 16xx. North Coast County Water District Recycled Water Project.
''Sec. 16xx. Redwood City Recycled Water Project.
''Sec. 16xx. South Santa Clara County Recycled Water Project.

''Sec. 16xx. South Bay Advanced Recycled Water Treatment Facility.''.

SEC. 3. SAN JOSE AREA WATER RECLAMATION AND REUSE PROJECT.

It is the intent of Congress that a comprehensive water recycling program for the San Francisco Bay Area include the San Jose Area water reclamation and reuse program authorized by section 1607 of the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h–5).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

I would first like to recognize Representative GEORGE MILLER's hard work and dedication to this legislation, and for his leadership in California water policy.

This legislation would authorize the Secretary of the Interior to participate in seven important water supply projects as part of the Bay Area Regional Water Recycling Program.

□ 1230

The projects authorized by the enactment of H.R. 1526, as amended, will eventually produce 37,600 acre feet of recycled water annually. The water will be critical as California communities work to protect their water supply from future droughts.

Mr. Speaker, I thank Congressman GEORGE MILLER for his hard work on the legislation. I urge my colleagues to join me in supporting H.R. 1526, as amended.

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

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

Mr. Speaker, the chairman has adequately explained the bill. I note that this is another water recycling bill which will make the $328 million funding backlog in the program worse because the majority did not fully fund it in the Energy and Water appropriations bill.

Mr. GEORGE MILLER of California. Mr Speaker, this water recycling legislation, H.R. 1526, enables local agencies across California's Bay-Delta region to invest in sustainable and reliable new water supplies. I urge my colleagues to support the bill.

The Bay Area Regional Water Recycling Program Authorization Act will provide Federal assistance for an ambitious and forward-thinking regional water recycling program that will reduce demand on the Bay-Delta and drought-proof our regional municipal water supplies.

The legislation will assist efforts in Pittsburg, Antioch, Palo Alto, Mountain View, Pacifica, South Santa Clara County, Redwood City, and San Jose.

The city of Pittsburg and the Delta Diablo Sanitation District, in my congressional district, have been leading the charge on this effort, investing time, energy, and local funds in developing water recycling projects to help meet regional water needs. Water recycling is good for the environment and for local budgets.

In Pittsburg, for example, instead of using fresh water from the Delta, recycled water will be applied to city parks, golf courses, medians, and other green spaces. As the Contra Costa Times wrote about the bill, "There is no good reason to flush wastewater into rivers, bays, estuaries, and the ocean if it can be treated and used again for other purposes such as irrigating parks and golf courses."

I want to thank Chairman NICK RAHALL and Chairwoman GRACE NAPOLITANO, and the staff of the Natural Resources Committee and the Subcommiteee on Water and Power, for their assistance in this effort, and I encourage my colleagues to support this bill.

Ms. ESHOO. Mr. Speaker, first all my thanks to Representative GEORGE MILLER for his leadership and vision for sponsoring this legislation which I'm proud to be an original cosponsor of.

The legislation authorizes a total of seven new projects, including two in my district: the Mountain View Moffett Area Recycled Water Distribution Project and the Redwood City Recycled Water Project.

Since the 1990's a partnership of 17 local Bay Area governments, water, and wastewater agencies, the Bureau of Reclamation, and the California Department of Water Resources have worked to maximize water recycling around the Bay under the auspices of the Bay Area Regional Water Recycling Program (BARWRP). They have been found by the Bureau of Reclamation to be feasible or close to achieving feasibility, and they're now ready to move into construction with significant local funding commitments consistent with the Bureau of Reclamation's Title XVI water recycling program. Under the bill, the federal government may provide up to 25% of the cost of the planning, designing, and building each project, and the local sponsors will be responsible for securing at least 75 percent.

Despite the significant investments that communities have already made to these projects, they have not been able to secure federal funds because of a lack of investment by the Bureau of Reclamation in the Title XVI program and because of a lack of a specific Congressional authorization for these projects. This legislation addresses the question of authorization so that the funding may follow.

There's a clear federal interest in these water recycling projects since other federal water projects already contribute significant portions of the water supply to communities throughout the Bay Area. Taken together, the projects authorized in H.R. 1526 will conserve 5,000 acre-feet of potable water per year in the near-term (the first five years of operation) and more than 9,000 acre-feet per year over the long term (10 to 15 years). This represents 9,000 acre-feet which will not have to be extracted from the San Francisco Bay Delta, the Hetch Hechy system, and other sensitive areas.

Mr. Speaker, in coming years water supplies in California are going to be stretched and stressed by population growth, environmental stress, and supply reductions in water caused by the loss of snow pack due to global warming. If we're going to meet the challenge and relieve the stress on the existing system, we're going to need projects like these.

I urge my colleagues to vote for H.R. 1526.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1526, 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.

OREGON WATER RESOURCES MANAGEMENT ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 495) to update the management of Oregon water resources, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 495

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 ''Oregon Water Resources Management Act of 2007''.

SEC. 2. EXTENSION OF PARTICIPATION OF BUREAU OF RECLAMATION IN DESCHUTES RIVER CONSERVANCY.

Section 301 of the Oregon Resource Conservation Act of 1996 (division B of Public Law 104–208; 110 Stat. 3009–534) is amended—

(1) in subsection (a)(1), by striking ''Deschutes River Basin Working Group'' and inserting ''Deschutes River Conservancy Working Group'';

(2) by amending the text of subsection (a)(1)(B) to read as follows: ''4 representatives of private interests including two from irrigated agriculture who actively farm more than 100 acres of irrigated land and are not irrigation district managers and two from the environmental community;'';

(3) in subsection (b)(3), by inserting before the final period the following: '', and up to a total amount of $2,000,000 during each of fiscal years 2007 through 2016''; and

(4) in subsection (h), by inserting before the period at the end the following: '', and $2,000,000 for each of fiscal years 2007 through 2016''.

SEC. 3. WALLOWA LAKE DAM REHABILITATION ACT.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ASSOCIATED DITCH COMPANIES, INCORPORATED.—The term ''Associated Ditch Companies, Incorporated'' means the nonprofit corporation established under the laws of the State of Oregon that operates Wallowa Lake Dam.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(3) WALLOWA LAKE DAM REHABILITATION PROGRAM.—The term ''Wallowa Lake Dam

Rehabilitation Program'' means the program for the rehabilitation of the Wallowa Lake Dam in Oregon, as contained in the engineering document titled, ''Phase I Dam Assessment and Preliminary Engineering Design'', dated December 2002, and on file with the Bureau of Reclamation.

(b) AUTHORIZATION TO PARTICIPATE IN PROGRAM.—

(1) GRANTS AND COOPERATIVE AGREEMENTS.—The Secretary may provide grants to, or enter into cooperative or other agreements with, tribal, State, and local governmental entities and the Associated Ditch Companies, Incorporated, to plan, design, and construct facilities needed to implement the Wallowa Lake Dam Rehabilitation Program.

(2) CONDITIONS.—As a condition of providing funds under paragraph (1), the Secretary shall ensure that—

(A) the Wallowa Lake Dam Rehabilitation Program and activities under this section meet the standards of the dam safety program of the State of Oregon;

(B) the Associated Ditch Companies, Incorporated, agrees to assume liability for any work performed, or supervised, with Federal funds provided to it under this section; and

(C) the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to a facility rehabilitated or constructed with Federal funds provided under this section, both while and after activities are conducted using Federal funds provided under this section.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the costs of activities authorized under this section shall not exceed 50 percent.

(B) EXCLUSIONS FROM FEDERAL SHARE.—There shall not be credited against the Federal share of such costs—

(i) any expenditure by the Bonneville Power Administration in the Wallowa River watershed; and

(ii) expenditures made by individual agricultural producers in any Federal commodity or conservation program.

(4) COMPLIANCE WITH STATE LAW.—The Secretary, in carrying out this section, shall comply with applicable Oregon State water law.

(5) PROHIBITION ON HOLDING TITLE.—The Federal Government shall not hold title to any facility rehabilitated or constructed under this section.

(6) PROHIBITION ON OPERATION AND MAINTENANCE.—The Federal Government shall not be responsible for the operation and maintenance of any facility constructed or rehabilitated under this section.

(c) RELATIONSHIP TO OTHER LAW.—Activities funded under this section shall not be considered a supplemental or additional benefit under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to pay the Federal share of the costs of activities authorized under this section, $6,000,000.

(e) SUNSET.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.

SEC. 4. LITTLE BUTTE/BEAR CREEK SUBBASINS, OREGON, WATER RESOURCE STUDY.

(a) AUTHORIZATION.—The Secretary of the Interior, acting through the Bureau of Reclamation, may participate in the Water for Irrigation, Streams and the Economy Project water management feasibility study and environmental impact statement in accordance with the ''Memorandum of Agreement Between City of Medford and Bureau of Reclamation for the Water for Irrigation, Streams, and the Economy Project'', dated July 2, 2004.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Bureau of Reclamation $500,000 to carry out activities under this section.

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share shall be 50 percent of the total costs of the Bureau of Reclamation in carrying out subsection (a).

(B) FORM.—The non-Federal share required under subparagraph (A) may be in the form of any in-kind services that the Secretary of the Interior determines would contribute substantially toward the conduct and completion of the study and environmental impact statement required under subsection (a).

(c) SUNSET.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.

SEC. 5. NORTH UNIT IRRIGATION DISTRICT.

(a) SHORT TITLE.—This section may be cited as the ''North Unit Irrigation District Act of 2007''.

(b) AMENDMENT.—The Act of August 10, 1954 (68 Stat. 679, chapter 663), is amended—

(1) in the first section—

(A) by inserting ''(referred to in this Act as the 'District')'' after ''irrigation district''; and

(B) by inserting ''(referred to in this Act as the 'Contract')'' after ''1953''; and

(2) by adding at the end the following:

''SEC. 3. ADDITIONAL TERMS.

''On approval of the District directors and notwithstanding project authorizing legislation to the contrary, the Contract is modified, without further action by the Secretary of the Interior, to include the following modifications:

''(1) In Article 8(a) of the Contract, by deleting 'a maximum of 50,000' and inserting 'approximately 59,000' after 'irrigation service to'.

''(2) In Article 11(a) of the Contract, by deleting 'The classified irrigable lands within the project comprise 49,817.75 irrigable acres, of which 35,773.75 acres are in Class A and 14,044.40 in Class B. These lands and the standards upon which the classification was made are described in the document entitled ''Land Classification, North Unit, Deschutes Project, 1953'' which is on file in the office of the Regional Director, Bureau of Reclamation, Boise, Idaho, and in the office of the District' and inserting 'The classified irrigable land within the project comprises 58,902.8 irrigable acres, all of which are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights.'.

''(3) In Article 11(c) of the Contract, by deleting ', with the approval of the Secretary,' after 'District may', by deleting 'the 49,817.75 acre maximum limit on the irrigable area is not exceeded' and inserting 'irrigation service is provided to no more than approximately 59,000 acres and no amendment to the District boundary is required' after 'time so long as'.

''(4) In Article 11(d) of the Contract, by inserting ', and may further be used for instream purposes, including fish or wildlife purposes, to the extent that such use is required by Oregon State law in order for the District to engage in, or take advantage of, conserved water projects as authorized by Oregon State law' after 'herein provided'.

''(5) By adding at the end of Article 12(d) the following: '(e) Notwithstanding the above subsections of this Article or Article 13 below, beginning with the irrigation season immediately following the date of enactment of the North Unit Irrigation District Act of 2007, the annual installment for each year, for the District, under the Contract, on account of the District's construction charge obligation, shall be a fixed and equal annual amount payable on June 30 the year following the year for which it is applicable, such that the District's total construction charge obligation shall be completely paid by June 30, 2044.'.

''(6) In Article 14(a) of the Contract, by inserting 'and for instream purposes, including fish or wildlife purposes, to the extent that such use is required by Oregon State law in order for the District to engage in, or take advantage of, conserved water projects as authorized by Oregon State law,' after 'and incidental stock and domestic uses', by inserting 'and for instream purposes as described above,' after 'irrigation, stock and domestic uses', and by inserting ', including natural flow rights out of the Crooked River held by the District' after 'irrigation system'.

''(7) In Article 29(a) of the Contract, by inserting 'and for instream purposes, including fish or wildlife purposes, to the extent that such use is required by Oregon State law in order for the District to engage in, or take advantage of, conserved water projects as authorized by Oregon State law' after 'provided in article 11'.

''(8) In Article 34 of the Contract, by deleting 'The District, after the election and upon the execution of this contract, shall promptly secure final decree of the proper State court approving and confirming this contract and decreeing and adjudging it to be a lawful, valid, and binding general obligation of the District. The District shall furnish to the United States certified copies of such decrees and of all pertinent supporting records.' after 'for that purpose.'.

''SEC. 4. FUTURE AUTHORITY TO RENEGOTIATE.

''The Secretary of the Interior (acting through the Commissioner of Reclamation) may in the future renegotiate with the District such terms of the Contract as the District directors determine to be necessary, only upon the written request of the District directors and the consent of the Commissioner of Reclamation.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the purpose of H.R. 495, as introduced by our colleague from Oregon (Mr. WALDEN), is to update the management of Oregon water resources and to authorize various water projects in the State of Oregon.

The bill authorizes the extension of participation of the Bureau of Reclamation in the Deschutes River Conservancy and the Wallowa Lake Dam

Rehabilitation, Little Butte/Bear Creek Subbasins Water Resource Study, and the North Unit Irrigation District. These projects will enhance the water resources in a number of areas in the State of Oregon. Almost identical legislation passed the House in the 109th Congress.

Mr. Speaker, we have no objection to this noncontroversial bill.

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

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

H.R. 495, sponsored by my Pacific Northwest colleague, GREG WALDEN, improves a number of water management projects in central and eastern Oregon. The provisions in this bill reflect the work of the past two Congresses and enjoyed bipartisan support because they help water consumers and improve the environment.

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

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 495.

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.

OCEAN AND COASTAL MAPPING INTEGRATION ACT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2400) to direct the Administrator of the National Oceanic and Atmospheric Administration to establish an integrated Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the Continental Shelf of the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2400

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 ''Ocean and Coastal Mapping Integration Act''.

SEC. 2. INTEGRATED OCEAN AND COASTAL MAPPING PROGRAM.

(a) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration shall establish a program to develop, in coordination with the Interagency Committee on Ocean and Coastal Mapping and affected coastal states, a coordinated and comprehensive Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the Continental Shelf of the United States that enhances ecosystem approaches in decisionmaking for conservation and management of marine resources and habitats, establishes priorities for research and mapping, supports the siting of research and other platforms, enhances safety of navigation, and advances ocean and coastal science.

(b) PROGRAM PARAMETERS.—In developing such a program, the Administrator shall work with the Committee to—

(1) identify all Federal and federally funded programs conducting shoreline delineation and ocean or coastal mapping, noting geographic coverage, frequency, spatial coverage, resolution, and subject matter focus of the data and location of data archives;

(2) facilitate cost-effective, cooperative mapping efforts that incorporate policies for contracting with non-governmental entities among all Federal agencies conducting ocean and coastal mapping, by increasing data sharing, developing appropriate data acquisition and metadata standards, and facilitating the interoperability of in situ data collection systems, data processing, archiving, and distribution of data products;

(3) facilitate the adaptation of existing technologies as well as foster expertise in new ocean and coastal mapping technologies, including through research, development, and training conducted among Federal agencies and in cooperation with non-governmental entities;

(4) develop standards and protocols for testing innovative experimental mapping technologies and transferring new technologies between the Federal Government, coastal state, and non-governmental entities;

(5) provide for the archiving, management, and distribution of data sets through a national registry as well as provide mapping products and services to the general public in service of statutory requirements;

(6) develop data standards and protocols consistent with standards developed by the Federal Geographic Data Committee for use by Federal, coastal state, and other entities in mapping and otherwise documenting locations of federally permitted activities, living and nonliving coastal and marine resources, marine ecosystems, sensitive habitats, submerged cultural resources, undersea cables, offshore aquaculture projects, offshore energy projects, and any areas designated for purposes of environmental protection or conservation and management of living and nonliving coastal and marine resources;

(7) identify the procedures to be used for coordinating the collection and integration of Federal ocean and coastal mapping data with coastal state and local government programs;

(8) facilitate, to the extent practicable, the collection of real-time tide data and the development of hydrodynamic models for coastal areas to allow for the application of V-datum tools that will facilitate the seamless integration of onshore and offshore maps and charts;

(9) establish a plan for the acquisition and collection of ocean and coastal mapping data; and

(10) set forth a timetable for completion and implementation of the plan referred to in subsection (a).

SEC. 3. INTERAGENCY COMMITTEE ON OCEAN AND COASTAL MAPPING.

(a) IN GENERAL.—The Administrator, within 30 days after the date of enactment of this Act, shall convene or utilize an existing interagency committee on ocean and coastal mapping to implement section 2.

(b) MEMBERSHIP.—The committee shall be comprised of senior representatives from Federal agencies with ocean and coastal mapping and surveying responsibilities. The representatives shall be high-ranking officials of their respective agencies or departments and, whenever possible, the head of the portion of the agency or department that is most relevant to the purposes of this Act. Membership shall include senior representatives from the National Oceanic and Atmospheric Administration, the Chief of Naval Operations, the United States Geological Survey, the Minerals Management Service, the National Science Foundation, the National Geospatial-Intelligence Agency, the United States Army Corps of Engineers, the Coast Guard, the Environmental Protection Agency, the Federal Emergency Management Agency, the National Aeronautics and Space Administration, and other appropriate Federal agencies involved in ocean and coastal mapping.

(c) CHAIRMAN.—The committee shall have as its chairman the representative from the National Oceanic and Atmospheric Administration. The chairman may create subcommittees chaired by any member agency of the committee. The full committee may form working groups to address issues of short duration.

(d) MEETINGS.—The committee shall meet on a quarterly basis, but each subcommittee and each working group shall meet on an as-needed basis.

(e) COORDINATION.—The committee shall coordinate activities, when appropriate, with—

(1) other Federal efforts, including the Digital Coast, Geospatial One-Stop, and the Federal Geographic Data Committee;

(2) international mapping activities;

(3) coastal states;

(4) user groups through workshops and other appropriate mechanisms; and

(5) representatives of non-governmental entities.

(f) ADVISORY PANEL.—The Administrator may convene an ocean and coastal mapping advisory panel consisting of representatives from non-governmental entities to provide input regarding activities of the committee.

SEC. 4. NOAA INTEGRATED MAPPING INITIATIVE.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator, in consultation with the Committee, shall develop and submit to the Congress a plan for an integrated ocean and coastal mapping initiative within the National Oceanic and Atmospheric Administration.

(b) PLAN REQUIREMENTS.—The plan shall—

(1) identify and describe all ocean and coastal mapping programs within the agency, including those that conduct mapping or related activities in the course of existing missions, such as hydrographic surveys, ocean exploration projects, living marine resource conservation and management programs, coastal zone management projects, and ocean and coastal observations and science projects;

(2) establish priority mapping programs and establish and periodically update priorities for geographic areas in surveying and mapping across all missions of the National Oceanic and Atmospheric Administration, as well as minimum data acquisition and metadata standards for those programs;

(3) encourage the development of innovative ocean and coastal mapping technologies and applications, such as Digital Coast, through research and development through cooperative or other agreements with joint or cooperative research institutes or centers and with other non-governmental entities;

(4) document available and developing technologies, best practices in data processing and distribution, and leveraging opportunities with other Federal agencies, coastal states, and non-governmental entities;

(5) identify training, technology, and other resource requirements for enabling the National Oceanic and Atmospheric Administration's programs, vessels, and aircraft to support a coordinated ocean and coastal mapping program;

(6) identify a centralized mechanism or office for coordinating data collection, processing, archiving, and dissemination activities of all such mapping programs within the National Oceanic and Atmospheric Administration that meets Federal mandates for data accuracy and accessibility and designate a repository that is responsible for archiving and managing the distribution of all ocean and coastal mapping data to simplify the provision of services to benefit Federal and coastal state programs; and

(7) set forth a timetable for implementation and completion of the plan, including a schedule for submission to the Congress of periodic progress reports and recommendations for integrating approaches developed under the initiative into the interagency program.

(c) NOAA JOINT OCEAN AND COASTAL MAPPING CENTERS.—The Administrator may maintain and operate up to 3 joint ocean and coastal mapping centers, including a joint hydrographic center, which shall each be colocated with an institution of higher education. The centers shall serve as hydrographic centers of excellence and may conduct activities necessary to carry out the purposes of this Act, including—

(1) research and development of innovative ocean and coastal mapping technologies, equipment, and data products;

(2) mapping of the United States Outer Continental Shelf and other regions;

(3) data processing for nontraditional data and uses;

(4) advancing the use of remote sensing technologies, for related issues, including mapping and assessment of essential fish habitat and of coral resources, ocean observations, and ocean exploration; and

(5) providing graduate education and training in ocean and coastal mapping sciences for members of the National Oceanic and Atmospheric Administration Commissioned Officer Corps, personnel of other agencies with ocean and coastal mapping programs, and civilian personnel.

(d) ENHANCED OPPORTUNITIES FOR NON-GOVERNMENTAL CONTRACTING.—The Administrator shall continue developing a strategy for expanding contracting with non-governmental entities to minimize duplication and take maximum advantage of non-governmental capabilities in fulfilling the Administration's mapping and charting responsibilities. Within 120 days after the date of enactment of this Act, the Administrator shall transmit a report describing the strategy developed under this subsection to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives.

SEC. 5. INTERAGENCY PROGRAM REPORTING.

No later than 18 months after the date of enactment of this Act, and biannually thereafter, the Chairman of the Committee shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing progress made in implementing this Act, including—

(1) an inventory of ocean and coastal mapping data within the territorial sea and the exclusive economic zone and throughout the Continental Shelf of the United States, noting the age and source of the survey and the spatial resolution (metadata) of the data;

(2) an inventory and description of any new Federal or federally funded programs conducting shoreline delineation and ocean or coastal mapping since the previous reporting cycle;

(3) identification of priority areas in need of survey coverage using present technologies;

(4) a resource plan that identifies when priority areas in need of modern ocean and coastal mapping surveys can be accomplished;

(5) the status of efforts to produce integrated digital maps of ocean and coastal areas;

(6) a description of any products resulting from coordinated mapping efforts under this Act that improve public understanding of the coasts and oceans, or regulatory decisionmaking;

(7) documentation of minimum and desired standards for data acquisition and integrated metadata;

(8) a statement of the status of Federal efforts to leverage mapping technologies, coordinate mapping activities, share expertise, and exchange data;

(9) a statement of resource requirements for organizations to meet the goals of the program, including technology needs for data acquisition, processing, and distribution systems;

(10) a statement of the status of efforts to declassify data gathered by the Navy, the National Geospatial-Intelligence Agency, and other agencies to the extent possible without jeopardizing national security, and make it available to partner agencies and the public;

(11) the status of efforts to coordinate Federal programs with coastal state and local government programs and leverage those programs; and

(12) a description of efforts of Federal agencies to increase contracting with non-governmental entities.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to the amounts authorized by section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d), there are authorized to be appropriated to the Administrator to carry out this Act—

(1) $20,000,000 for fiscal year 2008;

(2) $26,000,000 for fiscal year 2009;

(3) $32,000,000 for fiscal year 2010;

(4) $38,000,000 for fiscal year 2011; and

(5) $45,000,000 for each of fiscal years 2012 through 2015.

(b) JOINT OCEAN AND COASTAL MAPPING CENTERS.—Of the amount appropriated under subsection (a) for each fiscal year, no more than 25 percent may be appropriated to carry out section 4(c).

SEC. 7. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(2) COASTAL STATE.—The term ''coastal state'' has the meaning given that term by section 304(4) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(4)).

(3) COMMITTEE.—The term ''Committee'' means the Interagency Committee on Ocean and Coastal Mapping established by section 3.

(4) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' means the exclusive economic zone of the United States established by Presidential Proclamation No. 5030, of March 10, 1983.

(5) NON-GOVERNMENTAL ENTITIES.—The term ''non-governmental entities'' includes non-governmental organizations, members of the academic community, and private sector organizations that provide products and services associated with measuring, locating, and preparing maps, charts, surveys, aerial photographs, satellite imagines, or other graphical or digital presentations depicting natural or manmade physical features, phenomena, and legal boundaries of the Earth.

(6) OCEAN AND COASTAL MAPPING.—The term ''ocean and coastal mapping'' means the acquisition, processing, and management of physical, biological, geological, chemical, and archaeological characteristics and boundaries of ocean and coastal areas, resources, and sea beds through the use of acoustics, satellites, aerial photogrammetry, light and imaging, direct sampling, and other mapping technologies.

(7) OUTER CONTINENTAL SHELF.—The term ''Outer Continental Shelf'' means all submerged lands lying seaward and outside of lands beneath navigable waters (as that term is defined in section 2 of the Submerged Lands Act (43 U.S.C. 1301)), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(8) TERRITORIAL SEA.—The term ''territorial sea'' means the belt of sea measured from the baseline of the United States determined in accordance with international law, as set forth in Presidential Proclamation Number 5928, dated December 27, 1988.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 2400 would direct the administrator of the National Oceanic and Atmospheric Administration to establish an integrated Federal ocean and coastal mapping plan for the Great Lakes and coastal waters and the territorial sea, the exclusive economic zone and the Continental Shelf. The legislation responds to the U.S. Commission on Ocean Policy's recommendation that the National Oceanic and Atmospheric Administration consolidate and coordinate the Federal Government's mapping activities. A National Research Council study made a similar recommendation.

To accomplish this end, H.R. 2400 would coordinate the efforts of all Federal agencies involved in mapping our oceans and coasts. Consistent protocols would be developed across all Federal agencies to collect data and develop maps, instead of various agencies using their own criteria.

In addition, the legislation would require Federal agencies to coordinate their efforts. Ultimately, those entities dependent on maps for navigation, national security, scientific research, energy development and location of cultural resources, such as shipwrecks,

would all greatly benefit. H.R. 2400 will increase the efficiency of our mapping efforts, reduce redundancy and allow data used by one agency to be used again and again by others for multiple purposes.

Mr. Speaker, I support this bill and encourage Members to vote for this noncontroversial legislation.

Mr. Speaker, I will include for the RECORD the exchange of letters regarding the Committee on Science and Technology's jurisdictional interest in this legislation.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,
Washington, DC, July 20, 2007.

Hon. NICK J. RAHALL, II,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR MR. CHAIRMAN: I write with regard to H.R. 2400, the Ocean and Coastal Mapping Integration Act, which was referred to both the Committee on Natural Resources and the Committee on Science and Technology on May 21, 2007.

As you know, I support passage of the bill, and I do not intend to object to its consideration on the House floor. I am therefore willing to waive further consideration of the bill by the Committee on Science and Technology at this time. I want to make clear, however, that this waiver does not in any way serve as a jurisdictional precedent as to our two committees. Also, I ask that you support my request for appointment of conferees from the Committee on Science and Technology if a conference is held on this matter.

I request that you send to me a letter confirming our agreement and that, as part of the consideration of the bill on the House floor, you insert our two letters in the Congressional Record.

Sincerely,

BART GORDON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL RESOURCES,
Washington, DC, July 20, 2007.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, Washington, DC.

DEAR BART: Thank you for your willingness to allow floor consideration of H.R. 2400, the Ocean and Coastal Mapping Integration Act, to proceed unimpeded.

I appreciate your willingness to waive rights to further consideration of H.R. 2400, even though your Committee shares jurisdiction over it and has received an additional referral. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Science and Technology if a conference is held on this matter.

As you requested, I will insert our two letters in the Congressional Record as part of the consideration of the bill on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL, II,
Chairman, Committee on Natural Resources.

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

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

Mr. Speaker, I rise in support of H.R. 2400, the Ocean and Coastal Mapping Integration Act. Chairman GRIJALVA has adequately explained the bill, which will lead to a more efficient and effective use of ocean data.

Ms. BORDALLO. Mr. Speaker, I rise in support of H.R. 2400, the Ocean and Coastal Mapping Integration Act, which I introduced on May 21, 2007, and which the Committee on Natural Resources ordered to be favorably reported to the House on June 28, 2007.

The surveying and mapping of our coasts and oceans is one of the oldest functions of the Federal Government. In 1807, Thomas Jefferson signed into law an act requiring the President "to cause a survey to be taken of the coast of the United States . . . together with such other matters as he may deem proper for completing an accurate chart of every part of the coasts." Ever since the enactment of that law, the mapping and charting of our coasts and marine waters, including the Great Lakes, continues to be an activity of great national importance.

In 2004 the U.S. Commission on Ocean Policy released a report at the request of the President recommending actions needed to improve ocean policy in the United States. Among the suggestions made by the commission was a recommendation that existing Federal mapping activities be consolidated and coordinated, and that the National Oceanic and Atmospheric Administration, NOAA, lead this effort.

At the same time, the National Research Council, NRC, completed a study identifying the most pressing national needs for coastal mapping and charting. This study, requested by three of the primary agencies involved in ocean and coastal surveying, identified the same need for coordination. The NRC findings included a need for a consistent spatial framework, increased access to geospatial data and mapping products, and increased inter- and intra-agency communication, cooperation, and coordination.

Learning of these recommendations, I introduced H.R. 2400 along with my colleague from South Carolina, the ranking Republican Member of the Subcommittee on Fisheries, Wildlife and Oceans, Congressman HENRY BROWN, to coordinate and strengthen the efforts of Federal agencies to map our oceans and coasts.

The coordination required by this legislation will result in increased efficiency, eliminate redundant mapping efforts, and allow data collected by one agency to be used multiple times by other agencies and stakeholders for myriad purposes.

Passage of this legislation will fulfill an important recommendation of the U.S. Commission on Ocean Policy and result in immediate benefits for national security, maritime commerce, navigation, and marine resource, management and scientific research.

For these reasons, Mr. Speaker, I ask members on both sides to support passage of this non-controversial bill.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 2400, 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.

MULTINATIONAL SPECIES CONSERVATION FUNDS REAUTHORIZATION ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 50) to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 50

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 "Multinational Species Conservation Funds Reauthorization Act of 2007".

SEC. 2. REAUTHORIZATION AND AMENDMENT OF AFRICAN ELEPHANT CONSERVATION ACT.

(a) NOTICE OF APPROVAL OF PROJECT PROPOSAL.—Section 2101(c) of the African Elephant Conservation Act (16 U.S.C. 4211(c)) is amended by striking "and to each country within which the project is proposed to be conducted".

(b) ADMINISTRATIVE EXPENSES.—Section 2306(b) of the African Elephant Conservation Act (16 U.S.C. 4245(b)) is amended by striking "$80,000" and inserting "$100,000".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 2306(a) of the African Elephant Conservation Act (16 U.S.C. 4245(a)) is amended by striking "2001, 2002, 2003, 2004, 2005, 2006, and 2007" and inserting "2007 through 2012".

SEC. 3. REAUTHORIZATION AND AMENDMENT OF RHINOCEROS AND TIGER CONSERVATION ACT OF 1994.

(a) NOTICE OF APPROVAL OF PROJECT PROPOSAL.—Section 5(c) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5304(c)) is amended in the third sentence by striking ", to the Administrator, and to each country within which the project is to be conducted" and inserting "and to the Administrator" .

(b) ADMINISTRATIVE EXPENSES.—Section 10(b) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306(b)) is amended by striking "$80,000" and inserting "$100,000".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 10(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306(a)) is amended by striking "2001, 2002, 2003, 2004, 2005, 2006, and 2007" and inserting "2007 through 2012".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. 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 Arizona?

There was no objection.

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

Mr. Speaker, let me begin by commending Congressman DON YOUNG, the ranking Republican on the Committee on Natural Resources, for introducing H.R. 50, the Multinational Species Conservation Funds Reauthorization Act of 2007. This bill would authorize two important international wildlife conservation laws, the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act.

Mr. Speaker, illegal poaching, habitat loss and other factors have pushed African elephants, rhinoceroses and tigers dangerously close to extinction. H.R. 50 authorizes funding through fiscal year 2012 for scientific research, management, law enforcement and public education activities used to conserve and protect these keystone wildlife species and their habitat.

Congress has provided $26.9 million, which has been leveraged through matching funds and in-kind contributions to generate more than $96.1 million for international species conservation. This has been an excellent investment for the Federal Government.

We support this noncontroversial bill, and urge all Members on both sides to vote for this important conservation bill.

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

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

Mr. Speaker, I rise in strong support of H.R. 50. This legislation, introduced by the distinguished ranking Republican on the Natural Resources Committee, the Honorable DON YOUNG, will extend the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act. This legislation builds upon the proven success of these two conservation funds and allows the Secretary of the Interior to continue to approve badly needed conservation grants for the next 5 years. These acts have been two of the most effective conservation laws ever approved by the United States Congress.

Mr. Speaker, I urge adoption of this legislation.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 50, 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.

ASIAN ELEPHANT CONSERVATION REAUTHORIZATION ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 465) to reauthorize the Asian Elephant Conservation Act of 1997, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 465

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 ''Asian Elephant Conservation Reauthorization Act of 2007''.

SEC. 2. REAUTHORIZATION AND AMENDMENT OF ASIAN ELEPHANT CONSERVATION ACT OF 1997.

(a) NOTICE OF APPROVAL OF PROJECT PROPOSAL.—Section 5(c)(2)(C) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4264(c)(2)(C)) is amended by striking '', the Administrator, and each of those countries'' and inserting ''and the Administrator''.

(b) ADMINISTRATIVE EXPENSES.—Section 8(b) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4266(b)) is amended by striking ''$80,000'' and inserting ''$100,000''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8(a) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4266(a)) is amended by striking ''2001, 2002, 2003, 2004, 2005, 2006, and 2007'' and inserting ''2007 through 2012''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

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

Mr. Speaker, I commend my colleague, Congressman JIM SAXTON, for introducing H.R. 465, the Asian Elephant Conservation Reauthorization Act of 2007. H.R. 465 would authorize the Asian Elephant Conservation Act through fiscal year 2012. This law authorizes grants to be issued for the survival of the Asian elephant in the wild.

Unfortunately, Mr. Speaker, the status of the Asian elephant remains tenuous. Fewer than 4,000 Asian elephants are found throughout the forests and savannas of South Asia. Approximately 16,000 of these animals are held in captivity. The captive elephants are used to assist people in timber harvest, forest clearing and agriculture. In the wild, populations remain under heavy stress from several factors, especially habitat loss and deforestation.

Since the first grant was awarded in 1997, more than $10.3 million in matching contributions or in-kind support have been generated by leveraging the $7.8 million contribution made available by the Congress.

□ 1245

Funding supports cooperative conservation projects that protects Asian elephants and their habitat by providing scientific research, law enforcement and education.

I support this noncontroversial bill, and again commend the gentleman from New Jersey (Mr. SAXTON), the author of the original Asian Elephant Conservation Act, for his unwavering commitment to international wildlife conservation.

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 465, the Asian Elephant Conservation Rauthorization Act. This legislation will extend the Asian Elephant Conservation Fund at the existing authorization levels until September 30, 2012.

In the early 1900s, there were less than 40,000 wild Asian elephants living throughout the world. In response to this international wildlife crisis, the gentleman from New Jersey (Mr. SAXTON) introduced the Asian Elephant Conservation Act. Since 1997, the Secretary of the Interior has reviewed over 300 proposals to assist Asian elephants, and 183 grants have been awarded to various entities. These projects have received $7.8 million in Federal funds and $11.3 million in private matching funds.

This conservation fund has had a profound impact on protecting Asian elephants, and there is no question that these projects have stopped this specie's slide into extinction. This is a sound investment of a small amount of Federal tax dollars. I urge an ''aye'' vote on H.R. 465.

Mr. SAXTON. Mr Speaker, as the author of this legislation, I am pleased the House is now considering H.R. 465. This simple non-controversial legislation will extend the Asian Elephant Conservation Fund at existing authorization levels of up to $5 million each year until September 30, 2012.

During our public hearing on H.R. 465, the Fish and Wildlife Service, which administers this Fund, testified that: "The Asian Elephant Conservation Act has greatly enhanced the conservation status of the Asian elephant".

There are currently only about 40,000 wild Asian elephants living in south and southeastern Asia. As a result, this species is listed on our Endangered Species Act, on Appendix I of CITES and on the World Conservation Union's Red List.

In response to the ongoing slaughter of this keystone species, Congress adopted the Asian Elephant Conservation Act which I was pleased to sponsor in 1997. In the decade since its enactment, the Secretary of the Interior has carefully reviewed over 300 conservation projects designed to save Asian elephants for future generations. The Secretary has approved 183 of these grant proposals which

have received $9 million in Federal funds and $11.3 million in private matching funds.

As every witness testified, there is an overwhelming need to extend this important conservation program and there is no question that these conservation funds have had a profound impact on protecting this irreplaceable species. While everyone enjoys seeing elephants at the National Zoo, it is far more important that they continue to exist in the wild in Burma, India and Thailand. The road to extinction is a one-way street and we must work to ensure that the Asian elephant does not make that journey.

I am proud to urge my colleagues to vote "aye" on H.R. 465, the Asian Elephant Conservation Reauthorization Act. It is an appropriate and sound investment of U.S. tax dollars.

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

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 465, 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.

NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM AMENDMENTS ACT OF 2007

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1239) to amend the National Underground Railroad Network to Freedom Act of 1998 to provide additional staff and oversight of funds to carry out the Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1239

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 ''National Underground Railroad Network to Freedom Amendments Act of 2007''.

SEC. 2. AUTHORIZING APPROPRIATIONS FOR SPECIFIC PURPOSES.

The National Underground Railroad Network to Freedom Act of 1998 (16 U.S.C. 469l et seq.) is amended—

(1) by striking section 3(d);

(2) by striking section 4(d); and

(3) by adding at the end the following new section:

"SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

''(a) AMOUNTS.—There are authorized to be appropriated to carry out this Act $2,500,000 for each fiscal year, to be allocated as follows:

''(1) $2,000,000 is to be used for the purposes of section 3.

''(2) $500,000 is to be used for the purposes of section 4.

''(b) RESTRICTIONS.—No amounts may be appropriated for the purposes of this Act except to the Secretary for carrying out the responsibilities of the Secretary as set forth in this Act.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect at the beginning of the fiscal year immediately following the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentlewoman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. 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 Arizona?

There was no objection.

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

H.R. 1239, introduced by the gentleman from Florida (Mr. HASTINGS), seeks to further the commitment made by Congress with the passage of the National Underground Railroad Network to Freedom Act of 1998 by reconfiguring the authorization of funds to carry out the act.

Mr. Speaker, the Underground Railroad was a historic protest movement against slavery which helped escaped slaves find freedom in Northern States and Canada prior to the Civil War.

The National Underground Railroad Network to Freedom Act of 1998 established the Underground Network to Freedom Program administered by the National Park Service. Today the program carries out important activities in more than 27 States and the District of Columbia.

Mr. Speaker, I would like to commend my friend and colleague from Florida (Mr. HASTINGS) for his work on this legislation. He has been a real leader in this bipartisan effort to enhance the Underground Railroad Network to Freedom Program. We support passage of H.R. 1239, as amended, and urge its adoption by the House today.

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in support of H.R. 1239, and yield myself such time as I may consume.

I would like to commend the sponsor, the gentleman from Florida (Mr. HASTINGS), as well as the chairman of the subcommittee Mr. GRIJALVA, for explaining this bill. We appreciate the work that has been done to improve the bill, and look forward to see the program succeed. I urge Members' support.

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

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. HASTINGS), the author and sponsor of this legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in strong support of H.R. 1239, the National Underground Railroad Network to Freedom Reauthorization Act. I introduced this legislation with my good friend, the gentleman from Delaware (Mr. CASTLE).

The widespread bipartisan support this legislation has received with 67 cosponsors and endorsement by the National Parks Conservation Association has demonstrated that black history is synonymous with American history as life experience shared by all citizens of America.

I would like to thank Chairman RAHALL and Mr. DON YOUNG of the Natural Resources Committee for bringing this important legislation to the floor, and I would especially like to thank the gentleman from Arizona (Mr. GRIJALVA), the subcommittee chairman, and his counterpart, Representative ROB BISHOP, for their support. And my congratulations to Mrs. MCMORRIS RODGERS on her recent addition to her family and her finding time to come and support this legislation as well.

With passage of this legislation, I hope that the National Park Service will give the National Underground Railroad Network to Freedom its due priority with adequate staffing to maintain the growing network. Toward that end, I would also like to thank the staff of the respective committees who helped to expedite this matter.

Mr. Speaker, when I joined my esteemed former colleague, as did many other Members, and the person to whom I am referring is Representative Lou Stokes, in 1998, he led the effort to establish the National Underground Railroad to Freedom. I don't think any of us could have foreseen the emergence of the National Park Service as one of the largest stewards of black history in the United States. Nor could we have predicted the rapidly expanding support and interest for one of the most intriguing multicultural collaborations in the history of our Nation.

The Network to Freedom is a key feature that diversifies engagement in interpretive opportunities of our National Park System. It has grown to 300 programs, sites, and partners in 28 States and the District of Columbia. This network is a national treasure of historic buildings, routes, programs, projects, and museums with thematic connections to the Underground Railroad.

The legislation before us today appropriately adjusts the authorization levels for the Network to Freedom to reflect the growth of interest nationally, and the resulting expansion of opportunities. These adjustments will help to resolve the financial challenges facing the Network to Freedom that include the lack of consistent development grants and administrative support for affiliates.

Mr. Speaker, this bill protects the interpretive interests of our National Park System by providing the necessary support staff and oversight for

the Network to Freedom to exist in perpetuity. It is time to take a stand for the future of our national parks and American history.

I urge my colleagues to support this bill and preserve a vital asset to the history of our Nation, the Underground Railroad.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in strong support of H.R. 1239, the National Underground Railroad Network to Freedom Reauthorization Act. I introduced this legislation in February with my good friend Representative Castle of Delaware as one contribution to the celebration of Black History Month.

The widespread bi-partisan support this legislation has received with 67 cosponsors and endorsement by the National Parks Conservation Association has demonstrated that Black history is synonymous with American history as a life experience shared by all citizens of America.

I would like to thank Chairman RAHALL and Ranking Member YOUNG of the Natural Resources Committee for bringing this important legislation to the floor. I would also like to thank Subcommittee Chairman GRIJALVA and Representative ROB BISHOP for their support and minor adjustments to this legislation to meet the needs of the National Park Service administration. With passage of this legislation, I hope that the National Park Service will give the National Underground Railroad Network to Freedom its due priority with adequate staffing to maintain the growing network.

Mr. Speaker, when I joined my esteemed former colleague Representative Louis Stokes in 1998 to establish the National Underground Railroad Network to Freedom, I do not think we could have foreseen the emergence of the National Park Service as one of the largest stewards of black history in the United Sates. Nor could we have predicted the rapidly expanding support and interest for one of the most intriguing multicultural collaborations in the history of our Nation.

In this polarized historical moment of American politics, remembering the Underground Railroad as a unifying narrative in our history could not be timelier. The sacrifice at the risk of death made by conductors and travelers of the Underground Railroad was an unprecedented contribution to the abolition of slavery. The contributors to this network included the members of the Society of Religious Friends, commonly referred to as the Quakers, as well as other concerned individuals. Thus, the Underground Railroad was one of the first synergistic partnerships that fostered the development of the thriving multicultural society that is the United States of America.

Mr. Speaker, the Network to Freedom is a key feature that diversifies engagement in interpretive opportunities of our national park system. It has grown to 300 programs, sites, and partners in 28 states and the District of Columbia. This network is a national treasure of historic buildings, routes, programs, projects, and museums with thematic connections to the Underground Railroad.

The legislation before us today appropriately adjusts authorization levels for the Network to Freedom to reflect the growth of interest nationally and the resulting expansion of opportunities. As a part of a concerted movement to overcome the funding challenges that threaten all national parks, this legislation moderately expands the operating funds of Network to Freedom to an authorization for appropriations up to $2 million and establishes appropriate oversight for grant funds. These adjustments will help to resolve the financial challenges facing the Network to Freedom that include the lack of consistent development grants and administrative support for affiliates.

Mr. Speaker, this bill will protect the interpretive interests of our National Park System by providing the necessary support staff and oversight for the Network to Freedom to exist in perpetuity. It is time to take a stand for the future of our National Parks and American history.

I urge my colleagues to support this bill and join me in preserving a vital asset to the history of our Nation: the Underground Railroad.

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1239, 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 amend the National Underground Railroad Network to Freedom Act of 1998 to authorize additional funding to carry out the Act, and for other purposes.''.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE HON. MARK UDALL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Hon. MARK UDALL, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 20, 2007.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued in the Municipal Court of the City of Westminster, Colorado, for testimony in a criminal case.

I do not appear to have any relevant or material testimony to offer. Accordingly, after consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

MARK UDALL,
Member of Congress.

OVERSEAS PRIVATE INVESTMENT CORPORATION REAUTHORIZATION ACT OF 2007

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2798) to reauthorize the programs of the Overseas Private Investment Corporation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2798

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 ''Overseas Private Investment Corporation Reauthorization Act of 2007''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Since its founding in 1971, the Overseas Private Investment Corporation (in this section referred to as ''OPIC'') has helped to mobilize and facilitate private capital by United States investors in developing and emerging market countries in support of United States foreign policy and development goals.

(2) OPIC assistance should not, in any way, support projects in countries that reject their obligations to support international peace, security, and basic human rights.

(3) OPIC assistance should not be provided to those who support enemies of the United States.

(4) OPIC assistance is a privilege and should be granted to persons that, along with their affiliated companies, demonstrate responsible and sustainable business practices, particularly with regard to the environment, international worker rights, and efforts against genocide and nuclear proliferation. Denial of OPIC assistance is not a penalty or sanction.

(5) Over OPIC's 35-year history, OPIC has supported $177,000,000,000 in operating investments in more than 150 developing countries, helping to create more than 800,000 jobs and some $13,000,000,000 in host-government revenues.

(6) OPIC projects have generated $71,000,000,000 in United States exports and supported more than 271,000 United States jobs.

(7) Projects assisted by OPIC in fiscal year 2006 are projected to generate $1,000,000,000 in United States exports, support more than 2,700 United States jobs, and have a positive impact on the United States balance of payments.

(8) In fiscal year 2006, 87 percent of all OPIC-supported projects supported small-and-medium-sized businesses in the United States.

(9) In an era of limited Federal budgetary resources, OPIC has consistently demonstrated an ability to operate on a self-sustaining basis to support United States companies, all at a net cost of zero to the United States taxpayer.

(10) OPIC has reserves totaling approximately $5,300,000,000 and will make an estimated net budget contribution to the international affairs account of $159,000,000 in fiscal year 2008.

SEC. 3. REAUTHORIZATION OF OPIC PROGRAMS.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended by striking ''September 30, 2007'' and inserting ''September 30, 2011'' .

SEC. 4. PREFERENTIAL CONSIDERATION OF CERTAIN INVESTMENT PROJECTS.

Section 231(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2191(f)) is amended to read as follows:

''(f) to give preferential consideration to investment projects in less developed countries the governments of which are receptive to private enterprise, domestic and foreign, and to projects in countries the governments of which are willing and able to maintain conditions that enable private enterprise to make its full contribution to the development process;''.

SEC. 5. REQUIREMENTS REGARDING INTERNATIONAL WORKER RIGHTS.

(a) COUNTRY REQUIREMENTS.—Subsection (a) of section 231A of the Foreign Assistance Act of 1961 (22 U.S.C. 2191a(a)) is amended—

(1) by amending the subsection heading to read as follows: ''INTERNATIONAL WORKER RIGHTS'';

(2) in paragraph (4), by striking ''(4) In'' and inserting ''(5) ADDITIONAL DETERMINATION.—In '' ; and

(3) by striking paragraphs (1) through (3) and inserting the following:

''(1) LIMITATION ON OPIC ACTIVITIES.—(A) The Corporation may insure, reinsure, guarantee, or finance a project only if the country in which the project is to be undertaken has made or is making significant progress towards the recognition, adoption, and implementation of laws that substantially provide international worker rights, including in any designated zone, or special administrative region or area, in that country.

''(B) The Corporation shall also include the following language, in substantially the following form, in all contracts which the Corporation enters into with eligible investors to provide financial support under this title:

'' 'The investor agrees not to take any actions to obstruct or prevent employees of the foreign enterprise from exercising their international worker rights (as defined in section 238(h) of the Foreign Assistance Act of 1961), and agrees to adhere to the obligations regarding those international worker rights.'

''(2) PREFERENCE TO CERTAIN COUNTRIES.—To the degree possible and consistent with its development objectives, the Corporation shall give preferential consideration to projects in countries that have adopted, maintain, and enforce laws that substantially provide international worker rights.

''(3) USE OF ANNUAL REPORTS ON INTERNATIONAL WORKER RIGHTS.—The Corporation shall, in carrying out paragraph (1)(A), use, among other sources, the reports submitted to the Congress pursuant to section 504 of the Trade Act of 1974. Such other sources include the observations, reports, and recommendations of the International Labor Organization, and other relevant organizations.

''(4) INAPPLICABILITY TO HUMANITARIAN ACTIVITIES.—Paragraph (1) shall not prohibit the Corporation from providing any insurance, reinsurance, guaranty, financing, or other assistance for the provision of humanitarian assistance in a country.''.

(b) BOARD OF DIRECTORS.—Section 233(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is amended by adding at the end the following: ''The selection of the small business, organized labor, and cooperative directors should be made, respectively, in consultation with relevant representative organizations.''.

(c) DEFINITIONS.—Section 238 of the Foreign Assistance Act of 1961 (22 U.S.C. 2198) is amended—

(1) in subsection (f), by striking ''and'' after the semicolon;

(2) in subsection (g), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(h) the term 'international worker rights' means—

''(1) internationally recognized worker rights, as defined in section 507(4) of the Trade Act of 1974 (19 U.S.C. 2467(4)); and

''(2) the elimination of discrimination with respect to employment and occupation.''.

(d) GENERAL PROVISIONS AND POWERS.—Section 239 of the Foreign Assistance Act of 1961 (22 U.S.C. 2199) is amended—

(1) in subsection (h), by adding at the end the following: ''In addition, the Corporation should consult with relevant stakeholders in developing such criteria.''; and

(2) in subsection (i), in the first sentence, by inserting '', including international worker rights,'' after ''fundamental freedoms''.

SEC. 6. ENVIRONMENTAL ASSESSMENTS.

Section 231A(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2191a(b)) is amended to read as follows:

''(b) ENVIRONMENTAL IMPACT.—The Board of Directors of the Corporation shall not vote in favor of any action proposed to be taken by the Corporation that is likely to have significant adverse environmental impacts, unless for at least 60 days before the date of the vote—

''(1) an environmental impact assessment, or initial environmental audit, analyzing the environmental impacts of the proposed action and of alternatives to the proposed action has been completed by the project applicant and made available to the Board of Directors; and

''(2) such assessment or audit has been made available to the public of the United States, locally affected groups in the host country, and host country nongovernmental organizations.''.

SEC. 7. COMMUNITY SUPPORT.

Section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is amended by adding at the end the following:

''(p) COMMUNITY SUPPORT.—To the maximum extent practicable, the Corporation shall require the applicant for a project that is subject to section 231A(b) to obtain broad community support for the project.''.

SEC. 8. CLIMATE CHANGE MITIGATION ACTION PLAN.

Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.) is amended by inserting after section 234A the following new section:

''SEC. 234B. CLIMATE CHANGE MITIGATION.

''(a) MITIGATION ACTION PLAN.—The Corporation shall, not later than 180 days after the date of the enactment of the Overseas Private Investment Corporation Reauthorization Act of 2007, institute a climate change mitigation action plan that includes the following:

''(1) CLEAN AND EFFICIENT ENERGY TECHNOLOGY.—

''(A) INCREASING ASSISTANCE.—The Corporation shall establish a goal of substantially increasing its support of projects that use, develop, or otherwise promote the use of clean energy technologies over the 4-year period beginning on the date of the enactment of the Overseas Private Investment Corporation Reauthorization Act of 2007.

''(B) PREFERENTIAL TREATMENT TO PROJECTS.—The Corporation shall give preferential treatment to the evaluation and awarding of assistance for and provide greater flexibility in supporting projects that use, develop, or otherwise promote the use of clean and efficient energy technologies.

''(2) ENVIRONMENTAL IMPACT ASSESSMENTS.—

''(A) GREENHOUSE GAS EMISSIONS.—The Corporation shall, in making an environmental impact assessment for a project under section 231A(b), take into account the degree to which the project contributes to the emission of greenhouse gases.

''(B) OTHER DUTIES NOT AFFECTED.—The requirement under subparagraph (A) is in addition to any other requirement, obligation, or duty that the Corporation has.

''(3) REPORT TO CONGRESSIONAL COMMITTEES.—The Corporation shall, within 180 days after the date of the enactment of the Overseas Private Investment Corporation Reauthorization Act of 2007, submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the plan developed to carry out paragraph (1)(A). Thereafter, the Corporation shall include in its annual report under section 240A a discussion of such plan and its implementation.

''(b) EXTRACTION INVESTMENTS.—

''(1) PRIOR NOTIFICATION TO CONGRESSIONAL COMMITTEES.—The Corporation may not approve any contract of insurance or reinsurance, or any guaranty, or enter into any agreement to provide financing for any project which significantly involves an extractive industry and in which assistance by the Corporation would be valued at $10,000,000 or more (including contingent liability), until at least 30 days after the Corporation notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such contract or agreement.

''(2) COMMITMENT TO EITI PRINCIPLES.—The Corporation may approve a contract of insurance or reinsurance, or any guaranty, or enter into an agreement to provide financing to an eligible investor for a project that significantly involves an extractive industry only if—

''(A) the eligible investor has agreed to implement the Extractive Industries Transparency Initiative principles and criteria, or substantially similar principles and criteria; or

''(B) the host country where the project is to be carried out has committed to the Extractive Industries Transparency Initiative principles and criteria, or substantially similar principles and criteria.

''(3) PREFERENCE FOR CERTAIN PROJECTS.—With respect to all projects that significantly involve an extractive industry, the Corporation, to the degree possible and consistent with its development objectives, shall give preference to a project in which both the eligible investor has agreed to implement the Extractive Industries Transparency Initiative principles and criteria, or substantially similar principles and criteria, and the host country where the project is to be carried out has committed to the Extractive Industries Transparency Initiative principles and criteria, or substantially similar principles and criteria.

''(4) DEFINITIONS.—In this subsection:

''(A) EXTRACTIVE INDUSTRY.—The term 'extractive industry' refers to an enterprise engaged in the exploration, development, or extraction of oil and gas reserves, metal ores, gemstones, industrial minerals, or coal.

''(B) EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE PRINCIPLES AND CRITERIA.—The term 'Extractive Industries Transparency Initiative principles and criteria' means the principles and criteria of the Extractive Industries Transparency Initiative, as set forth in Annex A to the Anti-Corruption Policies and Strategies Handbook of the Corporation, as published in September 2006.

''(5) REPORTING REQUIREMENT.—The Corporation shall include in its annual report required under section 240A a description of its activities to carry out this subsection.

''(c) DEFINITIONS.—In this section:

''(1) CLEAN AND EFFICIENT ENERGY TECHNOLOGY.—The term 'clean and efficient energy technology' means an energy supply or end-use technology—

''(A) such as—

''(i) solar technology;

''(ii) wind technology;

''(iii) geothermal technology;

''(iv) hydroelectric technology; and

''(v) carbon capture technology; and

''(B) that, over its life cycle and compared to a similar technology already in commercial use—

''(i) is reliable, affordable, economically viable, socially acceptable, and compatible

with the needs and norms of the country involved;

''(ii) results in—

''(I) reduced emissions of greenhouse gases; or

''(II) increased geological sequestration; and

''(iii) may—

''(I) substantially lower emissions of air pollutants; or

''(II) generate substantially smaller and less hazardous quantities of solid or liquid waste.

''(2) GREENHOUSE GAS.—The term 'greenhouse gas' means—

''(A) carbon dioxide;

''(B) methane;

''(C) nitrous oxide;

''(D) hydrofluorocarbons;

''(E) perfluorocarbons; or

''(F) sulfur hexafluoride.''.

SEC. 9. PROHIBITION ON ASSISTANCE TO DEVELOP OR PROMOTE CERTAIN RAILWAY CONNECTIONS AND RAILWAY-RELATED CONNECTIONS.

Section 237 of the of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is further amended by adding at the end the following:

''(q) PROHIBITION ON ASSISTANCE FOR CERTAIN RAILWAY PROJECTS.—The Corporation may not provide insurance, reinsurance, a guaranty, financing, or other assistance to support the development or promotion of any railway connection or railway-related connection that does not traverse or connect with Armenia and does connect Azerbaijan and Turkey.''.

SEC. 10. INELIGIBILITY OF PERSONS DOING CERTAIN BUSINESS WITH STATE SPONSORS OF TERRORISM.

(a) IN GENERAL.—Section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is further amended by adding at the end the following:

''(r) INELIGIBLE PROJECTS.—

''(1) IN GENERAL.—A project will not be eligible to receive support provided by the Corporation under this title if either of the following applies:

''(A)(i) An applicant for insurance, reinsurance, financing, or other support for a project provided to the government of a state sponsor of terrorism a loan, or an extension of credit, that remains outstanding.

''(ii) For purposes of this subparagraph, the sale of goods, other than food or medicine, on any terms other than a cash basis shall be considered to be an extension of credit.

''(B) An applicant for insurance, reinsurance, financing, or other support for a project has an investment commitment valued at $20,000,000 or more for the energy sector in a country that is a state sponsor of terrorism.

''(2) DEFINITIONS.—In this subsection:

''(A) CASH BASIS.—The term 'cash basis' refers to a sale in which the purchaser of goods or services is required to make payment in full within 45 days after receiving the goods or services.

''(B) ENERGY SECTOR.—The term 'energy sector' refers to activities to develop or transport petroleum or natural gas resources.

''(C) INVESTMENT COMMITMENT.—The term 'investment commitment' means any of the following activities if such activity is undertaken pursuant to a commitment, or pursuant to the exercise of rights under a commitment, that was entered into with the government of a state sponsor of terrorism or a nongovernmental entity in a country that is a state sponsor of terrorism:

''(i) The entry into a contract that includes responsibility for the development of petroleum resources located in a country that is a state sponsor of terrorism, or the entry into a contract providing for the general supervision and guarantee of another person's performance of such a contract.

''(ii) The purchase of a share of ownership, including an equity interest, in that development.

''(iii) The entry into a contract providing for the participation in royalties, earnings, or profits in that development, without regard to the form of the participation.

''(D) STATE SPONSOR OF TERRORISM.—The term 'state sponsor of terrorism' means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, to be a government that has repeatedly provided support for acts of international terrorism.

''(3) CERTIFICATION.—

''(A) BY APPLICANTS.—A person or entity applying for insurance, reinsurance, a guaranty, financing, or other assistance under this title may not receive such support unless its chief executive officer certifies to the Corporation, under penalty of perjury, that the person or entity and its majority-owned subsidiaries are not engaged in any activity described in subparagraph (A) or (B) of paragraph (1).

''(B) BY ULTIMATE PARENT ENTITIES.—In the case of an applicant that is a majority-owned entity of another entity, in addition to the certification under subparagraph (A), the chief executive officer of the ultimate parent entity of the applicant must certify, under penalty of perjury, that it and its majority-owned subsidiaries are not engaged in any activity described in subparagraph (A) or (B) of paragraph (1).

''(C) APPLICATION TO STRAW MAN TRANSACTIONS.—In any case in which—

''(i) an applicant for insurance, reinsurance, financing, or other assistance under this title is providing goods and services to a project,

''(ii) more than 50 percent of such goods and services are acquired from an unaffiliated entity, and

''(iii) the unaffiliated entity is receiving $20,000,000 or more, or sums greater than 50 percent of the amount of the assistance provided by the Corporation for the project (including contingent liability), for such goods or services,

then the chief executive officer of the unaffiliated entity must make a certification under subparagraph (A), and any ultimate parent entity must make a certification required by subparagraph (B).

''(D) DILIGENT INQUIRY.—A certification required by subparagraph (A), (B), or (C) may be made to the best knowledge and belief of the certifying officer if that officer states that he or she has made diligent inquiry into the matter certified.

''(E) EXCEPTION.—(i) A chief executive officer of an applicant or other entity may provide a certification required by subparagraph (A), (B), or (C) with respect to the activity of a majority-owned subsidiary or entity notwithstanding activity by such majority-owned subsidiary or entity that would cause a project to be ineligible for support under subparagraph (A) or (B) of paragraph (1) if such activity is carried out under a contract or other obligation of such majority-owned subsidiary or entity that was entered into or incurred before the acquisition of such majority-owned subsidiary or entity by the applicant or ultimate parent entity.

''(ii) Clause (i) shall not apply if the terms of such contract or other obligation are expanded or extended after such acquisition.

''(F) DEFINITION.—For purposes of this paragraph, a person is an ultimate parent of an entity if the person owns directly, or through majority ownership of other entities, greater than 50 percent of the equity of the entity.

''(4) EXCEPTION.—The prohibition in paragraph (1) shall not—

''(A) apply to a loan, extension of credit, or investment commitment by an applicant, or other entity covered by a certification under subparagraph (A), (B), or (C) of paragraph (3), in Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, or Abyei, Darfur, if the Corporation, with the concurrence of the Secretary of State, determines that such loan, extension of credit, or investment commitment will provide emergency relief, promote economic self-sufficiency, or implement a nonmilitary program in support of a viable peace agreement in Sudan, including the Comprehensive Peace Agreement for Sudan and the Darfur Peace Agreement; or

''(B) prohibit the Corporation from providing support for projects in Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, and Abyei, Darfur, if the Corporation, with the concurrence of the Secretary of State, determines that such projects will provide emergency relief, promote economic self-sufficiency, or implement a nonmilitary program in support of a viable peace agreement in Sudan, including the Comprehensive Peace Agreement for Sudan and the Darfur Peace Agreement.

''(5) PROSPECTIVE APPLICATION OF SUBSECTION.—This subsection shall not be applied to limit support by the Corporation under this title because an applicant, or other entity covered by a certification under subparagraph (A), (B), or (C) of paragraph (3) engaged in commercial activity specifically licensed by the Office of Foreign Assets Control of the Department of the Treasury.''.

(b) TERMINATION.—

(1) IN GENERAL.—The amendment made by this section shall cease to be effective with respect to a country that is a state sponsor of terrorism 30 days after the President certifies to the appropriate congressional committees that—

(A) the country has ceased providing support for acts of international terrorism and no longer satisfies the requirements for designation as a state sponsor of terrorism;

(B) the country does not possess nuclear weapons or a significant program to develop nuclear weapons; and

(C) the country is not committing genocide or conducting a program of ethnic cleansing against a civilian population that approaches genocide.

(2) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(B) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' has the meaning given that term in section 237(r)(2)(D) of the Foreign Assistance Act of 1961, as added by subsection (a) of this section.

SEC. 11. INCREASED TRANSPARENCY.

(a) IN GENERAL.—Section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is further amended by adding at the end the following new subsections:

''(s) AVAILABILITY OF PROJECT INFORMATION.—Beginning 90 days after the date of the enactment of the Overseas Private Investment Corporation Reauthorization Act of 2007, the Corporation shall make public, and post on its Internet website, summaries of all new projects supported by the Corporation, and other relevant information, except

that the Corporation shall not include any confidential business information in the summaries and information made available under this subsection.

''(t) REVIEW OF METHODOLOGY.—Not later than 180 days after the date of the enactment of the Overseas Private Investment Corporation Reauthorization Act of 2007, the Corporation shall publish in the Federal Register and periodically revise, subject to a period of public comment, the detailed methodology, including relevant regulations, used to assess and monitor the impact of projects supported by the Corporation on the development and environment of, and international worker rights in, host countries, and on United States employment.

''(u) PUBLIC NOTICE PRIOR TO PROJECT APPROVAL.—

''(1) PUBLIC NOTICE.—The Board of Directors of the Corporation may not vote in favor of any action proposed to be taken by the Corporation on any Category A project until at least 60 days after the Corporation—

''(A) makes available for public comment a summary of the project and relevant information about the project; and

''(B) makes the summary and information described in paragraph (1) available to locally affected groups in the area of impact of the proposed project, and to host country nongovernmental organizations.

The Corporation shall not include any business confidential information in the summary and information made available under subparagraphs (A) and (B).

''(2) PUBLISHED RESPONSE.—To the extent practicable, the Corporation shall publish responses to the comments received under paragraph (1) with respect to a Category A project and submit the responses to the Board not later than 7 days before a vote is to be taken on any action proposed by the Corporation on the project.

''(3) DEFINITIONS.—In this subsection, the term 'Category A project' means any project or other activity for which the Corporation proposes to provide insurance, reinsurance, financing, or other support under this title and which is likely to have significant adverse environmental impacts.''.

(b) OFFICE OF ACCOUNTABILITY.—Section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is further amended by adding at the end the following new subsection:

''(v) OFFICE OF ACCOUNTABILITY.—The Corporation shall maintain an Office of Accountability to provide problem-solving services for projects supported by the Corporation and to review the Corporation's compliance with its environmental, social, worker rights, human rights, and transparency policies and procedures, to the maximum extent practicable. The Office of Accountability shall operate in a manner that is fair, objective and transparent.''.

SEC. 12. FRAUD AND OTHER BREACHES OF CONTRACT.

Section 237(n) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(n)) is amended—

(1) by striking ''Whoever'' and inserting:

''(1) IN GENERAL.—Whoever''; and

(2) by adding at the end the following:

''(2) DEFERRALS TO DEPARTMENT OF JUSTICE.—(A) The President of the Corporation shall refer to the Department of Justice for appropriate action information known to the Corporation concerning any substantial evidence of—

''(i) a violation of this title;

''(ii) a material breach of contract entered into with the Corporation by an eligible investor; or

''(iii) a material false representation made by an investor to the Corporation.

''(B) Subparagraph (A) does not apply if the President of the Corporation concludes that the matter described in clause (i), (ii), or (iii), as the case may be, of subparagraph (A)—

''(i) is not evidence of a possible violation of criminal law; and

''(ii) is not evidence that the Federal Government is entitled to civil remedy or to impose a civil penalty. ''.

SEC. 13. TRANSPARENCY AND ACCOUNTABILITY OF INVESTMENT FUNDS.

(a) IN GENERAL.—Section 239 of the Foreign Assistance Act of 1961 (22 U.S.C. 2199) is amended by adding at the end the following:

''(l) TRANSPARENCY AND ACCOUNTABILITY OF INVESTMENT FUNDS.—

''(1) COMPETITIVE SELECTION OF INVESTMENT FUND MANAGEMENT.—With respect to any investment fund that the Corporation creates on or after the date of the enactment of the Overseas Private Investment Corporation Reauthorization Act of 2007, the Corporation may select persons to manage the fund only by contract using full and open competitive procedures.

''(2) CRITERIA FOR SELECTION.—In assessing proposals for investment fund management proposals, the Corporation shall consider, in addition to other factors, the following:

''(A) The prospective fund management's experience, depth, and cohesiveness.

''(B) The prospective fund management's track record in investing risk capital in emerging markets.

''(C) The prospective fund management's experience, management record, and monitoring capabilities in its target countries, including details of local presence (directly or through local alliances).

''(D) The prospective fund management's experience as a fiduciary in managing institutional capital, meeting reporting requirements, and administration.

''(E) The prospective fund management's record in avoiding investments in companies that would be disqualified under section 237(r).

''(3) ANNUAL REPORT.—The Corporation shall include in each annual report under section 240A an analysis of the investment fund portfolio of the Corporation, including the following:

''(A) FUND PERFORMANCE.—An analysis of the aggregate financial performance of the investment fund portfolio grouped by region and maturity.

''(B) STATUS OF LOAN GUARANTIES.—The amount of guaranties committed by the Corporation to support investment funds, including the percentage of such amount that has been disbursed to the investment funds.

''(C) RISK RATINGS.—The definition of risk ratings, and the current aggregate risk ratings for the investment fund portfolio, including the number of investment funds in each of the Corporation's rating categories.

''(D) COMPETITIVE SELECTION OF INVESTMENT FUND MANAGEMENT.—The number of proposals received and evaluated for each newly established investment fund.''.

(b) GAO AUDIT.—Not later than 1 year after the submission of the first report to Congress under section 240A of the Foreign Assistance Act of 1961 that includes the information required by section 239(l)(3) of that Act (as added by subsection (a) of this section), the Comptroller General of the United States shall prepare and submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate an independent assessment of the investment fund portfolio of the Overseas Private Investment Corporation, covering the items required to be addressed under such section 239(l)(3).

SEC. 14. EXTENSION OF AUTHORITY TO OPERATE IN IRAQ.

Section 239 of the Foreign Assistance Act of 1961 (22 U.S.C. 2199) is amended by adding at the end the following:

''(m) OPERATIONS IN IRAQ.—Notwithstanding subsections (a) and (b) of section 237, the Corporation is authorized to undertake in Iraq any program authorized by this title.''.

SEC. 15. CONSISTENCY WITH EXISTING LAW.

Section 239 of the Foreign Assistance Act of 1961 (22 U.S.C. 2199) is further amended by adding at the end the following:

''(n) CONSISTENCY WITH OTHER LAW.—Section 620L of this Act shall apply to any insurance, reinsurance, guaranty, or other financing issued by the Corporation for projects in the West Bank and Gaza to the same extent as such section applies to other assistance under this Act.

''(o) LIMITATION ON ASSISTANCE TO GAZA AND THE WEST BANK.—The Corporation may not provide insurance, reinsurance, a guaranty, financing, or other assistance to support a project in any part of Gaza or the West Bank unless the Secretary of State determines that the location for the project is not under the effective control of Hamas or any other foreign terrorist organization designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).''.

SEC. 16. CONGRESSIONAL NOTIFICATION REGARDING MAXIMUM CONTINGENT LIABILITY.

Section 239 of the Foreign Assistance Act of 1961 (22 U.S.C. 2199) is further amended by adding at the end the following:

''(p) CONGRESSIONAL NOTIFICATION OF INCREASE IN MAXIMUM CONTINGENT LIABILITY.—The Corporation shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not later than 15 days after the date on which the Corporation's maximum contingent liability outstanding at any one time pursuant to insurance issued under section 234(a), and the amount of financing issued under sections 234(b) and (c), exceeds the previous fiscal year's maximum contingent liability by 25 percent.''.

SEC. 17. ASSISTANCE FOR SMALL BUSINESSES AND ENTITIES.

Section 240 of the Foreign Assistance Act of 1961 (22 U.S.C. 2200) is amended by adding at the end the following:

''(c) RESOURCES DEDICATED TO SMALL BUSINESSES, COOPERATIVES, AND OTHER SMALL UNITED STATES INVESTORS.—The Corporation shall ensure that adequate personnel and resources, including senior officers, are dedicated to assist United States small businesses, cooperatives, and other small United States investors in obtaining insurance, reinsurance, financing, and other support under this title. The Corporation shall include, in each annual report under section 240A, the following information with respect to the period covered by the report:

''(1) A description of such personnel and resources.

''(2) The number of small businesses, cooperatives, and other small United States investors that received such insurance, reinsurance, financing, and other support, and the dollar value of such insurance, reinsurance, financing and other support.

''(3) A description of the projects for which such insurance, reinsurance, financing, and other support was provided.''.

SEC. 18. TECHNICAL CORRECTIONS.

(a) PILOT EQUITY FINANCE PROGRAM.—Section 234 of the Foreign Assistance Act of 1961 (22 U.S.C. 2194) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsection (h) as subsection (g).

(b) TRANSFER AUTHORITY.—Section 235 of the Foreign Assistance Act of 1961 (22 U.S.C. 2195) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(c) GUARANTY CONTRACT.—Section 237(j) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(j)) is amended by inserting ''insurance, reinsurance, and'' after ''Each''.

(d) TRANSFER OF PREDECESSOR PROGRAMS AND AUTHORITIES.—

(1) TRANSFER.—Section 239 of the Foreign Assistance Act of 1961 (22 U.S.C. 2199), as amended by the preceding provisions of this Act, is amended—

(A) by striking subsection (b); and

(B) by redesignating the subsections (c) through (p) as subsections (b) through (o), respectively.

(2) CONFORMING AMENDMENTS.—(A) Section 237(m)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2197(m)(1)) is amended by striking ''239(g)'' and inserting ''239(f)''.

(B) Section 240A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2200A(a)) is amended—

(i) in paragraph (1), by striking ''239(h)'' and inserting ''239(g)''; and

(ii) in paragraph (2)(A), by striking ''239(i)'' and inserting ''239(h)''.

(C) Section 209(e)(16) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113; 31 U.S.C. 1113 note) is amended by striking ''239(c)'' and ''2199(c)'' and inserting ''239(b)'' and ''2199(b)'', respectively.

(e) ADDITIONAL CLERICAL AMENDMENTS.—Section 234(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2194(b)) is amended by striking ''235(a)(2)'' and inserting ''235(a)(1)''.

SEC. 19. EFFECTIVE DATE.

(a) NEW APPLICATIONS.—This Act and the amendments made by this Act shall apply with respect to any application for insurance, reinsurance, a guaranty, financing, or other support under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 if the application is received by the Overseas Private Investment Corporation on or after July 1, 2007, and the application is approved by the Corporation on or after the date of the enactment of this Act.

(b) EXTENSIONS AND RENEWALS.—

(1) IN GENERAL.—Subject to paragraph (2), this Act and the amendments made by this Act shall apply with respect to any extension or renewal of a contract or agreement for any such insurance, reinsurance, guaranty, financing, or support that was entered into by the Corporation before the date of the enactment of this Act if the extension or renewal is approved by the Corporation on or after such date of enactment.

(2) EXCEPTION.—This Act and the amendments made by this Act shall not apply to any extension or renewal which is substantially identical to an extension or renewal formally requested in a detailed writing filed with the Corporation before July 1, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. SHERMAN. 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 now under consideration, and on the next three resolutions that the House will consider, H. Res. 521, H. Res. 380, and H. Con. Res. 139.

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

There was no objection.

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

I would like to thank the many colleagues who have been involved in crafting this legislation, including Chairman LANTOS, Ranking Member ROS-LEHTINEN, Ranking Member ROYCE, Mr. MANZULLO, Ambassador Watson and others. Their assistance was critical in the bipartisan effort of making the Overseas Private Investment Corporation even more effective.

As I proceed, I will point out that the Overseas Private Investment Corporation is saddled with the most unfortunate acronym in Washington, OPIC. Let us hope it is not confused with that other, nefarious organization, OPEC.

OPIC's mission is ''to mobilize and facilitate the participation of United States private capital and skills in the economic and social development of less developed countries and areas.''

Since its creation in 1971, the Overseas Private Investment Corporation has generated $71 billion in U.S. exports, supported over 271,000 U.S. jobs, and supported projects in over 150 developing countries.

OPIC uses a nimble, private-sector model to accomplish its important public-sector goals, to further development in poor countries, including unstable countries, and to support the goals of American foreign policy. It supports targeted investments in some of the world's poorest countries, many of which would otherwise not benefit from American private-sector projects because the private sector would be otherwise unwilling to take the risks involved.

OPIC, being part of the Federal Government, is uniquely qualified to carry out this mission. There are private sector organizations which will sell on rare occasions expropriation insurance, but they often refuse to sell such insurance or refuse to finance projects in difficult and problematic countries because if expropriation did occur, they would only have their private-sector contacts to persuade the foreign government to relent. In the case of OPIC, it is able to rely on the United States State Department to convince foreign countries not to expropriate projects and assets funded by or guaranteed by the United States agency.

OPIC has a sophisticated system that reviews applications and funds projects in some of the places where companies are least likely to get the very kind of insurance they are most likely to need; namely, insurance for political risk. In fact, OPIC requires applicants for assistance to seek insurance in the private market and certify that it was unavailable before OPIC will offer its services.

OPIC operates at no net cost to the United States taxpayer. Amazingly, it has turned a profit in every single year of its operations and now has reserves of $5.3 billion on deposit in the U.S. Treasury. Despite working in some of the least developed countries of the world, it has amassed this $5.3 billion in reserves. If all of our government agencies ran this way, perhaps even those on the other side of the aisle would be more favorably disposed to Federal programs.

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Today's bill not only reauthorizes OPIC but improves both its strategy and oversight to make it the most responsible investor it can be.

With this bill, the new and improved OPIC will work in countries and with companies, private sector companies, in a manner which provides greater protection for international worker rights.

The new and improved OPIC will take additional steps to guarantee that its projects do not damage the environment and, in fact, move toward a greener economy.

The new and improved OPIC will be as transparent as possible and more transparent than any Federal agency I am aware of.

I want to especially focus on section 10 of the bill because it contains a provision that is unique as to bills that have come to this floor, but which is being talked about in a wide variety of our other bills, designed to focus on using the economic power of the United States to deal with terrorist countries, particularly those who are committing genocide, such as Sudan, or developing nuclear weapons, such as Iran and North Korea.

If this bill is enacted, this provision would be the only statute requiring a screen for companies doing business with a U.S. government agency that requires the private sector companies to certify that neither they nor any entity, as part of their affiliated group of corporations, is engaging in an enterprise which is helping terrorist states as defined in the bill.

Now, one of the toughest issues for anyone trying to use the economic power of the United States to achieve our foreign policy objectives must ask is, what types of investments are we trying to discourage? The broader the definition of what we're trying to discourage, the less focused the pressure that we put on private sector entities.

In this bill, and this is a bill that I hope will form a template for the divestiture movement in the United States, for procurement laws that come before this Congress, et cetera, we focus rather narrowly the economic pressure of the United States. We tell these multinational corporations that we're not going to bar you from dealing with OPIC if you sell a candy bar to a private store in Tehran or you sell paper clips to a stationery store in Khartoum.

Rather, you must certify that your corporation and all its affiliates have abstained from two very important actions: first, that you have made no loan to the terrorist government; and, second, that you are not investing significant assets in the oil and energy sector of a terrorist State, particularly no more than $20 million.

This builds on what used to be called the Iran-Libya Sanctions Act, now the Iran Sanctions Act, which draws the line and finds the pressure point for both Iran and Sudan, and probably Syria as well, in stating that our goal is to prevent investments of more than $20 million in the terrorist states' oil sector.

Also, OPIC would not be able to approve an application if the applicant company has an outstanding loan or extension of credit to one of the state sponsors of terrorist governments. Sales of goods other than food and medicine on anything other than a cash basis would constitute U.N. extension of credit for these purposes.

Now, section 10 of the bill would apply these prohibitions, as I've pointed out, to foreign subsidiaries of the applicant. In order to benefit from partnering with OPIC, the entire group of affiliated corporations would have to make the certification.

Section 10 of the bill would require the CEOs of any applicant and the CEO of the applicant's ultimate parent corporation to certify that none of the affiliated groups have engaged in the prohibited activities.

Section 10 is also narrowly targeted with regard to the geography of the Sudan in that it does not prohibit activities in those regions of Sudan not under the power of the Khartoum government.

For 35 years, OPIC has funded and ensured the type of infrastructure-building that no one else would do in some countries where no private corporation would otherwise go. OPIC has paved the way for roads and bridges, buildings and energy facilities in countries marked by conflict and war.

For these reasons, we should reauthorize OPIC.

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

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

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

Mr. PENCE. Mr. Speaker, at the outset I'd like to express my admiration to our distinguished chairman; our ranking member, Ms. ROS-LEHTINEN, as well as Mr. SHERMAN, for crafting this important legislation and for bringing it to the careful thought and consideration that colleagues and those looking on today would see easily in evidence in the gentleman from California's remarks, and I am grateful for his leadership.

Mr. Speaker, we all understand that from time to time the Overseas Private Investment Corporation has been the subject of controversy. On the other hand, it is accurate to say that it is significant that every President since 1971 has believed that OPIC is an important tool for advancing international development in U.S. foreign policy by stimulating private capital investment.

In recent years, OPIC appears to have better focused its resources and efforts, bringing economic development to underserved markets in Central America, Africa, Afghanistan, and now in Iraq.

OPIC has also reached out to U.S. small businesses and minority- and women-owned enterprises. For example, more than 80 percent of all OPIC projects approved in fiscal year 2006 involved U.S. small- and medium-sized enterprises.

OPIC has also sought to enhance transparency and fight corruption, thereby leveling the playing field for U.S. businesses as they compete in international markets.

It's also worth noting that OPIC is embarking on new efforts to encourage investments that reduce greenhouse gas emissions and promote the use of clean energy; and by charging market-based fees for its products, OPIC continues to operate as a self-sustaining agency, which I applaud, effectively operating at no net cost to taxpayers and returning net income every year of operation, with reserves now totaling more than $5 billion.

On balance, then, despite controversy, I believe OPIC continues to serve foreign policy interests of the United States, and I urge support of this legislation.

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

Mr. SHERMAN. Mr. Speaker, I have no requests for time. Let me yield myself just a couple of minutes and reemphasize, this is an agency that has conducted its activities at no cost to the Federal Treasury and, in fact, made a profit. It is appropriate that we reauthorize OPIC.

Second, this bill is, I believe, the first to come before this House which defines what precisely it is that we want international corporations to stop doing, and that is, investing in the oil sector of terrorist states, and, second, making loans to terrorist states. That is why I think that this bill may be an important template for other legislation, and I hope it will become a guide for what we expect of companies in procurement legislation, Ex-Im Bank, et cetera.

Mr. MANZULLO. Mr. Speaker, it's a privilege and honor for me to be closely associated again with the effort to reauthorize the Overseas Private Investment Corporation. Along with now Senator BOB MENENDEZ, former OPIC President George Munoz, and me—the 3Ms—we were able to rescue OPIC from oblivion with a resounding vote of confidence of 357 to 71 to reauthorize OPIC in 1999. OPIC represents the best of both worlds—the agency doesn't cost the U.S. taxpayer any money and it creates jobs and aids in economic development both here and abroad as evidenced by the Congressional findings section in this bill.

I also want to commend Mr. SHERMAN for working with the minority in a bipartisan way in order to produce a bill that can receive overwhelming support. The bill before us today wouldn't be the one I would have written from scratch. However, I am pleased that as the bill has moved through the legislation process, the majority has been sensitive to the concern as to the practical effects of certain provisions in order to insure that OPIC can remain open for business in various markets. I also appreciate the willingness of the majority to continue to keep the lines of communication open.

I also want to commend Mr. Sherman for including my suggestion in Section 17 to make sure that OPIC will always continue to have sufficient staff and resources to support small businesses. I also want to thank the majority for their willingness to add in report language a statement that the climate change initiative in Section 8 should not take away from other environmental remediation efforts by OPIC.

However, I would be remiss in my duties if I didn't raise a couple of concerns that I hope will get addressed through the rest of the legislative process. First, I believe that the language dealing with enhanced worker rights in Section 5 will have the counterproductive effect of taking OPIC out of some of the most challenging markets in the world where we have a significant foreign policy interest to see success such as Afghanistan. In my opinion, it would be much better to strengthen OPIC's oversight workforce to make sure that companies live up to the agreements they sign rather than remove OPIC totally from nations that are not making "significant progress" towards worker rights. You can't positively influence a nation in this sensitive area of internal domestic policy if you disengage from the country. A good example is better than speaking a thousands words.

Second, as evidenced by the difficulty to clarify the direction and intent of the language in Section 10, it's hard to narrowly target unilateral sanctions without it either harming other U.S. national interests or the people we are supposedly trying to help. This section could cause big problems down the line, particularly as more and more deals at OPIC are also co-financed or co-insured with foreign investment insurance agencies. This will only lead to the designing out American goods and services from a particular deal and will not produce the desired results.

Mr. Speaker, I commend the majority for their willingness to work together on this bill and I look forward to supporting final passage and eventually seeing an OPIC reauthorization bill signed into law by the President.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 2798, the Overseas Private Investment Corporation Act of 2007. I would like to thank my colleague Mr. SHERMAN for introducing this important bipartisan legislation.

The Overseas Private Investment Corporation (OPIC) has led by example in improving the social and economic conditions in some of the world's poorest countries. Today's bill not only reauthorizes OPIC but it improves upon both its strategy and oversight to make it the most responsible investor it can be.

OPIC has, since its inception in 1971, applied a private-sector model to a number of

important public-sector goals. By supporting targeted investments in a number of the world's poorest countries, OPIC extends the benefits of American projects to areas where a high level of risk might preclude investment by private companies. In this way, OPIC fills an important void left by the private financial sector. OPIC is essential and vital to the development of many countries, providing political risk insurance against the risks of inconvertibility, political violence, and expropriation allowing business to invest overseas and promote economic development in new and emerging markets.

For the past 35 years, OPIC has funded and insured the type of infrastructure building that no private company would do in some of the countries in which no company would otherwise go. OPIC has paved the way for roads, bridges, buildings, and energy facilities in war-torn and impoverished developing nations, and has accomplished all this while turning a profit and building billions in reserves.

Remarkably, OPIC has itself turned a profit in every single year of its operations. It currently has reserves of over $5.3 billion, despite working in many of the world's least developed nations.

OPIC's sophisticated system involves reviewing applications and funding projects in countries where companies are least likely to get insurance coverage for the risk they are taking. In addition OPIC also provides financing through direct loans and loan guaranties.

With H.R. 2798, OPIC will become a new and improved agency. We live in a world that requires all of us to work together to fight terrorism, hunger and poverty, and for fundamental freedom and rights of every individual. This bill will allow OPIC to work in countries and with companies that provide greater protection for international workers rights.

This legislation has a number of vital safeguards, preventing funds from being used for destructive purposes. It strictly prevents funding for any project that damages the environment, and it ensures that it is not funding projects in nations with the most dangerous regimes in the world, including Iran. This bill prohibits investment in any state sponsor of terrorism, and charges OPIC with researching the subsidiaries of every company it funds to enforce that prohibition. Under the provisions of this bill, OPIC will be as transparent as possible.

I was happy to work with Congressman SHERMAN to include language in the Committee Report to ensure that Iraq is not given a blank check. Given the violent and chaotic situation in Iraq, and due to difficulties in dealing with an unstable Iraqi government, it is necessary to waive certain requirements normally mandatory for OPIC involvement in a country. While I believe that OPIC investment has the potential to be extremely valuable and beneficial for Iraqi reconstruction, I also believe it to be necessary for Iraq to demonstrate that it is making definitive and substantial steps toward the benchmarks set by the United States, including achieving political and national reconciliation.

For 35 years, OPIC has funded and insured infrastructure-building activities that would not otherwise be undertaken by the private sector. This legislation ensures that OPIC can continue its valuable work, building on its legacy of constructive involvement and further refining its strategies and oversight. I believe that OPIC deserves our support, and I strongly support this legislation.

Mr. ROYCE. Mr. Speaker, I want to recognize Subcommittee Chairman SHERMAN for his work on this legislation. He worked this bill thoroughly, and while we disagree on OPIC's merits, he supported my text to reform its investment funds.

OPIC's investment funds, as some may remember, have a troubled history. In the 1990s, then-OPIC president Ruth Harkin said, "If you're an investor in an OPIC-supported fund, the worst you can do is get your money back at the need of 10 years." That's not the free market OPIC professes to support and not surprisingly, these funds were subject to political cronyism.

There have been reforms to the funds of late, including competitively selecting fund managers, but we should mandate them. My language does this.

Fundamentally though, I remain unconvinced that OPIC is doing something worthwhile that the private sector wouldn't do. The burden of proof should be on OPIC, especially in times of accelerating change in financial markets. Several companies have jumped into the political risk insurance business, for example, offering increasingly sophisticated products, . . . so why are we reauthorizing government-backed OPIC to continue competing against them?

We have heard much on the floor trumpeting OPIC's supposed benefits. However, most economists believe that subsidizing investment—which is what OPIC does—merely shifts it around, often to lesser productive locations and uses. The Congressional Research Service has reported, "From the point of view of the U.S. economy as a whole, there is little theoretical support or empirical evidence that supports claims that subsidizing exports or overseas investment offers a positive net gain in jobs to the U.S. economy." That's persuasive evidence against OPIC's claims, and its case for reauthorization.

OPIC makes much of the fact that it returns money to the U.S. Treasury. OK. But let's consider that this money is held against potential liabilities stemming from OPIC's activities. And give most anybody U.S. government-backing to trade on, and they'd turn a profit in financial markets.

One OPIC critic gave a useful description. Investment is like a rope. Less developed countries can only pull it in with good policies; efforts to push in investment, which is OPIC's mandate, are bound to be inefficient.

Mr. Speaker, these are some of the reasons I oppose this legislation reauthorizing OPIC.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 2798, the "Overseas Private Investment Corporation Reauthorization Act of 2007". Since its establishment in 1971, OPIC has offered investment financing and political risk insurance to American businesses and lenders, which are willing to direct private capital to developing countries.

While OPIC has proven to be a valuable tool for U.S. foreign and commercial policy, it is in need of some improvement. I am pleased that H.R. 2798 establishes requirements that projects be approved only in countries that are making progress toward adopting international labor and environmental standards. H.R. 2798 also embraces the necessity of promoting peace and stability in the international system by prohibiting OPIC from participating in projects in countries that are sponsors of terrorism, possess or have programs to develop nuclear weapons, or commit genocide.

I would object, however, to one provision in this bill. H.R. 2798 requires OPIC to implement a climate change mitigation action plan, which would include increased support for projects that use and develop clean energy technologies. The bill further stipulates that OPIC submit a report on this plan, as well as annual environmental impact assessments of the projects that it supports, to the House Committee on Foreign Affairs and Senate Committee on Foreign Relations. I respectfully suggest that these reports also be submitted to the House Committee on Energy and Commerce, not only because of the committee's jurisdiction and expertise in policy matters related to energy and foreign commerce, but also because this would augment Congressional oversight of OPIC in order to ensure that its plans for environmentally responsible development receive careful and thorough consideration. It is my sincere hope that the Committee on Foreign Affairs will work with the Committee on Energy and Commerce to address this concern when H.R. 2798 is considered again during conference.

I would urge that the House approve H.R. 2798 and thank my colleagues on the Committee on Foreign Affairs for their work on this bill.

Mr. SHERMAN. Mr. Speaker, I yield back the balance of my time, and I move that we adopt the bill.

Mr. PENCE. Mr. Speaker, I urge adoption of the bill as well, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SHERMAN) that the House suspend the rules and pass the bill, H.R. 2798, 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.

RESOLUTION COMMENDING IDAHO ON WINNING THE BID TO HOST THE 2009 SPECIAL OLYMPICS WORLD WINTER GAMES

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 380) commending Idaho on winning the bid to host the 2009 Special Olympics World Winter Games.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 380

Whereas Special Olympics is an international nonprofit organization that promotes personal development through sports training and competition;

Whereas Special Olympics advances the understanding of intellectual disabilities through participation and fellowship in the Nation and around the World;

Whereas Special Olympics serves more than 2,500,000 individuals with intellectual disabilities around the globe;

Whereas Special Olympics offers more than 205 programs in over 165 countries;

Whereas Special Olympics offers 30 Olympic-type summer and winter sports to both children and adults with intellectual disabilities;

Whereas Boise, Idaho won the International bid to host the 2009 Special Olympics World Winter Games to be held during February 6–13, 2009;

Whereas thousands of athletes are expected to compete in 7 winter sports in the 2009 Special Olympics World Winter Games; and

Whereas the 2009 Special Olympics World Winter Games will be the largest multi-sport event ever held in the State of Idaho: Now, therefore, be it

Resolved, That the House of Representatives—

(1) applauds the goals and principles of Special Olympics;

(2) salutes the athletes, coaches, family members, friends, and volunteers that make Special Olympics World Winter Games possible;

(3) congratulates the State of Idaho as the host for the 2009 Special Olympics World Winter Games; and

(4) supports the 2009 Special Olympic World Winter Games and the goals of the Special Olympics to enrich the lives of people with intellectual disabilities through sports.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

In 1968, Eunice Kennedy Shriver, the world's great champion of people with intellectual disabilities, created the Special Olympics. For Mrs. Shriver, the founding of the Special Olympics was a capstone of her decades-long effort to improve the lives of people with intellectual disabilities. It is a testament to her dogged dedication that the Special Olympics thrives today.

Eunice's idea was simple: give people with intellectual disabilities the same opportunities other young people have to develop their physical fitness, to create friendships, and to enjoy the thrill of competition.

Today, the Special Olympics offers year-round training in 30 summer and winter sports for both children and adults with intellectual disabilities. The Special Olympics serves more than 2.25 million intellectually disabled people through 200 programs in 160 countries.

I want to salute my colleague Mr. SALI from Idaho for introducing this legislation. Mr. SALI rightfully takes pride that his State has landed the honor of hosting the 2009 Special Olympics World Winter Games. Being named host of the 2009 winter games is a tremendous achievement for the great State of Idaho. There could be no better backdrop than the stark beauty of the State of Idaho and the Sawtooth Mountains.

The Special Olympics has become an important global event. The 2009 games will include thousands of competitors from over 100 countries competing in seven different winter sports. It will be the largest multisport event in the history of the State of Idaho. Idaho will be a terrific host for an event that empowers these brave young men and women and builds their self-esteem.

I urge my colleagues to support this important resolution.

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

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

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

Mr. PENCE. Mr. Speaker, I'd like to congratulate Idaho on its successful bid, as well, to host the 2009 Special Olympics World Winter Games and express strong support for H. Res. 380.

The Special Olympics program has benefited countless people with disabilities nationwide and around the globe, raising awareness, fostering support for a great cause while enabling the participants to enhance their self-confidence and gain a sense of well-deserved personal accomplishment through sports and competition. It is, in every sense, a blessing to the participants.

The millions of volunteers, coaches and athletes involved with the Special Olympics do a great service for their community and their country and, of course, to those with intellectual disabilities. I would also say, though, having been involved and been in attendance at Special Olympics programs, I haven't met a volunteer yet, Mr. Speaker, who didn't think that they were richer as a result of their participation in this extraordinary program, to see the courage of those who compete and the extraordinary sacrifice of the parents of those who bring them to such a wonderful opportunity.

Through the dedication of these volunteers, the Special Olympics have continued to grow and impact the lives of more and more people around the world.

The 2009 Winter Games in Idaho promise to be a great showcase for Special Olympics participants from around the world to compete at a high level and demonstrate that disabilities are no match for individuals who are driven to succeed.

Again, I congratulate Idaho for being selected as the host of an event of such magnitude. I extend my best wishes to their new Governor and my friend, and I am fully confident that it will be a resounding success.

I urge my colleagues to render their full support for this resolution.

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

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

Mr. PENCE. Mr. Speaker, I again express support for H. Res. 380 and congratulate the State of Idaho for winning the opportunity to host the 2009 Special Olympics World Winter Games.

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 California (Mr. SHERMAN) that the House suspend the rules and agree to the resolution, H. Res. 380.

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

EXPRESSING SENSE OF CONGRESS REGARDING UNTOUCHABILITY IN INDIA

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 139) expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 139

Whereas the Human Rights Watch and the Center for Human Rights and Global Justice at New York University School of Law released a report in February 2007 that describes caste discrimination against India's ''Untouchables'' based on in-depth investigations and the findings of Indian governmental and non-governmental organizations on caste-based abuses;

Whereas the United States and the Republic of India have entered into an unprecedented partnership;

Whereas the July 18, 2005, Joint Statement between President George W. Bush and Prime Minister Manmohan Singh stated that, ''[a]s leaders of nations committed to the values of human freedom, democracy, and rule of law, the new relationship between India and the United States will promote stability, democracy, prosperity, and peace throughout the world [. . . and] it will enhance our ability to work together to provide global leadership in areas of mutual concern and interest'';

Whereas caste is the socioeconomic stratification of people in South Asia based on a combination of work and heredity;

Whereas the ''Untouchables'', now known as the Dalits, and the people of the forest tribes of India, called Tribals, who together number approximately 200,000,000 people, are the primary victims of caste discrimination in India;

Whereas discrimination against the Dalits and Tribals has existed for more than 2,000 years and has included educational discrimination, economic disenfranchisement, physical abuse, discrimination in medical care, religious discrimination, and violence targeting Dalit and Tribal women;

Whereas Article 17 of the Constitution of India outlaws untouchability;

Whereas despite numerous laws enacted for the protection and betterment of the Dalits and Tribals, they are still considered outcasts in Indian society and are treated as such; moreover, in practice, Dalits and Tribals are frequently denied equal treatment under the law;

Whereas Dalit women suffer both caste and gender discrimination as a result of the deficient administration of justice and are often raped and attacked with impunity;

Whereas the National Commission on Scheduled Castes and Scheduled Tribes has

declared that many of the reported cases of atrocities against Dalits and Tribals end in acquittals;

Whereas, despite the fact that many Dalits do not report crimes for fear of reprisals by the dominant castes, national police statistics averaged over the past five years by the National Commission on Scheduled Castes and Scheduled Tribes show that 13 Dalits are murdered every week, five Dalits' homes or possessions are burnt every week, six Dalits are kidnapped or abducted every week, three Dalit women are raped every day, 11 Dalits are beaten every day and a crime is committed against a Dalit every 18 minutes;

Whereas many Dalit girls are forced to become temple prostitutes who are then unable to marry and may be auctioned to urban brothels, and many women trafficked in India are Dalit women;

Whereas low-caste unborn females are targeted for abortions;

Whereas according to Human Rights Watch and India's official National Family Health Survey, most Dalits and Tribals are among those poorest of the poor living on less than $1 per day; most of India's bonded laborers are Dalits; and half of India's Dalit children are undernourished, 21 percent are ''severely underweight'', and 12 percent die before their 5th birthday;

Whereas Dalits and other low-caste individuals often suffer from discrimination and segregation in government primary schools leading to low enrollment, high drop-out, and low literacy rates, perhaps linked to a perception that Dalits are not meant to be educated, are incapable of being educated, or if educated, would pose a threat to village hierarchies and power relations;

Whereas the Dalits and Tribals maintain higher illiteracy rates than non-Dalit populations; and

Whereas the HIV/AIDS epidemic is India is massive and Dalits and Tribals are significantly affected by HIV/AIDS: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that, as the leaders of the United States and the Republic of India have expressed commitment to the values of human freedom, democracy, and the rule of law, it is in the interests of the United States to address the problem of the treatment of the Dalits and Tribals in India in order to better meet mutual social development and human rights goals by—

(1) raising the issues of caste discrimination, violence against women, and untouchability through diplomatic channels both directly with the Government of India and within the context of international bodies;

(2) encouraging the United States Agency for International Development to ensure that the needs of Dalit organizations are incorporated in the planning and implementation of development projects;

(3) ensuring that projects that positively impact Dalit and Tribal communities, especially Dalit women, are developed and implemented;

(4) ensuring that cooperative research programs targeting rural health care, the HIV/AIDS epidemic, and rural technology contain proper focus on the Dalits and Tribals;

(5) ensuring that anyone receiving funding in India from the United States Government—

(A) is aware that it is United States Government policy that caste discrimination is unacceptable, and that the United States is committed to eliminating it; and

(B) treat all people equally without engaging in caste discrimination;

(6) ensuring that—

(A) qualified Dalits are in no way discouraged from working with organizations receiving funding in India from the United States Government, and that transparent and fair recruitment, selection, and career development processes are implemented, with clear objective criteria; and

(B) procedures exist to detect and remedy any caste discrimination in employment conditions, wages, benefits or job security for anyone working with organizations receiving funding in India from the United States Government;

(7) encouraging United States citizens working in India to avoid discrimination toward the Dalits in all business interactions; and

(8) discussing the issue of caste during bilateral and multilateral meetings, including congressional delegations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

I would like to commend our distinguished colleague Mr. TRENT FRANKS of Arizona for introducing this resolution. Roughly 20 million people in India are subject to discrimination, and sometimes worse, simply because of their caste. Discrimination inflicted against people known as Dalits and Tribals in India is solely based on being born into a certain family. This is an unethical practice and is outlawed under the Indian Constitution. The whole concept of untouchability itself is banned by the Indian Constitution. However, enforcement of this law ought to be strengthened, and crimes against Dalits ought to be prevented, more vigorously investigated and prosecuted.

This resolution seeks to state clearly the sense of the United States Congress in this regard. We must continue to raise this issue in our bilateral meetings with our good friends in the Government of India, especially at a time when the United States-Indian relationship has entered into an unprecedented and unparalleled partnership.

Furthermore, we must ensure the antipoverty programs and other programs we support in India incorporate the needs of the Dalit community. Our government and our companies that do business in India ought to make a special effort to help these people, because right now they may often have little help in their own communities, although there are programs of the Indian Government also focused on meeting these needs.

It is our moral obligation to speak out against abuses of human rights, wherever we see them, even in countries that are our allies and excellent partners. That is why Congress must address the problem of the treatment of Dalits and Tribals in India.

We need to be consistent. It is easy to criticize our adversaries, but we have even more impact when we point out the failings, both past and present, and the need for improvement of our friends and allies.

The world's oldest democracy, the United States, and the world's largest democracy, India, should work together to end legacies of ethnic discrimination in both of our countries.

I urge my colleagues to support this resolution.

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

Mr. PENCE. Mr. Speaker, I yield myself such time as I might consume.

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

Mr. PENCE. Mr. Speaker, at the outset, I would like to commend both Chairman LANTOS and the author of this resolution, the distinguished gentleman from Arizona (Mr. FRANKS), as well as Mr. SMITH for their leadership on working to bring this and so many other human rights issues to the attention of this body.

As we all know, India is not only the world's largest English-speaking democracy, but it's one of the world's richest and most diverse civilizations.

India is also emerging as one of the world's most dynamic economies, with the results of that growth uplifting the lives of millions of citizens. Yet despite this impressive record of reform and growth, India, like all countries, including our own, also faces a number of compelling domestic challenges.

As was recently reported in a front-page story in the Washington Post, one of these social traumas relates to the problem of inequality and deep-seated caste prejudice. More than 200 million people in India are considered untouchable, people tainted by their birth into a caste system that deems them impure and almost less than human.

Despite constitutional protections and other legal and regulatory efforts by the Government of India to improve the lives of the Dalits and other Tribal peoples, all too many continue to suffer from human rights abuses, as well as discrimination.

In this regard, the State Department reports that while rare in urban settings, examples of intolerance occur regularly in rural areas. Many Dalits are malnourished, lack access to health care, work in poor conditions and continue to face serious social discrimination.

In addition, Dalit women are all too often the victims of rape and exploitation at the hands of cruel human traffickers. Tragically, they also suffer disproportionately from the ravages of HIV/AIDS.

This Congress and the American people are enormously respectful of Indian sovereignty, its impressive democratic heritage and its respect for the rule of law. As awkward as circumstances may be, for this body not to acknowledge these extraordinary issues would be an error.

In a respectful and well-balanced way, this resolution appropriately shines a light on the plight of India's untouchables, and I believe it deserves our support.

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

Mr. SHERMAN. I thank the gentleman from Indiana, particularly for noting the ongoing efforts of the Indian Government to deal with this issue. I believe that this resolution should be regarded as one where we will work with the Government of India to deal with what both countries acknowledge to be an ongoing problem.

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

Mr. PENCE. Mr. Speaker, I am pleased to support this resolution and would reiterate the spirit with which this resolution is brought cannot be more eloquently stated than the gentleman from California just did. This is brought in a spirit of cooperation with a friend to assist them in confronting a domestic challenge, but it is among friends that we speak and will support this legislation today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 139, "Expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India." I believe that this is a very important issue that demands immediate attention, and I am very pleased to see it come before the House today.

I would first like to commend our distinguished colleague, Mr. TRENT FRANKS of Arizona, for introducing this important resolution.

Many Americans would be shocked to learn that the caste system continues to have a substantial hold on Indian society. The caste system is the traditional system of social stratification on the Indian Subcontinent, in which social classes are defined by a number of endogamous, hereditary groups often termed as castes. Within a caste there exist exogamous groups known as gotras, the lineage or clan of a person. Roughly 20 million people in India are subject to cruel and inhuman treatment simply due to their caste. The terrible discrimination inflicted against the people known as Dalits and Tribals in India occurs solely because a person was born into a certain family. 13 Dalits are murdered every week; 3 Dalit women are raped every day, often with impunity; and a crime is committed against a Dalit every 18 minutes.

The Indian Constitution has formally outlawed caste-based discrimination, but the caste system still plays a major role in Indian society and politics. The leaders of independent India decided that India will be a democratic, socialist and secular country. According to this policy there is a separation between religion and state. Enforcement of the law must be strengthened, and this resolution seeks to state clearly the sense of the United States Congress in this regard. I look forward to working with the vibrant Indian-American community on this continued concern.

We must continue to raise this issue during our bilateral meetings with our good friends in the Government of India, especially during a time in which the United States-India relationship has entered into an unprecedented partnership.

It is our moral obligation to speak out about abuses of human rights wherever they take place. That is why this Congress must address the problem of the treatment of Dalits and Tribals in India.

I strongly support this resolution and urge my colleagues to do the same.

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

Mr. SHERMAN. 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 California (Mr. SHERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 139, as amended.

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

A motion to reconsider was laid on the table.

CELEBRATING THE 75TH ANNIVERSARY OF THE 1932 WINTER OLYMPIC GAMES IN LAKE PLACID, NEW YORK

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 521) celebrating the 75th Anniversary of the 1932 Winter Olympic Games in Lake Placid, New York.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 521

Whereas Lake Placid, New York, was the site of the 1932 and 1980 Winter Olympic Games;

Whereas Lake Placid is the only site in North America to have hosted the Winter Olympic Games more than once;

Whereas the 1980 Winter Olympic Games featured one of the greatest triumphs in sports history with the men's United States hockey team victory over the Soviet team in the "Miracle on Ice";

Whereas Lake Placid, New York, has a population of under 2,700 residents, yet welcomes over 2.2 million visitors each year;

Whereas the residents of Lake Placid were wonderful ambassadors of the United States for the 1,324 Olympic athletes that participated in the 1932 and 1980 Winter Olympic Games;

Whereas the residents of Lake Placid take great pride in their place in Olympic history;

Whereas Lake Placid and the towns of North Elba and Wilmington have world class sports facilities that serve as an excellent training location for athletes and sports enthusiasts;

Whereas Lake Placid is the home of one of the three U.S. Olympic Committee's national training centers;

Whereas Lake Placid continues to successfully host international sports competitions on a regular basis; and

Whereas 2007 marks the 75th anniversary of the 1932 Winter Olympic Games: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Village of Lake Placid, New York, as it celebrates its 75th anniversary of hosting the 1932 Winter Olympic Games;

(2) encourages all Americans to visit the state-of-the-art Olympic facilities in Lake Placid;

(3) recognizes Lake Placid's important place in Olympic history; and

(4) encourages the United States Olympic Committee to select Lake Placid to represent the United States in a future bid for the Olympic and Paralympic Winter Games.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

Let me first express my appreciation to our colleague from the great State of New York (Mrs. GILLIBRAND) for introducing this important and timely resolution. I know the gentlelady from New York would like to be here, and if I speak very slowly may yet get here before we conclude, but whether she is here in person, she is certainly here in spirit.

The little village of Lake Placid lived up to its name on two spectacular occasions in the last century. The 1932 Winter Olympics and the 1980 Winter Olympics were two of the most exciting events of our time, featuring the most beautiful backdrops in the history of the games.

The organizing committee of the 1932 Olympics faced an uphill battle, raising money for the games in the middle of the Great Depression. But symbolizing the American spirit of generosity, Dr. Godfrey Dewey donated land owned by his family to be used for the all-important bobsleigh run. In fact, the Winter Olympics that year became a real distraction from the Great Depression for all the residents of the State of New York, and, in fact, the entire world.

In those 1932 Games, Eddie Eagan became the only Olympic athlete ever to win a gold medal in both the Summer and Winter Games. A great, versatile athlete, Eagan had already earned gold as a lightweight boxer in the 1920 Summer Games. At Lake Placid in 1932, he was part of the four-man bobsleigh team that triumphed in first place.

This resolution takes the opportunity to congratulate and celebrate Lake Placid upon the 75th anniversary of the games it hosted in 1932. This town deserves full congressional credit for the efficiency and grace with which it represented the United States during the Games of 1932 and, again, in 1980.

But Lake Placid outdid itself in 1980, when it had new facilities and a renewed spirit to host thousands of people for those Winter Games. Those Games became famous for the unbelievable Miracle-on-Ice conquest, when the United States hockey team, a group of amateurs and college kids, captured the hearts of the Nation by upending the Soviet Union's intimidating hockey machine in a dramatic 4–3 semifinal victory. They went on to win the gold.

Lake Placid's involvement with the Olympics has grown larger than just those two games. Lake Placid maintains world-class Olympic facilities and

serves as one of the United States Olympic Committee's three national training centers. The small town in Upstate New York continues to host international sporting events, as well as some 2.2 million tourists every year.

I encourage Members to support the resolution recognizing Lake Placid's historic place in Olympic history and encouraging the USOC to select this idyllic town for future bids in the Olympic and Paralympic Winter Games so long as they are not in competition with an applicant from the State of California.

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

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

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

Mr. PENCE. Mr. Speaker, I rise in strong and unqualified support of H. Res. 521, no Indiana exceptions, at least not today.

I congratulate Representative GILLIBRAND, as my colleague from California did, for this important resolution.

For close to a century, Lake Placid has been central to America's participation and achievements in international sports. It's the only site in North America to have hosted more than one Winter Olympics, both in 1932 and in 1980.

Moreover, in 1980, and if you haven't seen the movie, it was the site of one of America's greatest moments, when the U.S. national hockey team defeated the heavily favored Soviet Union. Walt Disney films recently created an extraordinary motion picture remembering that miracle on ice.

It was not only a victory for one hockey team over another, but for millions it symbolized the triumph of freedom over tyranny and seemed to be a part of setting into motion in 1980 what we would see with the collapse of Soviet communism in 1991. It forced you out of that, so in a very real sense, Lake Placid is important in the history of freedom as well as in the history of sport. Indeed, countless Americans actually remember where we were in that glorious moment.

Lake Placid's contributions to international sports continue to this very day. It's the home of one of the U.S. Olympic Committee's three national training centers and regularly hosts international sports competitions, bringing together athletes from across the globe to celebrate the excellence of sports.

□ 1330

Perhaps above all, Mr. Speaker, Lake Placid is an example of what a society can accomplish. This small village in New York with a population of less than 2,700 not only is a venue for grand-scale sporting events but also welcomes over 2 million visitors every year. This resolution recognizes Lake Placid's place in Olympic history, encourages Americans to visit that village's state-of-the-art Olympic facilities, and further encourages the U.S. Olympic Committee to select Lake Placid to represent the United States in the future for the Olympic or Para-Olympic games.

I commend my distinguished colleague from New York again, Mrs. GILLIBRAND, and Mr. MCHUGH, for introducing this important resolution. I urge its adoption.

Mr. SHERMAN. Mr. Speaker, I yield 4 minutes to the distinguished gentlelady from New York (Mrs. GILLIBRAND).

Mrs. GILLIBRAND. Mr. Speaker, I've offered H. Res. 521 to celebrate Lake Placid's prominent place in Olympic history. This year marks the 75th anniversary of the 1932 Olympic Games and the beginning of Lake Placid's storied history in American hearts and minds.

In the midst of a worldwide depression, 252 athletes from 17 countries participated in the 1932 Winter Olympic Games held at Lake Placid. Franklin Delano Roosevelt, whose home is just a few hours south of Lake Placid in Duchess County, officially opened the third ever Winter Olympic Games and the first one ever held in the Western Hemisphere.

Despite fierce competition from around the world, Lake Placid was once again chosen to host the Winter Olympic Games 48 years later, in 1980. This time, 1,072 athletes from 37 nations participated in the Games, and the question, ''Do you believe in miracles?'' forever became ingrained in the American consciousness. The American hockey team's victory over the Soviet Union permanently linked Lake Placid with one of the greatest triumphs, and prideful moments, in American sports history, with the ''Miracle on Ice.''

Lake Placid, a small village in the Adirondacks, is the only location in North America to have hosted the Winter Olympic Games more than once. Their success is phenomenal, when one considers that fewer than 2,700 residents live in the village.

I'm so incredibly fortunate to represent the citizens of Lake Placid and Essex County. Every year, Mayor Jamie Rogers and the villagers of Lake Placid welcome over 2.2 million visitors from all 50 States and countries all over the world. Lake Placid has been one of my favorite vacation places since I was a child, and I still enjoy taking my son there every year.

I strongly encourage all Americans to visit the state-of-the-art Olympic facilities in Essex County. The New York State Olympic Regional Development Authority, or ORDA, operates the various venues used in the 1932 and 1980 Olympic Games. Athletes from around the world come to Lake Placid to train and compete at these facilities, in addition to sports enthusiasts, young and old.

In addition, Lake Placid is the home of one of three U.S. Olympic Committee's national training centers, an honor that allows upstate New York to mold the next generation of gold medal winners. The facilities at Lake Placid allow every American to step into the shoes of a professional athlete. It's thrilling to skate at the Herb Brooks Arena where the miracle on ice took place, or skate at the Olympic Speed Skating Oval where America's speed skater, Eric Heiden, won an unprecedented five gold medals in 1980.

Visitors can try out the ski-jumping complex or sharpen their bobsled and luge skills. The beautiful Adirondack Mountains offer cross-county or alpine skiing on Whiteface Mountain, one of the top resorts in all the Nation, all with spectacular pristine views.

Lake Placid admirably hosted the Olympic games twice in the past. I hope the U.S. Olympic Committee will consider having Lake Placid represent the United States in a future bid for the Winter Olympic Games.

I congratulate the Village of Lake Placid as they celebrate the 75th anniversary of the 1932 Winter Olympic Games. I thank everyone in the House of Representatives for supporting this resolution that honors Lake Placid's continued distinguished place in American Olympic history.

Mr. HOLT. Mr. Speaker, I rise today to join the gentlelady from New York, Ms. GILLIBRAND, in support of H. Res. 521, Celebrating the 75th Anniversary of the 1932 Winter Olympic Games in Lake Placid, New York. This was truly a great moment in the history of sports. The beautiful Lake Placid-Wilmington region played host to athletes from around the globe and the event put the USA on the map of winter sports. The graceful Norwegian figure skater Sonja Henie won the second of her three gold medals. American speed skater Jack Shea won two gold medals, a first for Olympic competition. The United States won 12 medals in all, the most in the competition. Ever since, the spirit and beauty of competitive winter sports have remained on display in Lake Placid, which played host to the United States' memorable 1980 hockey victory over the Soviet Union, and in countless skiing, skating, sledding and other events. We can all be proud of Lake Placid's rich history.

Mr. PENCE. I yield back the balance of my time.

Mr. SHERMAN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SHERMAN) that the House suspend the rules and agree to the resolution, H. Res. 521.

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.

APPROVING RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

Mr. LEVIN. Mr. Speaker, I move to suspend the rules and pass the joint

resolution (H.J. Res. 44) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, as amended.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 44

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

Congress approves the renewal of import restrictions contained in section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003.

SEC. 2. MERCHANDISE PROCESSING FEES.

Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking ''October 14, 2014'' and inserting ''October 21, 2014''.

SEC. 3. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking ''114.50 percent'' and inserting ''114.75 percent''.

SEC. 4. RULE OF CONSTRUCTION.

This joint resolution shall be deemed to be a ''renewal resolution'' for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

SEC. 5. EFFECTIVE DATE.

This joint resolution and the amendments made by this joint resolution shall take effect on the date of the enactment of this joint resolution or July 26, 2007, whichever occurs first.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. LEVIN. This bill will renew the import ban on products from Burma. In light of the overwhelming evidence that that country continues to blatantly disregard human rights and suppress democracy, it is important, indeed I would say vital, to continue to continue sanctions for another year.

The State Peace and Development Consul, as it is called, the controlling military junta, continues to have total disregard for its own people and their basic rights. The Burmese regime forcibly relocates civilians and has created a situation in which hundreds of thousands of people have been displaced or forced to flee to neighboring countries. That government continues to arrest, imprison, torture, and beat political activists and senior officials of the National League for Democracy. Over 1,100 political prisoners are imprisoned.

In May, the Government of Burma extended the detention of Aung San Suu Kyi, the leader of the National League for Democracy and a Nobel Peace Prize laureate. She has been detained for 11 of the last 17 years without charge or trial, and has spent the past 4 years in isolation.

In light of that country's continuing dismal record and its lack of any concrete steps to provide basic human rights to its citizens, I urge all of my colleagues to extend the ban on the import of Burmese products for another year. And also, very importantly, we hope the European Union, ASEAN, and other nations around the world will continue to work with the United States to increase pressure on the Burmese regime.

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

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that Mr. PORTER, the gentleman from Nevada, be allowed to control the time on this side of the aisle.

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

There was no objection.

Mr. PORTER. Mr. Speaker, I support extending import sanctions against Burma. Import sanctions have been in place for 4 years and, unfortunately, the Burmese military junta has shown no progress in improving its egregious human rights records. The actions of this regime in Burma are inexcusable.

The U.S. State Department's annual report on the effectiveness of the sanctions observes that Burma's already poor human rights record has only worsened. This regime continues to use forced labor, deny participation in democratic processes, and commit killings. Inexcusable.

Despite the regime's promised road map to democracy, no meaningful progress has been made to create a democratic system of governance. The regime continues to exclude pro-democracy groups from the national convention and to jail pro-democracy opposition leaders. Aung San Suu Kyi has been living under house arrest for 4 years. Therefore, I believe it is necessary and it is appropriate to continue these sanctions to send an important message to Burma leaders that their violation of basic human rights is inexcusable.

I generally approach unilateral trade sanctions with skepticism. Sanctions can have the unintended consequences of harming the people we seek to help. The State Department acknowledges that some opposition figures in Burma, academics, and exiled Burmese question whether U.S. unilateral sanctions have any chance of success without the participation of Burma's major trading partners, including ASEAN members China, India, and other regional countries. I do share their concerns. However, various aspects of the Burmese sanctions system mitigate my concerns to some degree.

The important sanctions will sunset after 1 year unless Congress votes under a privileged resolution to maintain their sanctions and are completely terminated in 2009. Furthermore, the administration is required to submit an annual report on whether the sanctions have effectively improved conditions in Burma and furthered U.S. national security, economic, and foreign policy objectives, along with impact of sanctions on other U.S. national security, economic and foreign policy interests.

Moreover the law grants the President the authority to waive the sanctions if it is in the national interest and also directs the President to craft a multilateral sanctions regime to pressure Burma to improve its human rights.

If we are to be successful inducing change by the Government of Burma, sanctions must be multilateral. There have been high-level international discussions on Burma over the past year. In September 2006, the U.N. Security Council discussed Burma; in December of 2006 the U.N. General Assembly adopted a resolution expressing its grave concern over human rights violations in Burma and calling on the regime to take urgent measures to address these violations. Separately, the ASEAN countries called for the release of those placed under detention and for effective dialogue with all parties concerned. I hope these words will be followed by tangible actions. Continued efforts to build multilateral pressure on Burma are critical to my future support for these import sanctions. I urge support of H.J. Res. 44.

Mr. LEVIN. Mr. Speaker, it is now my privilege to yield such time as he may consume to the lead sponsor of this resolution, the chairman of the House Foreign Affairs Committee and someone who has taken a lead on human rights issues around this globe, Mr. LANTOS of California.

Mr. LANTOS. Mr. Speaker, let me first express my appreciation to my friend and colleague from Michigan, Congressman LEVIN, for his help in bringing this important legislation to the floor, and to the chairman of the Ways and Means Committee, CHARLIE RANGEL, for his great assistance and leadership.

Mr. Speaker, nearly two decades ago, Aung San Suu Kyi embarked on a personal journey that would parallel the terrible nightmare of her people, the people of Burma. That was the year in which she helped found the National League for Democracy, a movement to promote democratic change in her homeland. Her long and torturous journey has led her to both a Nobel Peace Prize and seemingly eternal incarceration.

Rather than cede to the widespread calls and massive protests for a free and fair election, a military junta seized and maintained power in Burma. The regime feared the power of one fearless voice for democracy, Aung San Suu Kyi.

In 1990, the military junta finally permitted a general election, which the National League for Democracy won handily. The military promptly nullified the results, preventing the daughter of the very general who negotiated Burma's independence from taking her rightful place as Prime Minister.

Since then, Mr. Speaker, Aung San Suu Kyi has been tossed back and forth in and out of prison and house arrest as though she were simply a pawn in the tumultuous and chaotic game being played by the corrupt fat cats running Burma. But like the people of her nation, she is in fact much more than a pawn; she is an ardent champion of freedom, an exemplary defender of democracy, and one of the strongest willed moral beacons on this planet.

She stands firmly in the tradition of Gandhi, Mandela, Martin Luther King, and all other voices of the oppressed. Those legendary figures eventually delivered their people to freedom, and we in this Congress aim to help Aung San Suu Kyi to do just that.

Inspired by her resolve and the resolve of the Burmese people, this Congress has been committed to their cause for many years. Today, we renew import sanctions aimed at forcing democratic change in Burma, which I can say categorically is one of the most repressive regimes on the planet.

America's tough sanctions against Burma, including an import ban, export sanctions, and arms embargo and financial sanctions, have spurred the civilized nations of the world to take similar actions against Burma. The European Union recently updated its own set of sanctions, though they need to be even tougher. The leading members of ASEAN, who for years went out of their way to defend Burma's horrendous behavior, are now exercising their significant diplomatic muscle to promote democratic change in Burma and to free Aung San Suu Kyi.

□ 1345

The United Nations has held its first ever Security Council debate on the security threat to the Asia Pacific region posed by the Burmese regime.

But too many other nations, India and China in particular, continue to prop up the government through shockingly direct, blatant deals, including arms trading with this cruel junta in Burma.

Just this past week, Mr. Speaker, the BBC reported that in any major hotel in Rangoon, and I quote, ''Russian arms dealers, South Korean and French oilmen, Singaporean consultants and Chinese bankers are all mingling over cocktails with their Burmese counterparts.''

Mr. Speaker, these despicable deals undermine the entire international effort to help the Burmese people. And so today, as we renew our import sanctions, we aim both to pressure directly the military junta in Burma, and to influence those in the international community who are currently asleep at the wheel of justice and human rights. Oppressive power can only be delegitimized when it is fully isolated.

Mr. Speaker, Aung San Suu Kyi remains imprisoned. So do the people of Burma. Even out of power and out of sight, she remains a powerful symbol and, therefore, a leader of the plight of some 50 million people in her native land of Burma. We must do our part to carry her torch. And I urge all of my colleagues to vote today for these sanctions once again.

Mr. PORTER. Mr. Speaker, I appreciate the comments of my friends and colleagues across the aisle.

I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, I want to add my admiration for the comments on both sides of the aisle, for the statement of the gentleman from Nevada (Mr. PORTER) and the very eloquent words of my colleague from California. I hope, as we proceed to pass this, that the words will be remembered, and that they will echo beyond Washington, D.C., through capitals everywhere, so others will join us in trying to help bring about the freedom that the vast majority of people of Burma truly desire.

Mr. Speaker, I yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the joint resolution, H.J. Res. 44, as amended.

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

The title was amended so as to read: ''Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.''.

A motion to reconsider was laid on the table.

CONGRATULATING THE UNIVERSITY OF WYOMING COWGIRLS FOR WINNING THE WOMEN'S NATIONAL INVITATIONAL TOURNAMENT

Mr. SARBANES. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 384) congratulating the University of Wyoming Cowgirls for winning the Women's National Invitational Tournament for the first time and for their most successful season in school history.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 384

Whereas on March 31, 2007, the University of Wyoming Cowgirls defeated the University of Wisconsin Badgers by a score of 72–56 in the championship basketball game of the Women's National Invitation Tournament;

Whereas the victory of these 14 very accomplished young women and their coach, Joe Legerski, was witnessed by over 15,000 fans at the University of Wyoming's sold out Arena-Auditorium;

Whereas the Cowgirls won 21 games in their regular season and tied for second in the Mountain West Conference (MWC);

Whereas Jodi Bolerjack scored 16 points in the championship game and earned Third Team All-MWC honors;

Whereas Elisabeth Dissen scored the last shot for the Cowgirls of the first half, giving the team a 39–26 lead;

Whereas Megan McGuffey scored back-to-back layups in the second half, totaling 10 points for the game, and received the MWC Newcomer of the Year honor;

Whereas Justyna Podziemska scored 16 points in the championship game, had 10 rebounds, and 8 assists;

Whereas Dominique Sisk scored 5 points, had 2 assists, and 7 rebounds for the Cowgirls;

Whereas Rebecca Vanderjagt scored 4 points and had 1 block during the championship game;

Whereas Aubrey Vandiver brought a strong end to the first half, shooting or assisting the last seven points;

Whereas Hanna Zavecz scored 12 points and earned the award of the Women's National Invitation Tournament Most Valuable Player;

Whereas Amy Bolerjack, Mallory Cline, Annie Gorenstein, Angiah Harris, Gemma Koehler, and Megan Mordecai also contributed to the team's top season; and

Whereas these top athletes are also dedicated to academic achievement, and serve as the standard of excellence, scholarship, and sportsmanship for the entire Nation: Now, therefore, be it

Resolved, That the House of Representatives congratulates the University of Wyoming women's basketball team for their championship victory in the 2007 National Invitational Tournament.

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

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. SARBANES. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to House Resolution 384 into the RECORD.

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. SARBANES asked and was given permission to revise and extend his remarks.)

Mr. SARBANES. Mr. Speaker, I want to congratulate the University of Wyoming Cowgirls for winning the 2007 Women's National Invitational Tournament basketball tournament.

On March 31, 2007, the University of Wyoming won the Women's NIT by defeating the University of Wisconsin Badgers 72–56. The Cowgirls won the title in front of the largest women's basketball audience in school history, with over 15,000 in attendance.

Wyoming had their most successful season in team history, winning 21 regular-season games and tying for second in the Mountain West Conference. Overall, the Cowgirls finished 27–9, besting the previous team record of 25 wins, a record which had stood for nearly 30 years. They also advanced deeper into postseason play than any Cowgirls basketball team before them.

I want to congratulate head coach Joe Legerski, athletic director Tom Berman, University of Wyoming president Tom Buchanan, and the student athletes who won the NIT title.

I also want to extend my congratulations to the University of Wisconsin Badgers on their impressive season. Wisconsin finished their season with a school record 23 wins. Their 17 home wins were also the most in program history.

Winning the NIT title for the first time proved the Cowgirls have arrived as a force on the national scene, and I know all the fans of the university will continue to be proud of this team for years to come.

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

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

Mr. Speaker, I rise today in support of House Resolution 384, congratulating the University of Wyoming's women's basketball team for winning the 2007 NCAA Division I Woman's National Invitational Tournament Championship.

On March 31, 2007, the University of Wyoming Cowgirls basketball team defeated the University of Wisconsin by a score of 72–56 to capture the NIT title and conclude their most successful season in school history.

Led by junior Hanna Zaveckz, the tournament MVP, and junior Jodi Bolerjack, who scored 16 points in the championship game, the Cowgirls of Wyoming truly had a remarkable season in which they compiled a record of 27–9, finishing second in the Mountain West Conference.

The tournament title capped what ended up being the most successful season ever for the Cowgirls basketball team in school history. No Wyoming Cowgirls team had won as many games. The previous record was set by the 1978–79 team, which finished at 25–7, and no team ever advanced so far in postseason play.

As the State's sole 4-year educational institution, the University of Wyoming receives strong support from the State and its residents, making it the perfect place for a great learning environment. The university was recently ranked by the Princeton Review as one of the Nation's best colleges for 2006, and the College of Business Department of Economics and Finance was also ranked 10th in the Nation and 12th in the world for its program in resource and environmental economics.

I extend my congratulations to head coach Joe Legerski, athletic director Tom Berman, president Tom Buchanan, all of the hard-working players, the fans and to the University of Wyoming.

I'm happy to join my good friend and colleague Representative CUBIN in honoring this exceptional team and all the accomplishments, and wish all involved continued success.

I join with my colleague from the Education and Labor Committee, Mr. SARBANES, in support of this resolution.064

I have no further speakers and would yield back the balance of my time.

Mr. SARBANES. Mr. Speaker, I urge my colleagues to support this measure, and I yield back my time.

GENERAL LEAVE

Mr. SARBANES. Mr. Speaker, I might also ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Joint Resolution 44, as amended, that was previously discussed.

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

There was no objection.

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. 384.

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.

RECOGNIZING THE 20TH ANNIVERSARY OF THE McKINNEY-VENTO HOMELESS ASSISTANCE ACT

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 561) recognizing the 20th anniversary of the McKinney-Vento Homeless Assistance Act and the impact it has made on homelessness and endeavoring to continue working to eliminate homelessness in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 561

Whereas July 22, 2007, is the 20th anniversary of the enactment of the Stewart B. McKinney Homeless Assistance Act, which was renamed the McKinney-Vento Homeless Assistance Act in October 2000;

Whereas Representatives Stewart B. McKinney and Bruce Vento worked tirelessly in the Congress to develop a Federal response to homelessness;

Whereas Representative Stewart B. McKinney was committed to exposing the depth of the growing problem of homelessness in the 1980s;

Whereas Representative Stewart B. McKinney was a recognized expert on Federal housing law and urban affairs who successfully amended the National Housing Act and the Housing and Community Development Act of 1974 to better target Federal aid to smaller cities, but became terminally ill with pneumonia after sleeping on a grate outside a Federal building with the homeless of Washington, DC;

Whereas in 1985, after personally viewing the circumstances of the homeless and the need for crisis intervention in his congressional district in St. Paul, Minnesota, Representative Bruce Vento introduced a resolution to express the sense of the Congress that homelessness is a national problem requiring a national solution;

Whereas throughout his career, Representative Vento remained dedicated to securing a commitment of Federal resources to address homelessness;

Whereas the programs established by the McKinney-Vento Act have provided housing, education, health care, and job training assistance, and critical outreach, to thousands of homeless men, women, and children in the United States;

Whereas the Education for Homeless Children and Youth Program of the McKinney-Vento Act has resulted in a significant increase in the number of homeless children and youth attending school on a regular basis;

Whereas the McKinney-Vento Act was intended to be only an emergency response and not the sole Federal response to homelessness;

Whereas over the course of a year, as many as 3,500,000 persons are estimated to experience homelessness in the United States;

Whereas approximately 400,000 veterans of the Armed Forces of the United States experience homelessness at some point over the course of a year;

Whereas the homeless population includes vulnerable groups such as children, unaccompanied youth, and persons with disabilities; and

Whereas there were at least 142 unprovoked assaults against homeless persons in 2006, including 20 that resulted in death: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 20th anniversary of the McKinney-Vento Homeless Assistance Act and the impact it has made on homelessness in the United States;

(2) recognizes the positive impact the McKinney-Vento Act has had on hundreds of thousands of homeless men, women, children, and youth in the United States;

(3) recognizes the substantial contributions of Representatives Stewart B. McKinney and Bruce Vento in addressing homelessness;

(4) recognizes that homelessness continues to be an urgent problem in the United States;

(5) commends the dedication and commitment of service providers, including faith-based and nonprofit organizations, who are working to end homelessness in their communities and provide emergency food, shelter, and services to homeless Americans;

(6) recognizes that the lack of affordable housing exacerbates homelessness in the United States;

(7) supports the continued efforts of Federal, State, and local governments and private non-profit organizations in their efforts to prevent and end homelessness through the development of affordable housing;

(8) recognizes that the life expectancy of a homeless person in the United States is 30 years shorter than that of the average American and supports efforts to improve the health of homeless Americans;

(9) supports efforts to prevent and end homelessness among veterans of the Armed Forces of the United States;

(10) supports efforts to ensure accurate and timely processing of applications for disability benefits as a means of decreasing homelessness among disabled persons;

(11) recognizes that the safety and well-being of homeless persons is an urgent problem;

(12) recognizes the critical role of education and public schools in preventing and ending homelessness, and supports efforts to improve stability, services, and access to school for homeless children and youth; and

(13) endeavors to work with the same courage, dignity, and determination exemplified by Representatives McKinney and Vento to eliminate homelessness in the United States.

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

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a very important resolution. It is an appropriate noting of the anniversary, 20-year anniversary, of the passage of the Homeless Assistance Act. It marked the beginning of a formal Federal recognition of the problem of homelessness; it's a great paradox, and one of which we should be embarrassed in this country.

It may not seem obvious to people, but before this, certainly 25 years ago and beyond, the homeless population was an invisible one. And it was in the 1980s that people began to focus on it.

Two former Members of this body, both of whom sadly died younger than should have been the case, while still in their fullness of powers as Members of this body were among the first to recognize it, and it was bipartisan. The former Member from Connecticut, Stewart McKinney, whose successor will be speaking on behalf of this very shortly, was one of those who began it. And he was joined in his advocacy by the late Bruce Vento from St. Paul. And they were two men of great compassion and vision. They were skilled legislators who served on the committee as it was then called on Banking, Finance and Urban Affairs, and they insisted that we, as a body, in this very wealthy Nation, address the terrible tragedy of people who were homeless, including children and war veterans.

A number of things contributed to the homelessness issue. There were some trends in this society, and often we hear about unintended consequences. There were some trends that in themselves were welcomed that had these negative consequences. One was the improvement in urban areas, the transformation of many downtowns in our big cities from places that were considered not very attractive places in which to live to places that people wanted to live in, the phenomenon known as gentrification.

The area that I represented when I was in the State legislature in the 1970s in Boston, in downtown Boston there were boarding houses, rooming houses in many of the downtown parts of Boston. Most of those are now much more expensive housing. They are single-family homes or condominiums. That, from the standpoint of the city, I suppose, is an improvement. But many of those who lived there were priced out of the market and, in many cases, found no alternative housing.

We also had the movement of deinstitutionalization, of deciding that people with various problems, emotional and mental problems, that it was better to try to get them integrated into communities than to have them living forever apart in institutions, and on the whole that was a very positive step. But no major social policy happens perfectly. The combination of the upgrading economically of these downtowns, of the release of people from institutions, these contributed to the homeless problem.

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There are, of course, other problems. Vietnam veterans who came back from a war that they didn't ask to start, who were sent by this country to this difficult country and came back to a country that treated them poorly, that did not honor their commitment and the sacrifice of their time and of their health. And in combination with substance abuse, all of these came together.

At any rate, 20 years ago we recognized that we had this problem, and we have begun to deal with it. And this resolution is a tribute to the two farsighted men who led this fight; to the many, many people who have worked to try to provide a solution to homelessness; to the homeless themselves, fellow citizens of all ages and races and backgrounds who have had to cope with these difficulties, some because of their own failings, often because of no thing that they did wrong but because of circumstances in which they found themselves. In any case, we ought to deal with it.

And this resolution is also very thoughtful, and I call attention to the ''whereases.'' Whereases, to be candid, Mr. Speaker, are often unemployment. They are filler. But in this case the whereases make some very important points, and one in particular I want to address. It talks about the vulnerable groups that are included. Another one talks about the veterans who are involved. That is, this makes clear that we are dealing with people who have a very legitimate claim on our response. In addition, the resolution itself goes beyond really congratulating people for the work they did and deploring the continued existence of homelessness, but it makes some very specific policy recommendations, which, Mr. Speaker, the Committee on Financial Services will be responding to and has already begun to respond to.

For example, in the resolution, clause 6 says that we recognize ''that the lack of affordable housing exacerbates homelessness in the United States.'' That may seem to state the obvious, but the obvious may have been stated but hasn't been acted on. We have not done nearly enough to produce affordable housing. Homelessness requires shelter; it requires services. But it requires, more than anything else, homes for people. Affordable housing, also rental housing, but it requires housing.

The resolution supports the continued efforts of Federal, State, and local governments in their efforts to prevent and end homelessness through the development of affordable housing. It was not an accident that the gentleman from Connecticut who succeeded Mr. McKinney will be soon speaking on this, is a member of our committee, and is a cosponsor with many of us on legislation that will actually return the Federal Government to the job of producing affordable housing.

So I welcome this resolution for what it commemorates but also for what it commits this Congress to do.

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

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

I rise in support of H. Res. 561, a resolution recognizing the 20th anniversary of the McKinney-Vento Homeless Assistance Act.

Our resolution, which I introduced along with Chairwoman MAXINE WATERS and Representative BETTY MCCOLLUM, acknowledges the 20th anniversary of the act, which was yesterday, July 22, and recognizes the impact Congressmen McKinney and Vento and their legislation named after them have had on homelessness.

Before reflecting on Stewart McKinney's life and the impact of his work on millions of lives across the country, I would like to express my gratitude to Chairwoman WATERS and particularly Chairman BARNEY FRANK, as well as Ranking Members SPENCER BACHUS and JUDY BIGGERT, for moving this resolution to the floor. I also appreciate the work of the National Law Center on Homelessness and Poverty and the 15 other organizations that have endorsed the recognition of this anniversary.

I serve in the seat previously represented by Stewart McKinney. Stewart served as the ranking member on the House Banking Subcommittee on Housing, as well as the Committee on the District of Columbia. It was in this capacity that he became especially concerned about homelessness, particularly in our capital city.

He loved urban areas, and like our colleague Bruce Vento, he recognized homelessness is a national problem that requires a national solution. Stewart's commitment to exposing the depth of the growing problem of homelessness in the 1980s led him to contract pneumonia after sleeping on a grate outside a Federal building with D.C. area homeless.

Shortly after his death on May 7, 1987, his family, friends, and staff gathered to discuss how to continue his philosophy of caring for those who are the least able to care for themselves. They created the Stewart B. McKinney Foundation, an organization whose mission is to provide funds to care for persons with HIV who are homeless or at risk of homelessness. Today, Lucie McKinney continues the work Stewart began in his memory and keeps his spirit alive in this precious foundation.

Stewart was beloved by his colleagues on both sides of the aisle. Reading the tributes that were offered to Stewart on the House floor on the day of his death, a rather thick book, I might add, I was struck by his colleagues' appreciation for his humanity, his warm spirit, bipartisanship, and dedication to good work. I particularly want to make reference to one colleague, former Representative Bill

Frenzel, who said, ''I remember I often asked how he could stand it for over 16 years being on the House Banking Committee, and he said, 'You do not understand. It is the Housing Subcommittee that keeps me here because it is the most important thing I am doing in Congress.' ''

Let me conclude by saying the Stewart B. McKinney Homeless Assistance Act, now known as the McKinney-Vento Homeless Assistance Act, was first enacted in 1987 as the first major coordinated Federal response to homelessness. Passed in response to the rapid and dramatic growth of homelessness in the United States during the 1980s, the McKinney Act emphasized emergency measures, transitional measures, and long-term solutions to combat the homeless crisis.

Despite the impact of the McKinney-Vento Homeless Assistance Act, homelessness continues to be a pervasive problem in America. It is important Congress support a comprehensive range of programs beyond emergency food, shelter, and health care services for the homeless.

We must promote the development of affordable housing, provide supportive services to those who are homeless or in vulnerable housing situations, acknowledge and study the high rates of homelessness among our Nation's veterans, and recognize the critical role our schools play in preventing and ending homelessness among children.

On the anniversary of the McKinney-Vento Act, I want to express our sincere gratitude for the dedication and commitment of service providers who are working to end homelessness in our communities and provide emergency food, shelter, and services.

In Connecticut's Fourth Congressional District, I want to commend the work of Homes for the Brave, Bridgeport; Operation Hope, Fairfield; Shelter for the Homeless, Stamford; Norwalk Emergency Shelter; Interfaith Housing Association of Westport and Weston; Families in Transition, Bridgeport; St. Luke's Lifeworks, Stamford; Prospect House, Bridgeport; and all the other organizations working to assist the homeless or those who are at risk of becoming homeless.

With the passage of this resolution, I hope my colleagues and I will endeavor to work with the same courage, dignity, and determination exemplified by Representatives McKinney and Vento to eliminate homelessness in the United States.

At this time, Mr. Speaker, I yield such time as she may consume to the ranking member of the Housing Subcommittee from Illinois.

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of House Resolution 561, recognizing the 20th anniversary of the McKinney-Vento Homeless Assistance Act.

Since 1987, McKinney-Vento has served as the foundation of a cohesive national strategy against homelessness. In addition to housing, McKinney-Vento includes vital programs that address the nutritional, health care, and educational needs of the less fortunate.

As a member of the Education and Labor Committee, I have spent a great deal of time examining the unique obstacles that exist for runaway, homeless, and other disconnected youth, and I have seen first-hand the devastating impact that lost educational opportunities can have on the lives of homeless youth. Unfortunately, for many of these children, school is the only source of stability in their lives.

That is why in 2001 I introduced the McKinney-Vento Homeless Education Act, a bill that ensures homeless children have access to immediate enrollment without the barriers and red tape that had too often kept them out of school. My view was, and remains, that being without a home should not mean being without an education. I am pleased to report that Congress agreed and we were able to get this bill incorporated into the No Child Left Behind Act, signed into law in 2002.

Following the tragic hurricanes of Katrina and Rita, the Education for Homeless Children and Youth programs in NCLB were put to the test and proved crucial to providing much-needed stability and vital services to those in need. Because programs like McKinney-Vento were already in place, the Federal Government was better prepared to meet the educational and social needs of displaced children during a time of national crisis.

Perhaps most importantly, this anniversary is an opportunity to call attention to the work that still remains to be done, work like tearing down barriers that prevent unaccompanied homeless youth from attending school.

In this spirit, I would like to invite my colleagues to join me in supporting a vital piece of legislation that will do just that, H.R. 601, the FAFSA Fix for Homeless Kids Act. This important bill, which was introduced along with my good friend from Texas, Congressman HINOJOSA, will ensure that the doors of higher education remain open for some of our Nation's most vulnerable youth. At no additional cost to taxpayers, this bill simply ensures that unaccompanied homeless youth are not required to submit a parent's financial information to qualify for Federal student aid. While these requirements are logical for most applicants, they create insurmountable barriers for unaccompanied homeless youth who cannot supply these records.

As a member of the Financial Services and Education and Labor Committees, I look forward to working with my colleagues on other important policy initiatives like reauthorizing the McKinney-Vento programs under HUD and NCLB. As we move forward on these items in the coming months, we must join together to ensure that addressing the needs of America's homeless remains a top priority.

Mr. Speaker, I would like to take this opportunity to thank my good friend and distinguished colleague from Connecticut (Mr. SHAYS) for introducing this resolution and for his dedication to improving the lives of homeless Americans. I would also like to thank Mr. FRANK and Mr. BACHUS for cosponsoring this resolution and helping to move it through the Financial Services Committee in such a timely and bipartisan way.

Mr. Speaker, I strongly support this resolution and urge my colleagues to do the same.

Mr. SHAYS. Mr. Speaker, I thank Chairman FRANK. He made sure the bill got to the floor quickly, and I thank him for all of his good work on homeless issues as well as housing.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

I again note that this is not simply words. Words are important and the work of Bruce Vento and Stewart McKinney, two outstanding Members of Congress, ought to be recognized. The fact that we are talking here about veterans, about children, about other populations that we all want very much to help, they are important. But I want to stress again this is also a commitment for the Committee on Financial Services. I know I speak for the chairwoman of the Housing Subcommittee, the gentlewoman from California (Ms. WATERS), and my colleague here.

And I want to again point to clauses 6 and 7 of the resolution. The resolution ''recognizes that the lack of affordable housing exacerbates homelessness in the United States,'' and No. 7, ''supports the continued efforts of Federal, State, and local governments and private nonprofit organizations in their efforts to prevent and end homelessness through the development of affordable housing.''

The services that are provided, the shelter, the counseling, they are all absolutely essential. But so is a commitment by this very wealthy Nation to help build affordable housing. And if we were not to make that commitment, then the resolution would, I think, be an empty one.

So I look forward to the Committee on Financial Services working together in a bipartisan way to continue to bring to this floor, and I hope ultimately to the desk of the President, and, more important, ultimately to the streets of our cities and rural areas in this country the housing that is needed. This is a promise that we are going to go forward with building affordable housing, and it is a promise that we fully intend to keep.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material.

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

There was no objection.

Ms. WATERS. Mr. Speaker, I rise in strong support of H. Res. 561, recognizing the 20th anniversary of the McKinney-Vento Homeless Assistance Act of 1987. I was pleased to join my Housing Subcommittee colleague Mr. SHAYS, and Congresswoman MCCOLLUM, in introducing this resolution to honor their late predecessors—Stewart McKinney of Connecticut and Bruce Vento of Minnesota—for their work across party lines to create the McKinney-Vento programs in response to the widespread homelessness that had reoccurred in the early 1980's for the first time since the Great Depression.

Since then, the McKinney-Vento Act programs have helped thousands of homeless men, women, and children return to stable housing and lives in which they can reach their full potential. I am pleased that we will take up for consideration today a FY 2008 appropriations bill for the Department of Housing and Urban Development (HUD), which administers the majority of McKinney-Vento grants, that provides for $1.561 billion for the HUD homeless assistance account, a $234 million increase over FY 2006.

But as national homeless organizations noted poignantly at an event a few of us attended last week, this is truly a ''bittersweet'' anniversary. While this groundbreaking homeless legislation is a highlight of the legacy I inherit as the Chair of the Housing Subcommittee, the sad fact is that the McKinney-Vento Act programs should not still be so desperately needed on their 20th birthday.

In fact, because the McKinney-Vento Act was debated a few years before I entered Congress—though I had certainly addressed homeless issues during my tenure in the California state legislature—I had my staff provide me with some of the legislative history surrounding the bill. A couple of points are worth noting.

First, nobody ever thought that the McKinney-Vento Act was the answer to homelessness, despite its ambitious creation of 15 separate programs and authorization of over $400 million in funding. Indeed, the original House bill was entitled the ''Urgent Relief for the Homeless Act.'' Of it, my distinguished predecessor as Chair of the then-Housing and Community Development Subcommittee, the late Henry Gonzalez, said, ''The emergency assistance provided in this bill will not eradicate the causes of homelessness; but rather is an emergency short-term effort to assist homeless persons.''

In other words, the McKinney-Vento programs were always meant as a first step—a first step toward a social safety net in which no person is forced to live on the streets or in shelters because of poverty, whether or not that poverty is coupled with additional challenges like mental illness, drug addiction or HIV/AIDS.

What is also striking, however, is how much the people involved then knew or suspected, even in the midst of a new crisis, about the real long-term solutions to homelessness. Of necessity, perhaps, given the rapid and overwhelming growth in homelessness at the time, the majority of early McKinney-Vento Act authorizations and appropriations funded emergency food and shelter assistance. Yet, from the start, the McKinney-Vento Act invested in a wide range of interventions—including permanent supportive housing, transitional housing, education, mental health and substance addiction services, job training, and other interventions.

Building on this basic infrastructure, academic research coupled with the hard-earned knowledge of practitioners and government have moved us to a place where we know much more about who the homeless are, and what it takes to end homelessness for them than we did in 1987.

I am proud that the McKinney-Vento Act itself grew out of Housing Subcommittee hearings then-Chairman Gonzales convened starting 25 years ago, and, after Congress returns from its August recess, I intend to hold a series of four in-depth Subcommittee hearings to examine lessons learned in the intervening period in order to formulate better federal housing policy, starting with an updated McKinney-Vento Homeless Assistance Act.

But reauthorizing the McKinney-Vento Act, no matter how perfectly, is only a small piece of a real federal agenda to end homelessness. Another glaring theme emerges from the 1987 CONGRESSIONAL RECORD—the increasing lack of affordable housing and the Federal government's progressive disinvestment in housing production programs.

Well, the situation has only gotten worse. As you know, the 800,000 people who experience homelessness on any given night—over 10 percent of them in my home city of Los Angeles—are only the most visible feature of an affordable housing crisis that has reached epic proportions across the country.

As Housing Subcommittee Chair, my response is simple. It's time to get the Federal government back in the affordable housing production business. I am hoping we start with enactment of H.R. 1851, The Section 8 Voucher Improvement Act and H.R. 2895, the National Affordable Housing Trust Fund. Simply put, if the Federal government does not reengage on affordable housing at this scale, and more, our successors will face the prospect of introducing a resolution to mark the 40th anniversary of the McKinney-Vento Act in 2027. Let us hope we can render such a sad event unnecessary.

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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 gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and agree to the resolution, H. Res. 561.

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.

COMMENDING DAVID RAY RITCHESON AND RECOGNIZING HIS EFFORTS IN PROMOTING FEDERAL LEGISLATION TO COMBAT HATE CRIMES

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 535) commending David Ray Ritcheson, a survivor of one of the most horrific hate crimes in the history of Texas, and recognizing his efforts in promoting Federal legislation to combat hate crimes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 535

Whereas David Ray Ritcheson, a Mexican-American, was a friendly and cheerful student at Klein Collins High School in the Houston suburb of Spring, Texas, and a popular and talented football athlete who was loved and admired by his family and friends;

Whereas on April 23, 2006, at the age of 16, David Ray Ritcheson was severely assaulted while attending a party in Spring, Texas;

Whereas the former running back and freshman homecoming prince spent more than three months in the hospital as a result of the injuries he suffered in the assault and endured more than 30 surgeries to restore his appearance and regain the normal use of his bodily functions;

Whereas no human being deserves to be tortured and victimized like David Ray Ritcheson simply because he is of a different background, race, religion, ethnic group, or sexual orientation;

Whereas of all crimes, hate crimes are most likely to create or exacerbate tensions that can trigger larger community-wide racial conflict, civil disturbances, and riots in communities at-risk of serious social and economic consequences;

Whereas hate-motivated violence disrupts the tranquility and safety of communities, impedes the movement of members of targeted groups, and prevents members of targeted groups from purchasing goods and services, obtaining or sustaining employment, and fulfilling the American Dream;

Whereas the courageous, eloquent, and compelling testimony of David Ray Ritcheson before a committee of the House of Representatives brought into vivid relief the human face of victims of hate crimes and the terrible suffering that such crimes inflict on victims and their families, friends, and communities;

Whereas David Ray Ritcheson, in his testimony, emphasized that he was a survivor who urged the Federal Government to take the lead in deterring individuals like those who attacked him from committing violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk, or act;

Whereas David Ray Ritcheson's powerful testimony helped inspire the House of Representatives to pass the Local Law Enforcement Hate Crimes Prevention Act of 2007 (H.R. 1592 of the 110th Congress), which incorporates key provisions of the David Ray Hate Crimes Prevention Act of 2007 (H.R. 254 of the 110th Congress);

Whereas David Ray Ritcheson vowed to do whatever he could to help make the United States a hate-free place in which to live;

Whereas the courage displayed by David Ray Ritcheson is an inspiration to all Americans and reinforces the message that acts of bigotry and hate are unacceptable in the United States; and

Whereas, on July 1, 2007, David Ray Ritcheson died at the age of 18: Now, therefore, be it

Resolved, That the House of Representatives mourns the passing of David Ray Ritcheson and commends him for his activism in contributing and raising awareness

toward the eradication and elimination of hate crimes in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON-LEE 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 gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Mr. Speaker, it is with celebration and recognition that I rise today to honor and pay tribute to David Ray Ritcheson, first 17, and, in the loss of his life, only 18, yet an American hero, a teenager who experienced harshness in his life, but yet out of his courage, tenacity and spirit we stand here on the floor of the House today.

I rise in strong support of H. Res. 535, which honors the short life, but big contributions of David Ray Ritcheson, a victim, as I said earlier, of a horrific hate crime, who became an exceptionally effective advocate for Federal hate crimes legislation.

Over the years I have been privileged to take the floor many times to speak on behalf of my constituents and those who live in the greater Houston-Harris County area. On those occasions my heart has filled with joy on the knowledge that so many people entrusted me with the honor of giving voice to their hopes and aspirations. But as I rise today, my heart is enormously heavy, for I have the sad duty of informing the House of the tragic death of David Ray Ritcheson, a Texas teenager, and as I've said earlier, experienced and was a victim of a horrible hate crime only at the age of 17, who went on to become an effective advocate for Federal hate crimes legislation.

To his parents, to his attorney Mr. Leon, for their spirit, his wonderful family, his brothers and sisters, all who showed the great love and tenacity and courage to stand by David, I call them the stand-by-David family.

This tragedy should serve as a wakeup call to the Nation of the need to redouble our efforts to prevent hate crimes by juveniles, which I believe is, in the long run, the best and most effective way of eliminating the scourge of hate-motivated crimes from our society.

I have long believed, and research confirms, that if a person does not acquire a proclivity to hate as a juvenile, he or she is not likely to be motivated to commit crimes out of hate as an adult. But once a child or juvenile has learned to hate, it is a short step to learning and liking to act out of hatred.

We will have, I hope soon, coming to this floor a bill named after David. Many in the community have asked that H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act of 2007, be likewise named after him. You wonder why. It is because of the outstanding courage that this young man has shown.

I remember meeting with him in the offices of his attorney, Carlos Leon, and his family members way back in 2006. He was in the midst of several of his surgeries that had to be implemented or had to be done in order to help cure him. Quiet, determined, smiling, generous in his time, we spoke about what he could do and how he could support legislation to turn things around. I believe that that courage exudes today on the floor of the House.

A year ago last April, the people of Harris County and those in and around my congressional district saw just how easy and how dangerous it is for young people to commit a crime of hate. In a case that drew national attention, 16-year-old David Ray Ritcheson, a Mexican American, was severely assaulted on April 23, 2006, by two youths while attending a party in the Houston suburb of Spring, Texas. One of his teen attackers, a skinhead, yelled ethnic slurs and kicked a pipe in an inappropriate place, severely damaging his internal organs and leaving him in the hospital for 3 months and 8 days, almost all of it in critical care.

For the supposed crime of allegedly kissing a white girl, this Hispanic young man was punched unconscious, kicked in the head, suffered 17 cigarette burns sadistically inflicted that still scar his body. His assailants poured bleach on his face and body and then assaulted him with a pipe taken from a patio umbrella. He was left lying unconscious and unattended in the back yard of a house for more than 8 hours. He has endured more than 30 operations to restore his appearance and regain the normal use of his bodily functions.

Might I say to you that he was the cause and the inspiration behind the passage of H.R. 1592. And I just want to share with my colleagues this young man's picture, along with his attorney. He was a young man who came here with a business suit on because he meant business. We honor him today with a resolution that acknowledges his life.

In addition, I will soon be introducing additional legislation intended to fill a big gap in current hate crimes prevention. And we must do more to assist the victims of hate crimes and their families recover from their physical, emotional and psychological wounds.

My legislation will authorize programs to provide psychological and emotional support services and appropriate economic assistance to the victims of hate crimes and their families. The legislation will focus on three main areas: counseling, prevention, and economic support.

Let me just say, in closing, that I indicated that it is with a heavy heart that I stand on the floor today. It is certainly with great celebration that I acknowledge to the world and to America, the youth of America, the name of David Ray Ritcheson, someone who, in essence, sacrificed his life so that America might be better, sacrificed his life so that those of us who want to be able to preach love, opportunity and quality maybe, sadly, will have a message of joy out of his living, and that is that you can move to move hearts and minds, and that we can provide America with a better moral compass and legal system to prevent hate crimes in America.

Mr. Speaker, I rise in strong support of H. Res. 535, which honors the short life but big contributions of David Ray Ritcheson, a victim of a horrific hate crime who became an exceptionally effective advocate for Federal hate crimes legislation.

Over the years I have been privileged to take the floor many times to speak on behalf of my constituents in the Eighteenth Congressional district of Texas. On those occasions my heart was filled with joy in the knowledge that so many people entrusted me with the honor of giving voice to their hopes and aspirations.

But as I rise today, my heart is heavy. I have the sad duty of informing the House of the tragic death of David Ray Ritcheson, a Texas teenager and victim of a horrible hate crime, who went on to become an effective advocate for Federal hate crimes legislation.

Mr. Speaker, this tragedy should serve as a wakeup call to the Nation of the need to redouble our efforts to prevent hate crimes by juveniles, which I believe is in the long run the best and most effective way of eliminating the scourge of hate motivated crimes from our society.

I have long believed, and research confirms, that if a person does not acquire a proclivity to hate as a juvenile, he or she is not likely to be motivated to commit crimes out of hate as an adult. But once a child or juvenile has learned to hate, it is a short step to learning and liking to act out that hatred.

A year ago last April, the people of Harris County, Texas, and in my congressional district, saw just how easy and how dangerous it is for young people to commit a crime out of hate.

In a case that drew national attention, 16-year-old David Ray Ritcheson, a Mexican-American, was severely assaulted on April 23, 2006, by two youths while attending a party in the Houston suburb of Spring, Texas. One of his teenage attackers, a skinhead, yelled ethnic slurs and kicked a pipe up his rectum, severely damaging his internal organs and leaving him in the hospital for 3 months and 8 days—almost all of it in critical care. For the supposed crime of allegedly kissing a white girl, this Hispanic young man was punched unconscious, kicked in the head, suffered 17 cigarette burns sadistically inflicted that still scar his body. His assailants poured bleach on his face and body, and then assaulted with a pipe taken from a patio umbrella. He was left lying unconscious and unattended in the back yard of a house for more than 8 hours. He has endured more than 30 operations to restore his appearance and regain the normal use of his bodily functions.

Mr. Speaker, no one deserves to be tortured and victimized like David Ray Ritcheson was simply because he is of a different nationality, or race, or religion, or ethnic group, or sexual orientation or preference. It is for that reason that I introduced the David Ray Hate Crimes Prevention Act of 2007, H.R. 254, earlier this year, key provisions of which were incorporated into H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act of 2007. For example, my bill increased the penalties to 10 years in prison for any person whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person. Also, H.R. 1592 incorporated another key component of my hate crimes prevention bill: the establishment of a grants program administered by the Office of Justice Programs of the Department of Justice to award grants, in accordance with such regulations as the Attorney General may prescribe, to State, local, or tribal programs designed to combat hate crimes committed by juveniles.

I will soon be introducing additional legislation intended to fill a big gap in the current hate crimes prevention regime. We must and can do more to assist the victims of hate crimes and their families recover from their physical, emotional, and psychological wounds.

My legislation will authorize programs to provide psychological, emotional support services and appropriate economic assistance to the victims of hate crimes and their families. The legislation will focus on three main areas: counseling; prevention; and economic support.

Hate Crime victims lose their jobs at least in part because of the impact of hate crime violence and lack of financial and economic support during recovery. By giving hate crime victims economic and financial support, Congress makes it more likely that employees who are victims of hate crimes could stay at work while they deal with the violence or promptly return to work if they have to take temporary leave. Therefore hate crime victims must be provided access to: (1) Healthcare support including counseling and therapy to prevent in the future severe depression, violent outbreaks, suicide; (2) construction and personnel cost for shelters and hate crime support centers; (3) direct services providers; (4) healthcare insurance for counseling and therapy; (5) hotline services; and (6) short- and long-term individual counseling and support groups for hate crime victims and their families.

Since prevention is always better than cure, my legislation also seeks to prevent violent hate crime attacks before it happens. The legislation will provide funding for outreach and educational programs to raise awareness against racist and discriminatory beliefs.

Specifically, it will lead to:

(1) Development community responses and public education campaigns working with elementary, middle and secondary school to raise awareness of racist crimes as unacceptable behavior.

(2) Provide educational programs working with teenagers and young adults in college and university campuses.

(3) Adoption of hate crime awareness programs in the workplace.

When he testified in support of H.R. 1592, David Ray Ritcheson challenged this committee to take a big step toward making hate a thing of history. Hear the words this young man, wise and courageous beyond his years, spoke to the Judiciary Committee:

It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as the ''Local Law Enforcement Hate Crimes Prevention Act of 2007''. I can assure you, from this day forward I will do what ever I can to help make our great county, the United States of America, a hate free place to live.

I ask unanimous consent that to place a copy of David Ray Ritcheson's entire statement in the RECORD.

I believe the best thing we can do to hasten the day that the United States is a hate free place to live is to work at least as hard toward preventing hate crimes as we must at prosecuting and punishing those who commit them.

As important as it is to apprehend, prosecute, convict, and punish severely those who commit hate crimes, we can all agree that in the long run it is even more important and better for society if we can increase our effectiveness in eradicating the desire to commit a hate crime in the first place.

Mr. Speaker, I have never been as proud of any constituent as I was of David Ray Ritcheson that day when he spoke such eloquent truth to power. By force of his own example and moral courage he helped clear the way for House passage of strong and long overdue hate crimes legislation. In the process, he made America better, and he made Texas stand tall. That is why it is so fitting to honor his memory. And that is why I am pleased to announce that the introduction of a resolution in tribute to this remarkable young man.

Mr. Speaker, I would like to read into the RECORD the text of this resolution.

H. RES. 535

Whereas David Ray Ritches, Mexican-American, was a friendly and cheerful student at Klein Collins High School in the Houston suburb of Spring, Texas, and a popular and talented football athlete who was loved and admired by his family and friends;

Whereas on April 23, 2006, at the age of 16, David Ray Ritcheson was severely assaulted while attending a party in Spring, Texas;

Whereas the former running back and freshman homecoming prince spent more than three months in the hospital as a result of the injuries he suffered in the assault and endured more than 30 surgeries to restore his appearance and regain the normal use of his bodily functions;

Whereas no human being deserves to be tortured and victimized like David Ray Ritcheson simply because he is of a different background, race, religion, ethnic group, or sexual orientation;

Whereas of all crimes, hate crimes are most likely to create or exacerbate tensions that can trigger larger community wide racial conflict, civil disturbances, and riots in communities at-risk of serious social and economic consequences;

Whereas hate-motivated violence disrupts the tranquility and safety of communities, impedes the movement of members of targeted groups, and prevents members of targeted groups from purchasing goods and services, obtaining or sustaining employment, and fulfilling the American Dream;

Whereas the courageous, eloquent, and compelling testimony of David Ray Ritcheson before a committee of the House of Representatives brought into vivid relief the human face of victims of hate crimes and the terrible suffering that such crimes inflict on victims and their families, friends, and communities;

Whereas David Ray Ritcheson, in his testimony, emphasized that he was a survivor who urged the Federal Government to take the lead in deterring individuals like those who attacked him from committing violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk, or act;

Whereas David Ray Ritcheson's powerful testimony helped inspire the House of Representatives to pass the Local Law Enforcement Hate Crimes Prevention Act of 2007 (H.R. 1592 of the 110th Congress), which incorporates key provisions of the David Ray Hate Crimes Prevention Act of 2007 (H.R. 254 of the 110th Congress);

Whereas David Ray Ritcheson vowed to do whatever he could to help make the United States a hate-free place in which to live;

Whereas the courage displayed by David Ray Ritcheson is an inspiration to all Americans and reinforces the message that acts of bigotry and hate are unacceptable in the United States; and

Whereas, on July 1, 2007, David Ray Ritcheson died at the age of 18: Now, therefore be it

Resolved, That the House of Representatives mourns the passing of David Ray Ritcheson and commends him for his activism in contributing and raising awareness toward the eradication and elimination of hate crimes in the United States.

Mr. Speaker, I ask unanimous consent to place into the record the testimony David Ray Ritcheson gave before the Judiciary Committee in April of this year in support of H.R. 1592.

STATEMENT OF MR. DAVID RITCHESON AT THE HEARING ON H.R. 1592, THE ''LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2007''

I appear before you as a survivor of one of the most despicable, shocking, and heinous acts of hate violence this country has seen in decades. Nearly one year ago on April 22, 2006, I was viciously attacked by two individuals because of my heritage as a Mexican-American. After hanging out with a few friends at a local crawfish festival, my friend and I, along with the two individuals who would eventually attack me, returned to the home in Spring, Texas where I was to spend the night. It was shortly after arriving at this private residence that a minor disagreement between me and the attackers turned into the pretext for what I believe was a premeditated hate crime. This was a moment that would change my life forever. After I was surprisingly sucker punched and knocked out, I was dragged into the back yard for an attack that would last for over an hour. Two individuals, one an admitted racist skinhead, attempted to carve a swastika on my chest. Today I still bear that scar on my chest like a scarlet letter. After they stripped me naked, I was burned with cigarettes and savagely kicked by this skinhead's steel toed army boots. After burning me in the center of the forehead, the skinhead attacker was heard saying that now I look like an Indian with the red dot on my forehead. Moreover, the witnesses to the attack recalled the two attackers calling me a ''wetback'' and a ''spic'' as they continued to beat me as I lay unconscious. Once the attack came to an end, was dragged to the rear of the back yard and left for dead. Reportedy, I lay unconscious in the back yard of this private residence or the next 8–

9 hours. It was not until the next morning that I was found and the paramedics came to my aid. I am recounting this tragic event from the testimony I heard during the trial of the two attackers this past fall. God spared me the memory of what happened that night. As I sit before you today, I still have no recollection of those life changing twelve hours or the weeks that followed.

Weeks later I recall waking up in the hospital with a myriad of emotions, including fear and uncertainty. Most of all, I felt inexplicable humiliation. Not only did I have to face my peers and my family, I had to face the fact that I had been targeted for violence in a brutal crime because of my ethnicity. This crime took place in middle-class America in the year 2006. The reality that hate is alive, strong, and thriving in the cities, towns, and cul-de-sacs of Suburbia, America was a surprise to me. America is the country I love and call home. However, the hate crime committed against me illustrates that we are still, in some aspects, a house divided. I know now that there are young people in this country who are suffering and confused, thirsting for guidance and in need of a moral compass. These are some of the many reasons I am here before you today asking that our government take the lead in deterring individuals like those who attacked me from committing unthinkable and violent crimes against others because of where they are from, the color of their skin, the God they worship, the person they love, or the way they look, talk or act.

I believe that education can have an important impact by teaching against hate and bigotry. In fact, I have encouraged my school and others to adopt the Anti-Defamation League's No Place for Hate® program. If these crimes cannot be prevented, the federal government must have the authority to support state and local bias crime prosecutions.

As the weeks in the hospital turned into months, I began hearing the stories of support that came from literally all over the world. The local community pulled together in a really majestic way, reaffirming my hope in the good of humanity. My family told me about the crowded waiting rooms full of the great friends from past and present. I heard about prayer groups before school in front of my school, the Klein Collins Campus. The donations that helped my family and me get through an unthinkable time poured in from generous people scattered across the globe. These donations would help pay for the enormous hospital bills from the over thirty surgeries I underwent during the first three months after the attack. Most of these operations were essential to saving my life—and others were necessary just to make my body able to perform what would be normal functions.

As the recovery process continued, my family began to slowly inform me of what had happened to me. They went on to tell me of the effective response by the Harris County Sheriff's Department and the Harris County Constables who had investigated the hate crime committed against me. I slowly began learning the about the background of the two individuals who had been arrested for attacking me. I was informed that one of the attackers, David Tuck, was a self proclaimed racist skinhead who had viciously attacked at least two other Hispanics in the past few years, almost killing one of them. I learned that he had been in and out of several juvenile facilities. Most surprising, I learned that he had been released from the Texas Youth Commission a little over a month before he attacked me. In fact, he was still on probation the night he nearly ended my life. I was told that he had ''white power'' and swastikas tattoos on his body. I was informed that his older step brother, a major influence in his life, was also a self-proclaimed skinhead currently serving time in a Texas jail. Here I was, learning shocking details of a person who lived only miles from me and who had at one time attended the same high school that I attended. How could this type of hate be breeding just miles from my home in a city as diverse as Spring without anyone taking notice?

I quickly learned of and benefited from the support of groups such as the Anti-Defamation League (ADL) and League of United Latin American Citizens (LULAC). Both groups immediately provided whatever support they could to help me and my family. From setting up fundraisers to help my family with unanticipated expenses to providing emotional support confirming that I was not going through this alone, both groups were instrumental in assisting me and my family in the process of moving forward. There are so many people to thank for the support they have given me, including the ongoing encouragement to appear before you today.

Last November and December I sat in a courtroom in Harris County, Texas and faced my attackers for the first time as they went through their respective trials. I am glad to say that justice was done. I am proud of the job our county prosecutors and investigators did in ensuring life sentences for the two individuals who attacked me. Specifically, I want to recognize the great job that Assistant District Attorney Mike Trent did during the prosecution of these two individuals. However, despite the obvious bias motivation of the crime, it is very frustrating to me that neither the state of Texas nor the federal government was able to utilize hate crime laws on the books today in the prosecution of my attackers. I am upset that neither the Justice Department nor the FBI was able to assist or get involved in the investigation of my case because ''the crime did not fit the existing hate crime laws.'' Today I urge you to take the lead in this time of needed change and approve the ''Local Law Enforcement Hate Crimes Prevention Act of 2007''. I was fortunate to live in a town where local law enforcement authorities had the resources, the ability—and the will—to effectively investigate and prosecute the hate violence directed against me. But other bias crime victims may not live in such places. I ask you to provide authority for local law enforcement to work together with federal agencies when someone is senselessly attacked because of where they are from or because of who they are. Local prosecutors should be able to look to the federal government for support when these types of crimes are committed. Most importantly, these crimes should be called what they are and prosecuted for what they are, ''hate crimes''!

In fact, because there was so much attention focused on the fact that my case was not being prosecuted in Texas as a hate crime, the Anti-Defamation League and the Cook County (Illinois) Hate Crimes Prosecution Council published a Pamphlet called ''Hate Crimes Data Collection and Prosecutions: Frequently Asked Questions,'' designed to address some of the basic legal and practical considerations involved in labeling and charging a hate crime.

My experience over the last year has reminded me of the many blessings I took for granted for so long. With my humiliation and emotional and physical scars came the ambition and strong sense of determination that brought out the natural fighter in me. I realized just how important family and the support of community truly are. I will always recall my parents at my bedside providing me with strength and reassurance. They showed me how to be strong during my whole recovery, a process I am still going through today. Seeing the hopeful look of concern in the faces of my siblings, cousins, aunts and uncles everyday was the direct support I needed to get through those terrible first few months. As each day passed, I became more and more aware of everything I had to live for. I am glad to tell you today that my best days still lay ahead of me.

Thank you for the opportunity to tell my story. It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as the ''Local Law Enforcement Hate Crimes Prevention Act of 2007''. I can assure you, from this day forward I will do what ever I can to help make our great country, the United States of America, a hate free place to live.

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

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

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

Mr. PENCE. Mr. Speaker, the old book tells us to mourn with those who mourn and grieve with those who grieve. I rise in support today of H. Res. 535 in a spirit of bipartisanship and mutual mourning in the tragic end of the life of David Ray Ritcheson.

I rise to commend David Ray Ritcheson in this resolution, a survivor, as my colleague from Texas just described, of a horrific crime. We commend him for his activism in raising awareness of violent crimes in this United States.

As has been noted, at the age of 16 years, David Ray Ritcheson was brutally assaulted in April of 2006 while attending a party in Spring, Texas. He was hospitalized for more than 3 months, had more than 30 surgeries to restore his appearance and regain his health. David Ray Ritcheson recovered and became a spokesman and a tireless advocate against brutal crimes. He spoke eloquently and with great courage. He testified, even at his young age, with conviction before the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security. He did so in a way that gave honor to both his convictions and his character. David Ray Ritcheson's courage stands as a testament to all crime victims, especially those who suffer brutal attacks.

Violent crime strikes at the heart of every victim, the victim's family, and their community. We must do all that we can to eradicate all violent crimes.

Today we gather in support of this resolution simply to mourn the passing of David, to extend our heart-felt sorrow and respect to his family and his community and all those whose life he touched with his courage. His memory will live on in our hearts. His courage will inspire us all.

I urge my colleagues to support this resolution.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from Texas has 14 minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me take an opportunity to acknowledge Albert and Laticia Galvin, the parents of David Ray Ritcheson. I mention them, their strength and their sense of dedication.

I also wanted to acknowledge the outpouring of support by the Members of Congress, members of the House Judiciary Committee and our local community. We came together, people from all segments of the community, to honor him in his passing, but also to commit ourselves to ridding our community of hate. Representatives from the NAACP and LULAC, faith leaders, elected officials, all of them put aside differences, as my good friend from Indiana has indicated, partisan differences, and realized that hate is really not the definition of America.

And if I might refresh the memories of my colleagues, just a few weeks ago we stood on the floor to acknowledge July Fourth, the Independence Day for America, again a day of joy. But the points of accolades for this Nation really focused not only on the Constitution and the Bill of Rights, which gives us the freedom of association, due process so that your rights are protected, but we're reminded of the Declaration of Independence. And it indicated that we all are created equal, with certain inalienable rights of life and liberty and the pursuit of happiness.

That's all that David sought in his young life, and I hope that as we move legislation forward, in the other body and here, on stomping out hate crimes, we will be reminded of this young life, not only David, but his mother and father, Albert and Laticia Galvin, who, if you met them, you would know how David was able to be so strong and so determined.

Mr. Speaker, I reserve the balance of my time

Mr. PENCE. With that, I'm pleased to yield such time as he may consume to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I greatly appreciate the opportunity to pay tribute to David Ray Ritcheson, having met him, talked with him, and heard his testimony at the Judiciary Committee.

David Ray Ritcheson was truly a brave young man who had a horrible act committed against him. His early departure from this life made his story all the more tragic. The crime committed against him earlier in his life is one that should not be tolerated under any circumstances. The applicable State law dealt with that crime in such a way that I understand the main perpetrators received life and 90 years as sentences.

On hearing the sad testimony by David at our hearing, everyone was moved with a sense of outrage. Yet, on closer examination of what the majority was trying to do, it caused me to ask if there was anything in this hate crimes bill that would have changed anything about David's terrible situation. After all, the hate crimes bill has no sentence higher than life. It's not a capital situation.

□ 1430

The answer was, and is, that there is nothing in the bill that would have really made any substantive difference in David's situation.

It is also tragic that any acquaintances of David who did not know the details of the brutality against him before apparently came to know about it through his courage and the national attention focused on him and the display of courage at our hearing. That is further testimony itself to his courage. But the ridicule at home that followed his testimony is also tragic. It is sad that he chose to end that life of such incredible potential.

David's earlier display of courage and the unfairness and outrage he faced deserve attention. He deserves a heartfelt salute. His family has our thoughts and prayers with them, especially in this loss of such a beautiful soul with so much potential.

But the bill being touted in this resolution does not bring us together. It divides us by saying that some people in this country are more important to protect than others. It divides by saying, for example, that those tragically killed at Virginia Tech are not as important to protect as a transvestite with gender identity issues. The bill further seeks to squelch religious teaching about immorality.

I stand here on the floor today to salute David Ray Ritcheson, an incredible young man. I want with all my heart to vote for a resolution to pay him proper tribute as well. But, unfortunately, I cannot vote for a resolution that, since it includes a pursuit and an adulation of the hate crimes bill, I cannot see the use of this tragedy to vote to give accolades to a bill that I think harms America and divides us.

If there is a recorded vote, I will vote ''present'' out of my incredible respect for David Ritcheson. But my ''present'' vote will also avoid the hypocrisy of my saying I support the hate crimes bill when I believe it harms the country, it harms religious teaching, and it would not undo what was done to David.

I look forward to any opportunity to do anything to pay tribute to David Ritcheson standing on its own.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as this bill is intended to do, let me dwell on the life of David Ray Ritcheson and how much he has contributed to moving this country forward. I would like to read just a portion of his statement from his own words in the Judiciary Committee speaking about the experience of his tragedy:

''After burning me in the center of the forehead, the skinhead attacker was heard saying that now I looked like an Indian with a red dot on my forehead. Moreover, the witnesses to the attack recall the two attackers calling me a 'wetback' and a 'spic' as they continued to beat me as I lay unconscious. Once the attack came to an end, I was dragged to the rear of the backyard and left for dead.''

The bill that David was so articulate in helping us move forward provides resources for our smaller communities in order to ensure that if Federal resources are needed, that nexus, that connection, that assistance would be provided. Therefore, it is clear that David's testimony helped assist rural communities.

I cite, for example, another tragic incident that occurred in a rural area, and maybe the county in that area might not have been able to move forward. This bill, however, is already out of the House. So our tribute today really focuses on the courage which David provided to move that bill forward.

In Wyoming, Matthew Shepard was in a rural area. It was a rural area in Jasper, Texas, with Mr. James Byrd. So we know that the bill that has passed the House truly would provide assistance to those communities that would ask for it if such a tragedy occurred in their community. Again, Mr. Speaker, simply if they asked for it.

I want to emphasize that this is about David, so let me share with you his words. These are the words that he offered to the Judiciary Committee: ''It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign to enact a much needed law such as H.R. 1592. I can assure you from this day forward I will do whatever I can to help America become our great country, the United States of America a hate-free place to live.'' These are David's words.

As we move forward in trying to capture what his life was truly about, this young, friendly, cheerful student at Klein Collins High School in the Houston suburb of Spring, Texas, popular and a talented football athlete, who was loved and admired by his family and friends, we want to ensure that, as we go forward, if such a dastardly act would happen again, we focus on the family.

Mr. Speaker, we would like to see health care support, including supportive counseling and therapy to prevent future severe depression; construction and personnel costs for shelters and hate crime support centers; direct service providers who are trained to try and help those who have been victims of hate crimes; health care insurance for counseling and therapy; hotline services, so for those who witness hate crimes or other acts, we would be able to provide an immediate source of information for them to report what happened; short- and long-term individual counseling and support

groups for hate crime victims and their families.

This is a time to acknowledge this former running back and freshman homecoming prince, who spent more than 3 months in the hospital. But at the same time, it is a time of celebration. That is what this resolution stands for. Let me thank the list of cosponsors who have provided their affirmation of the importance of David's life.

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

Mr. PENCE. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I would like to say to my friend across the aisle, the idea of assisting with counseling for anyone who has been through something so traumatic as what David Ritcheson experienced is a good idea. I would support a measure of that order.

Matthew Shepard was mentioned, as was James Byrd. Of course, most of us are familiar with those situations. Mr. Byrd was attacked because he was an African American. He was brutally drug behind a vehicle. And if I had my way and could put into law the law I would like to address that, it would be to allow the family of the victim to choose the terrain over which to drag the defendants, if they were convicted, and the rope by which to drag them. But, again, capital punishment was not an issue in this hate crimes bill.

Mr. Byrd's perpetrators, two received the death penalty, as I recall, and one received a life sentence, and that was State resources without the assistance of the Federal Government. With Matthew Shepard, I believe there were two life sentences in those cases, which would further not have been enhanced.

But I look forward to the day, as Martin Luther King said, when we are judged by the content of our character, not the color of our skin, and I would submit not by any other factors over which we have no control.

When it comes to a hate crime bill, we ought not to be dividing. A transvestite deserves protection. David Ritcheson, my goodness, deserved protection. We should work together to bring this Nation together, not divide it by saying some people deserve more protection than others.

Again, I think the idea of counseling, it might have served David well because, goodness knows, he had been through a great deal of trauma. Perhaps that would have assisted him in not bringing a permanent end to a temporary problem, which made it all the more tragic.

So I would welcome the opportunity, if something in the form of legislation along those lines were to arise, in working with my colleagues on the other side.

Mr. PENCE. Mr. Speaker, I am actually prepared to close with the gentlewoman's forbearance.

Ms. JACKSON-LEE of Texas. I am prepared to close. If the gentleman would close, I will follow.

Mr. PENCE. I would be pleased to do that. I thank the gentlewoman for her courtesy.

Mr. Speaker, I rise in support of this resolution, H. Res. 535, commending David Ray Ritcheson, and urge my colleagues to support it.

Let me say from my heart, I have great respect for the gentlewoman from Texas. She and I have an intellectual difference of opinion on the merit of hate crimes legislation. The legislation specifically referenced in this resolution as having been passed in this Congress even earlier this year as a result of some of the work of the man that we are honoring, I did not support and I do not support.

I don't support hate crimes laws. I don't support penalizing thoughts like action. But I do support courage. I do believe in that ancient adage that says if you owe debts, pay debts; if honor, then honor; if respect, then respect.

I disagree with the gentlewoman on the subject of hate crimes legislation. I disagree therefore with the late David Ray Ritcheson on that issue. But I rise today because this resolution says that the House of Representatives mourns the passing of David Ray Ritcheson and commends him for his activism in contributing and raising awareness toward the eradication and elimination of hate crimes in the United States.

We can come together as a Congress, and I expect we will today, to pay a debt of gratitude that we owe to a life that ended too soon. I commend the gentlewoman for her quite typical and forceful advocacy of her views, but I urge my colleagues to meet on that common ground of paying a debt of gratitude to a life that, as his family looks into this debate, I hope they know whatever our views are on the issues in which David found himself caught in violence and then standing in the national debate, we admire him, we honor his life, and we mourn his passing as a Congress and as a Nation.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the distinguished gentleman from Indiana for his courtesies. That is the note which I will end on, is a note of courage.

As we look at this young man, and I am going to do something quite unusual, Mr. PENCE, the family is watching, and I would hope that that would be the spirit of this resolution, simply to acknowledge the courage of David Ray Ritcheson, this talented young man, as I have said, Laticia and Albert Galvan's child, the brother of so many siblings, that they would understand what it took to come into the Judiciary Committee room.

We would like to thank the cosponsors of this legislation, and I would like them to have a lasting impression of this distinguished young man.

□ 1445

The courage, fortitude, the work he has done has enlightened many. As Mr. PENCE said, we can have a number of debates and questions about the underlying issue, but the above-lying issue is simply a resolution thanking a young man who has lost his life in the face of an unspeakable tragedy. And we are all committed, whether it is a moral question or whether it is by legislative initiative, we abhor hatred. This Nation was not founded to promote hatred, although many of us came to this Nation differently.

So I would simply ask my colleagues to join me. And I yield to the gentleman from Indiana (Mr. PENCE) for an inquiry. His family is watching, and I hope this can be perceived, this is an unlikely question to you, be perceived simply as a resolution, making no further statement, on the celebration of his life. We would like to call for a vote, and we would like to have your support. I have heard that you are willing to support this on that basis, and I would like to commend this to my colleagues simply on that basis. This is a resolution honoring a young man who has called to the attention of all of us the idea of the fact that we all abhor hatred of any kind.

Mr. PENCE. Mr. Speaker, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Indiana.

Mr. PENCE. I thank the gentlelady for yielding, and I appreciate the spirit of her remarks. Both her remarks and the express language of the resolution have to do with the House of Representatives mourning the passing of David Ray Ritcheson and commending him for his activism, and that is certainly a resolution I can and will support on the floor in whatever manner it comes forward.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman.

Mr. GOHMERT. Will the gentlelady yield?

Ms. JACKSON-LEE of Texas. I would be happy to yield.

Mr. GOHMERT. Thank you for yielding, and I just want to wholeheartedly applaud and pay tribute to your gesture here. A salute to the life of David Ritcheson is a wonderful thing. I thank you for doing that.

Ms. JACKSON-LEE of Texas. Thank you for your kindness.

Let me bring my remarks to a close by reading some of the words I read before. I will end with these words: ''It has been a blessing to know,'' and this was testimony in the House Judiciary Committee ''that the most terrible day of my life may help put another human face on the tragedy,'' and these are my words, of hate crimes and hatred.

Let me thank the gentleman from Michigan (Mr. CONYERS) for his leadership. Let me thank the ranking member, the gentleman from Texas (Mr. SMITH), as well as the ranking member of the Subcommittee on Crime and the chairman of the Subcommittee on Crime Mr. SCOTT. All of them have been generous, as has the staff of the Judiciary Committee, in helping us pay

tribute to David Ray Ritcheson. May he rest in peace. God bless his family, and God bless America for being the Nation that abhors hate and recognizes this beautiful young man.

Mr. CONYERS. Mr. Speaker, today I rise in memory of the life of David Ray Ritcheson. I met David when he testified last April before the Judiciary Committee at a legislative hearing on the Hate Crimes Prevention Act. He had the courage to come forward and testify about the need for that legislation and the impact of hate crimes on communities and families. He spoke from the heart and from experience.

David survived a horrific attack last year that required him to endure countless operations to restore his appearance and body. He was the voice for all who could not speak and did an admirable job. I believe that his story served as a I inspiration that led the House to pass the Hate Crime Prevention Act on May 3 of this year.

It is a tragedy that David will not see the fruit of his labor. The psychological wounds from the crimes inflicted upon him finally caused David to take his life on July 1, 2007.

I hope that this resolution will convey to his family and community the heartfelt condolences of this House.

It is also my hope that the brutal attack that he survived will not define his life. David Ritcheson should be remembered in his community as a friend, a classmate, a football player and a son.

House Resolution 535 is a fitting tribute to David Ray Ritcheson. It honors David as someone unafraid to stand and speak for the victims of hate crimes, so that we could act to protect other communities in the future. He will be remembered and missed.

I ask my colleagues to join me in supporting this well-deserved resolution.

Mr. BACA. Mr. Speaker, I rise today in support of H. Res. 535, a resolution to honor the leadership, in raising awareness of hate crimes, of David Ray Ritcheson, a Mexican American who was severely assaulted on April 23, 2006, and passed away last week.

Role models come in all shapes and sizes. Jackie Robinson, Rosa Parks, Martin Luther King, Jr, Cesar Chávez, are all great role models who led by example.

Just a few months ago, in our halls of Congress, David Ray Ritcheson at the young age of 18 exposed the harsh reality of hate crimes through his personal experience.

Today, we honor his efforts and leadership on this issue.

After having survived one of the most horrific hate-motivated criminal acts, David Ray courageously testified in support of the ''Local Law Enforcement Hate Crimes Prevention Act of 2007,'' H.R. 1592, which passed the House on May 3, 2007.

In his testimony he stated: ''It has been a blessing to know that the most terrible day of my life may help put another human face on the campaign'', ''education can have an important impact by teaching against hate and bigotry''.

We must continue his efforts.

My prayers are with his family in their time of need.

We must not forget one of our present day's great role models. David Ray has and will continue to be a strong reason why hate crimes must be exposed.

I urge my colleagues to carry on his efforts to put an end to all hate crimes, and vote for this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and agree to the resolution, H. Res. 535.

The question was taken.

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

Ms. JACKSON-LEE of Texas. 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 motion will be postponed.

EXPRESSING SENSE OF CONGRESS REGARDING A CHILD OF A DECEASED MEMBER OF THE ARMED FORCES

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 175) expressing the sense of Congress that courts with fiduciary responsibility for a child of a deceased member of the Armed Forces who receives a death gratuity payment under section 1477 of title 10, United States Code, should take into consideration the expression of clear intent of the member regarding the distribution of funds on behalf of the child.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 175

Whereas the death gratuity payable under section 1477 of title 10, United States Code, upon the death of a member of the Armed Forces, is intended to provide funds to meet the immediate needs of the survivors of the deceased member;

Whereas such section designates the surviving spouse and any children of a deceased member as the highest and second highest priority, respectively, to receive the death gratuity payment; and

Whereas a member with a child or children, but no spouse, usually designates another individual to be responsible for that child or children and may express a desire that such individual receive the death gratuity payment on behalf of the child or children: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that courts with fiduciary responsibility for a child of a deceased member of the Armed Forces who receives a death gratuity payment under section 1477 of title 10, United States Code, should take into consideration the expression of clear intent of the member regarding the distribution of funds on behalf of the child.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON-LEE 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 resolution under consideration.

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

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 175 deals with a tragic situation where a member of the Armed Forces dies leaving a surviving child but no spouse. This resolution expresses a sense of Congress that State courts with fiduciary responsibility for the child of a deceased member of our Armed Forces should take into consideration the express desires of the fallen soldier as to how funds related to the soldier's service should be distributed on behalf of a surviving child.

When an American soldier makes the ultimate sacrifice, not only does our country suffer a terrible loss, but that soldier's family suffers directly. Among many other concerns, a family faces a number of immediate financial challenges; and, unfortunately, these challenges come in the midst of their grief. These financial and emotional hardships are compounded when the deceased servicemember was a single parent.

I thank the mover of the bill for his leadership and the cosponsors, thank the members of the Judiciary Committee, Chairman CONYERS and the ranking member Mr. SMITH.

This bill helps the surviving family members of a fallen soldier better cope with these financial hardships. Congress established a death gratuity intended to address some of these expenditures families must cover during the traumatic period following a loved one's death.

The current system administering the death gratuity, however, often makes it difficult for those left with the responsibility of caring for a fallen soldier's child to access these funds. A death gratuity payable to a minor child is placed in trust until the child gains majority status. In the interim, the relevant State court has discretion to release funds for the care and needs of the child.

The problem here is that the Armed Forces personnel who are single parents currently have no formal way to designate, for the purposes of the death gratuity, a caretaker for their minor child in the event of a servicemember's death.

It is our duty to do all we can to ensure that the children left behind are cared for as their parent requested. When servicemembers make it clear

who they would like to care for their children in the event of their death, those wishes should be an important factor for the court to consider.

It is almost like the tragedy of 9/11 and a bill that I authored after those parents are deceased to ensure that the children of the 9/11 tragedy, the orphan children, would have their benefits promoted and supported and rendered first. This legislation, and rightly so, wants to give parents the opportunity to designate who should be the custodian for these funds so children can be taken care of first and foremost. I strongly urge my colleagues to support this resolution.

Mr. Speaker, House Concurrent Resolution 175 deals with a tragic situation where a deceased member of the Armed Forces leaves a surviving child, but no spouse.

This resolution simply expresses the sense of Congress that State courts—with fiduciary responsibility for the child of a deceased member of our Armed Forces—should take into consideration the expressed desires of the fallen soldier as to how funds related to the soldier's service should be distributed on behalf of the surviving child.

When an American soldier makes the ultimate sacrifice, not only does our country suffer a terrible loss, but that soldier's family suffers directly. Among many other concerns, the family faces a number of immediate financial challenges, and unfortunately, these challenges come in the midst of their grief. These financial and emotional hardships are compounded when the deceased service member was a single parent.

To help the surviving family members of a fallen soldier better cope with these financial hardships, Congress established a death gratuity intended to address some of the expenditure's families must cover during the traumatic period following a loved one's death.

The current system administering the death gratuity, however, often makes it difficult for those left with the responsibility of caring for a fallen soldier's child to access these funds. A death gratuity payable to a minor child is placed in trust until the child gains majority status. In the interim, the relevant State court has discretion to release funds for the care and needs of the child.

The problem here is that Armed Forces personnel who are single parents currently have no formal way to designate, for the purposes of the death gratuity, a caretaker for their minor child in the event of the service member's death.

It is our duty to do all we can to ensure that the children left behind are cared for as their parent requested. When service members make it clear who they would like to care for their children in the event of their death, these wishes should be an important factor for the court to consider.

I strongly urge my colleagues to support this resolution, and I reserve the balance of my time.

H. Con. Res. 175 will help the children of fallen soldiers by providing necessary guidance to the courts about how to treat the expressed desires of a deceased service member when it comes to distribution of the death gratuity. I ask my colleagues to join me in supporting this resolution so that the wishes of soldiers are given proper respect and consideration.

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

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

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

Mr. PENCE. Mr. Speaker, it represents a bipartisan conviction that is unanimous in this Chamber that we owe those who serve in the uniform of the United States and who fall in that service everything. And we owe their families who share their sacrifice the same.

H. Con. Res. 175, brought to this floor today by the gentleman from Iowa (Mr. LATHAM), will be an expression of a Congress acting on that gratitude and on that debt. It is a highly technical matter, but as I am sure the gentleman from Iowa will explain and the gentlelady from Texas explained, this is an issue that impacts the lives of people that this Nation cherishes the most.

There are a number of cases where the children of single-parent servicemembers killed in action and their guardians have not been able to access death benefits intended for them. This resolution addresses cases where specific instructions were left by a servicemember as to the distribution of benefits to caretakers.

In order of priority, death benefits are currently distributed to a surviving spouse, children, and other classes of persons such as siblings designated by the deceased. Benefits of a single parent's minor children must be held in trust by a State court which appoints a trustee who supervises the distribution of funds on behalf of the children. This consumes time and money in instances where the deceased clearly designated a caretaker to serve as a de facto trustee.

The fiscal year 2008 national defense authorization bill will include a provision allowing servicemembers to begin predesignating caretakers as recipients as part of the death gratuity payment. However, neither House nor Senate provisions help families that have already been affected. Although H. Con. Res. 175 takes the form of a congressional concurrent resolution and therefore has no legal effect, it is confidently hoped that attorneys for minor children will use the text, once passed by the House, to convince State courts to honor the wishes of deceased single parents who designated caretakers for this purpose.

Mr. Speaker, I commend the gentleman from Iowa (Mr. LATHAM) in particular for his tender care of the service families of these American heroes, for his advocacy on behalf of families whose loved ones paid the ultimate price while defending our great Nation. I urge the House to adopt H. Con. Res. 175.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. PENCE. Mr. Speaker, it is my honor to yield such time as he may consume to the principal author of H. Con. Res. 175, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Speaker, I thank the gentleman from Indiana for recognition and for the kind words. I appreciate that very much. The gentlewoman from Texas, thank you for your support. And I want to thank Chairman CONYERS and Ranking Member SMITH for working together to bring this very important resolution to the floor quickly after it was introduced.

I also want to thank Armed Services Committee Chairman IKE SKELTON and Ranking Member HUNTER for their valuable input on this resolution and important work on this issue.

Many servicemembers who are single parents rely upon grandparents or other caretakers to care for their children while they are deployed. If the servicemember is tragically killed in action, these caretakers are left without access to the death gratuity payment to help raise the servicemember's children.

I am grateful that the House and Senate Armed Services Committees have addressed this issue, including in the 2008 defense authorization bill provisions allowing servicemembers to begin designating caretakers as recipients of all or part of the death gratuity as we go forward. However, it is important that we also consider those families that have already been affected by the situation, which is the purpose of this resolution today.

There have been as many as 143 recent cases where minor children were the recipients of the death gratuity which they cannot access until reaching the age of 18. In some of these cases, such as the one involving the Jaenke family from Iowa Falls, Iowa, in my district, the fallen servicemember left specific written instructions that part of the death gratuity be used to care for her daughter. Naval Petty Officer 2nd Class Jamie Jaenke, who was tragically killed by a roadside bomb in Iraq last summer, was survived by her 9-year-old daughter Kayla, who is being cared for by her grandparents. Kayla's family has experienced countless financial hardships as a result of not having access to the death benefits for the purposes that Jamie intended.

While the situation may not affect a large number of families, the bottom line is I believe the wishes of our servicemembers with respect to their death benefits should be honored.

Our Nation will be forever grateful for Jamie's dedication and service and the sacrifice she has made for our Nation. It is a fundamental duty of Congress to ensure that the children of fallen servicemembers, like Kayla, are cared for. We owe this to our servicemembers who have made the ultimate sacrifice. Mr. Speaker, I urge my colleagues to support this resolution, and I urge the Senate to act in a

quick manner to resolve this unfortunate situation.

□ 1500

Mr. PENCE. Mr. Speaker, in closing, let me simply rise again on behalf of many of my colleagues on the House Judiciary Committee to commend to the attention of all Members H. Con. Res. 175 regarding the payment of survivor benefits to family members of deceased service personnel.

It is a highly formalistic sounding bill, highly technical, but I think you could sense, Mr. Speaker, the emotion in the voice and the countenance of its principal author. I would expect that Mr. LATHAM of Iowa is here on this floor for Kayla and for the children of those 143 soldiers who find themselves caught in a confused bureaucracy and unable to access the benefits to which they are entitled and to which the hero that they lost as a parent and a loved one intended them to enjoy.

So, again, I urge my colleagues to support H. Con. Res. 175, and I rise with a humble sense of gratitude for the tireless work of the gentleman from Iowa in bringing this legislation so quickly and so thoughtfully to the floor of this Congress.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, allow me to rise and yield myself such time as I may consume to thank Mr. LATHAM for his sensitivity and leadership.

Mr. Speaker, let me acknowledge that there are men and women as we speak on the front lines in the battle for their Nation. Many in Iraq and Afghanistan but many lose their lives elsewhere around the world in the Nation's uniform.

This is an instructive and important legislative initiative, but can we imagine being lost in battle, a fallen soldier who's not able to provide for his or her family or his child? H. Con. Res. 175 and the backdrop of those who are now losing their lives in battle will help the children of these fallen soldiers by providing necessary guidance to the courts about how to treat the expressed desires of a deceased servicemember when it comes to the distribution of a death gratuity.

Hopefully, the constituent of Mr. LATHAM and many others will find refuge and relief. It is certainly not the Nation's desire to leave them wanting and destitute.

This particular bill provides comfort to those who need comfort and financial support for those who are suffering.

I ask my colleagues to join me in supporting this resolution so the wishes of the soldiers are given proper respect and consideration and a grateful Nation is truly grateful.

Let me also thank the ranking member, Mr. SMITH; the full committee chair, Mr. CONYERS; Mr. BERMAN and Mr. COBLE of which this particular amendment and legislation has come through. And we ask that the legislation be passed with great support in this body.

I ask my colleagues to support it.

Mr. BRALEY of Iowa. Mr. Speaker, I rise today in strong support of H. Con. Res. 175, which helps children of fallen soldiers access military death benefits. I would like to express my deep appreciation to my friend, Congressman LATHAM, for taking the lead on this issue. I am proud to be a cosponsor of this important legislation.

On June 5th, 2006, Navy Petty Officer 2nd Class Jaime Jaenke was killed in Iraq when her Humvee was hit by a roadside bomb. Ms. Jaenke, from Iowa Falls, was the first female from Iowa to die in the Iraq conflict.

Jaenke left behind a daughter, Kayla, who is cared for by Jaenke's parents. She had designated her mother, Susan, as the beneficiary of a $100,000 death benefit intended to help survivors. However, under law, only spouses or children are allowed to receive the benefit, so it must be kept in a trust for Kayla until she turns 18.

But the Jaenkes need the money now. They incurred unanticipated expenses such as hiring a lawyer to get legal guardianship and obtaining health insurance for Kayla. They also had funeral costs and other expenses, even as their horse stable was losing money.

Congressman LATHAM's resolution would express the sense of Congress that courts should have the discretion to redistribute death benefits to caretakers if the service member left clear intent for the use of these funds. This would be a Godsend to the Jaenkes and the at least 143 identical cases where other families are affected by these same circumstances.

Mr. Speaker, Congress needs to act, and they need to act fast, to help the families of those who have given so much for their countries. These families already have to face the anguish of losing a son or a daughter. They should not have to worry about the financial strain of dealing with unexpected expenses. I urge all of my colleagues to send a strong message to our military families that we understand the need for flexibility in protecting these families from unintended consequences.

Mr. LOEBSACK. Mr. Speaker, I rise today to voice my support for House Concurrent Resolution 175, of which I—along with the entire Iowa delegation—am a cosponsor.

I would also like to thank the gentleman from Iowa for his leadership on this issue.

This resolution expresses the sense of Congress that courts should take into consideration the expression of clear intent by a member of the United States Armed Forces regarding the distribution of death gratuity payments to their surviving children.

Such payments are intended to provide for the immediate needs of the survivors of deceased servicemembers. However, under current law, children cannot directly receive the payments until the age of 18, even if they are designated as the recipient by the servicemember.

The wishes of those who serve our country should be honored to the greatest extent possible. As a member of the Armed Services Committee, I am proud that the fiscal year 2008 National Defense Authorization Act passed by this House allows servicemembers to designate up to 50 percent of their benefit payment to someone other than a spouse or child, thereby assuring that children under the care of individuals or family members other than the servicemember's spouse are properly provided for by the gratuity system.

This resolution reaffirms the commitment of Congress to providing for the children of those who have served our country, and I strongly urge its passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and agree to the resolution, H. Con. Res. 175.

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

A motion to reconsider was laid on the table.

MODIFYING DEADLINE RELATING TO ELECTION BY INDIAN TRIBES

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3095) to amend the Adam Walsh Child Protection and Safety Act of 2006 to modify a deadline relating to a certain election by Indian tribes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3095

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

SECTION 1. ELECTION BY INDIAN TRIBES.

Section 127(a)(2)(B) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16927(a)(2)(B)) is amended by striking ''within 1 year of the enactment of this Act'' and inserting ''by July 27, 2008,''.

The SPEAKER pro tempore (Mr. COHEN). Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Indiana (Mr. PENCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. 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 gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

First, let me thank Mr. KILDEE for moving this legislation and thank him for his leadership. Two years ago, the Adam Walsh Child Protection and Safety Act was enacted. The act was a major advance in our Nation's efforts to protect our children from sexual and other violent crimes, to prevent child pornography, and to make the Internet safer for our sons and daughters.

Among its provisions, the act includes a mandate that each tribe either

affirmatively opt-in to the new sex offender requirements enacted as part of that act, or cede its authority for enforcement to the State in which the tribe is located. The act requires all tribes register their intentions by July 27, 2007.

While initially this deadline appeared to be reasonable, the tribes' ability to comply with it has been made virtually impossible in light of the fact that the Justice Department has taken much longer than expected to issue the necessary guidelines that will help implement the new requirements under the Adam Walsh Act.

In fact, we are advised that these guidelines will not be finalized until after the registration deadline. Under these circumstances, it only stands to reason that the tribes should be given additional time to make the necessary certification.

H.R. 3095, offered by Mr. KILDEE, addresses this problem by simply extending the registration deadline for one year until July 27, 2008. Without this brief extension, the sovereign authority of countless tribal lands will be substantially undermined.

I commend my colleagues, from Michigan Mr. KILDEE and Mr. RENZI of Arizona, for their leadership on this measure. H.R. 3095 goes a long way toward protecting the sovereign authority that historically has bestowed upon tribal lands.

Accordingly, I strongly urge my colleagues to support this bipartisan, commonsense proposal.

Two years ago, the Adam Walsh Child Protection and Safety Act was enacted. The act was a major advance in our Nation's efforts to protect our children from sexual and other violent crimes, to prevent child pornography, and to make the Internet safer for our sons and daughters.

Among its provisions, the act includes a mandate that each tribe either affirmatively opt-in to the new sex offender requirements enacted as part of that act, or cede its authority for enforcement to the State in which the tribe is located. The act requires all tribes to register their intentions by July 27, 2007.

While initially this deadline appeared to be reasonable, the tribes' ability to comply with it has been made virtually impossible in light of the fact that the Justice Department has taken much longer than expected to issue the necessary guidelines that will help implement the new requirements under the Adam Walsh Act.

In fact, we are advised that these guidelines will not be finalized until after the registration deadline. Under these circumstances, it only stands to reason that the tribes should be given additional time to make the necessary certification.

H.R. 3095 addresses this problem by simply extending the registration deadline for 1 year until July 27, 2008. Without this brief extension, the sovereign authority of countless tribal lands will be substantially undermined.

I commend my colleagues from Michigan (Mr. KILDEE) and Arizona (Mr. RENZI) for their leadership on this measure. H.R. 3095 goes a long way toward protecting the sovereign authority that historically has been bestowed upon tribal lands.

Accordingly, I strongly urge my colleagues to support this bipartisan, commonsense proposal.

H.R. 3095 offers a commonsense solution that respects the historically recognized sovereignty of our Nation's tribes while not compromising the critical objectives of the Adam Walsh Child Protection and Safety Act with respect to protecting our Nation's children from sexual and other violent crimes.

This bipartisan measure warrants our support.

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

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

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

Mr. PENCE. Mr. Speaker, I rise in support of H.R. 3095 which, simply put, will provide Indian tribes a 1-year extension in which to decide how to comply with the requirements of the Adam Walsh Protection and Safety Act of 2006. It's extremely important to note to colleagues looking in on this debate, H.R. 3095 does nothing to weaken the requirements of the Adam Walsh Act on Indian tribes. The children who live on Indian reservations deserve just as much protection as children in other communities.

The reality is that this important legislation simply creates an opportunity for Indian tribes to obtain 1-year extension to decide how to live under those requirements.

The Adam Walsh enacted new requirements for States and Indian tribes to maintain sex offender registration information, post such information on the Internet and share such information among States and other Indian tribes.

It allows Indian tribes one year to decide whether the Indian tribe itself will implement the sex offender registration and notification, or whether the tribe will rely on the registration and notification programs operated in an adjacent State to comply with the act's requirements.

H.R. 3095 simply extends the deadline for one year for Indian tribes to elect how they want to comply. The Justice Department recently proposed detailed regulations for States and Indian tribes to comply with the Adam Walsh Act, but those regulations are not yet final. The Indian tribes cannot make an informed decision on how to comply with the act until those regulations are final. And this year 1-year extension will give Indian tribes sufficient time to make that choice.

Again, let me say, H.R. 3095 does nothing to weaken the requirements of the Adam Walsh Act on Indian tribes. I urge my colleagues to support the bill as an important, somewhat technical amendment to this legislation.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, it gives me great pleasure to yield to the author of this legislation, along with his cosponsor, Mr. RENZI, distinguished member of the House Education Committee, subcommittee chairman and a great leader on Native American issues in this Congress and in America, Mr. KILDEE of Michigan for 3 minutes.

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as the co-chairman and founder of the Congressional Native American Caucus, I rise in support of H.R. 3095, a bill amending the Adam Walsh Child Protection Act of 2006.

Indian tribes are faced with a deadline established in the act that requires tribal governments to affirmatively elect to comply with the mandates of the act by July 27, 2007, or cede their authority for enforcement to the States.

My bill authorizes a 1-year extension of the deadline by which tribes are required to opt into the national sex offender registration and notification system.

Mr. Speaker, tribes strongly support the Adam Walsh Act, and they share the Federal Government's commitment to protecting their communities from sexual predators. However, tribes are asking us to extend the deadline so that they can make an informed decision on how to implement the mandates of the Adam Walsh Act.

The Department of Justice is still in its comment period on the proposed guidelines, which does not close until August 1. It is simply too early to force tribal governments to make a decision based on incomplete information and without guidance from the administration.

Mr. Speaker, I have received numerous requests from tribes across the Nation urging our support for a 1-year extension. I have letters from the National Congress of American Indians and the National Criminal Justice Administration supporting the request, also.

I'm pleased that this bill has received bipartisan support. I want to thank my colleagues from across the aisle for supporting this legislation.

I want to thank my chairman, Judiciary chairman, JOHN CONYERS; and Ranking Member LAMAR SMITH especially for their support as well.

I urge my colleagues to support final passage of this bill.

□ 1515

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I might consume.

This is a very wise and important judgment that has been made by this legislation. H.R. 3095 offers a commonsense solution that respects the historically recognized sovereignty of our Nation's tribes, while not compromising the critical objectives of the Adam Walsh Child Protection and Safety Act with respect to protecting our Nation children's from sexual and other violent crimes.

I ask my colleagues to support this bipartisan measure. It is deserving of

our support. I would ask that this measure be supported.

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 Texas (Ms. JACKSON-LEE) that the House suspend the rules and pass the bill, H.R. 3095.

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.

CAMPAIGN EXPENDITURE TRANSPARENCY ACT

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2630) to amend the Federal Election Campaign Act of 1971 to prohibit authorized committees and leadership PACs of a candidate or an individual holding Federal office from making payments to the candidate's or individual's spouse, to require such committees and PACs to report on disbursements made to the immediate family members of the candidate or individual, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2630

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 ''Campaign Expenditure Transparency Act''.

SEC. 2. PROHIBITING USE OF CAMPAIGN FUNDS TO COMPENSATE SPOUSES OF CANDIDATES; DISCLOSURE OF PAYMENTS MADE TO SPOUSES AND FAMILY MEMBERS.

(a) PROHIBITION; DISCLOSURE.—Section 313 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439a) is amended by adding at the end the following new subsection:

''(c) PROHIBITING COMPENSATION OF SPOUSES; DISCLOSURE OF PAYMENTS TO SPOUSES AND FAMILY MEMBERS.—

''(1) PROHIBITING COMPENSATION OF SPOUSES.—Notwithstanding any other provision of this Act, no authorized committee of a candidate or any other political committee established, maintained, or controlled by a candidate or an individual holding Federal office (other than a political committee of a political party) shall directly or indirectly compensate the spouse of the candidate or individual (as the case may be) for services provided to or on behalf of the committee.

''(2) DISCLOSURE OF PAYMENTS TO SPOUSES AND IMMEDIATE FAMILY MEMBERS.—In addition to any other information included in a report submitted under section 304 by a committee described in paragraph (1), the committee shall include in the report a separate statement of any payments, including direct or indirect compensation, made to the spouse or any immediate family member of the candidate or individual involved during the period covered by the report.

''(3) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term 'immediate family member' means the son, daughter, son-in-law, daughter-in-law, mother, father, brother, sister, brother-in-law, sister-in-law, or grandchild of the candidate or individual involved.''.

(b) CONFORMING AMENDMENT.—Section 313(a)(1) of such Act (2 U.S.C. 439a(a)(1)) is amended by striking ''for otherwise'' and inserting ''subject to subsection (c), for otherwise''.

SEC. 3. IMPOSITION OF PENALTY AGAINST CANDIDATE OR OFFICEHOLDER.

(a) IN GENERAL.—Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) In the case of a violation of section 313(c) committed by a committee described in such section, if the candidate or individual involved knew of the violation, any penalty imposed under this section shall be imposed on the candidate or individual and not on the committee.''.

(b) PROHIBITING REIMBURSEMENT BY COMMITTEE.—Section 313(c) of such Act (2 U.S.C. 439a(c)), as added by section 2(a), is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) PROHIBITING REIMBURSEMENT BY COMMITTEE OF PENALTY PAID BY CANDIDATE FOR VIOLATIONS.—A committee described in paragraph (1) may not make any payment to reimburse the candidate or individual involved for any penalty imposed for a violation of this subsection which is required to be paid by the candidate or individual under section 309(e).''.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to elections occurring after December 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

PARLIAMENTARY INQUIRY

Mr. GOHMERT. Mr. Speaker, I have a parliamentary inquiry. My understanding of the rules is that the time may be controlled by someone who is in opposition.

I do not know if the Republican representative is in actual opposition to this bill.

The SPEAKER pro tempore. Would the gentleman from California like to state his position for the record?

Mr. MCCARTHY of California. Mr. Speaker, I support the bill, but oppose the process.

Mr. GOHMERT. Mr. Speaker, I am opposed to the bill and, when asked under the rules, would claim the time in opposition.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XV, the gentleman from Texas (Mr. GOHMERT) will control the 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I stand with the House leadership in full support of H.R. 2630, the Campaign Expenditure Transparency Act.

This legislation will help to reassure Americans that their public officials are working in their interest and not for personal gain. This bill will amend the Federal Election Campaign Act to protect candidates or Federal officeholders from either directly or indirectly compensating their spouses with funds from any authorized political committee under their control.

H.R. 2630 also creates an important new requirement to disclose any compensation paid from campaign coffers to the immediate family members of the candidate or officeholder. The bill ensures that the rigid penalties for violations are enforced personally against the candidates or officeholders. It would prohibit political committees from reimbursing candidates or officeholders for any penalties.

Some may say this legislation may prevent some from running for office because they will run the risk of accidently violating the law. This is not the case. These penalties may only take effect if the candidate or officeholder is aware of the violation.

H.R. 2630 is another way we can restore the confidence that the people's House is working for all Americans. I urge all Members to support this legislation.

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

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

The majority says they want to end the culture of corruption. There has been both the appearance of impropriety here in Congress and, in some cases, actual impropriety. These improprieties, despite any demagoguery, know no party bounds.

But the big elephant in the room that no one wants to talk about, in recent years, has involved other issues, issues like spouses going to work for major companies who have large government contracts and benefit from having an employee in the lawmaker's home. Does the Democratic majority seek to end this problem with this bill? No, they don't. That might step on important toes.

Another major problem that is not transparent is spouses themselves who lobby. Does the Democratic majority seek to end or regulate that by this bill? The answer is, no, they do not. That might step on too many important toes here in Washington.

So who will be affected by this bill in which the Democratic majority avoided any hearings to gather evidence and thereby prevented any opportunity for people like me to come forward with evidence and move toward this lack of transparency in this back-room process to shove it down our throats here on the floor?

It is said that they want to stop officeholders from enriching themselves or their families. I am one of those who would be affected, and it may be helpful to know exactly what kind of an effect it will have.

My story is this: While practicing law in Tyler, Texas, it became apparent that we had a major problem in one of our highest-level trial courts. I tried for months to find someone with the

experience and qualifications who would step up and run against this incumbent Republican.

I could not find anybody, since people said, well, he was the first Republican elected in our county, so let's just let him stay. No one is owed a public office.

I was reluctant to take a pay cut and go to work at the courthouse, but in November of 1991, having found no one at that point who was willing to step up, my wife and I decided that that was our lot in life, for me to bring in less money, but help by making our community a better place in which to live. There was a tremendous backlog of felony cases in which the defendants were out on bond and had not gone to trial.

I got elected. Though the backlog was staggering, and new cases continued to pour in in record numbers, within 10 years I had helped, and with the good help of a good district attorney, we moved and reduced the number of pending cases, trying cases, record numbers, moving cases. We reduced the number of backlog cases by 80 percent or more.

Some years later one of my daughters said, while I was still on the bench, ''Daddy, we have to watch our spending, and you could make a lot more money. Why don't you?'' I said, ''Sweetheart, if I have not taught you that there are some things more important than money, then I have failed.'' She said, ''I know, but it would be nice to have some big money come in from time to time anyway.''

My wife and I felt our best contribution that we could make to our community, our State and our country was for me to be a judge, and that's what we did. After years on the bench, it became clear that we desperately needed some legislative changes, and I believed it a constitutional violation to legislate from the bench.

When a term to which I was appointed to finish as chief justice of an appellate court expired, I had to decide whether or not to stay on the bench in a justice role or wait and potentially run for Congress. Again, my wife, my partner, and I made the joint decision to step out in faith, not take a sure job, and potentially run for Congress.

After leaving the bench, I successfully completed the ruling training and testing to become a recognized international arbitrator as well as a mediator, and was told I had the potential of making in a month what a Congressman makes in a year. But this country needed help, and it seemed to my wife and me, after much consideration, consultation and prayer, that this was a place, once again, where I could help.

□ 1530

My wife Kathy has an MBA in accounting, had done excellent accounting work and had done so before she was invited to substitute at a high school for students with problems. She loved, as she said: ''Seeing the light come on in these young people,'' and she taught there for years before I began to run for Congress.

She gave up her teaching job and worked for months without pay toward our goal. She is an incredible organizer and the most trusted friend I could have. We had the same goals of making this a better country. She knows our district; my supporters know her and love her and trust her. She makes constant appearances for me when I can't be there because of conflicts here in the District. She is invaluable to my reelection and works tirelessly, including in the evenings, when the day's appearances do not allow her to do her job then.

As far as my family situation, we have one daughter who graduated in May from college and two more to go.

The laws are such now that you really have to have at least one campaign employee even in nonelection years, and that hardworking confidante has been my wife. We began to pay her what she could make teaching, and it was completely transparent. Everything, as both sides know, has to be filed, and the public knows we are a campaign team with full transparency because of existing laws requiring transparency by campaigns. She gets paid much less than she could in business and has been offered more money in another job, and that is also why this has been a mutual sacrifice.

One other thing: when we committed to make this run for Congress in 2003, which we knew would be over a 1½-year process, we gave all the energy, all the effort, all the work. We truly pledged, as was put in the Declaration of Independence, our lives, our fortunes, and our sacred honor.

Because I was running and could not provide the money production I had been before being a judge, my wife and I struggled with the decision, and ultimately decided to cash out my judicial retirement as well as her teacher retirement to live on while we pursued this dream of making America better.

As most of America does not know but Members of Congress here do know, there is no great big fat cat retirement for Members of Congress, despite the emails people may read at this time unless someone has been here for many years. And, yes, Mr. Speaker, America should know that we are all enrolled in Social Security here in Congress. It may have not always been true, but it is now.

An article recently indicated that, according to financial disclosure reports, I am the poorest Texan in Congress. As one other Texas Member of Congress said just a couple of weeks ago when he heard my wife and I both cashed out our hard-earned retirements to make a run for Congress, he said, Wow, you really did come here for all the right reasons. And I would certainly like to think so.

But if this bill becomes law, there will be no rich Members of Congress reined in, no blatant abuses will be ended. None of the people who have gotten enormously wealthy while in public office will feel any pinch at all. If this bill becomes law, I will now have to fire my comparatively low paid but imminently trusted and qualified, actually overqualified, and currently only campaign employee despite the complete transparency and financial disclosures that are currently required. This bill doesn't drain the swamp, as has been represented, but protects the big swamp while adding another hurdle for anyone who does not have wealth to get here.

In this job, it is important to have a spouse who can make campaign appearances when necessary or helpful. A couple in which both need to work to put kids through college will have more difficulty in getting elected, because you can't afford to have one or both not work still make appearances and put kids through school.

My wife, as said earlier, works long and late, often at home at night to fulfill the requirements of a job which keeps getting more and more difficult because of the burdens placed by this body in an effort to look like we are reining in corruption. This bill does show, though it does not affect anything that is already transparent, it does show when it comes to doing something meaningful to end this corruption, the majority is going to look the other way and not talk about the elephant in the room.

This bill, as I say, will not affect the major problems in Congress; but if it were to become law, it will end a beautiful partnership.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield to the gentleman from California (Mr. SCHIFF) such time as he may consume.

Mr. SCHIFF. Mr. Speaker, I rise today in support of H.R. 2630, the Campaign Expenditure Transparency Act. This is legislation that I introduced to my colleague, Representative CASTLE, in early June in order to ensure that Federal officer holders and candidates are not personally enriched from expenditure of campaign funds. I want to thank Mr. CASTLE, the majority leader, the chairman of this Committee on House Administration for working to bring this bill to the floor today.

Numerous Members of Congress employ their spouses and family members for campaign activity, and the vast majority of them do this work appropriately and ethically. Unfortunately, others have not, and this practice has shown the potential to foster corruption and invite abuse. I joined my colleague, Mr. CASTLE, in introducing this legislation because I believe it will help preserve the integrity of the institution and end the perception that office holders and candidates can benefit themselves financially from their campaigns or service.

The Campaign Expenditure Transparency Act would end the practice where Federal office holders and candidates employ their spouses in their

campaigns and financially benefit from contributions to the campaign. The bill also requires a separate disclosure to the FEC of all of the payments, including direct and indirect compensation which are made to immediate family members.

Specifically, H.R. 2630, as amended, would prohibit any Federal office holder or candidate from directly or indirectly compensating his or her spouse from any political committee he or she controls for services to the committee. This language was used to ensure that someone could not get around this prohibition by acting as a subcontractor or vendor to another individual or company receiving payments from the political committee.

Additionally, this would ensure that the legislation does not prevent a spouse from being employed by a company that provides a service to a political committee, unless the spouse's compensation is increased as a result of that business. For example, a spouse could be employed by a phone company that the campaign contracts with so long as the spouse's compensation is not increased based on that contract.

Similarly, a spouse that is a shareholder of a publicly traded company could receive dividends from that company notwithstanding the fact that a committee purchased services from that company.

The legislation also does not prohibit committees from paying for legitimate travel and campaign expenses that are incurred by a spouse, as long as the FEC has determined the expenses to be appropriate campaign expenditures. The bill recognizes that spouses are often properly involved in campaign activity and that committee funds can be used to reimburse appropriate expenses.

The Campaign Expenditure Transparency Act, as amended, stipulates that the penalty for violation of the provisions of the bill, if the candidate knew of the violation, would be imposed on the candidate and not on the committee. The amended version of the bill also clarifies the penalty is not a reimbursable expense by the committee.

The legislation has the strong support of a number of reform-oriented organizations, including Democracy 21, the Campaign Legal Center, League of Women Voters, Common Cause, Public Citizen, and U.S. PIRG.

I would also like to stress that many of our colleagues again have employed their spouses or immediate family members in their campaigns and have done so lawfully and ethically. Our family members are frequently our most trusted advisers and are willing to put in long hours for little compensation. However, we are aware of cases in which this practice has been abused, and it is for this reason that this legislation is regrettably necessary. Given the low public confidence in all public institutions at this point, this legislation is one important way to begin restoring the public's faith that elected officials are working in the public's interest and not in their own. I encourage my colleagues to support this legislation.

I want to take just a minute to address some of the comments that my friend from Texas has made.

First, of course, there is nothing in this legislation that would break up a good team. There is nothing in this legislation that prohibits spouses from working. And where, like most families these days, both members of the household need to work to support that family, there is nothing in this bill that would stop it.

It does provide that a spouse that has CPA skills or other skills employ those skills on someone else's behalf for compensation. They are more than welcome to provide those skills, as many of our spouses do, I think almost all of our spouses do, on a volunteer basis to help our campaigns. But the appearance of propriety, and in some cases the actual impropriety, of having spouses working on commissions where a percentage of everything the campaign raises effectively goes into the household of the office holder is one of the driving forces behind this legislation.

I should mention that in my colleague's own home State of Texas, the State legislature and the Governor have passed and signed legislation prohibiting this practice in Texas. So if you were running for the State legislature in Texas or you were an office holder in the State legislature in Texas, you would not be able to employ your spouse and pay your spouse out of campaign funds. That is a misdemeanor in Texas. So there are States that are really leading the way in terms of making sure that we avoid any appearance of impropriety. And I think that Congress, given the problems have been manifest in this institution as well, needs to follow the example of some of those forward-thinking States.

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that Mr. SCHIFF be allowed to control the balance of the time on our side.

The SPEAKER pro tempore. Without objection, the gentleman from California now controls the time.

There was no objection.

Mr. SCHIFF. I thank the gentleman for yielding the time.

At this point, I am happy to yield to my colleague, Mr. CASTLE, the cosponsor of this legislation, for 3 minutes.

Mr. CASTLE. Mr. Speaker, I thank my friend and colleague from California for his work on this bill. I think that Congressman SCHIFF has done a wonderful job in putting together and listening to what needs to be done on H.R. 2630, the Campaign Expenditure Transparency Act, to end the practice of making campaign payments to a candidate's spouse; and I am in agreement to the legislation.

While I support going one step further to prohibit the same payments to immediate family members and introduced legislation to do so, I am pleased to lend my support to H.R. 2630, which I believe takes us in the right direction.

Some Members of Congress employ their spouses and family members for campaign activity without abusing the system; however, the practice of paying spouses and family members creates the potential for campaign finance and ethics abuses.

I listened carefully to the gentleman from Texas, who I think is very persuasive, anyhow, and understand his point of view, and as a matter of fact raises a couple of valid points. One is that the bill did not go through normal committee systems, which I think is a valid point. Another is the issue of lobbying by spouses and family members, which I think is perhaps even more abusive than what we are talking about here today and is something to be taken into consideration. But I do feel that if payment to a spouse becomes part of the Member's family income, the Member for all practical purposes is receiving a direct personal financial benefit of campaign funds, and I do believe that should be stopped.

Obviously, if the spouse wishes to work in some other capacity, that certainly would be allowed, but not directly involved with the campaign.

I believe there is a transparency issue here, and I believe that 2630 does move us in the direction of increased transparency, which I think is important; and I urge my colleagues on both sides of the aisle to join me in supporting this legislation. This may not end all abuses in campaign circumstances and in many instances there would not be an abuse, but it does end the possibility of it and certainly the transparency end of it, which I think is very important, as well. And I appreciate the gentleman yielding time.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for his support.

I reserve the balance of my time.

Mr. GOHMERT. Mr. Speaker, at this time I would like to yield to the gentleman from the 22nd District of California, an outstanding Member of Congress, KEVIN MCCARTHY, for 4 minutes.

Mr. MCCARTHY of California. Mr. Speaker, while I agree with the intent and substance of the bill, I have to object to the process of bringing this bill to the floor under suspension in the time frame established without committee debate.

There have been three versions of the bill. The committee received notice of the bill intent action by the majority just last Thursday when we all left town. Since then, the bill has been amended twice, and we just received the final version at 11:30 a.m. today when Members were just returning. H.R. 2630 has not been the subject of any debate or questioning by the committee. There is clarification needed as we go through on this debate.

While I would support the bill, and I sit on the committee, I have only been

in this House and this body for 6 months, and already I see we are repeating our old mistakes. As I sat on this floor when we debated H.R. 6, the ethics reform which I fully supported, voted for, passed with 430–1, to my amazement right afterwards we found that when we thought we were doing a good deed, we thought we were changing what we thought was wrong about flying around on these planes, having individuals be able to donate planes to fly around, soon we found out that those who are pilots on this floor, those who had their own plane, we said they couldn't even fly on their own. Why? Because we did not go through the process that we have set up; we did not debate it in committee; we did not have clarification; we did not have light of day.

While I am the first one to stand up and want the reform, I am also the first one to stand up and say going around the process is just as wrong. We should have the debate, we should have a bipartisan bill, we should have common sense, and we should learn from our mistakes.

Our ratings are low, yes. Our ratings are low probably because of this action that we are trying to change. But they are also low because they see inaction. Don't hurt the bill by going around the process. The end does not justify the means.

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

Mr. SCHIFF. I thank the gentleman for his comments, but it is hard to avoid the irony of my colleague's objection that the bill is going too fast. For weeks now, we have been hearing the objection that the ethics reform measures in the House have been moving too slow; that we passed the lobbying reform bill in the House, that it hasn't gone through the Senate, we haven't gone through the conference committee. We are not progressing with the process of trying to clean up the institution.

□ 1545

It's going too slow. Well, today we're hearing the problem with this bill is it's going too fast. It seems like we can't get the speed exactly quite right. It's either too slow or too fast.

The reason that we're here today and moving quickly on this bill is that the bill was the subject of an amendment by my colleague in a separate bill introduced by a Republican Member, an amendment introduced by myself, a Democratic member on the Rules Committee. The bill itself was introduced by Members on both sides of the aisle. The subject matter is very straightforward. Should we pay spouses out of campaign funds, or should we not pay spouses out of campaign funds? Should we disclose whether family members are getting paid, or should we not disclose whether family members are getting paid out of campaign funds?

There is, I think, a fairly broad, almost unanimous agreement on the merits of the bill. Even my friend that just stood up to object to the bill says he agrees with the substance and the intent of the legislation. So it's a consensus work product, a bipartisan work product, and given the criticism that we haven't moved fast enough, we're trying to move fast. This is an effort to move fast, but also to move thoughtfully, and that's why we're here today.

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

Mr. GOHMERT. Mr. Speaker, I yield myself such time as I may consume. And I do appreciate the comments that have been made from my friend from California. And I would agree. I was not aware that anyone had ever been paid commissions or a spouse or a Member of Congress had ever been paid commissions. That's entirely inappropriate. And I would agree on any measure that would go forward on that basis, making such a process inappropriate.

I do find it troublesome that, at the same time, we want to demonize paying somebody less than what would be the going market value for services for the most overqualified person and the most trusted person to do that job.

I always appreciate allusions to my home State of Texas, but Texas does have a lot of things that I think would be good for us to adopt here. They're only in session 180 days every other year. That may be something else we want to look at doing in following Texas.

But also, in Texas, the campaign laws do not necessitate, as I believe the Washington, the Federal laws do, a full-time, every-year campaign office.

Mr. MCCARTHY, though, I would point out, never said anything about speed. His objection, and one of my objections, is about process. We were promised the most open government in history when the Democratic majority took over. That was something to which I was looking forward to, even though we were not going to be in the majority, and so far this is yet one other straw on the camel's back that indicates that's just not going to happen.

But let's face it. There are problems with improprieties in Congress, but there are so many requirements with campaigns regarding transparency that if someone is actually working there and making an appropriate wage, that appears to me to be about the most transparent thing a candidate and a spouse can do. It's nothing behind the scenes, there's no behind-the-scenes lobbying. There's no in-home lobbying. There's nothing of that nature. You have a partnership, and I think that can be a good thing, although I agree if there are abuses, as the gentleman pointed out, those should be addressed.

So, in any event, I know that my friend Mr. SCHIFF and my friend Mr. CASTLE are both honorable men, and we disagree on what should be done on this bill. But I came forward today because I just could not simply get on the rah-rah bandwagon that I felt like many people would be getting just to make it look like they wanted to end improprieties, when really what this is dealing with is something to say there's something being done about ethics. The bottom line is that the elephant's still sitting in this Chamber, big as ever, getting bigger, and so far that elephant has not been addressed.

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

Mr. SCHIFF. Mr. Speaker, I just want to address very quickly the comments by my friend, and then reserve the balance of our time. I don't have any remaining speakers.

I think that, if anything, there's a more compelling case here in Congress than there is in my friend's home State of Texas to enact a prohibition like the one contemplated in this bill. Texas may be in session only 180 days of the year. My guess is that the Texas members of the legislature are paid probably substantially less than we're paid in Congress, and the financial burden on those members of the legislature is probably, therefore, greater than the financial burden that we face. Whether they have to have a full-time campaign office or not probably depends on what kind of a district they're running in. If it's a very competitive district, then they probably pretty much have to be in campaign mode all the time. So if Texas can do it, where their members are paid less, where the financial pressures are probably greater, we should be able to do it here.

It's not often, I have to say, that I point to Texas as the example to follow, but when Texas gets it right, I'm more than happy to acknowledge it.

There is also, I think, a certain irony with my friend's argument that the Democratic majority promised an open government, and then here we're offering this bill, and we're moving quickly on this bill, and his stating opposition to a bill that is designed to bring transparency to the process.

I don't know how you can argue in favor of open government and be opposed to a bill that offers greater transparency. Part of the reason the present system is inadequate is people do pay family members, but there's no way for the public to know that they're family members because they may not have the same last name, or they may pay a business that is controlled by the family member. And so there's no transparency, and the public doesn't know that that money is really going to the family; that when the candidate is out there, or the officeholder, asking for contributions for their campaign, that a certain percentage, whether it's explicitly on a commission, or it's just by virtue of a paycheck, that a certain part of that money is going into either the candidate's own pocket or the officeholder's own pocket because it's going to their spouse, or it's going to their son-in-law who doesn't bear the same name, and people aren't aware that it's going to the candidate's son-in-law and daughter.

So this does bring about greater transparency. I think it's needed.

There are Members that have been very open also. And this is why we've gone to a prohibition vis-a-vis spouses. There are Members who have been very open about the fact that they pay their spouse on a commission for every dollar they bring into the campaign, and they make the same argument my friend makes, which is it's very out in the open. Everybody knows about it. People that contribute to my campaign know that a certain percentage of that is going to go to my spouse, and they make the same argument; it must be fine since people are aware of it.

But part of the problem is that people making the contributions are aware of it, and so they know that by giving an officeholder a contribution, they're also giving that officeholder a personal contribution through their spouse. And maybe that interest that wants to curry favor with that Member thinks, what better way than giving a contribution where I know actually a part of that's going to go directly into the pocket of the officeholder.

So that's part of the reason why we're here. And I urge my colleagues to support the bill.

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

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

I'm not sure that I would say that the financial pressures we're holding off in the State legislature in Texas is greater. They have a great deal more flexibility in many ways.

But the gentleman, as I understood to say, indicated there's no way to know when a campaign is paying family. And we just had to file financial disclosures. I had to list the sources of income for my wife. And as I understand it, there's also, you would, even if your children or other immediate family members have different names, I can see if there's something that's not required for disclosure in that financial disclosure form that we could have legislation and make that so that it heightens the transparency.

What I disagree with is the overall ban on allowing two people who sacrifice their lives, their fortunes, their sacred honor to be able to work together full time to continue to run for office. And there apparently are areas that need to be addressed, that need to be considered. But I come back to the fact that apparently the reason this seems to be rushed into the room is because people more powerful would say, we'll do the little things that may make people feel like we're doing something, but we're not going to address the big issues that really are hurting this body.

But anyway, there are some things that apparently do need addressing. I'm all for transparency. I think sunlight is truly the best disinfectant. But since this bill goes much further than that, then I do urge a ''no'' vote on this bill.

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

Mr. SCHIFF. Mr. Speaker, I'll close very briefly.

I appreciate the points that my colleague is making. There is a need for the transparency, even in the case of a spouse, particularly a spouse that may not carry the same last name as the officeholder.

But more particularly, if a spouse even has the same name, or a son with the same name sets up a company, the company doesn't bear the officeholder's name, there's no way for the public to know that that money is actually going to the family.

But more than that, you know, I think sometimes we get in the habit of thinking about how does this affect us; how does this affect our family; does this seem right to us, rather than how does the rest of the country view this. What does the rest of the country think about this? What does someone out in California or Texas or any of our 50 States think about this?

And I don't think they view it the same way we're discussing here today. I think they look at this and they say, gosh, when I send a contribution to this Presidential candidate or this Senate candidate or this congressional candidate, I expect that to go to the campaign. I don't expect that to go to their family. That's not right. And I don't think they would be moved by saying, well, you know, those officeholders, they often have a difficult financial situation themselves, and certainly many do. But I think that the public has the right to expect that when they support a campaign, when they support a candidate, that the funds go to the campaign, they don't go the candidate or their family. Or if they're going to go to the family, outside of the spouse, that there's very broad disclosure so that the public can make an informed decision about how they want to use their resources.

That's the purpose of the bill. I urge my colleagues to support it.

Again, I want to thank my colleagues Mr. CASTLE and Mr. PLATTS on the other side of the aisle. I want to thank our chairman and our majority leader and our Rules Committee Chair for their support, as well as the Speaker.

Mr. LOEBSACK. Mr. Speaker, I rise today in strong support of the Campaign Expenditure Transparency Act. I am proud to be a cosponsor of this bill, which prohibits candidates' spouses from being compensated for campaign work.

To put it simply, no candidate or their spouse should ever use campaign contributions for personal gain. To do so would be to break the trust American citizens place in our country's political process.

While most candidates run their campaigns ethically and responsibly, even the suggestion that a single candidate has violated campaign finance regulations or has acted unethically in any way, taints the confidence the American people have in their elected officials. I strongly believe that we must act decisively to bring greater transparency and oversight to the campaign finance system.

I also support fully transparent and publicly financed campaigns. The priorities of my constituents are my priorities as a Member of Congress, and the political process should belong to them. Greater oversight and regulation is vital to ensuring the integrity of the electoral system. This bill is an important step, and I strongly urge its passage.

Mr. SCHIFF. 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 Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 2630, 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 amend the Federal Election Campaign Act of 1971 to prohibit certain political committees from compensating the spouse of the candidate for services provided to or on behalf of the committee, to require such committees to report on payments made to the spouse and the immediate family members of the candidate, and for other purposes.''.

A motion to reconsider was laid on the table.

FEDERAL CUSTOMER SERVICE ENHANCEMENT ACT

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 404) to require the establishment of customer service standards for Federal agencies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 404

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 ''Federal Customer Service Enhancement Act''.

SEC. 2. DEVELOPMENT OF PERFORMANCE MEASURES AND STANDARDS FOR CUSTOMER SERVICE PROVIDED BY FEDERAL AGENCIES.

(a) REQUIREMENT.—

(1) PERFORMANCE MEASURES AND STANDARDS.—The Director of the Office of Management and Budget shall develop—

(A) performance measures to determine whether Federal agencies are providing high-quality customer service; and

(B) standards to be met by Federal agencies in order to provide high-quality customer service.

(2) REQUIREMENT TO TAKE INTO ACCOUNT CERTAIN INFORMATION.—The standards under paragraph (1) shall be developed after taking into account the information collected by Federal agencies under subsection (b).

(b) CUSTOMER SERVICE INPUT.—The head of each Federal agency shall collect information from its customers regarding the quality of customer services provided by the agency. The information shall be collected through a survey, focus groups, or other appropriate methods. Each Federal agency shall include this information in its performance report submitted under section 1116 of title 31, United States Code.

(c) ANNUAL REPORT.—The Director of the Office of Management and Budget shall issue

an annual report on the success of Federal agencies in meeting the customer service performance measures and standards developed under subsection (a).

SEC. 3. IMPLEMENTATION OF CUSTOMER SERVICE STANDARDS.

(a) CUSTOMER RELATIONS REPRESENTATIVE.—The head of each Federal agency shall designate an employee to be the customer relations representative of the agency. Such representative shall be responsible for implementing the customer service standards developed under section 2 and the agency requirements under subsection (b).

(b) AGENCY REQUIREMENTS.—

(1) GUIDELINES AND CONTACT INFORMATION.—

(A) IN GENERAL.—The head of each Federal agency, acting through its customer relations representative, shall—

(i) issue guidelines to implement the customer service standards developed under section 2 within the agency, including specific principles of customer service applicable to that agency; and

(ii) publish customer service contact information, including a mailing address, telephone number, and e-mail address.

(B) AVAILABILITY.—The guidelines and the customer service contact information required under this paragraph shall be available on the agency's public website.

(2) STATIONERY REQUIREMENTS.—Each Federal agency shall include its address and phone number on any agency stationery. In the case of correspondence originating from a regional or local office of a Federal agency, the agency shall include the address and phone number of the regional or local office on the stationery.

SEC. 4. REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) REPORT REQUIRED.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report analyzing the information reported by agencies under section 2(b).

(b) MATTERS COVERED.—The report shall include—

(1) whether agencies are implementing the customer service standards;

(2) whether there is an increase in overall quality in customer service in the Federal Government; and

(3) any recommendations the Comptroller General may have to improve performance measures and standards for customer service in the Federal Government.

(c) USE OF REPORT.—The report may be used by Congress as well as the Director of Office of Management and Budget to update performance measures for customer service.

SEC. 5. INCENTIVES FOR CUSTOMER SERVICE.

(a) AWARD PROGRAM.—The head of a Federal agency may establish an awards program to pay a cash award under chapter 45 of title 5, United States Code, to employees for demonstrated excellence in customer service.

(b) PERFORMANCE APPRAISAL.—Compliance with customer service standards developed under this Act shall, to the extent practicable, be an element of a performance appraisal system referred to in section 5307(d) of title 5, United States Code.

SEC. 6. DEFINITIONS.

In this Act:

(1) The term ''customer'', with respect to a Federal agency, means any individual or entity, including a business, State or local government, other Federal agency, or Congress, to which the agency provides services or information.

(2) The term ''Federal agency'' has the meaning given the term ''Executive agency'' by section 105 of title 5, United States Code, except that the term does not include an agency if the President determines that this Act should not apply to the agency for national security reasons.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

Mr. TOWNS. Mr. Speaker, the Federal Customer Service Enhancement Act will require Federal agencies to set higher performance standards in delivering customer service. Sometimes we complain about how we are treated, but do not take any action. This legislation is a step in the right direction, and we are doing something about the attitude of government employees.

□ 1600

We have worked with the GAO, OMB, and the minority, and in particular the gentlewoman from North Carolina (Ms. FOXX) to improve this bill. We have also incorporated the language from H.R. 2324, a bill sponsored by the gentleman from Tennessee (Mr. DUNCAN), who shares the same birthday with me.

This bill is important to highlight the importance that the Congress puts on better customer service. I support its passage and urge my colleagues to do the same.

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

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

First of all, I would like to commend Chairman WAXMAN and my colleague from New York, my longtime friend (Mr. TOWNS), with whom, as he noted, we share the same birthday, for bringing the Federal Customer Service Enhancement Act to the floor today. I also appreciate their efforts as it moved through committee, and I certainly want to thank him for accommodating comments and concerns we raised during the process. As Chairman TOWNS noted, he has included and the chairman has included in this legislation concerns that the gentlewoman from North Carolina (Ms. FOXX) raised and also has included legislation that I introduced, H.R. 2324, in this bill. As a cosponsor of this legislation, I fully support this bill, and I want to commend the gentleman from Texas (Mr. CUELLAR) for his hard work on this, and we will hear from him in just a few minutes.

The Oversight and Government Reform Committee has always sought to improve the performance of the Federal Government, and as anyone who has ever worked in the private sector knows, customer service is the lifeblood of any organization.

As we often look to the private sector for best practices, I think it is important, Mr. Speaker, that we in the Federal Government are able to capture data on how each and every agency is doing in regard to customer service. The administration continues to work with us on this bill so no unnecessary bureaucratic hurdles are created.

This bill recognizes the importance of the agencies within the Federal Government to be responsive to their various constituencies and for the government to remain accountable to the American taxpayer. Responsiveness and accountability are the things that really are behind this legislation.

I particularly appreciate section 2 in which the Director of the Office of Management and Budget shall develop standards and measures of customer service performance. I think that is very important and is a first. It has not been done before within the Federal Government. And especially, also, the parts in section 3, which incorporate much of my legislation and require customer service information such as a mailing address, phone number, and e-mail address. It requires the appointment of a customer relations representative. And one thing I have noticed, I have gotten letters from Federal Departments and agencies in the past, and there has been no mailing address, no phone number on there, almost as if the people within that Department or agency really didn't want to be bothered by their bosses, bothered by the American people calling on them or finding out how to contact them, and making it very difficult for many people to do so.

Section 5 is another good section of this bill and really is the result of the work of the gentlewoman from North Carolina (Ms. FOXX), and that includes some incentives in there to do better jobs. Bonuses to Federal employees will now be based, at least in part, on customer service.

So with all of these things, I think this is good legislation. I ask my colleagues to join me in support of H.R. 404.

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

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CUELLAR), who has worked very hard on this legislation. And let me also add, it has been a delight to work with him and his staff to bring this legislation to the floor.

Mr. CUELLAR. Mr. Speaker, I thank the gentleman for yielding the time on H.R. 404.

First of all, I want to start off by thanking Chairman TOWNS and his staff. The outstanding work that the chairman has done on moving this bill forward, I certainly want to thank him very much for the work that he has done. I also want to thank Mr. DUNCAN for the work that he has done because

apparently he has done a lot of work on customer service, and I thank him for putting those provisions in my bill also. I also want to thank the gentlewoman from North Carolina, VIRGINIA FOXX. I don't see her here. I know she has put a lot of time in, she and her staff, so I want to thank her in making this a bipartisan bill.

Today Congress takes a major step towards improving how Federal Government interacts with the American people. I think we all want a government that works with the people. I think we all want results-oriented government, and part of the results-oriented government is customer service.

H.R. 404 will raise the level of attention given to how the Federal Government responds to the American public. The bill requires the Director of the Office of Management and Budget, the OMB, to develop performance measures to determine whether Federal agencies are providing high-quality customer service to all the agencies to make sure that they have those customer service standards in place. It sets in place standards for Federal agencies to increase the quality of customer service and enhances the access to Federal information and services, like Mr. DUNCAN said a few minutes ago. It is important to know whom we are dealing with at the Federal Government and to make sure that people can access that information and get the quality of customer service that they deserve.

The legislation includes accountability provisions as well as incentives to Federal employees who go above this requirement. H.R. 404 also ensures that the initiatives outlined in this bill achieve their objectives through the use of both external and internal reviews by Congress. That is the oversight that Congress will provide on the customer service provisions that will be provided by the Federal agencies to the American public.

I believe that this bill improves Federal customer service, and this is something that is long overdue. I ask for a ''yes'' vote on this bipartisan bill, H.R. 404.

Again, Mr. TOWNS, thank you for the outstanding work you have done on this bill.

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

Mr. DUNCAN. Mr. Speaker, I would like to just simply once again thank Chairman TOWNS and also thank the primary author of this legislation, Mr. CUELLAR, for their work in bringing this bill to the floor.

I urge my colleagues to support what I think is very worthwhile and timely legislation.

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

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

Let me point out when complaints are not promptly resolved, frustrated customers seek redress in different agencies or at different parts or level of the same agency, resulting in duplicate effort and compounding costs and a waste of time.

Just as costs rise when citizens do not receive reliable information in a timely manner, trust also erodes as citizens become frustrated with a nonresponsive bureaucracy. Indeed, there has been a cumulative erosion of public confidence in government.

Please, let's work together to create a more responsive and more accountable government. So I urge my colleagues to support this legislation.

I would also like to thank some folks. I would like to thank Congressman WAXMAN, who is the Chair of the full committee, in terms of his support and what he has done to help move this legislation forward. I would like to thank the ranking member of the full committee, Mr. DAVIS from Virginia, in terms of all of his support and help in moving it. I also, I think, indicated earlier on my colleague, Mr. DUNCAN, who has worked very hard to make this a reality. And, of course, I would like to thank Congressman BILBRAY, who is the ranking member on the subcommittee, for all of his support as well, and all the staff members who worked so hard, along with Congressman CUELLAR from Texas, along with Congresswoman FOXX. There have been a lot of people that really put a lot of time and energy into this to try to strengthen this bill. It might not be perfect, but I think it is a giant step in the right direction.

I urge all of my colleagues to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the resolution, H. Res. 404, 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. TOWNS. 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 motion will be postponed.

COMMEMORATING THE 300TH ANNIVERSARY OF NEW MILFORD, CONNECTICUT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 528) commemorating the 300th anniversary of the Town of New Milford, Connecticut.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 528

Whereas New Milford is located in Litchfield County, on the western border of Connecticut, in the Housatonic Valley;

Whereas the settlement of New Milford began in 1706, when John Noble, Sr., purchased a portion of land known as Weantinogue;

Whereas in 1707, Noble and his daughter settled in New Milford, followed by 12 other families;

Whereas beginning in 1774, New Milford demonstrated its support for the Revolutionary War by providing financial support to the servicemen and sending 285 of its 2,700 inhabitants to battle;

Whereas New Milford was a center of Underground Railroad work in Connecticut, with many of its residents offering their homes as places for slaves to take refuge on their journey to freedom;

Whereas the late 1800s marked the arrival of many new industries and businesses in New Milford, including the manufacturing of furniture, paints, and pottery;

Whereas in 1902, New Milford's worst disaster occurred when a raging fire completely destroyed the town's main business district on Bank Street;

Whereas the population of New Milford stood at 3,000 in 1880 and has grown to nearly 30,000 today;

Whereas at 64 square miles, New Milford is the largest town in Connecticut; and

Whereas New Milford has been modernized through commercial and industrial growth, while retaining its deep sense of history, scenic beauty, and traditional New England character throughout the past 300 years: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Town of New Milford, Connecticut, on the occasion of its 300th anniversary; and

(2) honors the Town of New Milford for its significant history, impressive growth, and considerable contributions to the State of Connecticut and the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in consideration of H. Res. 528, a bill that commemorates the 300th anniversary of the Town of New Milford, Connecticut. H. Res. 528, which has 53 cosponsors, was introduced by Representative CHRISTOPHER MURPHY on June 28, 2007. H. Res. 528 was reported from the Oversight Committee on July 19, 2007, by a voice vote.

Mr. Speaker, I commend my colleague, Representative CHRISTOPHER MURPHY, for seeking to commemorate the 300th anniversary of New Milford, Connecticut. I urge swift passage of this resolution.

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

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

H. Res. 528 commemorates the Town of New Milford, Connecticut, on its 300th anniversary. New Milford is not the largest city, but under the definitions of the State, it is the largest town within the State, with a population of nearly 30,000 residents. This quaint and friendly community is home to thriving businesses and manufacturing industries and has abundant historical roots.

New Milford was established and founded in 1707 when John Noble, Sr. of Westfield, Massachusetts, purchased a large portion of land for his family. More families arrived in the new community soon afterwards, and the settlement began to flourish. Over time, new churches and schools were founded, and in 1774, the town saw 285 of its men leave to serve in the Revolutionary War.

In its 300 years, New Milford has seen weather-related tragedies, devastating illnesses, and damaging fires hit the town. But it has overcome these tragedies and events and today has many successful industries and businesses.

New Milford educates its residents and visitors each year through cultural tours, concert events, art fairs, and camps. It has witnessed much history and seen tremendous growth in its 300 years and is certainly one of the most pleasant places to live in this Nation today.

I am pleased to support H. Res. 528 to honor this historic 300th anniversary.

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

□ 1615

Mr. DAVIS of Illinois. Mr. Speaker, it's my pleasure to yield such time as he might consume to the author of this legislation, Representative CHRISTOPHER MURPHY from the Fifth District of Connecticut.

Mr. MURPHY of Connecticut. Mr. Speaker, I would like to thank my friend from Tennessee and from Illinois for supporting the resolution here today.

I think it's fitting, in part, that we are here in the House of Representatives on this august floor in order to celebrate a town, New Milford, Connecticut, which is, in part, responsible for our very existence here today.

The first citizen of New Milford is often referred to as Roger Sherman, whose statute sits not far outside this body. Why is that? Because after being an entrepreneur in New Milford, Connecticut, Roger Sherman came to the Constitutional Convention and was one of the authors, the primary author, of the Connecticut Compromise, which was responsible for the United States Government having a bicameral legislature with both the House and the Senate.

We're very proud of him. We're very proud of the incredibly rich historical tradition in New Milford. As was referenced, the number of people who rose from New Milford to fight in the Revolutionary War is remarkable, given its small size. It also became a central stop, a central hub on the Underground Railroad in the 50 or 60 years after the Revolution.

It has grown over time from a community that was founded first by only 12 families to now a town that not only enjoys one of the largest land masses in Connecticut, but also has 30,000 people there and still has retained its small-town charm.

I really urge anyone who has plans to travel throughout the northeastern section of this great United States, to try to divert a little bit of your trip to see the quaint village of New Milford. Not only does it have a small, but bustling, downtown of quaint shops on the side streets off of the green, but a growing commercial industrial sector as well.

I was privileged to be able to march in a very festive 300th anniversary parade a few weeks ago, and I'm very pleased to join my colleagues here to celebrate its 300th anniversary on the floor of the House of Representatives today.

I urge passage of the resolution.

Mr. DUNCAN. Mr. Speaker, I will simply close by congratulating the town of New Milford on this historic anniversary, its 300th anniversary. And I commend the gentleman from Illinois (Mr. DAVIS) and also the gentleman from Connecticut (Mr. MURPHY) for bringing this matter to the attention of the House.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 528.

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.

MOURNING THE PASSING OF FORMER FIRST LADY, LADY BIRD JOHNSON

Mr. DAVIS of Illinois. Mr. Speaker, I move that the House suspend the rules and agree to the resolution (H. Res. 553) mourning the passing of former First Lady, Lady Bird Johnson, and celebrating her life and contributions to the people of the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 553

Whereas Lady Bird Johnson was born Claudia Alta Taylor in Karnack, Texas on December 22, 1912, the daughter of Minnie Pattillo Taylor and Thomas Jefferson Taylor;

Whereas Lady Bird Johnson received her nickname ''Lady Bird'' from a nurse who thought she was as ''purty as a lady bird'';

Whereas Lady Bird Johnson was known for her academic accomplishments, graduating from high school at 15 years of age and graduating from the University of Texas in Austin in 1933 as one of the top 10 students in her class;

Whereas Lady Bird Johnson married President Lyndon Baines Johnson on November 17, 1934;

Whereas Lady Bird Johnson was a dedicated wife to President Johnson and a devoted mother to their two daughters, Lynda Bird Johnson and Luci Baines Johnson;

Whereas Lady Bird Johnson served with honor and dedication as the wife of President Johnson throughout his service as a congressional secretary, United States Representative, United States Senator, Vice President of the United States, and President of the United States;

Whereas Lady Bird Johnson was known for expanding the position of First Lady by taking a visible role in President Johnson's administration;

Whereas Lady Bird Johnson served as President Johnson's personal adviser throughout his career, and was a champion of civil rights and programs for children and the poor, including the educational Head Start programs;

Whereas Lady Bird Johnson was known for her passion for environmental causes and the preservation of native plants and wildflowers;

Whereas Lady Bird Johnson paved the way for the environmental movement of the 1970s through her efforts to replace urban blight with flowers and trees;

Whereas Lady Bird Johnson established the capital beautification project and played a major role in the passage of the 1965 Highway Beautification Act, which was the first major legislative campaign initiated by a First Lady;

Whereas Lady Bird Johnson and President Johnson retired to their ranch located near Austin, Texas following the completion of President Johnson's term as President;

Whereas Lady Bird Johnson continued her dedication to education through her service on the Board of Regents for the University of Texas and through her work planning the Lyndon B. Johnson Library and Museum at the University of Texas in Austin;

Whereas Lady Bird Johnson was awarded the Medal of Freedom in 1977 and the Congressional Gold Medal in 1988;

Whereas Lady Bird Johnson co-founded the Lady Bird Johnson Wildflower Center in 1982 in order to protect and preserve North America's native plants and natural landscapes;

Whereas Lady Bird Johnson leaves behind an honorable legacy that represents her gentle nature and strong spirit though her dedication to her family and her passion for the environment; and

Whereas Lady Bird Johnson died on July 11, 2007, at 94 years of age at her home in Austin, Texas, and was survived by her 2 daughters, 7 grandchildren, and 10 great-grandchildren: Now, therefore, be it

Resolved, That the House of Representatives mourns the passing of former First Lady, Lady Bird Johnson, and celebrates her life and contributions to the people of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleague in the consideration of H. Res. 553, a bill that mourns the passing of former First Lady, Lady Bird Johnson, and celebrates her life contributions and achievements.

H. Res. 553, which has 58 cosponsors, was introduced by Representative EDDIE BERNICE JOHNSON on July 17, 2007. H. Res. 553 was reported from the Oversight Committee on June 19, 2007, by a voice vote.

Mr. Speaker, I commend my colleague and Representative EDDIE BERNICE JOHNSON for seeking to honor the former First Lady, Lady Bird Johnson, and celebrating her life contributions to the people of the United States.

I urge swift passage of this bill.

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

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

Mr. Speaker, it is certainly a pleasure to honor a remarkable First Lady and great conservationist, Lady Bird Johnson. And it is with much sadness that the House continues to note her recent passing.

Born in 1912 in Karnack, Texas, in an era when women were not expected to accomplish great things, Mrs. Johnson came to represent strength of character that was the hallmark of her life.

After graduating from the University of Texas in 1933, she married Lyndon Baines Johnson. Mrs. Johnson became the mother of two daughters, certainly her most important work, Lynda Bird and Luci Baines Johnson. She spent the next few decades raising her children and supporting her husband in his political career, which, of course, led him to the Presidency. She was a trusting sounding board for her husband through all his years in the House and Senate and in the White House.

Mrs. Johnson led a nationwide effort to call attention to the beauty and the goal of highlighting historical sites and highways by planting flowering plants and wildflowers. While First Lady, she visited numerous public sites and scenic areas, thus bringing local and national attention to her beautification and conservation initiatives.

As we all have seen each spring in Washington, Mrs. Johnson has left a lasting legacy for all American and foreign visitors to this great city, who can now see incredible numbers of flowers throughout the area. She not only helped beautify Washington, but was also responsible for the 1965 Highway Beautification Act, calling for control of outdoor advertising, as well as the clean-up of junkyards along the national highways.

It is partly because of her efforts that we now have the Surface Transportation and Uniform Relocation Assistance Act of 1987, requiring at least one-quarter of 1 percent of funds expended for landscaping projects in the highway system to be used to plant native flowers, plants and trees.

After leaving Washington, Mrs. Johnson enthusiastically continued her conservation efforts throughout her beloved home State of Texas right up until the date of her death on July 11, 2007.

I urge my colleagues to please join me in honoring this great woman of Texas and First Lady of the United States, Lady Bird Johnson, for her untiring efforts in educating a Nation on the benefits of conservation and beautification throughout her lifetime.

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

Mr. DAVIS of Illinois. Mr. Speaker, I am pleased to yield 2 minutes to the author and sponsor of this resolution, the gentlewoman from Texas, Representative EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank these two distinguished gentlemen on the floor, Mr. DAVIS of Illinois and Mr. DUNCAN of Tennessee, for helping us with this today.

I rise today to honor the life and accomplishments of Lady Bird Johnson. I would like to thank my colleagues Mr. HALL, Mr. BARTON and Mr. ORTIZ for their sponsorship, and the entire Texas delegation for joining me in sponsoring and honoring Mrs. Johnson.

Mrs. Johnson was known as a woman of class and integrity. She was strong in spirit and always represented herself with dignity and grace.

For decades Lady Bird Johnson served with honor and dedication as the wife of President Lyndon Baines Johnson, throughout his service as a staffer to Representative Kleberg, as he served in the U.S. House of Representatives, as a U.S. Senator, as Vice President, and as President of the United States. She served as President Johnson's personal adviser throughout his career and was known for expanding the position of the First Lady by taking a visible role in President Johnson's administration.

Lady Bird Johnson dedicated much of her life to the preservation of our environment. Perhaps she could be considered the first environmentalist in this era. This passion led her to create the Capital Beautification Project to improve physical conditions in Washington, DC, both for residents and tourists. Her efforts inspired similar programs throughout the country. She also played a major role in the passage of the 1965 Highway Beautification Act. This was the first legislative campaign begun by a First Lady. The trees and flowers we see along our American highways today are a testament to her work and her dedication.

After leaving Washington, President and Mrs. Johnson moved back to Austin, Texas, where Mrs. Johnson continued to work for environmental causes. And that is, perhaps, the most environmentally sensitive city in Texas right now. Today we can all admire her legacy through the Lady Bird Johnson Wildflower Center in Austin, Texas.

Mrs. Johnson died on July 11, 2007, at the age of 94 at her home in Austin, and was survived by her two daughters, seven grandchildren, and 10 great-grandchildren.

I would like to extend my deepest condolences to the Johnson family. I urge my colleagues to support this resolution to honor Lady Bird Johnson's incredible life and legacy.

Mr. DAVIS of Illinois. Mr. Speaker, I know that Representative GENE GREEN had intended to be here. Unfortunately, he hasn't been able to make it yet.

It is my pleasure to yield 1 minute to Representative CHET EDWARDS from the 17th District of Texas.

Mr. EDWARDS. Mr. Speaker, Lady Bird Johnson was a true Texas treasure. She graced the Lone Star State, our Nation, and the world with her beauty and grace.

While she is no longer with us, the masterpiece of her vision can be seen along the highways and byways of America. Lady Bird's wildflowers symbolize her life, a quiet, enduring beauty that will enrich our lives for generations to come. With our highways as her canvas, she painted with a brush of God's hand a landscape that brings peace to us in our day-to-day lives.

The beauty of Lady Bird Johnson's vision did not stop with the highways and parks of our Nation, for she also envisioned a world not blighted by the ugliness of poverty and discrimination. As a partner to the President who fought for a great society, she helped make ours a better society. For that we are all her beneficiaries. I thank God for the life and spirit of Lady Bird Johnson.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to Lady Bird Johnson's Representative, the gentleman from Texas, Representative LLOYD DOGGETT.

Mr. DOGGETT. With heavy hearts, the thousands of Texans who participated in memorials to Lady Bird Johnson, especially those who filled the streets of Austin, Dripping Springs and Johnson City, attest to our affection and respect for her compassion, warmth and leadership. And with unusually heavy rainfall this year, Texas is literally alive with her legacy, the beautiful wildflowers along our roadways, and filling the photo albums and scrapbooks with children smiling in a bed of bluebonnets or Indian paintbrush for one family after another.

She knew a better America was one that gives all of its citizens an opportunity to succeed. And with the reauthorization this year of Head Start, more young Americans can access quality early education, ensuring that no child starts behind.

When my predecessor, Representative Jake Pickle, spoke on this floor after the death of President Johnson, he said that Mrs. Johnson was her husband's ''wisest adviser'', and that her daughters, Lynda Bird and Luci, had brought ''so much credit to their family and to our country.''

Of her many gifts, perhaps her most meaningful legacy is her spirit of giving that lives on in her children and grandchildren. In Austin, her daughter Lucy and her grandchildren, Catherine Robb and Nicole Covert, among others, give their time, support and leadership to causes such as SafePlace, Seton, the University of Texas, and the Children's Medical Center Foundation.

Mrs. Johnson promoted native species. They have strong roots and improve and beautify our land. The same, and more, can be said of the human legacy that she leaves.

Mr. DUNCAN. Mr. Speaker, let me just close by saying it has been a privilege for me to handle this resolution on our side.

I know that most of us heard and read and saw some of the beautiful and moving tributes that were made to Mrs. Johnson in her funeral ceremony just a few days ago, especially the tributes from her daughters. And so I think this is a very fitting and appropriate resolution. I commend my good friend, the gentlewoman from Texas, Ms. JOHNSON, for bringing this resolution to the floor, and also my friend Mr. DAVIS.

I urge passage of this resolution.

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

□ 1630

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I want to personally thank both the gentleman from Tennessee and the gentleman from Illinois, Chairman DAVIS, for allowing me this opportunity. I also want to take this opportunity to thank the Honorable Congresswoman EDDIE BERNICE JOHNSON for bringing forth this resolution.

Mr. Speaker, I rise today in honor of Claudia Taylor ''Lady Bird'' Johnson. Mrs. Lady Bird Johnson was a woman of incredible caliber, a woman whose contributions of admirable causes have bettered not only Texas, but the entire Nation as a whole.

She redefined what it meant to be a First Lady. Along with championing the environment, Lady Bird Johnson was a confidante to her husband, Lyndon Baines Johnson, and was invaluable to his efforts, improving not only health care but education. She, like no one else, understood the importance of early intervention when it came to education. Her efforts in Head Start to this day are there to show that Head Start has been a program that reaches out to these poor youngsters. Head Start has also proven that those youngsters that participate in Head Start are less likely to drop out than those that don't. She understood that from the very beginning.

Lady Bird Johnson knew and had that Texas charm and wit. Her passion for the environment has left a lasting mark on America. Thanks to her tenacious effort in initiating beautification projects, the Nation's highways are more pleasant to drive on and the Nation's Capital is a lovelier sight. The city of San Antonio, where Lady Bird married President Johnson, has also benefited from the First Lady's efforts.

Her highway beautification projects had a lasting impact not only in San Antonio, but throughout Texas. The Texas Department of Transportation says Lady Bird Johnson's Highway Beautification Act that became law in 1965 annually dispenses over 5.6 billion wildflower seeds of some 30 varieties, including our State flower, the bluebonnet. Lady Bird devoted much of her later life to beautifying her home and the State of Texas with admirable work.

With eternal gratitude from all of us, I ask you to join me today in remembering the magnificent work Lady Bird Johnson has done for all of us. I want to thank her for what she has done for all of us.

Let me just say that every spring as we go along the highways and as the flowers bloom, we will remember her for what she has done for all of us. She now rests near the Pedernales River in Texas. Her legacy will forever be with us.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to another son of Texas, the chairman of the Intelligence Committee, the Honorable SILVESTRE REYES.

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

Mr. Speaker, I want to add my condolences to Lady Bird's family and tell everyone that while she will be missed, her legacy lives on in Texas.

I think her contribution to Texas gives us a unique insight into who the former First Lady was; a person who used her gifts, her position, her talents and her status to expand the world for everyday people, to make the world better for the inner city residents of D.C., and for the public that was traveling along the interstates of our great country, and, of course, for Texas.

She had vision and gave people a reason to be proud of their surroundings, to take ownership of their neighborhoods and communities, and to make them better places to live. This is meaningful and important on so many different levels for all of us that are Texans. In doing this, she was ahead of her time. She helped bring the cause of conservation to the forefront and drew our Nation's attention to the importance of creating and nurturing beauty.

I am honored and privileged that I met Mrs. Johnson many years ago when I was a college student at the University of Texas at Austin. I am proud of the legacy that she created and that she leaves with all of us. May she rest in peace among the hills, the streams, and especially the flowers that she so loved in Texas.

Mr. DAVIS of Illinois. Mr. Speaker, I simply want to thank the gentleman from Tennessee (Mr. DUNCAN) for his participation in processing this legislation. I want to thank all of the Members from Texas who spoke.

Mr. Speaker, I urge passage of this resolution.

Mr. BARTON of Texas. Mr. Speaker, today, we honor the memory and celebrate the life of former First Lady, Claudia Taylor (Lady Bird) Johnson, and the contributions she has given to the people of a country she so dearly loved. I had the privilege of knowing Lady Bird through the White House Fellows program and as anyone who knew her as an individual would agree, she was a person of grace, charm, and an absolute delight to know. As a native Texan, a wife, a mother, a businesswoman, and First Lady, she emitted beauty through her presence and through her actions leaving a legacy that will not soon be forgotten.

Lady Bird met Lyndon Baines Johnson in 1934 and in seven short months, had captured his heart as he asked for her hand in marriage. Mrs. Johnson stood by her husband and supported his endeavors with a perseverance and tenacity that one rarely finds. When LBJ volunteered for naval service during World War II, Lady Bird stepped in and kept his congressional office running and except for voting, served the need of every constituent. She again came to the rescue in 1955 helping staff keep things under control when her husband suffered a severe heart attack while serving as Senate Majority Leader. The former President once remarked that voters ''would happily have elected her over me.''

In 1960 Mrs. Johnson traveled over thirty-five thousand miles of campaign trail as she pushed LBJ towards a successful bid for the Vice-Presidency. During this tenure, she visited thirty-three foreign countries as an ambassador of goodwill. Lady Bird again stood by and supported her husband as he became the thirty-sixth President of the United States and helped console the hearts and minds of an entire country as they mourned the loss of President John F. Kennedy.

As First Lady, Mrs. Johnson was highly involved in the President's initiatives supporting education and working to alleviate poverty. Under her own ambition, she created a First Lady's Committee for a More Beautiful Capital which later expanded to include an entire nation. Lady Bird was also the inspiration behind the Beautification Act of 1965 which transformed the landscape of our national highways. Never tiring in her life's work, at the age of 70, Mrs. Johnson founded the National Wildflower Research Center which is dedicated to the preservation and re-establishment of native plants in natural and planned landscapes.

Lady Bird Johnson should be remembered by all as a person with elegance, grace and a tireless work ethic. She dedicated her life in service to others and gave so much of herself in support of her husband, family, and country. Today, as we celebrate the life of Lady Bird Johnson, we honor her contributions to the people of the United States and recognize that we have lost a great American that will be dearly missed.

Mr. LAMPSON. Mr. Speaker, when Texans think of their home state, and frankly non-Texans do as well, a few key symbols come to mind. There is the instantly recognizable outline of Texas, along with the Lone Star, the Alamo, cowboy hats, barbecue, and so many other great traditions and institutions. Among them is the Texas state flower, the bluebonnet. The bright blue bloom of that flower throughout the roads and lands of southeast Texas is instantly recognizable. The reason why, of course, is that Lady Bird Johnson led the beautification movement to protect and grow our state flower, setting a fine example of state pride for all Texans. We Texans feel the loss of the former First Lady when we think of this symbol, but as future flowers bloom, so too will her memory live on for our great nation.

Mr. HINOJOSA. Mr. Speaker, I rise today in support of H. Res. 553, to pay special tribute to Lady Bird Johnson. I am proud to recognize the accomplishments of a fellow Texan and a true Renaissance woman.

For much of her life, Lady Bird Johnson acted as the graceful wife of a congressional secretary, U.S. Representative, Senator, Vice President and President. She devoted herself to her husband's political campaigns and lived in the public eye throughout the turbulent 1960s and Vietnam War Era.

But, Lady Bird Johnson was also a scholar, a writer, a politician, and an advocate for education issues. At the University of Texas in Austin she studied journalism and qualified as a public school teacher. Later in life, she wrote A White House Diary and served as a University of Texas regent.

Lady Bird demonstrated her remarkable talents for public speaking while on the campaign trail through Southern states, where, as a product of an East Texas town steeped in traditional southern values, she was an invaluable spokesperson for the 1960 Kennedy-Johnson Presidential ticket.

While her husband served as President, Lady Bird Johnson acted as honorary chairwoman of the national Head Start program. As my colleagues may note, I am a strong proponent of the Head Start program, which can make immense differences in the lives of underprivileged pre-school children by preparing them to enter elementary school on a par with their peers. Thus, I celebrate Lady Bird's contributions to this invaluable program.

During this time, Lady Bird Johnson has also been credited with holding luncheons spotlighting women of assorted careers. As a strong supporter of women's rights and pay equality, I believe that her efforts to applaud young women's advancements into traditionally-male-dominated careers have had a profound effect on women's equality in general.

Lady Bird was also an adept businesswoman who purchased a small radio station in 1942 in Austin and built a multimillion-dollar radio corporation. In today's society, young women interested in business and the telecommunications industries may look to Lady Bird Johnson as a trailblazer and a success story.

While Lady Bird's conservation work in our Nation's Capital is widely-known, Lady Bird's efforts to beautify our great State of Texas should also be applauded. In 1969, she founded the Texas Highway Beautification Awards, and hosted 20 annual awards ceremonies, where she presented personal checks to the winners. And, on her 70th birthday, she founded the Lady Bird Johnson Wildflower Center, to which she donated acres of her own land.

Lady Bird has indeed left her mark upon Texas, as the namesake of a golf course, a municipal park, a walking trail, and a street.

Mr. Speaker, I am proud to join my colleagues in support of H. Res. 553, celebrating the life of Lady Bird Johnson. She was a remarkable First Lady, businesswoman, environmental advocate, and trailblazer of women's rights. She has left a grand legacy of strength of character and service upon Texas and upon the entire nation.

Mr. FARR. Mr. Speaker, the death of Lady Bird Johnson was a sad day for the country. It was also a sad day for my district, and for me personally.

Mrs. Johnson also played a key role in drawing my father, California State Senator Fred Farr, to Washington. She successfully lobbied for his appointment as the Federal Highway Administration's first Highway Beautification Coordinator, wisely drawing his energy and insights to Washington.

Lady Bird was a fervent supporter of so many of the values my constituents and I hold dear. She was a lifelong supporter of the environment, an advocate for preserving the special places in communities around the country. Lady Bird visited California's Central Coast in 1966, where she dedicated Highway 1—now known to all as the Big Sur Coast Highway—as the first scenic route in the state. She even helped plant a redwood tree near Monterey's historic Colton Hall.

Mrs. Johnson was a passionate environmentalist. She argued against the blight of roadside billboards, instead calling for more trees and her beloved wildflowers. And many of the beautification projects that make Washington a gorgeous capital city were the product of Mrs. Johnson and my father. She was responsible for raising hundreds of thousands of dollars for the city's streets.

Mrs. Johnson's beautification projects and scenic designation programs were so important to drawing attention to areas that deserve protection. I encourage all of our communities to continue her work. We need more people like Mrs. Johnson in the world, more people who appreciate the beauty that is around us and who strive to preserve it.

Mr. BOSWELL. Mr. Speaker, I rise today in support of House Resolution 553 recognizing the passing of Lady Bird Johnson and her contributions to the United States.

Lady Bird Johnson, the wife of the late President Lyndon B. Johnson, passed away last week at the age of 94. We will remember this former First Lady as a woman deeply committed to her husband and his presidency, as well as a calm and elegant figure during a tumultuous time in American history.

Lady Bird took an active role during her husband's time in the White House. Before environmentalism was a part of American political life, she lobbied Congress to clean up the landscape of the United States. Through her efforts, the National Highway Beautification Act and the Clean Air Act became law and the Nation's Capital received a much-needed makeover to its landscape. After she left the White House, she founded the National Wildflower Research Center in Austin, Texas, which was later named in her honor. The center continues Lady Bird's efforts to preserve this country's natural landscape and beauty.

Lady Bird also influenced many other policies and initiatives during the Johnson administration, including the War on Poverty, Head Start, and the landmark 1964 Civil Rights Act. She was awarded the Presidential Medal of Freedom by Gerald Ford in 1977 for her efforts both in and out of the White House. Through her numerous accomplishments, we will continue to remember her as a wife, mother, and passionate and dedicated American. While it is with sadness that I mark the passing of this wonderful individual, I am proud to be able to commemorate her incredible contributions to our nation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 553, which puts the House of Representatives on record in mourning the passing of Lady Bird Johnson, the former First Lady of the United States. Claudia Alta ''Lady Bird'' Taylor Johnson was the wife of U.S. President Lyndon B. Johnson. Throughout her life, she was an advocate for beautification of the nation's cities and highways and conservation of natural resources. The former First Lady was a recipient of the Presidential Medal of Freedom and the Congressional Gold Medal.

Lady Bird Johnson studied journalism and art at St. Mary's Episcopal School for Girls, a junior college in Dallas. She graduated with honors from the University of Texas with a Bachelor's degree in Arts in 1933 and a degree in Journalism in 1934—a time when women were hard pressed to have a career of their own, let alone a college education. Her goal was to become a reporter but her media career was deferred when a friend in Austin introduced her to Lyndon Baines Johnson, a young up-and-coming political hopeful.

On their first date, which was breakfast the next morning at the Driskill Hotel and a long drive in the country, Lyndon Johnson proposed. Lady Bird did not want to rush into marriage, but Lyndon Johnson was persistent and did not want to wait. The couple married on November 17, 1934, at Saint Mark's Episcopal Church in San Antonio, Texas.

Three years later, when Lyndon decided to run for Congress from Texas' 10th district in the Hill Country, Lady Bird provided the money to launch his campaign. She took $10,000 of her inheritance from her mother's estate to help start his political career. They had two daughters, Lynda (born in 1944), whose husband Charles S. Robb went on to become governor of Virginia and a U.S. Senator, and Luci (born in 1947), who married, firstly, Pat Nugent and, secondly, Ian Turpin.

As First Lady, Lady Bird Johnson started a capital beautification project (Society for a More Beautiful National Capital) to improve physical conditions in Washington, D.C., both for residents and tourists. Her efforts inspired similar programs throughout the country. She was also instrumental in promoting the Highway Beautification Act, which sought to beautify the nation's highway system by limiting billboards and by planting roadside areas. She

was also an advocate of the Head Start program.

Johnson's press secretary from 1963–1969 was Liz Carpenter, a fellow University of Texas alumna. Carpenter was the first professional newswoman to be press secretary to a First Lady, and she also served as Lady Bird's staff director.

In 1970, A White House Diary, Lady Bird Johnson's intimate, behind-the-scenes account of Lyndon Johnson's presidency from November 22, 1963 to January 20, 1969, was published. Beginning with the tragic assassination of John F. Kennedy, Mrs. Johnson recorded the momentous events of ber times, including the Great Society's War on Poverty, the national civil rights and social protest movements, her own activism on behalf of the environment, and the Vietnam War. Indeed, Lady Bird Johnson and her husband were champions of civil rights and were instrumental in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. I know that her comforting words and her encouragement were part of the decision making of President Johnson as he made some critical decisions during some difficult times regarding the civil rights of individuals who had been discriminated against for most of the history of this country. Long out of print, the paperback edition of A White House Diary will be available again through the University of Texas Press in Fall 2007.

She was acquainted with a long span of fellow First Ladies, from Eleanor Roosevelt to Laura Bush, and was protected by the United States Secret Service for forty-four years, longer than anyone else in history.

Lady Bird Johnson was awarded the Presidential Medal of Freedom by Gerald Ford on January 10, 1977. The citation for her medal read:

"One of America's great First Ladies, she claimed her own place in the hearts and history of the American people. In councils of power or in homes of the poor, she made government human with her unique compassion and her grace, warmth and wisdom. Her leadership transformed the American landscape and preserved its natural beauty as a national treasure."

Johnson then received the Congressional Gold Medal on May 8, 1984. In addition to the Lady Bird Johnson Wildflower Center, her name has been lent to the Lady Bird Johnson Park on Columbia Island in Washington, D.C., which was founded as a result of her efforts as First Lady to beautify the capital.

After former President Johnson died in 1973, Lady Bird Johnson remained in the public eye, honoring her husband and other Presidents. In the 1970s, she focused her attention on the Austin riverfront area through her involvement in the Town Lake Beautification Project. From 1971 to 1978, Johnson served on the board of regents for the University of Texas System.

On December 22, 1982 (her 70th birthday), she and actress Helen Hayes founded the National Wildflower Research Center, a nonprofit organization devoted to preserving and reintroducing native plants in planned landscapes, located east of Austin, Texas. The Center opened a new facility southwest of Austin on La Crosse Avenue in 1994. It was officially renamed The Lady Bird Johnson Wildtlower Center in 1998. On June 20, 2006, The University of Texas at Austin announced plans to incorporate the 279 acre Wildflower Center into the University.

For twenty years Lady Bird Johnson spent her summers on the island of Martha's Vineyard renting the home of Charles Guggeinheim for many of those years. She said she had greatly appreciated the island's natural beauty and flowers.

On October 13, 2006, Lady Bird Johnson made a rare public appearance at the renovation announcement of the Lyndon Baines Johnson Library and Museum. Sitting in a wheelchair and showing signs of recent health problems, Lady Bird seemed engaged and alert, and clapped along with those present at the ceremony.

Mr. Speaker, in the last year the state of Texas has lost several of its greatest sons and daughters: Governor Ann Richards; Senator and Treasury Secretary Lloyd Bentsen; columnist and progressive icon Molly Ivins; and now Lady Bird Johnson.

The Lone Star State mourns the loss of our favorite daughter and it will be grieving for some time. But the memory of Lady Bird Johnson will never be forgotten so long as the flowers bloom in the capital city of our nation and along the highways and byways of the several states, especially her beloved Texas.

I strongly support H. Res. 553 and urge my colleagues to do the same.

Mr. DAVIS of Illinois, Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 553.

The question was taken.

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

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

HONORING THE LIFE AND ACCOMPLISHMENTS OF RENOWNED ARTIST TOM LEA ON THE 100TH ANNIVERSARY OF HIS BIRTH

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 519) honoring the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 519

Whereas, 100 years ago on July 11, 1907, Tom Lea was born in El Paso, Texas, to former El Paso Mayor Tom Lea, Sr., and his wife Zola Utt Lea and spent the majority of his life in El Paso;

Whereas Tom Lea served as an accredited war artist correspondent for Life magazine during World War II, traveled over 100,000 miles as an eye-witness reporter, landed with the First Marines on Peleliu during 1942, and accompanied American forces in the North Atlantic during 1941, fighter pilots aboard the USS Hornet in the South Pacific during 1942, and American forces in China during 1943;

Whereas many of Tom Lea's paintings from World War II are in the United States Army Center for Military History in Washington, DC, and are loaned to exhibitions worldwide;

Whereas, when accepting the Republican nomination for President of the United States in 2000, George W. Bush quoted Tom Lea about living on the "sunrise side of the mountain";

Whereas Tom Lea's painting Rio Grande today hangs in the Oval Office at the White House;

Whereas Tom Lea's works are found throughout Washington, DC and Texas, including in the Rayburn House Office Building, which displays his portrait of Sam Rayburn; the Smithsonian American Art Museum; the Dallas Museum of Art; the El Paso Museum of Art; the University of Texas at El Paso; Texas A&M University; and the University of Texas at Austin;

Whereas Tom Lea painted several notable murals, including the Texas Centennial mural and, under the Department of Treasury's Section of Fine Arts mural competition programs, The Nesters mural for the Benjamin Franklin Post Office in Washington, DC; the Pass of the North mural for the Federal Courthouse in El Paso, Texas; the Stampede mural for the Odessa, Texas Post Office; the Comancheros mural for the Seymour, Texas Post Office; and the Back Home mural for the Pleasant Hill, Missouri Post Office;

Whereas Tom Lea was also an accomplished author and illustrator whose works included the two-volume annotated history The King Ranch (published in 1957), in addition to four novels and two non-fiction books, of which, The Brave Bulls (published in 1949) and The Wonderful Country (published in 1952), were adapted as screenplays for motion pictures;

Whereas Tom Lea during his life was honored with several awards, including the Navy Distinguished Public Service Award, the United States Marine Corps' Colonel John W. Thomason, Jr. Award, and the National Cowboy and Western Heritage Museum's Great Westerners Award;

Whereas President and Mrs. George W. Bush are serving as Honorary Chairs of the International Advisory Board for the 2007 Tom Lea Centennial Celebration, a month-long series of events in the Southwest that seeks to ensure that the richness and diversity of Tom Lea's legacy will nourish generations to come; and

Whereas Tom Lea's war diaries are to be published by Texas A&M Press in 2008: Now, therefore, be it

Resolved, That the House of Representatives honors the life and accomplishments of Tom Lea.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in the consideration of H. Res. 519, a bill that honors the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth.

H. Res. 519, which has 79 cosponsors, was introduced by Representative SILVESTRE REYES on June 26, 2007. H. Res. 519 was reported from the Oversight Committee on June 19, 2007, by a voice vote.

Mr. Speaker, I commend my colleague, Representative SILVESTRE REYES, for seeking to honor the life and accomplishments of renowned artist Tom Lea, and urge the swift passage of this bill.

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

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

Mr. Speaker, in celebration of the 100th anniversary of the birth of Tom Lea, I ask Members to join me in honoring the life and accomplishments of this remarkable American. Tom Lea was a painter, muralist, illustrator, writer and war correspondent, whose work continues to captivate and inspire us today.

Born in El Paso, Texas, in 1907, he showed an early talent for art and left home to study at the Art Institute of Chicago. While this began a pattern of world travel he continued throughout his life, Tom Lea's home was always Texas and the American Southwest. His paintings capture the spirit of the West and show a vibrant life that thrives in seemingly barren land.

Lea put his education to good use as a muralist for the Works Progress Administration. His works include the award winning ''The Nesters,'' which adorns the Post Office Department Building here in Washington, and the portrait of Sam Rayburn on display in the Rayburn House Office Building, and I think on display right now in this Chamber. Additionally, the Smithsonian American Art Museum, numerous public buildings in Missouri, and educational and government facilities throughout Texas exhibit his work.

In 1942, Time magazine hired Lea to cover the war in the Pacific. Finding paint inadequate to capture the full story, Lea began his career as a novelist while on assignment. He continued writing after the war, and published six works of fiction and nonfiction, including a two-volume annotated history of the King Ranch.

Fans of his work are numerous and include President George W. Bush, who honored Lea by using a quote from an autobiography while accepting the Republican nomination for President in 2000. Shortly before his death in January of 2001, Lea had the great satisfaction of delivering one of his paintings, ''Rio Grande,'' to the President, so he could hang it in the Oval Office. The painting remains there today.

In addition to great critical acclaim, Lea's lifetime of work has earned him the Navy Distinguished Public Service Award, the United States Marine Corps Colonel John W. Thomason, Jr., Award, and the National Cowboy and Western Heritage Museum's Great Westerners Award.

Therefore, let us show our respect and gratitude for this great American by passing H. Res. 519 to honor the life and accomplishments of Tom Lea.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentleman from Texas (Mr. REYES), the sponsor of this resolution.

Mr. REYES. Mr. Speaker, I thank the chairman and the ranking member for their support of this resolution.

As a representative of the 16th District of Texas, I rise today in honor of a great El Pasoan and a great American.

I have on the floor beside me two pictures of paintings by this great American. His name is Tom Lea. He hails from my district of El Paso, Texas, and has left a lasting impression on the Nation as a whole.

One of these paintings, ''Rio Grande,'' this one right here, was specifically chosen, as has been stated by my good friend from Connecticut, by President Bush to hang in the Oval Office. As you can see, this is a beautiful representation of the rugged landscape and the environment of our wonderful Southwest.

The other is a portrait of Sam Rayburn. It is probably the most familiar to many of you, as it hangs in the foyer of the Rayburn House Office Building. I venture that you would be hard-pressed to find another artist who could so capture the tenacity and formidable nature of this great Texas lawmaker and former Speaker of the House of Representatives.

Mr. Lea's legacy extends beyond the paintings that you see here, and I rise today because this month marks the 100th anniversary of the birth of this acclaimed El Pasoan. The 2007 Tom Lea Centennial Celebration, which is a month-long series of events, is currently underway all along our beautiful Southwest.

Mr. Lea is a celebrated illustrator, novelist, historian, war correspondent and muralist. His assignment with Life magazine in the 1940s to draw a cavalry trooper at El Paso's Fort Bliss led to his role as an accredited artist correspondent during World War II. Traveling over 100,000 miles through very dangerous and faraway theatres of war, he captured the American forces in the North Atlantic, the South Pacific, China, and Peleliu for the American public and for those of us that appreciate his great artistry today. While overseas, he also painted a portrait of China's Chiang Kai-shek.

From painting national and world leaders to his celebrated painting of his wife, Sarah, which includes El Paso's Franklin Mountains as the backdrop; from his critically acclaimed novels to motion pictures based on his written works; from his depictions of the heroism and harrowing circumstances of World War II to his award-winning murals in post offices in El Paso and across the country, Tom Lea has left a lasting impact on our Nation as a whole.

Obviously, Tom Lea is a national treasure and a creative genius. I want to thank my 79 colleagues who have signed on as cosponsors to this legislation.

So today, Mr. Speaker, I urge all colleagues to join me in honoring him by passing this resolution. My community of El Paso, Texas, was lucky to be home for such an icon, and the Nation as a whole is a richer, more interesting and more beautiful place because of his vision and his mastery.

□ 1645

Mr. SHAYS. Mr. Speaker, I yield such time as the most distinguished gentleman from Texas (Mr. SESSIONS) would like to use.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Connecticut. I also rise with my colleagues who are here from El Paso, Texas, and also the gentleman from Illinois (Mr. DAVIS) to celebrate the 100th anniversary of Tom Lea's birth. As a person who lived in El Paso, Texas, for a number of years, I also became aware of Tom Lea from living in San Antonio. Much of his artwork was displayed in San Antonio on a regular basis.

Tom Lea for many years painted pictures of the mountains and beauty that surrounds not only west Texas, but southern New Mexico also. El Paso is the beginning of what is called The Pass of the North, where two great countries come together, the history of Mexico and the history of the United States, and where these two great countries meet at the Rio Grande River. Tom Lea spent a lot of time writing, talking, thinking, pushing forward thoughts and ideas about these two great nations, and embodied a lot of that in artwork that I have several copies of. I have bought Tom's books over the years.

So today it is right and fitting that the United States Congress in its looking back, as we do on a regular basis, over many great Americans who have added not only to the artwork of America and the thought process, but also to the lives that they lived. Tom Lea, a great Texan and American, who added not only a spirit to the men and women who fought for this country in World War II, but also brought that beauty forward in artwork, the Franklin Mountains and places in New Mexico with just stunning beauty that have sustained so many people. It gives us an idea about why America is a great Nation and why we must continue to protect her.

Mr. Speaker, I stand today in support of this 100th anniversary of Tom Lea, a great man from El Paso and a great community, and people who loved him a great deal and miss him even more. It is a great day to say thank you to Lady Bird Johnson and Tom Lea, both great Texans, on a beautiful day in Washington, D.C.

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

Mr. DAVIS of Illinois. 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 Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 519.

The question was taken.

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

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

COMMEMORATING THE 200TH ANNIVERSARY OF THE ARCHDIOCESE OF NEW YORK

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 345) commemorating the 200th anniversary of the Archdiocese of New York.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 345

Whereas it is a tradition of the House of Representatives to honor and pay tribute to those places and institutions within the United States whose historic significance has contributed to the culture and traditions of our citizens;

Whereas, in accordance with this tradition, the House of Representatives is proud to commemorate the 200th anniversary of the Archdiocese of New York and its history of faith and service;

Whereas the Archdiocese of New York has planned a year-long series of events beginning in April 2007 to celebrate their bicentennial;

Whereas the Archdiocese of New York is also coordinating with Catholic Charities of New York to institute an Archdiocese of New York Day of Service, to celebrate its history of serving the broader community;

Whereas, on April 8, 1808, Diocese of New York was established with the Most Reverend R. Luke Concanen as its first Bishop, and was elevated to an Archdiocese in 1850;

Whereas, on March 15, 1875, His Eminence John Cardinal McCloskey, the second Archbishop of the Archdiocese of New York, became the first Cardinal Archbishop of the Roman Catholic Church in America;

Whereas the Archdiocese of New York has welcomed three Papal visits, Pope Paul VI on October 5, 1965 and Pope John Paul II on October 7, 1979 and again on October 5, 1995;

Whereas Elizabeth Ann Seton, a member of the Archdiocese of New York and founder of today's Catholic education parochial school system, was named the first American-born Saint on September 14, 1975; her name appears on the front doors to St. Patrick's Cathedral describing her as a ''Daughter of New York''; and several schools are named after her, including Seton Hall University in South Orange, New Jersey;

Whereas the Archdiocese of New York is currently under the spiritual guidance of His Eminence Edward M. Cardinal Egan, who was installed on June 19, 2000, and elevated to Cardinal on February 21, 2001;

Whereas the Archdiocese of New York was originally comprised of the entire states of New York and New Jersey, an area that now covers twelve dioceses;

Whereas, with 2,500,000 Catholics in its fold, the Archdiocese of New York consists of 402 parishes, 278 elementary and high schools, and 3,729 charitable ministries, which include Catholic Charities, hospitals, nursing homes, and outreach programs; and

Whereas, throughout its rich historical past and up to the present day, the Archdiocese of New York has been sustained by the beneficent efforts of countless parishioners and ministries, past and present, who have generously supported their community with abundant kindness and good deeds: Now, therefore, be it

Resolved, That the House of Representatives commemorates the 200th anniversary of the Archdiocese of New York.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleague in consideration of H. Res. 345, a resolution that commemorates the 200th anniversary of the Archdiocese. H. Res. 345, which has 61 cosponsors, was introduced by Representative VITO FOSSELLA on April 30, 2007. H. Res. 345 was reported from the Committee on Oversight and Government Reform July 19, 2007, by a voice vote.

Mr. Speaker, I commend my colleague Mr. FOSSELLA for seeking to commemorate the 200th anniversary of the Archdiocese of New York, and urge swift passage of this bill.

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

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

Mr. Speaker, today we honor the 200th anniversary of the Archdiocese of New York, an institution that has contributed to the good of the region it covers as well and the Nation in a way that people of all political and religious backgrounds can join in applauding.

Founded on April 8, 1808, the Diocese of New York has grown to over 2.5 million Catholics who are led by nearly 1,500 priests. The Diocese of New York was established with the Most Reverend R. Luke Concanen as its first bishop, and was elevated to an Archdiocese in 1850. Upon its origination, the diocese included the entire State of New York and New Jersey, an area that now covers 12 dioceses. In this vast organization, the Archdiocese of New York includes 402 parishes, 278 schools, and 3,729 charitable ministries including Catholic Charities, nursing homes, and outreach programs.

The Archdiocese of New York has been the site of three papal visits and is home to the first Cardinal Archbishop of the Roman Catholic Church of America, John Cardinal McCloskey. The first American-born saint, Elizabeth Ann Seton, was a member of the archdiocese and founder of today's Catholic education parochial school system.

In commemoration of their bicentennial, the Archdiocese of New York has planned a year-long celebration of activities to bring together the entire community, including an Archdiocese of New York Day of Service.

It is with great respect for the ongoing service to their parishioners and the greater community of New York that I ask you to join in commemorating the 200th anniversary of the Archdiocese of New York.

Mr. Speaker, I reserve my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to thank my friend from Connecticut for managing the time on the minority side for this important resolution. In particular, I want to thank my good friend from New York State, Vito Fossella, for introducing this important resolution commemorating and celebrating the 200th anniversary of the Archdiocese of New York, a history that is replete with so many tales, not tales but facts, about the contribution of Catholics in New York, in particular about the institution known as the Archdiocese of New York, having at one time encompassed the entire State of New York and New Jersey, and now having a smaller imprint, but no less significant an imprint today.

We think of the storied individuals who fervently shepherded their flock in the Archdiocese of New York, starting with R. Luke Concanen in 1808–1810; to present day, Edward Michael Cardinal Egan, who took the reins of control in 2000 and continues to this day.

We look back historically, particularly during the Civil War, the Archdiocese had a very long history going back to that point in time, and during

the war Archbishop John Hughes, who was a fervent defender of the Union and a personal friend of then-President Abraham Lincoln, he wrote to President Lincoln and Secretary Seward about the most effectual means for carrying on that war. At the Union's request, he visited Europe to exert his personal influence, especially in high circles in France, for the benefit of the national cause at that time.

Another national cause the Archdiocese was strongly involved in was with the first wave of immigrants, predominantly Irish immigrants, to New York. The archdiocese developed programs to care for and assimilate those new immigrants to America, and was a precursor to the Irish Emigrant Savings Bank, later to become known as the Emigrant Industrial Savings Bank and Emigrant Savings Bank today.

These organizations over the years have developed into a strong base of charitable giving to keep the traditions of protecting the poor and the neglected, something that the Archdiocese of New York continues to do today. In fact, the Cardinal and the archdiocese have been very outspoken proponents of comprehensive immigration reform to help those least amongst us in society today, something they continue to do in the strong 200-year tradition of the Archdiocese of New York.

It was also mentioned before that Elizabeth Ann Seton, the first saint born in the United States, also a New Yorker and the founder of the New York City Catholic school system, and the contributions that system has made to our country. Speaking as a product of there, having graduated from Power Memorial High School in 1980, which is no longer with us, but there are still many high schools that bear the names of the many cardinals and leaders of the archdiocese throughout the years, and others who have made significant impacts on the Archdiocese of New York, a tremendous system that to this day continues to produce some of the brightest minds in not only the city of New York, but in the country, and also continues to provide access to the least amongst us to give them opportunities that others had before them.

So I stand here on the floor congratulating Mr. FOSSELLA for introducing this resolution and to commemorate the 200th anniversary of the founding of the Archdiocese of New York, a diocese that will go on for many, many years to come. We congratulate Cardinal Egan, Cardinal O'Connor, Cardinal Cooke, and all those who came before them, and all the men women who have contributed in so many ways to its survival and its flourishing throughout the history of New York City and our country.

Mr. SHAYS. Mr. Speaker, I recognize the gentleman from Staten Island, who has been a real advocate for all of New York, Vito Fossella, for such time as he may consume.

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of H. Resolution 345 honoring the 200th anniversary of the Archdiocese of New York. I thank Chairman WAXMAN and Ranking Member DAVIS for helping pass this resolution. And I thank the gentleman from Queens, Mr. CROWLEY, for helping spearhead this through, as well as Mrs. MALONEY from Manhattan, who were instrumental getting this passed last week out of committee.

Let me briefly say at the outset, it was somewhat of a bumpy road to arrive at today's vote. We are nevertheless here to honor the Archdiocese of New York. When we introduced the resolution in May and set about to secure the 50 cosponsors, we got it pretty quickly. It was heartening to see the outpouring of support. Initially the committee balked because of the reference to Cardinal Egan. And on a personal level, I thought it was insulting to the cardinal and professionally, by extension, I thought it was insulting to the millions of Catholics who comprise the archdiocese.

Cardinal Egan is the head of the archdiocese and is a significant spiritual leader of Catholicism in the United States and a man of great integrity and honor. Like those who have come before him, Cardinal Egan has carried forward the mission of his Catholic Church and helped to provide spiritual guidance to millions. I am proud to say the committee realized and recognized the appropriateness of recognizing the role of the archdiocese, and today the Congress has an opportunity to pass this resolution honoring the Catholic Church and the Archdiocese of New York in particular.

□ 1700

Mr. SHAYS provided some very compelling statistics about the archdiocese so I won't repeat them.

We know that the resolution pays tribute to the dedication and character and compassion and values that embody the archdiocese; and, by extension, I think it honors the service and deeds of so many Catholics who have enriched this Nation.

And you really can't tell the American story without telling the story of Catholics who have come to this country and enriched and made this country better and stronger. Lord knows, over the last couple of hundred years, there have been some great, not just contributions, but some great controversies.

In the 1800s there was a political party that was formed in large part, called the Know Nothings, rooted in anti-Catholicism. Fortunately, they have gone away, and the archdiocese of New York, like so many across the country, have remained steadfast and have been institutions that uphold the dignity of life.

Mr. CROWLEY mentioned Elizabeth Seton, and Seton Hall University is named in her honor in part. The Seton Foundation for Learning, for example, on Staten Island is a school that is principally designed to help children with developmental disabilities and all disabilities and are a strong reminder of the value and wonder of all human life.

The archdiocese includes over 3,700 charitable organizations, touching practically every neighborhood across New York City's region, and we know that Catholic Charities alone provides 5 million free meals annually to the less fortunate.

As I mentioned, you can't tell this American story without telling the Catholic story. There is probably no more rich archdiocese in this country than the one in New York, and you can't tell the New York story without knowing the archdiocese of New York.

So many people who have served in private life have also served their church through faith and in the local neighborhoods I mentioned, and so many police officers and firefighters and civil servants, who not only serve this country with honor and distinction but also serve through their faith the archdiocese. And we saw that very clearly on 9/11 when firefighter after firefighter and their families were laid to rest in the Catholic Church.

Those are some of the stories by which we can tell a compelling tale for America; but, today, the Congress, I say thank you to Mr. DAVIS and Mr. SHAYS and all who essentially set a little time aside to honor a great institution and celebrate 200 years of serving the poor, the less fortunate with dedication, compassion, and pure social outreach.

Mr. DAVIS of Illinois. I reserve, Mr. Speaker.

Mr. SHAYS. Mr. Speaker, I yield myself such time as I may consume. I'd like to just make further comments.

This resolution has a special meaning to me, as the archdiocese of New York is currently under the spiritual guidance of His Eminence Edward M. Cardinal Egan, who was elevated to cardinal on February 21, 2001.

In 1988, Cardinal Egan was appointed bishop of Bridgeport by Pope John Paul II. During his tenure in Bridgeport, I had the pleasure of working with him on a variety of issues, including developing housing for senior citizens.

Cardinal Egan guided the diocese of Bridgeport and earned a reputation of demonstrated leadership and success in meeting both the physical and spiritual needs of the church's parishioners, and I want to say that he reached out to so many people, Catholic and non-Catholics alike, when there were specific needs that they had. He is such a respected individual in the district I represent, and we were so proud of his elevation to cardinal in New York and believe that he is doing a tremendous job.

I will conclude by saying I was in his office after his appointment but he had not yet become a cardinal. He just kind of shook his head and said, I wish I was 10 years younger.

So many demands are made on a leader like Bishop Egan, and he gives every day of his life to this service. So when I vote for this resolution I'm going to be voting for the 200-year anniversary of the diocese and for a really remarkable leader that they have in Bishop Egan.

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

Mr. DAVIS of Illinois. Mr. Speaker, we have no further requests for time, and I was just thinking that I spent last evening with about 800 black Catholics at the Knights of Peter Claver at their convention in Detroit. Of course, many of them were indeed from the east coast, from New York and New Jersey and Connecticut, and we just simply had a wonderful time. So I join in support of this resolution and urge its passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 345.

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. SHAYS. 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 motion will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3074, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. WELCH of Vermont. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 558 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 558

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3074 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). The gentleman from Vermont (Mr. WELCH) is recognized for 1 hour.

Mr. WELCH of Vermont. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. WELCH of Vermont. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

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

There was no objection.

Mr. WELCH of Vermont. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today, the House will take up the ninth of 12 appropriation measures where we will continue the effort to take America in a new direction, where we focus on priorities of concern to average Americans throughout this country.

Through these bills, the new Congress is restoring our focus on a domestic agenda that helps all Americans, not just the wealthy few and not just the well-connected corporations.

We will make sure, as we have, that our veterans have the care they need. We'll reverse neglect in environmental protection that's been abandoned, been neglected for the past several years, and we'll fund housing programs for low- and moderate-income Americans. We will provide resources to ensure that children arrive at school ready to learn and have the health care that they need, and we will make certain that our law enforcement officials have the tools that they need to protect our citizens.

Madam Speaker, House Resolution 558 provides for consideration of H.R. 3074, the Transportation and Housing and Urban Development Appropriations Act for 2008. This will be done under an open rule. This is a bipartisan bill that was presented before the Rules Committee by Chairman OLVER and Ranking Member KNOLLENBERG. It was a pleasure, frankly, to see the cooperation of these two gentlemen and the members of that committee coming together to present to the House for its consideration a very impressive plan to meet our infrastructure and housing needs in the future.

As you know, demographic changes and growth patterns in the United States over the next decade will continue to have a major impact on transportation networks and the need for affordable housing. This bill seeks to ensure that our Nation's transportation system is safe and efficient and that our citizens have access to safe and affordable housing. The bill does so in a way that strengthens the economy and is environmentally and fiscally responsible.

The bill safeguards the regional needs of our Nation by rejecting administration proposed cuts that provide air service to rural communities, and it invests in transit projects for our urban areas that will help our commuters save time and money getting to work. The bill also rejects administration cuts to Amtrak, protects national rail service, and fully funds the highway and transit guarantees set forth in the SAFETEA-LU authorization bill.

The Transportation and Infrastructure Committee recognized the need to support rural airports, something very important to people like me from a rural State like Vermont. Investments in airports, like the Rutland State Airport in Vermont, are critical to rural States and an effective transportation system. The bill includes $110 million for essential air service to continue service to small and/or rural communities as well as $10 million for the Small Community Air Service Development Program that will continue the Department of Transportation grant program to help our small communities to attract commercial air services.

Among other things, the committee also includes $75 million for the FTA's Clean Fuels Grant program, $26 million above 2007 for clean fuel bus technology. Public transportation companies like the Chittenden County Transportation Authority in Vermont are taking responsibility for their fleet's emissions by making investments in new, fuel-efficient, low-carbon-emitting buses; and this legislation supports those efforts.

In housing, the bill rejects a $2 billion cut proposed by the administration to eliminate housing programs for the poorest citizens in this country and, instead, aims to make sure that all Americans have adequate shelter. The proposed cuts that this bill would reject include deep cuts to HUD, Community Development Block Grants and programs that provide housing for the elderly and disabled. Funding is included so that anyone with a voucher will not lose it. The President's proposed cuts come at a time when fully three-quarters of households that are

actually eligible for HUD assistance are not receiving that assistance.

And more than 1 million low-income households across New England, including elderly, disabled and families, live in federally assisted housing. Most of these households have annual incomes of less than $8,000, and they're obviously at serious risk of homelessness. Even larger numbers of households are struggling to survive in a private housing market and are paying more than 50 percent of their income for rent.

□ 1715

The Community Development Block Grant is a valuable resource for cities and States struggling to ensure opportunities for residents to live in safe and affordable communities. It's a tool that helps our local officials do, locally, something that builds up their communities. This program has funded projects that improve the quality of life across the country, including infrastructure improvement and economic development.

In 2007, again using Vermont as an example, we received $8.4 million in CDBG funds. This bill provides $4 billion for CDBG grants across the country. That's $228 million above the 2007 appropriation.

The need to recommit to housing and transportation priorities is necessary in every State in the country. It's a priority we must address head on in this body. This bill takes a big step in the right direction.

I also commend the committee for including very strong language requiring HUD to incorporate strong green building and rehabilitation standards into its housing program, particularly focusing on improved energy efficiency, good for the environment, a pretty quick payoff and good for keeping costs down. While green building is relatively new, it's clearly vital to our Nation's homes and buildings, and to our country, that those homes and buildings become more environmentally friendly.

Finally, this bill also reinforces the link between housing and transportation. It establishes a new interagency working group to coordinate transportation and housing policies on the Federal, State and local level.

I again applaud Chairman OLVER and Ranking Member KNOLLENBERG for their hard and cooperative work in crafting this excellent bill, and thank them and their staffs for their attention to the needs of the people of Vermont and all States in this country.

I will be urging all of my colleagues to support the rule and the underlying bill.

Madam Speaker, I reserve the balance of my time.

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

I rise today in opposition to the rule and the underlying legislation, which spends $3.2 billion more than last year's Republican-crafted legislation. It also spends $2.8 billion, almost 6 percent, more than requested by President Bush for this year's transportation and housing funding.

Madam Speaker, I insert for the RECORD the President's Statement of Administration Policy pledging a veto of this legislation due to its fiscal irresponsibility.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3074—Transportation. Housing; and Urban Development. and Related Agencies Appropriations Bill, 2008

The Administration strongly opposes H.R. 3074 because, in combination with the other FY 2008 appropriations bills, it includes an irresponsible and excessive level of spending and includes other objectionable provisions.

The President has proposed a responsible plan for a balanced budget by 2012 through spending restraint and without raising taxes. To achieve this important goal, the Administration supports a responsible discretionary spending total of not more than $933 billion in FY 2008, which is a $60 billion increase over the FY 2007 enacted level. The Democratic Budget Resolution and subsequent spending allocations adopted by the House Appropriations Committee exceed the President's discretionary spending topline by $22 billion, causing a 9 percent increase in FY 2008 discretionary spending. In addition, the Administration opposes the House Appropriations Committee's plan to shift $3.5 billion from the Defense appropriations bill to non-defense spending, which is inconsistent with the Democrats' Budget Resolution and risks diminishing America's war fighting capacity.

H.R. 3074 exceeds the President's request for programs funded in this bill by $3.4 billion, part of the $22 billion increase above the President's request for FY 2008 appropriations. The Administration has asked that Congress demonstrate a path to live within the President's top line and cover the excess spending in this bill through reductions elsewhere, while ensuring the Department of Defense has the resources necessary to accomplish its mission. Because Congress has failed to demonstrate such a path, if H.R. 3074 were presented to the President, he would veto the bill.

The President has called on Congress to reform the earmarking process that has led to wasteful and unnecessary spending. Specifically, he called on Congress to provide greater transparency and full disclosure of earmarks, to put them in the language of the bill itself, and to cut the cost and number by at least half. The Administration opposes any efforts to shield earmarks from public scrutiny and urges Congress to bring full transparency to the earmarking process and to cut the cost and number of earmarks by at least half.

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill.

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Highway Administration. The Administration strongly objects to increasing funds for the Federal Aid Highway program based on adjustments determined through a revenue aligned budget authority (RABA) mechanism. At authorized levels, the Highway Account is spending beyond its means and will be insolvent by 2009. Providing additional funding through RABA adjustments only exacerbates the situation, making the highway account oversubscribed by an additional $500 million before the end of the SAFETEA–LU authorization in FY 2009. Further steps will ultimately be needed, but withholding RABA is an important first step to avoid the threat of gas tax increases or a raid on the general fund.

Amtrak. The Administration strongly objects to providing $1.4 billion for Amtrak, which will perpetuate a flawed model for intercity passenger rail. While the bill provides some funding for Intercity Passenger Rail Capital Grants, which will help encourage sustainable, demand-driven service, the bill fails to include reform provisions proposed by the Administration to improve accountability and encourage competition.

Federal Aviation Administration (FAA). The Administration is disappointed that the Committee did not adopt the President's proposal to align FAA's budget accounts with its lines of business and to delineate the specific uses of the General Fund contribution. These proposals would provide greater transparency, improve management of resources, and complement the reforms proposed by the Administration in the NextGen Financing Reform Act of 2007.

Aviation Insurance Revolving Fund. The Administration opposes the one-year extension for the war risk insurance program for domestic air carriers, which crowds out private sector mechanisms for diversifying risk. The Administration has proposed reforms in the NextGen Financing Reform Act that ensure that air carriers more equitably share in the risks associated with this program.

US.-Mexico Cross-Border Trucking Pilot. The Committee report highlights a number of issues related to the U.S. Mexico Cross-Border Trucking Pilot. The Administration assures the Committee that the pilot will be conducted in compliance with the conditions and reporting requirements set forth in P.L. 110–28. However, the Administration would strongly oppose any amendment that is intended to delay or restrict the pilot program.

Reduction Proposals. The Budget proposed reductions in some programs, such as DOT's Essential Air Service program, FAA's Airport Improvement Program, and the Federal Transit Administration's Capital Investment Grants. These reductions are programmatically justified and would reduce Federal spending. In addition, the House should consider reductions to unrequested items, such as the Rail Line Relocation and Improvement Program.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

The bill exceeds the request for HUD programs by more than $3.5 billion. The President's Budget provides increases for high-performing and high-priority programs, ensures effective implementation of HUD programs, and reduces funds for lower performing programs.

Community Development Block Grant (CDBG). The Administration objects to the $1 billion increase for the CDBG program through a formula that is long outdated and, in many cases, provides more money to wealthier communities than poorer ones. The Administration urges Congress to pass the CDBG legislative reform proposal that was transmitted on June 5, 2007, which improves targeting to the neediest communities and provides incentives to expand economic growth more strategically. In addition, the Administration recommends eliminating the $180 million in funding for congressional earmarks.

HOME/American Dream Downpayment Initiative. The Administration objects to the more than $200 million reduction to the request for the HOME Investment Partnerships Program. In spite of the growing need for affordable housing, the House bill would cut this high-performing program with an effective track record of housing production for

low-income families and flexibility for communities to tailor housing assistance to their unique needs. Moreover, the Administration objects to the lack of funding for the American Dream Downpayment Initiative, which provides crucial assistance to increase first-time homeownership.

Tenant-Based Rental Assistance. The House bill reflects support for the Administration's proposal to reform the Housing Choice Voucher program. This includes tying Public Housing Authority (PHA) administrative expense payments to the number of assisted families, maintaining rental assistance to the 2007 allocations based on the prior-year's actual expenditures, and providing incentive funds for smaller PHAs to consolidate. The House bill should also eliminate the cap on the number of families PHAs can assist to unlock PHA funds to permit greater housing assistance. The Administration's request would aid significant numbers of additional families and renew approximately 1.9 million vouchers currently in use, without the Committee's addition of $330 million in unrequested funds.

Reducing Chronic Homelessness. The bill supports the Administration's goal of reducing and ending chronic homelessness; however, the House should also fund the Prisoner Re-Entry program.

Federal Housing Administration (FHA). The bill supports the Administration's proposal to increase multifamily loan limits in high-cost areas and lift the statutory cap on the number of Home Equity Conversion Mortgages that HUD can insure through the end of FY 2008. However, the Administration would prefer to permanently lift the cap to allow HUD to continue assisting the market in providing this financial vehicle. The Administration also is concerned that the Committee report purports to direct HUD to reverse its implementation of certain recently enacted asset disposition reforms for FHA multifamily programs, which would increase the deficit by $38 million in FY 2008.

Other Housing Programs. The Administration's request provides a program base funding level for public housing that can be sustained in future years and, hence, the Administration does not support the substantial increases for these programs in the reported bill. The Administration also objects to the funding provided for the HOPE VI program. HOPE VI has accomplished its original goal. The Administration also opposes the unreasonably high amount of new section 202 and 811 housing unit construction in the bill, which simultaneously reduces resources dedicated to tenant services, threatens future preservation, and exacerbates a large and growing fiscal responsibility.

Working Capital Fund. The Administration strongly objects to the $95 million reduction. HUD has made significant improvements in strategically and responsibly investing its IT system resources, with demonstrated success The requested funds are needed to continue to improve HUD financial management and provide proper program delivery and compliance. In addition, the requirement for Committee approval of E-Government funding transfers should be removed. These systems support HUD's core mission and operations.

Lower Performing Programs. The Administration opposes the funding provided for lower performing programs such as section 108 loan guarantees, Brownfields, and Rural Housing. These programs are duplicative, lack long-term outcome measures, and have been unable to produce transparent information on results.

Exemption from Credit Reform. The Administration opposes section 218, which would prohibit using funds provided in this or any other act to implement the requirements of the Federal Credit Reform Act of 1990 beyond those already being implemented by the Government National Mortgage Association. Congress enacted credit reform in 1990 to more accurately budget for the full cost of credit programs and to bring greater transparency to credit programs in the budget process. This provision of the bill begins to unravel this important reform by setting a precedent that could undermine ongoing efforts to accurately estimate and report the costs of credit programs in the Federal budget and Federal financial statements.

EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM

The Administration supports the use of the Employment Eligibility Verification System, previously known as the Basic Pilot Program, but urges the Congress to provide for a transition period to permit agencies to effectively implement acquisition policies and procedures.

CONSTITUTIONAL CONCERNS

Sections 405 and 406 purport to require approval of the Committees prior to Executive Branch action. Since these provisions would contradict the Supreme Court's ruling in INS v. Chadha, they should be changed to require only notification of Congress.

This year House Republicans proposed an alternative budget that would have achieved balance by 2012 and ended the raid on Social Security without raising taxes, simply by raising a strong economy, reforming currently unsustainable entitlement programs and exercising accountability in government spending.

Unfortunately, this proposal was rejected by the majority of Democrats who have, instead, chosen to pass a budget containing the second largest tax increase in history and one that spends more than $22 billion more than President Bush had proposed for our Nation's priorities.

While today's legislation does find a number of worthy projects across the country, it also spends $1.4 billion, or $600 million above President Bush's request, for a program that has proven to be one of the Federal Government's worst fiscal black holes, Amtrak.

For the last few years, I have worked to address the rampant cost overruns and fiscal mismanagement in Amtrak by offering amendments and legislation to cut funding for the 10 worst money-losing lines and to competitively source some of Amtrak services so that the private-sector efficiencies could be used to help fix this broken system.

This week I am going to take a much narrower approach to fixing the fiscal disaster at Amtrak by offering a very simple amendment to cut funding for the most fiscally wasteful train line in the country, the Sunset Limited, which runs from New Orleans, Louisiana, to Los Angeles, California.

If a passenger were to ride the Sunset Limited from New Orleans to Los Angeles, it would take 46 hours and 20 minutes to complete the journey, assuming, of course, the train runs on time, which is highly unlikely, as this happens only 10 percent of the time. According to Amtrak's most recent performance report, the Sunset Limited ranks as the third most delayed route in 2007.

Perhaps because of this poor performance, this route lost a staggering $117 million between 2003 and 2006, losing an average of $29.27 million a year for the last 4 years. Taxpayers across the country are being asked to subsidize the fares of each passenger on this train by a whopping 57 cents per mile for each passenger.

In 2006, the Federal Government spent $524 per passenger getting these passengers from New Orleans to Los Angeles, meaning it would have been far cheaper, and, I'd add, faster, if we would just buy each passenger a plane trip ticket for their travel. The Federal Government could come out way ahead.

If my amendment were approved last year, Congress would have saved taxpayers $20.4 million. I believe it is not too much to ask for Congress to show a small bit of common sense and fiscal restraint by prohibiting funds to continue to be spent on the absolute worst line in Amtrak's system.

Madam Speaker, I look forward to debating this amendment and many others that have been proposed on the Republican side of the aisle to pare down the excessive spending contained in this bill and to bring some fiscal sanity back to the appropriations process that will ultimately increase discretionary spending by $82 billion, or a whopping 9 percent increase in spending if all the new spending proposed by the Democrat majority is signed into law.

This Congress must do better, especially for a large group of people who have been jumping up and down talking about how spending money and balanced budgets are important. But, once again, I know what happens here on this floor of the House of Representatives. Democrats want to tax, and they want to spend. What they want to do is they want to grow the Federal budget, and what I want to do is keep it from encroaching on family budgets and taxpayers from my home State of Texas and those all across the United States.

I oppose this rule and the underlying legislation as it's currently drafted.

Madam Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, to respond to a couple of comments that my friend from Texas said, this bill complies with PAYGO. It absolutely meets the commitment that this Congress made to pay the bills that go along with the legislation we propose. It is a commitment to fiscal responsibility.

The past Congresses, as is well known and is just factually beyond dispute, abandoned PAYGO, and it has resulted in the largest deficit of this country. That's number one.

Number two, there really is a bipartisan desire to keep taxes as low as possible and spending as low as possible, but this bill also reflects a bipartisan commitment to build our infrastructure, to provide our citizens with the transportation that they need and

the housing that we need. It was passed on a very strong voice vote, bipartisan work by this committee.

Madam Speaker, I yield 4½ minutes to the distinguished Chair of the subcommittee, Mr. OLVER from Massachusetts.

Mr. OLVER. Madam Speaker, I thank the gentleman from Vermont for yielding time and for his good work along with Chairwoman SLAUGHTER, Ranking Member DREIER and Members on both sides of the aisle in granting this open rule for the debate governing the fiscal year 2008 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

We requested an open rule with some necessary waivers. The Rules Committee has granted that, and for that we are grateful. The Transportation, Housing and Urban Development bill is a bipartisan, nonpartisan bill, as it should be. I urge the adoption of the rule and passage of the bill.

Let me briefly summarize the highlights of the bill. With regard to Transportation, the bill meets the highway and transit funding guarantees mandated by the authorizations, SAFETEA–LU. In meeting the guarantees, we were required to increase above the President's request the highway obligation limit by $631 million and funding for transit programs by $334 million.

Airport development grants are funded at $3.6 billion, which represents an increase of $850 million over the budget request, but only $85.5 million over the last year. The Essential Air Service program is funded at $110 million, which will preserve all existing air service at small and rural communities.

The President's request for Amtrak was woefully inadequate and would have resulted in the loss of intercity passenger rail service to many communities. Therefore, this bill includes $1.4 billion for Amtrak in order to preserve a national system and to assist the railroad in making capital investments to improve the railroad's overall service and reliability.

For the first time, the bill includes $50 million for State matching grants for intercity passenger rail and $35 million for the Rail Line Relocation and Improvement Program.

With regard to HUD, each year the President's HUD budget arrives at severe cuts to vital programs, such as the Community Development Block Grant Program, known as CDBG, housing for the elderly and disabled, and Hope VI. In the face of this, the committee has done its best to restore the cuts to the programs that serve our most vulnerable citizens. In some cases we have frozen funding at last year's funding levels. In other places we have targeted increases where the people served by HUD programs were particularly harmed.

Funding is included to renew all current section 8 tenant-based vouchers so that no one who has a voucher will lose it. To that end the bill provides an increase of $330 million from the President's request for tenant-based rental assistance and nearly $667 million increase for project-based rental assistance. Included within this amount is $30 million for 4,000 incremental housing vouchers designated for nonelderly disabled individuals, but which will simultaneously serve 1,000 homeless veterans.

We have funded CDBG at $4.18 billion, which is $400 million over last year, but still $400 million below the CDBG budget for fiscal year 2001. We have restored funding to last year's level of $735 million for section 202 elderly housing construction and to $237 million for section 811 housing construction for the disabled. We have also provided $120 million for the redevelopment of severely distressed public housing through the Hope VI program, a slight increase over the last year.

Once again I would like to thank our colleagues on the Rules Committee for their assistance in moving this bill forward, and I urge the adoption of the rule.

Mr. SESSIONS. Madam Speaker, I yield 3 minutes to the ranking member of the Appropriations Committee, the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. I thank the gentleman for yielding me this time.

Madam Speaker, as we consider the rule for H.R. 3074, that's the bill, of course, that makes the appropriations for the Department of Transportation, Housing and Urban Development, crafting the underlying bill before us has not been easy. While there are both certain funding and policy issues in the bill that I have concerns with, this bill represents a reasonable approach at funding our highways, transit systems, airports and housing programs.

The chairman from Massachusetts and I have worked together to resolve our differences as best possible. While we don't agree on everything, this bill is something, I believe, I can support.

Under this bill, highway programs will receive $40.2 billion. This meets the level guaranteed in the highway authorization bill called SAFETEA–LU, as required under House Rules.

Now, this is the next and most important line I am going to present this evening. For those that don't fully grasp the significance of this, if the bill does not meet the authorization levels, the bill can be struck on a point of order.

□ 1730

Further amendments that ultimately underfund the authorization levels will sink the bill.

One specific area I would like to highlight is the $75 million for FTA's Clean Fuels Grant program, a $26 million increase above fiscal year 2007. Promoting clean fuel bus technology such as hybrid buses can be an important aspect to reducing our carbon footprint, and I thank the chairman for working with me to include this additional funding.

I also want to point out that all specific projects included in the report were requested and certified by Members. This open rule will provide Members with the opportunity to offer amendments that would strike some projects. I would just say that both the majority and the minority reviewed all requests closely and required certifications from requesting Members.

These projects are important for local communities. I am sure, if there is a mayor city council member, or county administrator who doesn't want these funds to improve their communities, I haven't met them; and I thank again the chairman for making that inclusion.

I would conclude by saying that I look forward to the debate on the underlying bill.

Mr. WELCH of Vermont. Madam Speaker, I yield 4½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy. I am pleased to stand in support of the rule and the underlying bill.

I deeply appreciate the work that the subcommittee has done, producing a critical piece of legislation for times of escalating energy costs, congestion, pollution. The work that the committee has done, in particular putting the big picture together looking at the intersection between transportation, land use, and energy, is to be commended.

I am particularly pleased of the work that the committee has done in zeroing in on three particular areas. One that is of a particular interest to me has been the Small Starts program, which permits things like street cars to be reintroduced into American communities. It was something that I was able to work on and insert in the last reauthorization. Sadly, it has been 3 years since that bill was enacted, and the Federal Transit Administration has been unable to get the rules together to be able what should have been a simpler small scale program to be able to operate.

I deeply appreciate the work that the committee has done to be able to make clear that the FTA needs to get its act together; that, rather than using a single means of cost effectiveness and disregarding all the other factors required under the underlying legislation, that the FTA must weigh economic development and land use effects of the project. This is critical. It is something that 82 communities across the country are now looking at for the reintroduction of street car and Small Start. This committee language is an important step in that direction, to help the administration obey the law, something they have been unable to do for 3 years.

I am also pleased that there is clarification of the utilization of the CMAQ, the Congestion Mitigation Air Quality.

The administration has unfairly limited the application of this funding simply to new bus services, leaving out rail transit all together. There are projects in my district and others around the country that would be unfairly impacted by the narrow implementation of this rule. It would be the wrong thing to do in a time of rising oil costs, transportation congestion, and the economic and environmental concerns. I appreciate that the committee directs the Federal Highway Administration to reinstitute the CMAQ eligibility regarding operating assistance for New Starts projects for up to 3 years. This is back to the original intent, it is a great step forward, and I appreciate them doing it.

Last but not least, ''location efficiency,'' particularly as relates to HOPE VI programs, is very, very important to where a project is located and how it is constructed. The committee has taken some pioneering work to be able to look at the application, to be able to deal with the implementation in a location-efficient way that will stretch transportation dollars. It will make a huge difference for low-income families who spend more on gasoline in many cases than they do on food, on education, or any other major discretion. In fact, many low-income people actually spend more on transportation than on housing.

I must conclude by noting that there are still some who hold on to the pathological notion that the United States should be the only country in the world with unsubsidized rail passenger service. I would note that the airline industry has made a net profit of zero in its 75-year history despite massive Federal subsidies. I think this legislation is a step forward by simply giving a little bit of what is necessary for a national rail passenger network. It is cost effective, it is energy efficient. It brings us in line with where the rest of the civilized world is. And I commend the committee for it.

Mr. SESSIONS. Madam Speaker, at this time I yield 6½ minutes to the ranking member of the Transportation and Infrastructure Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. I thank the gentleman for yielding me time. And I appreciate the work that the Rules Committee has done on this. I also appreciate the work of the Transportation, HUD, and related agencies appropriations subcommittee, and Mr. OLVER, the gentleman from Massachusetts, and also the distinguished gentleman from Michigan, Mr. KNOLLENBERG.

And I am not here to criticize their work product. I am here, though, to set a marker, partly a historical marker; and I will speak in opposition to this rule and also the way the rule was crafted.

Madam Speaker, while the Committee on Rules calls this resolution an open rule, it is unfortunately extremely restrictive in nature. While the rule will allow for most amendments, unfortunately it weighs most points of order against consideration of the bill.

Under clause 2 of rule XXI, the rules of the House allow for a point of order to be raised against any provision that is considered authorizing on an appropriations bill; however, this resolution that we are considering now waives that point of order.

Now, again, I come here because, as the ranking member, the Republican leader on the House Transportation Committee, I said we need to set a marker. I was checking with the Parliamentarian, and as far back as we can look, the Founding Fathers and those that preceded us in these Chambers separated the authorizing process, authorizing projects and policy, from the appropriations policy. And here, tonight, we abandon the prerogative of the authorizing committee to cite a point of order that should be raised against a number of provisions in this legislation that in fact authorize on an appropriations matter. What good is the transportation and infrastructure authorizing committee? It is the largest committee in the House of Representatives, and the action we take here tonight makes really chopped liver out of that process. I think that is unfair, and it also sets a bad precedent.

There are several provisions of the bill that we will consider tonight that are authorizing, as I said, in nature and that would be subject to a point of order if this is truly an open rule tonight. The most egregious of these provisions is the proposed rescission of $3 billion of unobligated highway contract authority. A rescission of this size will have a very severe impact on the ability of our State departments of transportation to implement their highway programs throughout the Nation. To compound the effect of this rescission, the provision also restricts how a State can apply the rescission. During consideration of H.R. 3074 this evening, I will offer an amendment that will address this issue.

My amendment is simple. It will seek to provide the State departments of transportation maximum flexibility in how the rescissions should be administered. It is nice for us to make these rescissions, but we should give the States some prerogative in how they apply those rescissions to their own States and their priority of projects.

If the rule was truly an open rule and did not waive points of order, then I would not have to offer this amendment. I could have simply raised a point of order, which I have done in the past. Mr. YOUNG, who was the chairman, would have taken the same measure. He would have been out here if he was in the majority and Chair, Mr. SHUSTER before him, and the language would have been stricken from the bill. However, this rule waives that point of order, and for this reason I will vote against the rule this evening, and I encourage all of my colleagues to do the same.

I would insert in the RECORD at this point a letter from Chairman OBERSTAR of the T&I Committee dated July 18, 2007, to Mr. OBEY, and it states a whole series of concerns that he raised about, again, authorizing on a legislative appropriations.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Washington, DC, July 18, 2007.

Hon. DAVID R. OBEY,
Chairman, Committee on Appropriations
Washington, DC.

DEAR CHAIRMAN OBEY: I would like to share my views on several issues related to H.R. ____, the Transportation, Housing and Urban Development (''THUD'') Appropriations Act for fiscal year (FY) 2008, as ordered reported by the Committee on Appropriations last week. Although these issues include provisions that violate Rule XXI of the Rules of the House of Representatives, I have not asked that the Committee on Rules allow me to raise a point of order against these provisions. I would like to work with you to resolve these issues.

HIGHWAYS

I regret that the bill rescinds $3 billion in unobligated balances of funds that have been apportioned to States under the Federal-aid highway program. However, I understand the funding constraints that led to this decision, and I appreciate that the bill requires the rescission to be applied proportionally to all Federal-aid highway programs, consistent with the approach taken in H.R. 2701, the Transportation Energy Security and Climate Change Mitigation Act of 2007, as ordered reported by the Committee on Transportation and Infrastructure.

Throughout the bill, there are a number of other rescissions of highway, motor carrier safety, highway safety, and transit funds that raise concerns for the Committee on Transportation and Infrastructure. In particular, section 124 rescinds $172,242,964 of unobligated balances of contract authority for research programs conducted by the Federal Highway Administration (FHWA). Earlier this year, the House passed H.R. 1195, which provides additional resources to ensure that the FHWA research program receives the funding necessary to continue essential programs. Under SAFETEA–LU, the contract authority for research programs is available for a period of three fiscal years. A portion of this unobligated balance of contract authority is needed to conduct research programs in FY 2008. H.R. ____, the THUD Appropriations Act, rescinds some of these necessary research funds.

AVIATION

The Committee on Transportation and Infrastructure recently ordered H.R 2881, the FAA Reauthorization Act of 2007, to be reported. Section 404(b) of H.R. 2881 amends section 41742(b) of title 49, United States Code, to require overflight fee collections in excess of $50 million to be distributed as follows: one-half to the Small Community Air Service Development (''SCASD'') program, and one-half to the Essential Air Service (''EAS'') program, or if not needed for EAS, then for rural air safety improvements. In addition, section 121 of H.R. 2881 requires the Federal Aviation Administration to increase the overflight fee rates beginning on October 1, 2008. This provision will result in a significant increase in overflight fee collections in the future.

These provisions of H.R. 2881 could be undermined by the proviso on page 15, lines 1 through 5, of the Committee Print of the FY 2008 THUD appropriations bill. This proviso waives section 41742(b) of title 49, United

States Code, and instead requires overflight fee collections in excess of $50 million to be carried over to FY 2009 and used to help satisfy the $50 million funding requirement for EAS in FY 2009. With this language, and steadily increasing overflight fee collections, a balance of unexpended overflight fees would quickly build up over time, a situation I would strongly oppose. As the aviation reauthorization and FY 2008 appropriations processes continue to move forward, care must be taken to ensure that contradictions such as this do not remain in the final legislation.

Similarly, Title VII of H.R 2881 extends the aviation war risk insurance program through 2017, followed by a transition to an airline industry-sponsored risk sharing arrangement after 2017. These provisions could be undermined by section 115 of the FY 2008 THUD appropriations bill, which extends the program for a much shorter period of time. This is another case in which the aviation reauthorization and FY 2008 appropriations bills must be carefully coordinated.

Aside from these issues related to the FAA reauthorization bill, there are several other aviation-related provisions in the FY 2008 THUD appropriations bill that are of concern to me. The paragraph beginning on page 5, line 23, of the Committee Print appropriates $60 million for the EAS program. These funds are in addition to the EAS funding from overflight fees. While I support funding for this program, this is an unauthorized appropriation from the Airport and Airway Trust Fund. The EAS program does not exist for the benefit of aviation system users. Rather, it exists to help small communities maintain their link to the national aviation system and, therefore the economic life of this nation. As such, there is no compelling policy reason to fund the EAS program from the Airport and Airway Trust Fund, rather than the General Fund. Furthermore, the uncommitted cash balance in the Airport and Airway Trust Fund has dropped significantly over the past several years. The remaining balance in the Trust Fund must be preserved for expenditure on programs that are authorized to be funded from the Trust Fund. Therefore, I request that you consider deriving this appropriation from the General Fund, rather than the Trust Fund.

Regarding the Airport Improvement Program (''AIP''), I have three areas of concern. First, the proviso on page 13, lines 2 through 10, of the Committee Print earmarks AIP funds for several activities that, under H.R. 2881, are not authorized to be funded from AIP and would be a violation of the aviation capital funding guarantee. I am particularly concerned about the earmarking of AIP funds for research programs, and the expansion of this practice to include a new program—Airport Technology Research.

Second the bill rescinds $185.5 million of AIP contract authority that remains unobligated due to the failure of the Revised Continuing Appropriations Resolution, 2007 (P.L. 110–5) to fully fund the AIP program. I will not object to this rescission because I do not want to further constrain the funding that is available for transportation programs in FY 2008. However, this AIP contract authority is within the guaranteed levels and should not be rescinded.

Third, the report accompanying the FY 2008 THUD appropriations bill includes a listing of 72 airport projects which the FAA is directed to fund. The law governing the AIP requires the FAA to establish a priority system to decide which projects will receive funding. The FAA's National Priority System, which has been in use for many years, gives highest priority to projects that will bring airports into compliance with safety standards. Second priority is given to projects that are necessary to meet security requirements. Third priority is given to reconstruction or rehabilitation projects that are needed to preserve existing airport infrastructure. Fourth priority is given to projects needed to achieve compliance with current FAA standards. Fifth priority is given to capacity enhancement projects. Aviation projects are not like projects in other modes of transportation. For example, an improvement to a highway project in one city does not necessarily benefit highway users in any other city, but in the national system of integrated airports, an improvement in one airport, particularly a major hub airport, could benefit aviation travelers throughout the system. For this reason, the FAA should have, and does have, discretion to fund improvements to increase capacity, to improve safety, to meet standards, and reduce bottlenecks. To limit the FAA'S discretion in this regard would only worsen the congestion and delays we are already experiencing today.

I want to make it clear that the language in a report cannot override a priority system established under the governing law. I would like to quote from the decision of the Comptroller General on a similar situation. The Comptroller General wrote: ''It is our view that when Congress merely appropriates lump sum amounts without statutorily restricting what can be done with those funds, a clear inference arises that it does not intend to impose legally binding restrictions, and indicia in committee reports and other legislative history as to how the funds should be or are expected to be spent do not establish any legal requirements on Federal agencies.''

Throughout my career, I have steadfastly resisted designating airport improvement projects in authorizing legislation and will continue to resist such designations. I urge you to resist including such earmarks, as well.

RAILROADS

The proviso beginning on page 39, line 22, of the Committee Print requires leases and contracts entered into by Amtrak to be governed by the laws of the District of Columbia. I recognize that this is intended to address a specific situation in Maryland, and I agree that there is a compelling reason to address that situation. In fact, a similar provision that is specific to Maryland was included in the rail security bill, and is expected to be included in the 9/11 Conference Report. However, this proviso is much broader and would preempt all state and local laws (except the District of Columbia's laws) dealing with contracts and leases with respect to Amtrak. To avoid any unintended consequences that may result from such a broad approach, this issue should be considered under regular order, and addressed in the Amtrak reauthorization bill currently being developed by the Committee on Transportation and Infrastructure.

Finally, I would like to comment on the proviso beginning on page 40, line 8, of the Committee Print which prohibits Amtrak from using Federal funds for supporting any route on which Amtrak offers a discounted fare of more than 50 percent off the normal, peak fare. Oftentimes passenger travel providers will seek to maximize revenue on certain routes or travel times by offering travel discounts. For example, the airline industry has developed sophisticated pricing practices that maximize revenues by ensuring that seats that would otherwise fly empty (contributing nothing to revenues), are filled at whatever price point the market will support. Restricting Amtrak from employing similar pricing practices seems unfair, and contrary to the notion that Amtrak should operate in a more business-like fashion.

Thank you for your consideration of these views. Although there are numerous other legislative provisions that are included in the THUD Appropriations Committee Print, my principal concerns are with the provisions discussed above. I look forward to working with you to resolve the critical issues outlined in this letter.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

May I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 45 seconds remaining.

Mr. MICA. I think in 45 seconds let me cite for the record, then, verbally here the provisions authorizing in nature and rescissions in this bill:

In addition to the $3 billion in Federal Highway Contract Authority, a rescission of $172 million in Highway Research Funding; a rescission of $50 million in the Federal Motor Carrier Safety Administration; a rescission of $20 million from the Highway National Traffic Safety Administration; a rescission of $30 million from the Federal Transit Administration; a rescission of more than $200 million from the Federal Aviation Administration; and, finally, there is authorizing for Amtrak that was poorly crafted in this bill that deals with the problem with MARC in Maryland.

In this poorly crafted authorizing on an appropriations legislative measure, they poorly drafted a provision that deals with the problem with MARC in Maryland, their transit system; and the bill requires that all leases and contracts entered into by Amtrak be governed by the laws of the District of Columbia, drafted in error, but authorizing that step in this important bill. So these are the points that I would raise and need to be addressed.

Mr. WELCH of Vermont. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. I thank the gentleman from Vermont, my friend from the Rules Committee, for yielding.

Madam Speaker, I rise today in strong support of the rule and the underlying legislation for the fiscal year 2008 Transportation, Housing and Urban Development Appropriations Act.

I want to thank the distinguished chairman of the Appropriations Committee and the ranking member for reporting out the bill. It does not pay lip service, but makes critical investments in our Nation's transportation and infrastructure at the levels guaranteed under SAFETEA-LU.

Madam Speaker, this bill rejects the administration's proposed funding cuts to the FAA Airport Improvement Program, highway programs, and Critical Housing in Community Development programs. The bill provides $140 million more than current funding for the Federal Aviation Administration, and $850 million more than the President's

request for the FAA Airport Improvement Program, which provides grant and aid for airport planning, construction, and development.

Recipients of the AIP funds, such as Griffis Park Airfield in my Upstate New York district, have benefited greatly from the program. Over the last few years, AIP funds have helped Griffis continue to fully develop as a regional aviation facility, become the new home to Oneida County Airport, and create long-term regional economic growth for a region often strained to attract new investment.

□ 1745

The bill also maintains our commitment to keeping our airways safe by providing $7 billion, 219 million more than the current funding, to hire more than 1,400 new air traffic controllers to replenish the workforce as the rate of retiring air traffic controllers continue to grow.

This bill also provides $20 million more than the President's request to hire and train more safety inspectors and other aviation safety activities.

The bill boosts funding for the Federal Transit Administration by providing $288 million more than the President's request for mass transit programs. Local transit authorities such as Central New York Regional Transit Authority and CENTRO in my district will now be able to expand their hybrid bus fleet and continue to provide low-cost, convenient, clean, energy-efficient transportation services to commuters in both upstate and New York City.

The President's budget request seeks to eliminate funding for the Hope VI program, but I am so pleased that this legislation will maintain our commitment to providing affordable housing for the many disadvantaged individuals across the country, individuals that still struggle daily to meet their families' needs, even while working full-time jobs.

H.R. 3074 restores funding for the Community Development Block Grant Program, which this administration has cut since 2001 by nearly 35 percent. This bill provides $1.1 billion more than the President's request for CDBG grants, which allows local governments in cities such Utica, Rome and Auburn, New York, to provide critical services to revitalize neighborhoods, promote economic development and improve quality of life for those starved of financial resources.

Mr. SESSIONS. Madam Speaker, at this time I'd like to yield 3 minutes to the gentlewoman from the Land of Enchantment, New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. For those of you sitting in your offices tonight, and for those staff members who are watching this debate, I'd like you to listen real carefully to what I have to say because I think it's important, probably more important than many of the things that we do around here.

We are going to have a vote tonight on the previous question on this rule. And if the previous question is defeated, I will immediately bring to the floor an amendment that will update important elements of the foreign intelligence surveillance law.

On May 1, in an unclassified session in front of the Senate Intelligence Committee, Admiral Mike McConnell, who's the Director of National Intelligence, urged the Congress to modernize this law. And he said this: ''We are actually missing a significant portion of what we should be getting.''

And today the Attorney General of the United States wrote to the Congress and said that merely adding resources will not solve the critical problem that we face.

We are providing protections to foreign targets overseas. The law in this country should not require a warrant to use our communications systems to protect this country, and the irony is that is exactly what we're doing. Terrorists who are trying to kill Americans are using our communications networks, and we are forcing our intelligence agency to jump through hoops and get warrants to listen to foreigners in foreign countries communicating with each other.

We must update this law to protect Americans. Intelligence is our first line of defense in the war on terrorism. The administration has told us it is critical. The Members, Democrat and Republican, in the intelligence committees know that I'm telling the truth, and the leadership, both Democrat and Republican, know the same thing.

I would urge my colleagues to defeat the previous question, to immediately change these laws, and to protect Americans from terrorist attack.

Mr. WELCH of Vermont. Madam Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Vermont has 9½ minutes remaining, and the gentleman from Texas has 12½ minutes remaining.

Mr. WELCH of Vermont. Madam Speaker, I'm the last speaker on this side. I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, at this time I'd like to yield 3 minutes to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Madam Speaker, for the last 2 years, I've worked to kill funding for the bridges to nowhere, one connecting Alaska to an island with 50 people and the other to an island with just 22. These federally funded structures would be almost as long as the Golden Gate Bridge, and would be taller than the Brooklyn Bridge. Never in the history of the Congress has so much money been spent for so few.

Now, last year the House Appropriations Committee backed my amendment and put this House on record against funding the bridges to nowhere. We also completely deleted the Federal earmark that required spending on these projects, and that was the right decision.

The Federal Government spends too much, and higher spending leads to higher taxes, higher taxes to a smaller economy and fewer jobs, and we should not follow that road. But that is the direction that the Bridge to Nowhere leads.

This year was different. A new party and a new leader promised change here in Washington. Amazingly, under the Republicans, this House came out against funding the Bridge to Nowhere. But under the Democrats, the Appropriations Committee now voted to block an amendment cutting off funding for the bridges.

Under this Congress, leaders promised to kill pensions for Members of Congress convicted of a felony, but after 7 months, no such reform has been enacted.

And now, under this Congress, many Members promised back home to kill the bridges to nowhere, but under this bill, they will be funded, and funded for years to come because these bridges will take at least $400 million to build the structures. And one of the bridges is already $37 million over budget, a number that will likely rise.

Madam Speaker, my amendment to kill the funding for the bridges to nowhere is technically out of order because, according to our Parliamentarian, he says it violates clause 3 of rule XXI because it would trigger Alaska losing funding guaranteed by the previously enacted transportation bill.

The Appropriations Committee, my committee, is at its best when it decides to appropriate taxpayer money and also when it decides not to appropriate taxpayer money.

Amazingly, it is not in order to offer an amendment to this appropriations bill to deny appropriations. Our rules do not make sense, of course, unless you support the Bridge to Nowhere or like government spending.

We will be at this again next year, and we'll look closely at the cost overruns already with the bridges to nowhere and their burden on American taxpayers. But today, a simple amendment to block funding for the bridges to nowhere, an amendment that would be overwhelmingly approved if offered, cannot be offered because a point of order would be leveled against it.

Americans should know that, despite promises to reform this House under new leaders, the new leaders of this House has flipped the House of Representatives from being anti-Bridge to Nowhere to now being for the waste of taxpayers' money.

Mr. SESSIONS. Madam Speaker, at this time I'd like to yield 4 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Madam Speaker, I rise in opposition to the rule for the Department of Transportation, HUD and related agencies appropriations.

The ranking member of the Transportation Committee, Mr. MICA, has made compelling and passionate remarks regarding the objections shared by many members of the committee on both sides of the aisle. Numerous provisions in the underlying bill constitute

legislating on an appropriations bill and fall within the jurisdiction of the Transportation and Infrastructure Committee.

As the ranking member of the Railroad Subcommittee, pipelines and hazardous materials, I would like to voice my opposition waiving points of order under clause 2, rule XXI, which is the rule against authorizing on appropriations bills.

In House Resolution 558, I'm especially concerned about the language that places all Amtrak contracts and leases that make them subject to the Washington, D.C., law. This language should be removed from the bill because it is authorizing on an appropriations bill.

This provision was apparently intended to help resolve a pending Amtrak negotiation with the State of Maryland. That negotiation involved a dispute of a disputed clause in the MARC commuter railroad operating agreement. Amtrak wants all disputes handled under D.C. law, but Maryland State requires that it's handled under their jurisdiction, which is appropriate.

Instead of a narrowly tailored provision, this provision is unlimited in scope and states that all leases and contracts entered into by Amtrak shall be governed by D.C. law. This could be construed to include all D.C. laws, including building codes, environmental permits and security deposits, et cetera, et cetera.

In addition, Amtrak trackage agreements with computer railroads such as the New Jersey Transit, Long Island Railroad, Virginia Railway Express and freight carriers would ultimately be placed under D.C. law. This could lead to many unintended consequences such as changing the law on all rail leases, contracts and perhaps rail labor contracts.

Again, I voice my opposition for House Resolution 558 and the waiver of the point of order based on clause 2 of rule XXI.

Since the Democratic majority has taken over the House, we've seen a chipping away of the authority and the jurisdiction of the Transportation and Infrastructure Committee. So I would urge the chairmen of the committee to join together in a bipartisan fashion to oppose this rule which continues to erode the jurisdiction of the Transportation Committee and thus, I believe, sets a precedent for all committees in the House, all authorizing committees, to continue to see their authorities and their jurisdictions to erode and given away to the Appropriations Committee.

So again, I rise in opposition to this rule and urge my colleagues on both sides of the aisle to stand for the continuing erosion of our authorities and our jurisdictions to these committees that were given historically to these committees.

Mr. SESSIONS. Madam Speaker, under the agreement that we just had with the gentleman from Vermont (Mr. WELCH), I'm going to go ahead and close, and then we are now through with our speakers and allow the gentleman to do the same thing.

Madam Speaker, I will be asking for a recorded vote on the previous question for this rule. Our country is facing a very serious problem that must be addressed before the House adjourns in August, and, to date, the majority Democrats have not shown a commitment to deal seriously nor quickly enough with one of the most serious threats facing America.

If the previous question is defeated, I will offer an amendment to the Foreign Intelligence Surveillance Act that clarifies one very simple and critical thing; that the United States Government will no longer be required to get a warrant to listen to foreign terrorists who are not even located in the United States.

The Director of National Intelligence, Michael McConnell and the Director of the Central Intelligence Agency, Michael Hayden, have testified to Congress that, under current law, their hands are tied. As Director McConnell recently testified, FISA is outdated and has been made obsolete by technology. Today our Intelligence Community is forced to obtain warrants to listen to terrorists outside of our Nation, and, as a result, ''We are actually missing a significant portion of what we should be getting.'' I'll say it in my own way: The things that we would expect our government to know and be prepared for.

We simply cannot allow ourselves to be deaf and blind to terrorist communications that threaten our very existence because of a law that is woefully outdated. All of us have heard public reports from the Department of Homeland Security that terrorist chatter is at record levels that we have not seen since 2001. We have to open our ears, we have to open our eyes to keep this Nation safe. It can be done tonight with our part of this, Madam Speaker.

If my colleagues on both sides of the aisle are serious about facing down the threat, they will join me in defeating the previous question so that the House will be able to address this very real and very serious threat immediately.

I ask unanimous consent to include my amendment and extraneous material in the CONGRESSIONAL RECORD immediately prior to the vote on the previous question.

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

There was no objection.

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

Mr. WELCH of Vermont. Madam Speaker, I have a newfound respect for the Chair of this committee and the ranking member, Mr. OLVER and Mr. KNOLLENBERG. They have an incredibly difficult job, and that is to take the responsibility that this House of Representatives has, Democrats and Republicans, to put together a transportation infrastructure program and a housing program, and to do that when they have 435 Members of Congress tugging on their arms every day asking them to include projects in their districts because the Members from those districts sincerely believe that those are essential to the economic development and the transportation needs and the housing needs of the people who live there.

□ 1800

And they managed to do it. They came in, treated every Member of this body with enormous courtesy and patience, listened to what our requests were, and then put together a bill that was bipartisan. It was quite extraordinary. And it was a pleasure to be a member of the Rules Committee and to see these two gentlemen come up and be mutually complimentary after a hard process of allocating $50 billion of taxpayer money for infrastructure and housing improvement in this country. They are to be commended for that.

We then come down to the floor and we get into the back and forth about specific projects and try to pick and cherry pick examples of what is bad when it was the recommendation of the chairman of the committee that this be an open rule; so anybody who has got a problem with any particular project is going to have an opportunity to offer amendment to strike that project and make whatever arguments they want.

This issue of how we restore the transportation infrastructure of our country is vital. The fact is we spend too little, not too much, and it is the funding issue that is a challenge in every Congress. But our infrastructure compared to many of the countries with which we compete economically is woefully behind what the economy of our country needs and the citizens of our country deserve.

I applaud the work of this subcommittee, bipartisan work. And why it is that we have to beat up on the work of the committee by claiming it is partisan, Democrat and Republican, really escapes me. There is nothing partisan about meeting the infrastructure needs of our country. There may be fierce debates about the best way to do it, which projects should get funding, how much you allocate towards the air system versus rail; but the fact is we have got an obligation to improve a crumbling infrastructure in this country, and the bill that has been presented to this Congress on a bipartisan basis, under the leadership of Mr. OLVER and Mr. KNOLLENBERG, takes us a solid step forward.

I urge a ''yes'' vote on the previous question and on the rule so that the House can consider H.R. 3074.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 558

OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution insert the following:

SEC. 3. Notwithstanding any other provision of this resolution, it shall be in order to consider the amendment printed in section 4 of this resolution if offered by Representative Hoekstra of Michigan or his designee. All points of order against consideration of the amendment printed in section 4 are waived.

SEC. 4. The amendment referred to in section 3 is as follows:

At the end of the bill (before the short title), insert the following: Subsection (f) of section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801) is amended to read as follows—

'(f) 'Electronic surveillance' means—

'(1) the installation or use of an electronic, mechanical, or other surveillance device for acquiring information by intentionally directing surveillance at a particular known person who is reasonably believed to be in the United States under circumstances in which that person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes; or

'(2) the intentional acquisition of the contents of any which a person has a reasonable expectation of privacy and a warrant would be required for law enforcement purposes, if both the sender and all intended recipients are reasonably believed to be located within the United States.'.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WELCH of Vermont. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. SESSIONS. Madam 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, further proceedings on this question will be postponed.

VACATING ORDERING OF YEAS AND NAYS ON H. RES. 535, COMMENDING DAVID RAY RITCHESON AND RECOGNIZING HIS EFFORTS IN PROMOTING FEDERAL LEGISLATION TO COMBAT HATE CRIMES

Mr. WELCH of Vermont. Madam Speaker, I ask unanimous consent that the ordering of the yeas and nays be vacated with respect to the motion to suspend the rules and agree to H. Res. 535 to the end that the Chair put the question de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and agree to the resolution, H. Res. 535.

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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3093, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–255) on the resolution (H. Res. 562) providing for consideration of the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RECESS

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

Accordingly (at 6 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1849

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. JACKSON-LEE of Texas) at 6 o'clock and 49 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 404, by the yeas and nays;

H. Res. 553, by the yeas and nays;

H. Res. 519, by the yeas and nays.

The vote on H. Res. 345 will be taken tomorrow.

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

FEDERAL CUSTOMER SERVICE ENHANCEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 404, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 404, as amended.

The vote was taken by electronic device, and there were—yeas 383, nays 0, not voting 48, as follows:

[Roll No. 687]

YEAS—383

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Cleaver
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—48

Bachus
Berman
Bishop (UT)
Brady (TX)
Brown, Corrine
Burgess
Campbell (CA)
Carter
Clarke
Clay
Clyburn
Cubin
Davis (KY)
Davis, David
Davis, Jo Ann
Delahunt
Engel
Everett
Fortenberry
Goode
Green, Gene
Gutierrez
Herger
Higgins
Hinchey
Honda
Hunter
Johnson (IL)
Jordan
King (IA)
Kucinich
Langevin
Marchant
Marshall
McKeon
Musgrave
Pryce (OH)
Radanovich
Roybal-Allard
Shadegg
Shea-Porter
Smith (WA)
Sullivan
Tancredo
Terry
Upton
Watson
Weiner

□ 1915

Mr. ADERHOLT changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOURNING THE PASSING OF FORMER FIRST LADY, LADY BIRD JOHNSON

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 553, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 553.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 50, as follows:

[Roll No. 688]

YEAS—381

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Cleaver
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Green, Al
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg

Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—50

Bachus
Berman
Bishop (UT)
Brady (TX)
Brown, Corrine
Burgess
Campbell (CA)
Cardoza
Carter
Clarke
Clay
Clyburn
Cubin
Davis (KY)
Davis, David
Davis, Jo Ann
Delahunt
Engel
Everett
Fortenberry
Goode
Gordon
Green, Gene
Gutierrez
Herger
Higgins
Hinchey
Honda
Hunter
Johnson (IL)
Jordan
King (IA)
Kucinich
Lamborn
Marchant
Marshall
McKeon
Melancon
Pryce (OH)
Radanovich
Rogers (MI)
Roybal-Allard
Shadegg
Shea-Porter
Smith (WA)
Tancredo
Terry
Upton
Watson
Weiner

□ 1922

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE LIFE AND ACCOMPLISHMENTS OF RENOWNED ARTIST TOM LEA ON THE 100TH ANNIVERSARY OF HIS BIRTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 519, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 519.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 384, nays 0, not voting 47, as follows:

[Roll No. 689]

YEAS—384

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Cleaver
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—47

Bachus
Bean
Berman
Bishop (UT)
Brady (TX)
Brown, Corrine
Burgess
Campbell (CA)
Cantor
Carter
Clarke
Clay
Clyburn
Cubin
Davis (KY)
Davis, David
Davis, Jo Ann
Delahunt
Engel
Fortenberry
Goode
Green, Gene
Gutierrez
Herger
Higgins
Hinchey
Honda
Hunter
Johnson (IL)
Jordan
King (IA)
Kucinich
Mahoney (FL)
Marchant
Marshall
McKeon
Pryce (OH)
Radanovich
Shadegg
Shea-Porter
Smith (WA)
Sullivan
Tancredo
Terry
Upton
Watson
Weiner

□ 1929

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BEAN. Madam Speaker, on rollcall No. 689, had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind Members that the proper standard of dress in the Chamber is business attire, which includes both coat and tie for gentlemen.

PROVIDING FOR CONSIDERATION OF H.R. 3074, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on House Resolution 558, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This 15-minute vote on the previous question will be followed by a 5-minute

vote, if ordered, on the adoption of the rule.

The vote was taken by electronic device, and there were—yeas 210, nays 179, not voting 42, as follows:

[Roll No. 690]

YEAS—210

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Cleaver
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—179

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Keller
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—42

Bachus
Berman
Bishop (UT)
Brady (TX)
Brown, Corrine
Burgess
Campbell (CA)
Carter
Clarke
Clay
Clyburn
Cubin
Davis (KY)
Davis, David
Davis, Jo Ann
Delahunt
Engel
Fortenberry
Goode
Green, Gene
Gutierrez
Herger
Higgins
Hinchey
Honda
Hunter
Johnson (IL)
Jordan
King (IA)
Kucinich
Marchant
Marshall
McNerney
Pryce (OH)
Radanovich
Shadegg
Shea-Porter
Smith (WA)
Tancredo
Upton
Watson
Weiner

□ 1947

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. CARTER. Madam Speaker, on July 23, 2007, I was unable to be present for all rollcall votes because I was returning from Iraq where I was able to meet with soldiers from Fort Hood.

If present, I would have voted accordingly on the following rollcall votes:

Roll No. 687 on H.R. 404, the Federal Customer Service Enhancement Act—"yea."

Roll No. 688 on H. Res. 553, Mourning the passing of former First Lady, Lady Bird Johnson, and celebrating her life and contributions to the people of the United States—"yea."

Roll No. 689 on H. Res. 535, Commending David Ray Ritcheson, a survivor of one of the most horrific hate crimes in the history of Texas, and recognizing his efforts in promoting Federal legislation to combat hate crimes—"nay."

Roll No. 690 on Previous Question on H. Res. 558, Providing for consideration of the bill making appropriations for the Departments of Transportation, and Housing and Urban Development—"nay."

PERSONAL EXPLANATION

Mr. KING of Iowa. Madam Speaker, unfortunately I was detained due to official Congressional business. Had I been present, I would have voted "yea" on the following rollcall votes: "yea" on H.R. 404—Federal Customer Service Enhancement Act; "yea" on H. Res. 553—Mourning the passing of former First Lady, Lady Bird Johnson, and celebrating her life and contributions to the people of the United States; "yea" on H. Res. 519—Honoring the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth.

Additionally, had I been present, I would have voted "nay" on the following rollcall votes: "nay" on the Previous Question—H. Res. 558 for H.R. 3074; "nay" on H. Res. 558, the Rule for H.R. 3074—Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Act, 2008.

PERSONAL EXPLANATION

Mr. FORTENBERRY. Madam Speaker, on Monday, July 23, 2007, I was unavoidable detained due to transportation delays and thus I missed rollcall votes Nos. 687, 688, 689, and 690. Had I been present, I would have voted "yea" on Nos. 687, 688, and 689, and "nay" on No. 690.

(By unanimous consent, Mr. BLUNT was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. BLUNT. Madam Speaker, I would like to ask my friend, the majority leader, for any information about the schedule for the rest of the day today.

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

We will have another vote, and then it will be our intention to go to debate on the Transportation-HUD bill. We will go to debate after the votes until 10 o'clock. We will then end the debate on the bill at that time, have no further proceedings on the bill after 10 p.m. tonight, and go back to it tomorrow morning after 1-minutes.

Mr. BLUNT. I appreciate that. On our side, I would tell the gentleman, we would not intend to call for a vote on the rule vote, which I think is the remaining business for the day, other than a voice vote.

Mr. HOYER. If the gentleman would yield.

Mr. BLUNT. I yield.

Mr. HOYER. If that's the case, then we would expect no additional votes tonight for the Members.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2750

Mr. VISCLOSKY. Madam Speaker, I ask unanimous consent that my name

be removed as a cosponsor of H.R. 2750, the NASA and JPL 50th Anniversary Commemorative Coin Act.

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

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORT ON H.R. 2419, FARM, NUTRITION, AND BIOENERGY ACT OF 2007

Mr. PETERSON. Madam Speaker, I ask unanimous consent that the Committee on Agriculture be permitted to have until midnight tonight, July 23, 2007, to file a report on H.R. 2419, the Farm, Nutrition, and Bioenergy Act of 2007.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2720

Mr. ROTHMAN. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2720.

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

There was no objection.

PERSONAL EXPLANATION

Mr. LANGEVIN. Madam Speaker, I was unavoidably detained on the vote on passage of H.R. 404. Had I been present on rollcall vote No. 687, I would have voted ''aye.''

GENERAL LEAVE

Mr. OLVER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3074, and that I may include tabular material on the same.

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

There was no objection.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 3074

Mr. OLVER. Madam Speaker, I ask unanimous consent that, during consideration of H.R. 3074 pursuant to House Resolution 558, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

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

There was no objection.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 558 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3074.

□ 1955

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Ms. BALDWIN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Massachusetts (Mr. OLVER) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. OLVER. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I'm pleased to present to the House the fiscal year 2008 Transportation and Housing and Urban Development appropriations bill.

I thank Members for their input and work on this bill. I especially recognize the important contributions of my ranking member Mr. KNOLLENBERG in putting this bill together. As former chairman of this subcommittee, he had numerous valuable insights that make the bill and report stronger, and I have appreciated his advice and counsel during this process.

I also thank the chairman of the Appropriations Committee Mr. OBEY and the ranking member of the full committee Mr. LEWIS for their support.

I must also recognize the hard work of the staff on both the majority and minority side. Kate Hallahan, Cheryle Tucker, David Napoliello, Laura Hogshead, Alex Gillen, Mark Fedor and Bob Letteney with the majority staff, and Dena Baron, David Gibbons and Jeff Goff with the minority have spent many late nights putting this bill together, and we would not be here today without their great dedication.

This is a bipartisan and fiscally responsible bill. Indeed, this bill should not be partisan because a broad consensus affirming the great needs for transportation infrastructure investments and for affordable housing exists countrywide.

The bill provides $50.7 billion in discretionary funding for transportation and housing programs, and is within the subcommittee's 302(b) allocation.

Nonetheless, due to current budgetary constraints, the subcommittee was forced to either flat-fund or reduce numerous programs. Furthermore, there are no major expansions of existing programs and only a handful of new initiatives.

Our first hearings this year sought a broad assessment of the future challenges this country faces in transportation and housing. Not surprisingly, our hearings showed that there's a great and growing need for transportation infrastructure and affordable housing, particularly in metro areas experiencing explosive growth, such as Atlanta, Dallas, Phoenix and Las Vegas; but also in older metropolitan areas such as Boston, New York, Cleveland and Pittsburgh, whose infrastructure is aging and in need of extensive repair; and even in rural communities and counties suffering from a loss of population and disinvestment in both housing and transportation.

To meet these challenges we have restored the President's deepest cuts and have continued important investments in transportation and housing started by my predecessors. In short, we've tried to make our core programs whole and function better, rather than start a lot of new initiatives.

With regard to transportation, our bill fully funds the highway and transit guarantees contained in the current transportation authorization bill known as SAFETEA-LU.

The bill contains $40.2 billion for highways, which is $631 million over the President's request; and $9.7 billion for transit investments, $334 million over the President's request.

Adequate investments in our highways and transit systems are critical to the economic and social future of our country. Vehicle miles traveled on our Nation's roads have doubled since 1980.

While we have fully funded the highway guarantees this year, I must warn my colleagues about the future solvency of the Highway Trust Fund. The Office of Management and Budget recently estimated that by the end of the fiscal year 2009, the Highway Trust Fund will have a $4 billion deficit. This deficit is far greater than any other previous projection and will inhibit our ability to fully fund the highway guarantees in the future without additional transportation revenues which must be provided through the authorization process.

Our bill also continues to make critical investments in aviation. In 1995, our aviation system handled 545 million passengers, but that system must handle 1 billion passengers by 2015. We must provide adequate infrastructure to deal with that growth.

Our bill includes $3.6 billion for the Airport Improvement Program, restoring the President's $765 million cut, and adding $85 million above fiscal year 2007. The bill restores funding for the Essential Air Service Program so that no existing service will be lost.

□ 2000

We have also invested over the President's request for transportation safety. Specifically, an increase of $20 million for critical aviation safety inspectors and engineers; a $2 million increase for additional investigators for the National Transportation Safety Board; a $3 million increase to preserve highway safety staff at the National Highway Traffic Safety Administration; and a $6.2 million increase for staffing and research programs related to pipeline and hazardous materials safety.

Investments in intercity passenger rail, especially in high-density travel corridors, must also be part of a valid transportation system. The bill provides $1.4 billion for Amtrak, plus $50 million for a new intercity passenger rail State matching grant program requested by the administration; thus, the bill leverages a total of $1.5 billion for intercity passenger rail. This funding will help create a faster, safer, and more reliable intercity passenger rail system.

With regard to housing, four major categories of HUD programs provide assistance for very low-income families, the elderly, the disabled, and their communities. First, HUD provides our 3,200 public housing authorities funding for the operation and capital needs of the Nation's public housing stock. Public housing is home to 2.6 million people, more than half of whom are seniors and persons with disabilities.

Second, HUD administers rental assistance programs, largely under the section 8 tenant- and project-based programs. Section 8 tenant-based rental assistance serves about 1.9 million low-income families, seniors, and people with disabilities, while the project-based section 8 assists more than 1.4 million households, two-thirds of which include elderly or disabled persons. Both the tenant- and project-based programs serve very low-income individuals and families, overwhelmingly those whose incomes are below 50 percent of the median household income for their area.

Third, HUD administers housing production programs, including the HOME program; the HOPE VI program, which revitalizes or replaces severely distressed public housing; and construction programs for the elderly and disabled.

Finally, HUD administers a number of community and economic development programs, the largest being Homeless Assistance Grants and Community Development Block Grants.

My colleagues are all very familiar with CDBG, the Community Development Block Grant program. But many of our constituents may be unaware of the importance of CDBG in their communities. CDBG funds are used by communities to rehabilitate and construct affordable housing; to construct public facilities improvements, such as streetscaping and community centers; and to promote local economic development and job creation. About 70 percent of CDBG dollars go directly to communities with populations of about 50,000 or more. The remaining funds go by formula to the States and are distributed to smaller towns and rural communities. Taken together, HUD programs address the large unmet need for affordable housing throughout the country.

The Joint Center for Housing Studies at Howard University has documented that, from 1993 to 2003 alone, we lost 1.2 million affordable housing units. In fact, approximately three-fourths of American households which, by household income, are eligible for HUD assistance receive none.

In the face of this, we have done our best to restore the President's cuts to housing. Some accounts we have only been able to freeze at last year's funding level. In other accounts we have targeted increases where the people served by the HUD program were particularly harmed. Funding is included to renew all current section 8 tenant-based vouchers so that no one who has a voucher will lose it. To that end the bill provides an increase of $330 million above the President's request for tenant-based rental assistance and nearly double that increase for project-based assistance.

Within the section 8 funding provided in the bill, we have $30 million for 4,000 incremental housing vouchers for non-elderly disabled individuals, some of whom will be homeless veterans.

The President's fiscal 2008 budget request cut CDBG by over $700 million from the 2007 enacted level, cut housing for the elderly by $160 million, cut housing for disabled by 50 percent below fiscal year 2007, and for HOPE VI zeroed the program out for 2008 and rescinded 2007 funding.

Our bill rejects all of these cuts for our Nation's most vulnerable citizens. We have funded CDBG at $4.18 billion, which is $400 million over the enacted 2007 budget but still $400 million below the CDBG budget for fiscal year 2001, 6 years ago. We have restored funding to last year's level of $735 million for elderly housing, the 202 program, and $237 million for housing for the disabled, the 811 program, as well as provided $120 million for HOPE VI, a small increase from last year.

With our funding decisions, we have also promoted sustainability by encouraging more environmentally friendly transportation and housing practices. We have restored the President's cuts to transit and to our intercity passenger rail system, which are more fuel efficient than other transportation modes. Thanks to Mr. KNOLLENBERG's leadership, we have increased funding for the clean fuel bus program by $26 million.

In the area of housing, we have included language in urging HUD to incorporate stronger energy efficiency standards into the HOPE VI program as well as other HUD programs.

Madam Chairman, this bill is a compromise, and we have had to balance a number of competing needs. There are areas where I would have liked to provide more dollars. However, we have done our best with limited dollars to invest in our transportation networks and affordable housing. I hope my colleagues will join me in supporting the bill.

Madam Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Madam Chairman, I yield myself such time as I may consume.

The bill before us, H.R. 3074, the fiscal year 2008 Transportation, Housing, and Related Agencies funding bill is, as the chairman noted, a balanced bill and a bill that I can support.

I am not going to repeat the funding proposals described by the gentleman from Massachusetts, but I will say that the vast majority of the legislation and the principles behind the funding levels are very similar to prior year House-passed bills for housing and transportation.

Crafting this bill is not for the faint of heart. There is no easy formula when you consider the authorizations and expectations of both the housing and the transportation communities. Neither group is shy about vocalizing what it wants, and both communities have needs and issues that need attention. Some of these needs are intertwined, however, and we do have different approaches for the solution. The chairman proposes that these issues need to be handled at a Federal level and has even included funds for a commission between DOT and HUD to coordinate housing and transportation policies.

I am of the school that the Federal Government needs to be aware of these issues and provide guidance on these issues, but we need to recognize that housing and transportation decisions are local decisions made by cities and metropolitan planning organizations, or MPOs. I don't think any of our districts would appreciate the Federal Government's telling our cities where a bus should run or where housing should be located. The majority of these funds in this bill, from highways and transit to Section 8 and the Community Development Block Grant program, even flows to the States and localities without a lot of specific input from the Federal Government on how these funds are spent.

I want to thank the chairman for his wise and steadfast decision to keep new authorizing matters off this bill. There are a number of ideas in both housing and transportation being considered in the various committees of jurisdiction in both houses of Congress, and I agree that we need those committees to do their work and present to the Congress what might be the best proposal. I will work with the chairman and oppose any authorizing amendments to this bill.

In transportation, I thank the chairman for keeping the Amtrak pro-reform language in the bill. I am optimistic that with continued oversight

from the committee, the IG and the GAO, we can find a sensible operating scheme for Amtrak.

In highways, I know SAFETEA–LU and the budget resolution support the inclusion of the highway RABA funds. I don't know of any State that could not use more highway funding; however, as we have discussed in numerous hearings, the highway trust fund is speeding towards bankruptcy, and the mid-season review shows that receipts are down even further than originally anticipated. For the first time ever, the number of vehicle miles traveled declined. Eventually the rubber will hit the road, and this committee does not have jurisdiction over the income and expenditures of the highway trust fund, nor does this committee have the general funds to make up for any shortfall in the trust fund.

I do have some concerns about the size of the highway trust fund rescission. I will not deny that in the past we have used the rescission to ensure that programs in this bill are funded at an acceptable level; however, we did not propose a rescission of this magnitude so early in the game. I am hopeful that as we move through the conference, this number will go down.

In housing, I support the chairman's decision to bring the programs up at least to last year's level where the budget request proposed to make cuts, especially in CDBG, assisted housing, and housing for the elderly and disabled.

I am most appreciative of the chairman's decision to keep the Section 8 program a budget-based program in fiscal year 2008. I firmly believe that we need to see some continuity in the programs after the change is mandated in the fiscal year 2007 CR before we can evaluate what direction the program should go in the future.

In Section 8, the bill proposes adding 4,000 new vouchers, as I think the chairman referenced, of which 1,000 are directed by law to homeless veterans. The remainder of the new vouchers are for nonelderly disabled people, the so-called ''Frelinghuysen vouchers,'' as we used to call them thanks to Mr. FRELINGHUYSEN's work on behalf of this community. We are supportive of the increase, but we cautiously remind the Congress that the cost increase each year to maintain the vouchers is substantial. The program baseline increases by $30 million each year into the future. This is not an increase to sneeze at.

Again, I want to thank the chairman of the subcommittee, my friend Mr. OLVER, and his staff for their willingness to work with us to address my concerns and the concerns of many on my side of the aisle. He and his staff have been very fair and accommodating, holding true to a process that has been in place for years as he has crafted this bill. While we may agree to disagree on some specific policies, we agree on this introduced bill. I appreciate very much his decision to leave authorizing issues with the authorizers, and the directives and funding levels in this proposal are ones that I can support.

I also thank the staff on both sides of the aisle for their continued hard work during this past year. I know this has been a tough year on them, but I think their hard work is demonstrated in this decent and, I think, very thoughtful bill.

Madam Chairman, I reserve the balance of my time.

Mr. OLVER. Madam Chairman, I yield 3 minutes to the distinguished vice chairman of the Appropriations Committee's HUD Subcommittee, Mr. PASTOR.

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

Mr. PASTOR. Madam Chairman, I thank the chairman for yielding time. And since this is his first bill as chairman, I congratulate him on doing an excellent job, and I also thank the ranking member.

Madam Chairman, this bill addresses two of the most basic and very important aspects of every American citizen's life: transportation and housing.

Unfortunately, the President's budget proposed severe funding reductions for transportation which could not be realistically sustained without negative impacts on the Nation's economy.

□ 2015

The budget's proposal in housing would have cuts that harm those most in need, including the disabled and the elderly.

I am proud to say that, based on extensive hearings, this bill rejects those short-sighted proposals in a fair and measured manner and balances national priorities with fiscal realities.

One of the most difficult issues discussed this year involved the long-term health of the Highway Trust Fund. Because the resolution of the Highway Trust Fund requires the cooperation of the administration and the authorizers, the problem could not be solved solely by appropriators. But this bill grants all parties a reasonable starting point for the resolution of this problem.

With regard to aviation, the committee found itself challenged with the Federal Aviation Administration's authorization about to expire at the same time with the severe air traffic congestion which requires an entirely new approach in technology. The committee has responded to this situation in a very deliberate manner geared to ensure an open path to future solutions as we look forward to the passage of the FAA reauthorization bill in the coming months.

On the issue of housing assistance, the committee has rejected the President's proposal to substantially reduce much-needed housing options for the economically disadvantaged, disabled and senior citizens. While we, regretfully, do not have the resources to fully address all the needs of these people, today's bill aims to leverage funding in a way that stretches Federal dollars to the maximum extent possible.

This is a fiscally sound bill. It employs none of the financial gimmicks to distort Federal investment. I am proud of this legislation, and I urge my colleagues to support its passage.

Mr. OLVER. Madam Chairman, I yield 3½ minutes to the gentlewoman from Ohio (Ms. KAPTUR), a valuable member of our subcommittee.

Ms. KAPTUR. I thank our fine chairman from Massachusetts for recognizing this Buckeye. And I thank Chairman OLVER for doing a phenomenal job on this bill. And also Ranking Member KNOLLENBERG of Michigan, my sister State, thank you so very much for your fine work.

To both these gentlemen, let me thank them for their outstanding leadership and for their commitment to investments in America. We see so much money going abroad, indeed billions, hundreds of billions of dollars, and these gentlemen have done something for our country, for our fundamental infrastructure, for transportation, and for housing, the most important investment any American has, their most important form of savings.

In the transportation area, I want to just focus in one area important to Ohio, and that is Amtrak. This bill is funded at a level of $1.4 billion. And the funding in this bill is providing critical capital and operating assistance to maintain our national passenger rail system in a manner that is environmentally friendly and necessary. No major industrial country in the world does not have a modern rail system. We need a ways to go in order to make ours better. This bill takes a step in that direction. Though President Bush and some of his allies in Congress were trying to kill passenger rail service in the country, they cannot succeed, because Amtrak is far too important for the Nation.

In 2006, more than 24 million passengers traveled on Amtrak. More than 67,000 passengers ride on up to 300 Amtrak trains per day. And just in our section of Ohio, 57,000 riders make their way through Toledo, Ohio, as a part of that. I wish we could do more for our high-speed rail corridors and for alternative fuels for the large trains. That is for the future, but at least we make investments in the fundamental system.

Secondly, in the area of housing, I'm really proud of what the committee has done, particularly to meet our Nation's most essential housing community development programs. Mayors around this country will appreciate the increase of nearly $1 billion above the President's request for the Community Development Block Grant program, the most important program for over 1,180 communities to get some of their tax dollars back to do what they must to run their own communities, their own cities.

In addition to that, housing for the elderly is maintained at $735 million, $160 million above the President's request. For every single available unit of affordable housing, there are 10 seniors on the waiting list. So we don't meet the need, but we take a step in the right direction.

Housing for the disabled is funded $236.6 million above the President's request. For U.S. housing markets which are in distress, in some areas literally dead in the water, HOPE VI is funded. The program is not killed to demolish deteriorating public housing, develop mixed-income housing and otherwise help revitalize our distressed neighborhoods. And importantly, the bill provides for proper administration and maintenance of our public housing stock.

I urge all my colleagues to support this very well-balanced bill for investment in the United States of America. Isn't it time?

And again, thank you, Chairman OLVER, for your fantastic work that touches every single corner of our Nation.

Mr. OLVER. Madam Chairman, at this time I yield 2 minutes to the gentleman from Florida (Mr. BOYD), also a member of this subcommittee.

(Mr. BOYD of Florida asked and was given permission to revise and extend his remarks.)

Mr. BOYD of Florida. I thank my friend Chairman OLVER.

Madam Chairman, I rise in support of the FY08 Transportation and Housing and Urban Development Appropriations Act.

This is a bill, Madam Chairman, that the American people can be proud of. This bill's spending levels fall within the fiscally responsible budget resolution passed earlier this year by providing $50.7 billion for the Transportation Department and Housing and Urban Development.

Our tax dollars are well used by investing in our road and airway infrastructures. I'm very supportive of the $1.5 billion this bill provides for Amtrak, and I'm hopeful this money can provide for the reinstatement of the Sunset Limited line that crossed into north Florida and traveled throughout the State.

This bill also invests $4.2 billion in economic development which folks all across our Nation find essential for their communities' well-being. The improvements made with these funds serve all of the American people, whether it be the overnight delivery of important documents to our workplaces, or the timely travel to and from schools, or the arrival of fresh produce at our grocery stores across the country.

Efficient state-of-the-art transportation infrastructure ensures that our economy continues to be the strongest economy in the world, and that our citizens continue to have the highest quality of life throughout the world. The Federal Government is fulfilling the role envisioned by the Founding Fathers by providing these community benefits with our tax dollars.

I want to thank Chairman OLVER, Ranking Member KNOLLENBERG and their staff for their hard work in producing this legislation.

I urge an ''aye'' vote.

Mr. OLVER. Madam Chairman, at this time I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the chairman's courtesy in yielding time.

I see what the subcommittee has done here is not an effort to somehow dictate to local governments what they have to do, but instead, structuring how to get more out of scarce Federal investments.

As has been noted on the floor by people on both sides of the aisle, we are approaching a transportation infrastructure funding crisis in this country. There is not enough money remaining in the trust fund to deal with the existing level of programming, let alone what is going to be required as we move it in the next three authorizations. And countries around the world are spending trillions of dollars in China, in the European Union, in Japan, while we're falling behind.

I appreciate the big-picture approach that the subcommittee has taken in terms of dealing with location efficiencies, with balanced transportation, with initiatives to green the infrastructure. I am hopeful that the instruction that the subcommittee has given to some of the Federal transportation agencies on how to have maximum impact by weighing factors of economic development and trip reduction to stretch more of those scarce dollars.

I applaud funding the $1.4 billion for Amtrak, which hints at efficiencies that we can have in the long run. Because adequate funding of our rail passenger infrastructure is the cheapest, fastest way to increase airport capacity and reduce congestion, it's the cheapest, fastest way to get additional highway capacity while saving energy and reducing greenhouse gases.

This is an unprecedented effort on behalf of the subcommittee to look at the big picture under its jurisdiction in the appropriations process. I think it's going to have a dramatic impact in the years to come. I appreciate what they're doing, and I look forward to working with them in the future.

Mr. OLVER. Madam Chairman, may I inquire as to how much time is remaining?

The CHAIRMAN. The gentleman from Massachusetts controls 8½ minutes. The gentleman from Michigan controls 24½ minutes.

Mr. OLVER. Madam Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Madam Chairman, I want to commend Chairman OLVER, Ranking Member KNOLLENBERG and Chairman OBEY for their hard work in crafting this bill.

One thing I want to specifically focus on here is the provision of $35 million for the Rail Line Relocation and Improvement Program. This was authorized under the SAFETEA–LU transportation bill, but has not been funded up until now.

Under this program grants would be provided to a wide range of rail projects throughout the Nation that would fill various critical needs, including safety improvements, congestion mitigation, quiet zone creation, and the facilitation of local economic development.

For far too long our Nation's rail infrastructure has gone without adequate investment, and the needs continue to mount. By funding this program, we are taking an important step toward modernizing our Nation's antiquated rail system and helping communities who are dependent on rail lines. Any community with a rail line in it knows the good and the not so good with having that line there. This bill will help them to do more with the good that these rail lines can provide for communities.

I would also like to thank Ms. MATSUI, my colleague from California, for her work in moving this provision forward.

I urge my colleagues to support this bill.

Mr. OBERSTAR. Madam Chairman, I rise in support of H.R. 3074, the Department of Transportation, and Housing and Urban Development, and Related Agencies, THUD, Appropriations Act of 2008. First and foremost, I am pleased that the bill fully funds the Federal highway, transit, and highway safety programs at the levels guaranteed by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, SAFETEA–LU.

At the same time, I regret that the bill rescinds $3 billion in highway funds that have been apportioned to the States, but are not available for obligation. However, I understand the significant funding constraints faced by the Committee on Appropriations in crafting the fiscal year 2008 THUD appropriations bill. If the Committee did not rescind this excess contract authority, it would have had to make real cuts in Amtrak funding, Federal Aviation Administration operations, and other critical programs. Given the Committee on Appropriations' limited choices, I have refrained from objecting to this rescission.

I appreciate Chairman OBEY's and Subcommittee Chairman OLIVER's willingness to work with me on this issue. The Committee on Appropriations did agree to my request that this rescission be applied proportionally to all Federal-aid highway programs. I have been very concerned with the way States have been implementing previous rescissions, and language included in H.R. 3074 would ensure that the rescission contained in this legislation will not undermine the priorities established in SAFETEA–LU.

I am particularly concerned with the treatment of the Congestion Mitigation and Air Quality Improvement, CMAQ, program under previous rescissions. The CMAQ program provides funding for projects and programs that reduce transportation-related emissions in

areas that do not meet Clean Air Act air quality standards (i.e., nonattainment and maintenance areas). While representing about 4–5 percent of highway apportionments each year, CMAQ funds have accounted for about 20 percent of total highway funds rescinded in recent years. In FY 2006 alone, States rescinded $881 million in CMAQ funds, an amount that is equal to 55 percent of the total amount apportioned to the States for the CMAQ program that year.

Comparing the treatment of CMAQ to other highway programs further illustrates the disproportionate effects of these rescissions. In FY 2006, looking at rescissions as a percentage of the amounts apportioned for each program, the rescission of 55 percent of CMAQ funds compares to a rescission of only 12 percent of Interstate Maintenance funds and seven percent of National Highway System funds.

The Transportation Enhancements program has also received disproportionate contract authority cuts under the rescissions. The Transportation Enhancements program provides funds for bike paths, pedestrian walkways, historic preservation, and other activities that expand transportation choices and enhance the transportation experience.

In FY 2006, States rescinded $602 million in Transportation Enhancements funds, 15 percent of all rescissions in that year. Texas alone rescinded $223 million of Transportation Enhancements funding and the Texas Department of Transportation stated that it would not fund any transportation enhancement projects in that fiscal year. Texas' actions are directly contrary to our Federal efforts to develop a balanced, multimodal surface transportation system.

The language of H.R. 3074 is consistent with the approach taken in H.R. 2701, the Transportation Energy Security and Climate Change Mitigation Act of 2007, as ordered reported by the Committee on Transportation and Infrastructure, and will ensure that the priorities set by Congress in SAFETEA–LU are implemented as intended. I greatly appreciate the Committee on Appropriations' willingness to address my concerns on this issue.

Throughout the bill, there are a number of other rescissions of highway, motor carrier safety, highway safety, and transit funds that raise concerns for the Committee on Transportation and Infrastructure. In particular, section 124 rescinds $172 million of unobligated balances of contract authority for research programs conducted by the Federal Highway Administration. Earlier this year, the House passed H.R. 1195, the SAFETEA–LU Technical Corrections Act, which provides additional resources to ensure that the highway research program receives the funding necessary to continue essential programs. Unfortunately, section 124 of the bill before us today rescinds some of these necessary research funds.

The final concern I would like to address today is the earmarking of Airport Improvement Program funds. The report accompanying H.R. 3084 includes a listing of 72 airport projects which the Federal Aviation Administration, FAA, is directed to fund. The law governing the Airport Improvement Program requires the FAA to establish a priority system to decide which projects will receive funding. The FAA's National Priority System, which has been in use for many years, gives highest priority to projects that will bring airports into compliance with safety standards. Second priority is given to projects that are necessary to meet security requirements. Third priority is given to reconstruction or rehabilitation projects that are needed to preserve existing airport infrastructure. Fourth priority is given to projects needed to achieve compliance with current FAA standards. Fifth priority is given to capacity enhancement projects.

Aviation projects are not like projects in other modes of transportation. For example, an improvement to a highway project in one city does not necessarily benefit highway users in any other city, but in the national system of integrated airports, an improvement in one airport, particularly a major hub airport, could benefit aviation travelers throughout the system. For this reason, the FAA should have, and does have, discretion to fund improvements as it deems necessary to improve the aviation system as a whole. To limit the FAA's discretion in this regard would only worsen the congestion and delays we are already experiencing today.

I want to make it clear that the language in a report cannot override a priority system established under the governing law. I would like to quote from the decision of the Comptroller General on a similar situation. The Comptroller General wrote: "It is our view that when Congress merely appropriates lump sum amounts without statutorily restricting what can be done with those funds, a clear inference arises that it does not intend to impose legally binding restrictions, and indicia in committee reports and other legislative history as to how the funds should be or are expected to be spent do not establish any legal requirements on Federal agencies."

Throughout my career, I have steadfastly resisted designating airport improvement projects in authorizing legislation and in report language, and will continue to resist such designations. I urge the Committee on Appropriations to do so as well.

Mr. KNOLLENBERG. Madam Chairman, I yield back the balance of my time.

Mr. OLVER. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 3074

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $90,678,000, of which not to exceed $2,305,000 shall be available for the immediate Office of the Secretary; not to exceed $724,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,753,000 shall be available for the Office of the General Counsel; not to exceed $12,100,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $8,903,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,382,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $23,568,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,984,000 shall be available for the Office of Public Affairs; not to exceed $1,498,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,314,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $2,737,000 for the Office of Intelligence and Security; not to exceed $12,273,000 shall be available for the Office of the Chief Information Officer; and not to exceed $5,137,000 shall be available for the Office of Emergency Transportation: *Provided,* That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further,* That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further,* That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further,* That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further,* That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further,* That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

AMENDMENT OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLUMENAUER:

Page 2, lines 8 and 19, after the first dollar amount insert "(reduced by $6,200,000)".

Page 4, line 6, after the dollar amount insert "(increased by $6,200,000)".

Mr. BLUMENAUER. Madam Chairman, I have earlier indicated my appreciation of what the subcommittee has done, looking at the big picture and trying to squeeze additional efficiencies out of transportation and housing initiatives. And in that regard, I offer this amendment and hope to inquire of the Chair and ranking member to see if there is something we can do to move this forward.

I'm prepared to withdraw the amendment, but I at least would like my 3½ minutes here to put it before the committee and seek their assistance as it moves forward.

□ 2030

My amendment deals specifically with the Conserve by Bike program.

This was unanimously adopted in the Energy Policy Act of 2005 and subsequently signed into law. It was authorized at $6.2 million, a program that would establish 10 pilot projects across the country. These projects would utilize education and marketing tools to encourage people to replace some of their car trips with bicycle trips.

The law also directs the Transportation Research Board of the National Academy of Sciences to conduct a national study to help us understand the benefits from converting cars to bike and how to educate people about these benefits.

Nationally, less than 1 percent of trips are by bicycles currently. But in many bicycle-friendly communities, the percentage is much higher. In my home town of Portland, Oregon, like yours, Madam Chairman, that percentage is 2 or 3 percentage points. In our community of Portland, we have the highest percentage of bicycle commuting in the country, despite the fact that it rains all the time.

Were we to increase bicycle trips by just 2 percent nationally, we would save more than 693 million gallons of gasoline per year, up to $5 billion. Increasing bicycle usage has additional benefits of reducing our dependence on foreign oil and improving public health. When we are concerned about an obesity epidemic among our young people, having bicycles is an opportunity to reduce vehicle emissions; and combating adult and childhood obesity would seem to be a logical step.

For all of these reasons, Congress had the foresight to include the Conserve by Bike program in the 2005 energy policy. Unfortunately, the program has not yet been implemented, because the Department of Transportation does not have the contract authority to fund the program. This appropriation is necessary to get the program off the ground.

Given its modest price tag and innumerable benefits, I was disappointed to see that the program did not receive funds under the Secretary's account for Transportation Planning and Research, especially considering the committee's laudable commitment to other green and efficiency measures.

Many cities and nations, particularly in Europe, have seen how converting car trips to bike trips can have measurable benefits for all its citizens. We have all perhaps been reading about Paris's recent inauguration of their bike-sharing program featuring over 10,000 bikes across the city to demonstrate that people will ride bikes when the infrastructure exists.

Madam Chairman, I would strongly urge that the committee consider working with me to make sure that this important authorized program find funding in the conference report. As I say, I deeply appreciate the work that the committee has done. This is a relatively low-cost, high-impact area. Given the fact that we have come forward with over $5.5 billion in transportation infrastructure for bicycles, for trails, and for pedestrian activities, this would seem to be a relatively modest program to be able to jump-start the Conserve by Bike.

Madam Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, I would like to make a comment on the gentleman's amendment since the gentleman has indicated that he is willing to withdraw the amendment. I appreciate that. The gentleman and I have worked for several years now together on biking and rail-trail issues, so I can remember just a few years ago that we actually were closely involved in saving the transportation enhancement program on this very bill.

We both recognize the environmental and public health benefits of bicycling. Even though I have stopped bicycling, I watch the Tour de France rather than bicycling myself these days. So I applaud the gentleman's concern and support for the Conserve by Bike program.

As we move toward conference, I will do my very best to try to accommodate this, and just remind the gentleman that we have language in the bill to make certain that enhancements are not disproportionately cut in the case of rescissions, which is a balancing act in any case. The gentleman may wish to take part in that discussion, which may occur later this evening.

Ms. ROYBAL-ALLARD. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

(Ms. ROYBAL-ALLARD asked and was given permission to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Madam Chairman, I rise in support of H.R. 3074. As a new member of the subcommittee, it has been an honor to work with Chairman JOHN OLVER and Ranking Member JOE KNOLLENBERG. I commend them for crafting a quality, bipartisan bill in the face of serious budgetary constraints. I also commend clerk Kate Hallahan and the committee staff on both sides of the aisle for their professionalism and hard work on this bill.

Madam Chairman, the bill before us is carefully crafted to make important investments to meet our Nation's crucial housing and transportation needs. For the first time in over 5 years, this bill provides new section 8 vouchers to help address our Nation's housing shortage. It also fully funds authorized section 8 housing vouchers, essential to States like California, where there are over 300,000 vouchers in use. This number is more than one-seventh the national total.

While there still remains a great need for additional vouchers, I am pleased that this bill is an important step forward in helping to meet the housing needs of our most vulnerable populations.

I am also pleased that this bill has restored funding for the Public Housing Capital fund. The administration's proposed cut would have had a severe impact on the ability of public housing authorities to renovate our Nation's dilapidated housing facilities, including those in my Thirty-fourth Congressional District. By restoring funding to last year's level, public housing authorities can continue critically needed renovations.

Under the leadership of Chairman OLVER, this bill also funds our Nation's transportation systems in a way that reaffirms the natural link between housing and transportation. The bill directs HUD and the Transportation Department to better coordinate public transportation with housing policies and programs. Improved coordination will help ensure that affordable housing is located closer to public transportation systems and job centers. The bill supports that directive through increased funding for transit.

To enhance the public's use of mass transit and alleviate congestion on our Nation's highways and city cores, the bill provides additional Capital Investment Grants for commuters and light rail transit systems. Funding for these Capital Investment Grants is expected to generate as many as 17,400 new jobs and yield $1.8 billion in economic benefits to State and local communities.

Our highways remain a critical element of our Nation's transportation system. This is especially true in my community of Los Angeles. To improve and maintain our Nation's aging highway infrastructure, the bill includes increased investments designed to ease automobile traffic and improve the flow-of-goods movement from our seaports to communities across the Nation. The investment in highway infrastructure will create over 59,000 additional jobs across all sectors of our economy.

The passage of this bill is essential to maintaining our Nation's transportation infrastructure to keep America moving, our economy strong and our country's most vulnerable sheltered. I urge my colleagues to support this bill.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,140,900.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $8,515,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund,

not to exceed $128,094,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $370,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $523,000

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,970,000, to remain available until September 30, 2009: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $60,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That, if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year.

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Of the remaining unobligated balances under section 101(a)(2) of Public Law 107–42, $22,000,000 are cancelled.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from ''Office of the Secretary, Salaries and expenses'' to ''Minority Business Outreach''.

SEC. 102. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 103. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $8,716,606,000, of which $6,317,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,958,413,000 shall be available for air traffic organization activities; not to exceed $1,076,103,000 shall be available for aviation safety activities; not to exceed $12,549,000 shall be available for commercial space transportation activities; not to exceed $100,593,000 shall be available for financial services activities; not to exceed $89,101,000 shall be available for human resources program activities; not to exceed $286,848,000 shall be available for region and center operations and regional coordination activities; not to exceed $162,349,000 shall be available for staff offices; and not to exceed $38,650,000 shall be available for information services: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $8,500,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $2,515,000,000, of which $2,055,027,000 shall remain available until September 30, 2010, and of which $459,973,000 shall remain available until September 30, 2008: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2009 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2009 through 2013, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $140,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2010: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of

chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $4,399,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,600,000,000 in fiscal year 2008, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $80,676,000 shall be obligated for administration, not less than $10,000,000 shall be available for the airport cooperative research program, not less than $18,712,000 shall be for Airport Technology Research and $10,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2007, and prior years under sections 48103 and 48112 of title 49, United States Code, $185,500,000 are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. Notwithstanding any other provision of law, airports may transfer without consideration to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: *Provided*, That the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 111. None of the funds in this Act may be used to compensate in excess of 375 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2008.

SEC. 112. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 113. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided*, That during fiscal year 2008, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 114. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 115. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking ''2006,'' each place it appears and inserting ''2008,''.

(b) Section 44303(b) of such title is amended by striking ''2006,'' and inserting ''2008,''.

(c) Section 44310 of such title is amended by striking ''March 30, 2008'' and inserting ''December 31, 2008''.

SEC. 116. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $384,556,000, together with advances and reimbursements received by the Federal Highway Administration, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration for necessary expenses for administration and operation.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $40,216,051,359 for Federal-aid highways and highway safety construction programs for fiscal year 2008: *Provided*, That within the $40,216,051,359 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109–59) for fiscal year 2008: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further*, That the funds authorized pursuant to section 110 of title 23, United States Code, for the motor carrier safety grant program, and the obligation limitation associated with such funds provided under this heading, shall be transferred to the Federal Motor Carrier Safety Administration: *Provided further*, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $40,955,051,359 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(RESCISSION)

(HIGHWAY TRUST FUND)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $3,000,000,000 are rescinded: *Provided*, That such rescission shall be distributed within each State, as defined in section 101 of such title, among all programs for which funds are apportioned under such chapter for such fiscal year, to the extent sufficient funds remain available for obligation, in the ratio that the amount of funds apportioned for each program under such chapter for such fiscal year, bears to the amount of funds apportioned for all such programs under such chapter for such fiscal year: *Provided further*, That funds set aside under sections 133(d)(2) and 133(d)(3) of such title shall be treated as being apportioned under chapter 1 of such title for the purposes of this provision.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

□ 2045

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MICA:

Page 18, beginning on line 9, strike the colon and all that follows through line 21 and insert a period.

Mr. MICA. Madam Chairman and Members of the House, I offer an amendment tonight to try to alleviate some of the pain that I believe will be inflicted on State departments of transportation across the United States, and that pain will be inflicted by a $3 billion rescission in highway contract authority that is included in this bill tonight.

My preference would be to strike this rescission from the bill altogether. I did not have an opportunity to do that the way the rules were crafted. A $3 billion rescission of highway contract authority will have an adverse effect on State highway work across the country and plans all across the country for construction projects. However, I do think we do have the votes to eliminate the rescission provision from this bill in its entirety.

If this bill were being considered pursuant to the rules of the House, we would not have to vote on striking this rescission. This rescission is authorizing in nature and actually under normal circumstances would have been subject to a point of order which I would have offered pursuant to clause 2 of rule XXI, authorizing on an appropriations measure. However, the rule that was adopted earlier this evening governing this debate waived this point of order; therefore, I am forced tonight to offer this amendment.

This amendment is designed to make it easier for our State departments of transportation to handle rescissions of this size and magnitude. This amendment strikes language in the bill that requires the State departments of transportation to apply part of their rescission proportionately across all highway programs.

I know you will hear some others say that this is going to not assist CMAQ and some of the air quality programs and all that. But when you have a rescission of this magnitude in this bill of $3 billion in size, this is going to dramatically affect some of the work projects in many of the districts of many of the Members who are listening tonight.

By striking this provision in the bill, this amendment will restore the flexibility of the State departments of transportation they had in applying rescissions contained in previous appropriations measures.

The current language in the bill will force all State departments of transportation to apply the rescission in the same way. Each State would have to rescind funding from its highway programs in the same ratio that it receives from the Federal Highway Administration.

Unfortunately, this cookie-cutter approach does not work for every State. Some States have very little balances in certain highway programs from which they will be required to apply this mandated rescission. This will have, unfortunately, a really severe impact on a State's highway work plan, many of them, as I said, in progress. Projects in every one of our districts will be impacted.

I have a letter here from the American Association of State and Highway Transportation Officials supporting my amendment. Attached to this letter is a table showing how this rescission will impact every State. I include these documents for the RECORD.

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS,

Washington, DC, July 23, 2007.

Hon. JOHN MICA,
House of Representatives, Rayburn House Office Building,
Washington, DC.

DEAR MR. MICA: I am writing on behalf of the American Association of State Highway and Transportation Officials (AASHTO), which represents the departments of transportation in the 50 states, the District of Columbia and Puerto Rico.

As we indicated to the Committee last month, we are alarmed that the Fiscal Year 2008 spending bill contains a provision that would rescind $3 billion in apportioned contract authority from the unobligated balances of total apportionments. Since 2002, Congress has rescinded a total of $9.822 billion in state apportioned highway contract authority. This most recent proposal would bring the total to almost $13 billion.

These recurring rescissions of already apportioned contract authority are likely to have a severe and immediate effect on some States. How the States will be affected will vary to some degree because the amount of unused contract authority varies widely from State to State and among categories within each State. However, after almost $13 billion in rescissions, all States will be affected.

A provision in the bill that would require the States to distribute the rescission proportionately among all program categories would further interfere with States' ability to manage their highway programs, set priorities and craft long-term financial strategies. Therefore we urge you to adopt an amendment which we believe will be offered by Rep. JOHN MICA to strike this provision.

In the future we would like to work with Congress to identify alternatives which would not be detrimental to continuing the long-term financial stability of the federal-aid highway program.

Sincerely yours,

JOHN HORSLEY,
Executive Director.

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

[Estimated rescission of FY 2007 unobligated balances pursuant to H.R. 2701, section 252]

State	Interstate maintenance	National highway system	Surface transportation program					Bridge	Congestion mitigation improvement	Metropolitan planning	Recreational trails	Equity bonus	Share of rescission
			Transportation enhancements	Areas by population			Available for any area						
				>200K	<200K	<5K							
ALABAMA	$11,765,147	$13,325,688	$1,646,465	$2,477,606	$1,254,493	$5,115,442	$5,311,325	$9,376,464	$1,123,330	$270,095	$147,743	$6,705,165	$58,518,963
ALASKA	4,839,975	5,888,342	630,651	0	0	0	5,306,245	3,171,608	1,768,289	140,070	106,001	5,490,181	27,341,362
ARIZONA	13,846,913	15,812,556	1,573,151	6,256,429	1,015,687	1,576,861	5,312,089	2,001,372	4,706,700	543,773	151,038	7,153,791	59,950,360
ARKANSAS	7,851,869	8,963,213	1,062,060	859,864	1,135,148	3,776,535	3,464,935	5,829,472	1,028,379	140,070	112,522	3,434,529	37,658,596
CALIFORNIA	43,002,378	60,612,413	7,088,017	28,738,341	2,546,925	5,046,502	21,813,142	38,781,177	39,076,416	4,176,863	528,405	14,016,756	265,427,335
COLORADO	8,630,375	11,853,852	1,096,822	3,812,237	1,133,170	1,224,216	3,704,097	2,797,057	3,056,116	447,046	128,383	2,369,324	40,252,695
CONNECTICUT	6,005,429	5,567,549	840,647	2,733,881	423,291	827,447	2,179,754	14,155,980	4,131,526	396,333	87,046	4,110,161	41,459,044
DELAWARE	572,823	4,829,075	330,829	1,092,876	304,344	446,245	1,106,813	1,600,501	892,324	140,070	75,855	504,447	11,896,202
DIST. OF COL	240,956	4,878,277	301,418	1,664,200	0	0	999,254	3,326,364	803,511	140,070	69,155	0	12,423,205
FLORIDA	29,840,702	43,321,856	4,691,123	19,113,924	1,591,674	5,681,972	15,839,948	12,611,715	1,260,673	1,874,199	283,441	21,940,067	158,051,294
GEORGIA	25,784,599	23,544,967	3,196,254	8,892,481	1,645,146	6,721,709	10,360,721	7,710,565	5,433,362	697,096	180,586	13,717,373	107,884,859
HAWAII	906,134	4,833,948	351,993	0	0	0	2,972,372	2,075,371	900,961	140,070	78,648	589,951	12,849,448
IDAHO	4,876,974	6,522,359	521,972	592,375	756,295	1,462,316	1,687,486	2,340,258	1,117,331	140,070	116,292	2,546,833	22,680,561
ILLINOIS	24,040,962	20,621,254	2,618,032	10,642,902	1,734,744	2,348,784	8,841,196	14,500,387	8,613,891	1,354,849	185,051	7,241,932	102,743,984
INDIANA	18,369,239	18,928,485	2,127,377	5,146,842	1,424,392	5,395,263	7,183,465	7,075,373	4,304,971	474,589	120,208	9,946,949	80,497,153
IOWA	6,429,057	9,475,225	906,594	986,519	1,277,015	2,836,057	3,061,908	6,307,632	837,809	155,109	118,924	508,853	32,900,702
KANSAS	6,002,504	8,196,712	1,009,464	1,896,313	1,200,065	2,080,643	3,108,463	5,348,008	822,062	168,055	112,791	308,180	30,253,260
KENTUCKY	10,833,854	12,593,382	1,215,493	2,120,692	1,254,698	3,225,317	3,962,807	6,835,583	1,121,829	217,995	116,957	3,470,914	46,969,521
LOUISIANA	8,243,528	7,614,874	1,100,166	2,207,351	1,016,744	2,369,619	3,358,480	17,245,502	894,422	352,799	145,608	2,017,876	46,566,969
MAINE	2,484,659	2,949,509	326,517	0	529,665	1,204,052	1,040,997	3,231,812	804,554	140,070	104,475	0	12,816,310
MARYLAND	9,457,381	10,616,959	1,170,312	4,535,997	602,983	1,405,302	3,928,949	8,692,461	5,184,640	598,306	105,068	3,446,876	49,745,234
MASSACHUSETTS	8,080,825	8,177,563	1,133,561	4,724,088	631,870	279,149	3,383,435	16,981,797	5,767,012	784,059	116,713	1,258,248	51,318,320
MICHIGAN	16,589,188	20,270,721	2,551,170	7,726,955	1,812,466	4,542,828	8,454,310	13,090,381	7,016,977	915,328	204,762	7,252,195	90,427,281
MINNESOTA	9,798,443	11,931,707	1,527,276	4,171,220	1,496,055	2,923,652	4,711,001	4,142,497	2,658,804	377,307	159,857	3,508,643	47,406,462
MISSISSIPPI	6,944,918	9,167,487	1,012,057	1,105,330	1,108,799	3,358,148	3,345,486	6,205,762	936,422	140,070	128,551	2,061,052	35,514,082
MISSOURI	14,385,613	16,240,862	1,789,707	4,916,131	1,626,068	3,516,718	5,512,445	14,727,219	1,919,154	430,025	140,269	5,561,382	70,765,593
MONTANA	7,215,081	9,711,458	549,580	0	1,115,111	1,968,225	1,850,943	1,784,441	1,159,066	140,070	118,545	3,524,775	29,137,295
NEBRASKA	4,249,488	7,330,986	633,623	1,625,494	950,235	948,543	2,116,027	2,697,071	852,591	140,070	99,215	561,701	22,205,044
NEVADA	5,128,096	5,685,131	522,412	2,379,444	559,126	0	1,764,188	1,217,351	2,146,956	233,238	96,293	1,630,067	21,362,302
NEW HAMPSHIRE	2,095,059	3,815,331	369,451	148,396	304,344	1,455,265	1,145,538	2,650,444	927,698	140,070	90,443	781,553	13,923,592
NEW JERSEY	11,249,797	16,955,778	1,725,170	8,698,642	560,094	445,344	5,825,766	21,639,208	9,555,408	1,078,844	115,304	7,438,901	85,288,256
NEW MEXICO	7,119,338	9,508,149	676,714	1,306,879	1,005,049	1,494,589	2,285,279	1,676,469	989,589	140,070	119,943	2,251,221	28,573,289
NEW YORK	19,440,788	22,137,553	2,751,031	11,059,892	1,845,520	1,182,360	8,458,202	44,548,025	16,481,001	2,157,276	171,897	6,573,402	136,806,947
NORTH CAROLINA	16,625,710	19,668,122	2,250,514	4,134,958	1,901,896	6,622,284	7,599,512	12,674,525	4,641,438	523,279	161,011	9,313,725	86,116,974
NORTH DAKOTA	2,979,202	8,252,505	415,180	0	721,623	1,539,299	1,357,457	1,087,852	887,749	140,070	85,392	734,172	18,200,501
OHIO	22,889,407	22,595,065	2,753,977	8,912,079	1,933,436	4,645,608	9,299,891	16,777,142	8,925,176	1,017,276	165,577	10,424,730	110,339,364
OKLAHOMA	8,636,614	11,438,681	1,380,999	3,048,771	1,198,153	3,311,761	4,537,917	7,644,351	991,081	206,430	125,184	3,671,878	46,191,820
OREGON	5,968,159	8,590,614	856,550	2,366,532	1,042,247	1,271,549	2,810,139	8,665,328	1,428,693	274,953	117,251	934,939	34,326,954
PENNSYLVANIA	20,162,242	21,300,856	2,662,892	7,985,354	2,302,975	3,284,153	8,148,592	45,640,965	9,785,802	1,142,457	170,832	8,328,833	130,915,953
RHODE ISLAND	1,001,136	3,965,331	306,942	1,469,726	190,343	0	909,418	6,494,816	841,767	140,070	75,570	0	15,395,119
SOUTH CAROLINA	11,730,513	11,385,043	1,461,531	2,573,436	979,895	4,667,782	4,935,251	6,696,688	1,126,032	260,719	110,759	5,844,226	51,771,875
SOUTH DAKOTA	3,763,591	7,335,794	497,853	0	786,971	1,930,238	1,488,681	1,528,588	957,691	140,070	87,853	1,351,540	19,868,870
TENNESSEE	14,622,882	15,916,658	1,764,329	3,966,094	1,432,502	4,345,080	5,648,639	6,665,666	3,031,078	412,504	128,964	6,159,258	64,093,654
TEXAS	53,363,790	67,225,761	7,240,656	23,761,651	3,845,557	13,121,484	24,449,666	19,079,799	13,416,341	2,058,662	330,397	30,916,854	258,810,618
UTAH	7,591,648	5,142,238	585,706	2,338,048	672,680	233,774	1,947,918	1,236,926	944,318	243,224	123,984	1,335,408	22,395,872
VERMONT	1,550,310	3,334,214	301,418	0	304,344	1,361,142	1,000,026	3,274,366	804,524	140,070	83,816	0	12,154,230
VIRGINIA	17,800,251	17,391,796	2,150,287	6,839,247	1,370,369	3,885,746	6,633,146	10,528,408	5,015,455	655,798	126,970	8,428,116	80,825,589
WASHINGTON	9,356,868	10,727,524	1,201,406	3,819,675	1,058,758	1,879,479	4,057,525	14,579,704	3,082,792	598,821	160,953	1,341,135	51,864,640

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

[Estimated rescission of FY 2007 unobligated balances pursuant to H.R. 2701, section 252]

State	Interstate maintenance	National highway system	Surface transportation program					Bridge	Congestion mitigation improvement	Metropolitan planning	Recreational trails	Equity bonus	Share of rescission
			Transportation enhancements	Areas by population			Available for any area						
				>200K	<200K	<5K							
WEST VIRGINIA	5,033,122	5,142,248	567,261	0	777,821	2,413,020	1,749,590	5,965,550	1,017,622	140,070	101,286	2,118,597	25,026,187
WISCONSIN	10,864,418	18,006,043	1,759,290	3,059,446	1,390,944	5,445,616	5,940,664	3,428,288	2,341,543	395,498	153,427	7,102,388	59,887,565
WYOMING	5,005,208	8,643,797	341,927	0	732,299	1,159,261	937,243	1,128,600	921,002	140,070	108,552	1,080,736	20,198,695
Total	$575,267,163	$707,945,511	$77,545,827	$225,908,318	$56,504,029	$135,976,379	$256,848,341	$479,472,889	$198,453,878	$28,014,065	$7,053,767	$251,009,833	$3,000,000,00

Madam Chairman, these State departments of transportation have asked us to give them the maximum flexibility in how they will be required to implement this very onerous rescission provision. They would like to eliminate the rescission altogether, as I would, but they are forced to, unfortunately, accept the rescission as offered, and we have no chance to alter that. All they are asking for here is flexibility.

This amendment gives them that flexibility. Your State departments of transportation, fellow Members, support this amendment, and I will ask all of my colleagues to support it as well.

Madam Chairman, I yield back the balance of my time.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, I rise in opposition to the amendment. This amendment strikes the language on page 18 of the bill that delineates how the rescission will be applied. I remind the gentleman from Florida, although I suspect he does already know this, that the rescission in the 2006 bill was $3.8 billion. The rescission in the 2007 bill was $4.2 billion. The first of those was passed by the Republican majority, and the second was in its final form through the CR that came in the Democratic majority.

Mr. MICA. Would the gentleman yield briefly?

Mr. OLVER. Surely.

Mr. MICA. It is my understanding that is the case, but they were allowed the flexibility to decide on how the funds would be expended.

Mr. OLVER. That is correct. The gentleman is correct, the flexibility was there. But what we find out in that process is that the States very disproportionately focused that rescission upon enhancements and took enhancements in some places completely out of the budget, which, under the highway fund, we are supposed to be giving 10 percent of the highway formula moneys to enhancements.

So this language was, in fact, exactly or very similar to language which was passed out of the T&I Committee of which the gentleman is the ranking member a couple of days after we had marked up in committee. So the T&I Committee already has agreed to the idea that enhancements should not be disproportionately targeted for rescissions when they occur when they are required by the legislation.

In fact, we were asked by the T&I Committee to do something very similar to this, if not exactly this, which we have done, in making certain that there would not be disproportionate cuts to enhancements in the process of applying rescissions. And those data do not really affect what has happened to the 2007 or 2006 bills because we don't have the final numbers on those, but the data that I am describing is all through the rescission process in every year that there has been rescissions, that those have in sum total gone heavily against the enhancement parts of the formula funds. So we have striven to correct that in the language that we have put in at this point, and I would ask the membership to oppose this amendment.

Madam Chairman, I yield back the balance of my time.

Mr. KNOLLENBERG. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Madam Chairman, I rise in support of the Mica amendment.

I understand that there is a lot of meat to what you just discussed, Mr. Chairman, but I think the real problem is, if you look at the AASHTO letter, the acronym for the State group, they recognize this as something that should be done.

We need to maintain the rescission to meet the funding requirements of the bill. I do support giving States the greatest flexibility to meet that rescission.

I yield to the gentleman from Florida for his closing comments.

Mr. MICA. I think the gentleman raised some good points on the other side. We had a vote on this, and it is a closely divided question. But I think all Members will hear from their State department of transportation. We have granted flexibility in the past. I am a great supporter of enhancements. I think we need things that some people may consider not asphalt and concrete, but things that enhance the beauty of our highways and transportation system in this country.

But when you take a rescission of $3 billion, and States have obligations, and we have done this in the past to them, we have rescinded money in the past to them, I think we need to give them as much flexibility as possible to make the decisions, to make those cuts and to adjust their budgets.

They get obligated for huge amounts of money and significant projects that are underway. And Members throughout this body will hear from their State department of transportation that they have projects underway that will have to be put on hold, that will be delayed, and that will cause a great disruption in their transportation planning and construction projects. So that's the reason that I think we should give them the same flexibility that they have had in the past. I am not asking for any more or any less.

Mr. KNOLLENBERG. Madam Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. The amendment offered by the gentleman from Florida (Mr. MICA), the ranking member of the committee, is misguided and an inappropriate amendment.

As the gentleman has already acknowledged, we discussed this in committee on our climate change legislation. We had a voice vote in which the gentleman's amendment failed.

It would strike the provision that is in this appropriation bill to require States to implement their future rescissions on a proportional basis; rescissions, that is cuts of unobligated contract authority, to make those reductions proportional.

States have applied previous rescissions in a disproportional way. They have disproportionately cut funding from the Congestion Mitigation and Air Quality Improvement Program that helps cities clean their air and move people more expeditiously.

They have disproportionately cut funds from the bridge program, from transportation enhancement funds, all of which play critical roles in creating mode choices and options and alternatives for moving people in our major metropolitan areas and in rural areas.

Flexibility, States have an enormous amount of flexibility under the current SAFETEA–LU law. They have the ability to transfer up to 50 percent of their programmatic apportionments to other apportioned programs. The National Highway System, States can transfer 100 percent from NHS funds to surface transportation.

This language will not in any way restrict States' flexibility in implementing the highway programs to meet

their priorities. It will restrict the practice of targeting specific programs for disproportionate cuts to meet their rescission requirements.

Now, the Equity Bonus Program, here is an example of the enormous flexibility States have under the current highway law. Funds under Equity Bonus are distributed to eligible States and apportioned to the interstate maintenance, the National Highway System, to the Bridge Program, to the Surface Transportation Program, Highway Safety Program and to CMAQ. States can use those funds to distribute the Equity Bonus account around to the eligibilities of these programs as they see fit to the needs of their specific State.

In fiscal year 2007, States got $8.327 billion in Equity Bonus accounts. They have a lot of flexibility with that amount of money. States have significant unobligated balances of contract authority available in all categories of the Federal-aid highway program.

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As of May 31 of this year, States had a total of $46.5 billion in unobligated funds. That's $3.16 billion in the CMAQ program, 2 years' worth of apportionments.

They have got plenty of flexibility. They can use this money where they choose. Yet States have consistently chosen to target specific programs for disproportional cuts. Example, congestion mitigation and air quality improvement. That's only 4 or 5 percent of the total SAFETEA–LU program. But CMAQ funds account for 20 percent of the total rescissions in recent years.

States rescinded $881 million in CMAQ funds in 2006. That's $1 out of every $4 out of this one little program that metropolitan areas have to reduce congestion and pollution.

In 2006, rescissions were distributed this way. They cut 55 percent out of CMAQ. They cut 12 percent out of interstate maintenance. They cut 7 percent out of the national highway system.

In 2006, they cut $602 million out of the enhancements program. It was specifically set up to benefit communities that want to provide other transportation opportunities for their people. That's 15 percent of the rescissions just out of enhancements.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

(By unanimous consent, Mr. OBERSTAR was allowed to proceed for 1 additional minute.)

Mr. OBERSTAR. Madam Chairman, in Texas, for example, of the $305 million assigned to Texas under the 2006 rescission, a total of $241 million of their cuts came from CMAQ and transportation enhancements. That's 79 percent of the amount that Texas alone cut out of these very small proportion programs.

Now, we should not allow States to just target certain programs. We have created a structure within the Federal-Aid Highway Program of categories of funding. We all voted for it. It's now law, and if they're going to cut, their cuts ought to be proportional across the board.

The Association of Metropolitan Planning Organizations supports our position, National Association of Counties, regional councils, Rails-to-Trails Conservancy, Surface Transportation Policy Partnership. The gentleman's amendment is unnecessary, it should not pass. States have enormous amounts of flexibility. We ought to defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MICA. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE

(INCLUDING RESCISSIONS)

SEC. 120. (a) For fiscal year 2008, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; programs funded from the administrative takedown authorized by section 104(a)(1) of title 23, United States Code (as in effect on the date before the date of enactment of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users); the highway use tax evasion program; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and section 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005 through 2008; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a),

the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 122. Of the unobligated balances made available under sections 1103, 1104, 1105, 1106(a), 1106(b), 1107, and 1108 of Public Law 102–240, $1,292,287.73 are rescinded.

SEC. 123. Of the unobligated balances made available under section 1602 of Public Law 105–178, $6,138,880.54 are rescinded.

SEC. 124. Of the unobligated balances made available under section 188(a)(1) of title 23, United States Code, as in effect on the day before the date of enactment of Public Law 109–59, and under section 608(a)(1) of such title, $162,253,000 are rescinded.

SEC. 125. Of the amounts made available under section 104(a) of title 23, United States Code, $43,358,601 are rescinded.

SEC. 126. Of the unobligated balances made available under title 5 of Public Law 109–59, for the implementation or execution of programs for transportation research, $172,242,964 are rescinded.

SEC. 127. Of the amounts made available for ''Highway Related Safety Grants'' by section 402 of title 23, United States Code, and administered by the Federal Highway Administration, $11,314 in unobligated balances are rescinded.

SEC. 128. Of the unobligated balances made available under Public Law 101–516, Public Law 102–143, Public Law 103–331, Public Law 106–346, Public Law 107–87, and Public Law 108–7, $4,753,687.26 are rescinded.

SEC. 129. Funds authorized under section 110 of title 23, United States Code, for fiscal year 2008 shall be distributed in accordance with the distribution set forth in section 110(b)(4) (A) and (B) of such title, except that before such allocations are made, $219,250,000 shall be set aside for the Transportation, Community, and System Preservation Program under section 1117 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. at 1177–1179) and administered in accordance with section 1117(g)(2) of such Act.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred for administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $228,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $228,000,000, for ''Motor Carrier Safety Operations and Programs'', of which $10,296,000, to remain available for obligation until September 30, 2010, is for the research and technology program and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: *Provided further*, That notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer: *Provided further*, That $3,469,553 in unobligated balances are rescinded.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, $300,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $300,000,000, for ''Motor Carrier Safety Grants''; of which $202,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $25,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; $3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59; and $8,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code: *Provided further*, That of the funds made available for the motor carrier safety assistance program, $29,000,000 shall be available for audits of new entrant motor carriers: *Provided further*, That $11,260,214 in unobligated balances are rescinded.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $32,187,720 in unobligated balances are rescinded.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this hearing in prior appropriations Act, $5,212,858 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to

traffic and highway safety under subtitle C of title X of Public Law 109–59, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $125,000,000, of which $26,156,000 shall remain available until September 30, 2010: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, $107,750,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $107,750,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $4,000,000 for the National Driver Register authorized under such chapter.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $599,250,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2008, are in excess of $599,250,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $225,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $25,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405; $124,500,000 shall be for ''Safety Belt Performance Grants'' under 23 U.S.C. 406; $34,500,000 shall be for ''State Traffic Safety Information System Improvements'' under 23 U.S.C. 408; $131,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Incentive Grant Program'' under 23 U.S.C. 410; $18,250,000 shall be for ''Administrative Expenses'' under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for ''High Visibility Enforcement Program'' under section 2009 of Public Law 109–59; $6,000,000 shall be for ''Motorcyclist Safety'' under section 2010 of Public Law 109–59; and $6,000,000 shall be for ''Child Safety and Child Booster Seat Safety Incentive Grants'' under section 2011 of Public Law 109–59: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States: *Provided further*, That not to exceed $750,000 of the funds made available for the ''High Visibility Enforcement Program'' shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. Of the amounts made available under the heading ''Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $12,197,113.60 in unobligated balances are rescinded.

SEC. 142. Of the amounts made available under the heading ''National Driver Register (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $119,914.61 in unobligated balances are rescinded.

SEC. 143. Of the amounts made available under the heading ''Highway Traffic Safety Grants (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' in prior appropriations Acts, $10,528,958 in unobligated balances are rescinded.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $148,472,000, of which $12,268,890 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $33,250,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2008.

RAIL LINE RELOCATION AND IMPROVEMENT PROGRAM

For necessary expenses of carrying out section 20154 of title 49, United States Code, as authorized by section 9002 of Public Law 109–59, $35,000,000.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for operation of intercity passenger rail, $475,000,000 to remain available until expended: *Provided*, That the Secretary of Transportation shall approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That the Corporation is directed to achieve savings through operating efficiencies including, but not limited to, modifications to food and beverage service and first class service: *Provided further*, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning three months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That not later than 120 days after enactment of this Act, the Corporation shall transmit to the House and Senate Committees on Appropriations the status of its plan to improve the financial performance of food and beverage service and its plan to improve the financial performance of first class service (including sleeping car service): *Provided further*, That the Corporation shall report quarterly to the House and Senate Committees on Appropriations on its progress against the milestones and target dates contained in the plan provided in fiscal year 2007 and quantify savings realized to date on a monthly basis compared to those projected in the plan, identify any changes in the plan or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: *Provided further*, That not later than 90 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2008 under section 24104(a) of title 49, United States Code: *Provided further*, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: *Provided further*, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: *Provided further*, That the Corporation shall continue to provide monthly reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That the Corporation's business plan and all subsequent supplemental plans shall be displayed on the Corporation's website within a reasonable timeframe following

their submission to the appropriate entities: *Provided further*, That the leases and contracts entered into by the Corporation in any year that the Corporation receives a Federal subsidy after the date of enactment of the Act, regardless of the place the same may be executed, shall be governed by the laws of the District of Columbia: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That none of the funds provided in this Act may be used after March 1, 2006, to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal, peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares: *Provided further*, That of the amounts made available under this heading not less than $18,500,000 shall be available for the Amtrak Office of Inspector General.

AMENDMENT OFFERED BY MRS. BACHMANN

Mrs. BACHMANN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BACHMANN:

Page 38, line 10, after the dollar amount, insert ''(reduced by $106,000,000)''.

Page 83, line 16, after the dollar amount, insert ''(increased by $106,000,000)''.

Mrs. BACHMANN. Madam Chairman, the proposed amendment that I'm bringing before the body today removes $106 million from Amtrak funding, restoring it back to the fiscal year 2007 level, and it adds that amount to the Homeless Assistance Grants.

Madam Chairman, Amtrak has run a deficit for over $1 billion every year. It is now funded at $1.4 billion for fiscal year 2008 in the Democrats' THUD bill, an increase of $106 million over the fiscal year 2007 levels. It's $600 million over the President's request.

Much of this deficit stems from Amtrak's long-distance routes, which carry only 15 percent of Amtrak's passengers, but that creates 80 percent of its cash operating losses.

Although Congress has made several attempts at getting Amtrak to reform itself, these attempts have resulted in very little improvement, I'm afraid, and tax dollars are continuing to be wasted on a service that is used by only a very small fraction of our American population.

It just seems to me that rather than pouring money into this colossally losing investment, we should stop pouring good money after bad, and Congress ought to be funding programs that are proven to help people that are in need and deliver results. We need to help poor people. We shouldn't help poor programs. I think we should be saying no, Madam Chairman, to poor programs because we should not be saying no to poor, homeless people just to continue to prop up a bloated government bureaucracy.

One such program is the Homeless Assistance Grants program. It has been awarding competitive grants to cities, to counties, to nonprofits, to housing authorities to provide transitional and permanent housing for the homeless.

In Minnesota, we have some great programs. Grants have gone to Lutheran Social Services in Minnesota, the Amherst H. Wilder Foundation, the Tubman Family Alliance, great groups. These have proven themselves to be very successful in housing programs in Minnesota.

The problem with Amtrak is not that rail is bad, but this program again has been running in the red. It's been bleeding, it's been hemorrhaging, and it needs transfusion, a big transfusion of over $1 billion in tax money every year. It's running in the red. We do not want to be owners of a loser of a program. It requires Federal assistance to cover these losses and the losses from their capital investment. Clearly, for all the years it's been in existence, Amtrak would not survive without this Federal funding.

In Minnesota, we have an old Lakota Indian proverb, and it says, if your horse is dead, get off. And the wisdom of our Native American is pretty clear, and I think that we should follow our Lakota elders when they have enough sense to dismount.

This bill would fund Amtrak again at $1.4 billion for fiscal year 2008. That's $106 million more than the 2007 level, $600 million over the President's request. $1 billion is worth a lot. If you fraction it out, it it's $1,000 a day every day, including Sundays, for 2,440 years. Even for government, that's a lot of money, and still after 35 years, Amtrak hasn't been able to get it right, Madam Chairman.

The Federal Government has provided $30 billion to Amtrak. On average, that's a Federal subsidy of over $210 per passenger per thousand miles that are traveled. It seems that the Federal Government can't even get people to ride Amtrak, so we almost pay them to ride the line. In fact, in 2005, the Sunset Limited route connected L.A. with Orlando. That route required a subsidy of $433 per passenger each way. That's on top of the round-trip fare of about $950 that each passenger paid. That's more than enough to buy a plane ticket for each passenger and save them a trip lasting 68 hours, but that's only if the trains run on time, and only 41 percent of the time do the trains run on time.

It gets worse, though, Madam Chairman. The passengers on sleeper cars are the most heavily subsidized. The average passenger in a sleeper car gets an additional $206 subsidy. That reaches an extra $358 per passenger depending on the route. So that means that the highest government subsidies go to passengers sitting in first class. We could be giving this money to homeless people, and that's our priority.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, I rise in opposition to the amendment offered by the gentlewoman from Minnesota.

First of all, I think that the subcommittee and the full committee, this legislation was passed out of full committee unanimously without dissent, by voice vote but without dissent, and we've tried to strike an appropriate balance in funding the transportation and housing problems in the bill.

As in previous bills in previous years, I've opposed amendments that take funding from housing to increase the funding for transportation programs, and similarly, I've opposed amendments which take funding from transportation and transfer those funds to housing programs.

□ 2115

I think that's entirely appropriate. We have this bill where we cannot have one portion. Each has its important features, and we cannot have one portion of this bill taking sizeable funds from another portion, which has equally important priorities within the bill.

I would point out to my colleagues that in the bill before us, the appropriation for the homeless is $1.56 billion. That's $119 million already above the 2007 enacted sum for the Homeless Grant Program. That's 8 percent already above the level of the 2007 enacted program from just last February.

The amendment that the gentlewoman has proposed would move another $106 million into that, which would then put it far over the President's request, that program. I don't think that that's really necessary here.

What we do have is a situation where year after year the Amtrak program has gone through reform, substantial reform, to try to reduce their cost and to provide greater service, as has been requested by this Congress over the last several years. To take that money away from them at a time when the other body, the Senate, has passed authorization legislation or has reported out of committee authorization legislation, and our own T&I Committee is working on authorizing legislation for Amtrak, which is considerably higher than even the level of the funding that we have in this bill.

For both of those reasons, the balance of the legislation not moving money from housing into transportation or vice versa, which I will oppose at every point that it comes up, because I think we are trying to keep a reasonable balance of the priorities in each of those very important areas, and because the homeless program is already funded at almost $120 million above the 2007 funded amount, that this is not a necessary amendment, not an appropriate amendment. I hope that we will not pass this amendment.

Madam Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

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

Mr. OBERSTAR. Madam Chairman, this same amendment was offered in the last Congress and got 60 votes. It's as misguided now as it was then.

The Committee on Appropriations for the first time in a dozen years has provided a net increase in funding for Amtrak. We are not going to be here tonight or tomorrow when we vote on this and cut those funds and reduce Amtrak to the beggar position that it has been in for the last dozen years.

For the last 12 years, supporters of Amtrak have been reduced to pleading to just restore the funding; not to increase, not to advance the cause of Amtrak, but simply restore to where it was with the inadequate amounts that this administration has proposed. Most of the time they proposed to cut Amtrak.

In fact, when I hear Amtrak reform, I know what it means. It means cut the funds, tie their hands, submit Amtrak to a board that's going to run it into the ground, not run it into the 21st century.

As the gentleman, the chairman of the subcommittee, has said, the committee bill provides nearly $120 million increase in funding for the homeless. That's the first time in 4 years. A 23 percent increase, that's substantial. I'm for it. We don't need to take money out of Amtrak to increase funds for the homeless. Amtrak needs help.

I hear this old saw time and again. Oh, Amtrak is bleeding money, and we are subsidizing it. What do you do for the airlines? What do you do for highways? We provide funds for the highway program. We provide funds for aviation.

Amtrak is the residue of what was left when the railroads abandoned their passenger service in the 1960s and to the eve of 1970 when Amtrak was created. Time and again, they conspired with the Postal Service to take the railway post office off the passenger service so that then they would have a losing proposition, and they could apply for discontinuance to the Interstate Commerce Commission, and they did. They shut down passenger rail service to small towns, and they also lost less-than-carload service, and towns went out of business because they didn't have a small shipping service on freight rail with passengers to move their goods.

So what did Amtrak get? When we created Amtrak in 1970, we got the dregs of what was left of intercity passenger rail service, and the Congress for several years was trying to build up Amtrak to provide funds for improved rail, and railbed and rolling stock. But over the last 12 years, we haven't had the funds to do that with Amtrak.

Every industrialized Nation in the world has high-speed intercity passenger service. In France you can travel on the TGV a distance from International Falls to Minneapolis-Saint Paul, 185 miles an hour, 220-some miles, in 80 minutes, 80 minutes, in France. They can do that in Spain on the Talgo. They can do it in Germany on the ICE. They can do it in Japan on the Shinkansen. We don't have a high-speed, 185-mile-an-hour passenger rail service anywhere in America. The best Amtrak can do is 150 miles in a few segments of its track.

But if we make the investments, if we invest in improving the tracks, if we invest in the catanaries and improve the patographs on the existing locomotives in the Northeast corridor, we can have that high-speed rail service. We should have it. We should have it on the Northern Tier. We should have it from Chicago down to New Orleans. With we ought to have it all through the Southwest and the Southeast.

We need Amtrak rail passenger service in this country. We need a high-speed, modern, intercity rail passenger service in this country. We are a proud industrialized Nation. We have the highest mobility of people in the world.

In the aftermath of September 11, what did people take? They couldn't fly, and the highways were crowded. They took Amtrak.

We need to upgrade Amtrak. We need to invest in Amtrak. We need to invest in its future. This is where America has an opportunity to move from this highway-dependent economy of ours, reduce our dependence on imported oil, move people more efficiently and more effectively with high-speed intercity passenger rail, as every industrialized nation in the world does except the United States.

This is a misguided amendment. I regret that my dear friend, the lovely gentlewoman from central Minnesota, has offered this amendment, one of her first offerings in the House, but I have to say, it is misguided, it is the wrong thing to do. We need to defeat this amendment as we did in the last Congress.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Minnesota (Mrs. BACHMANN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. BACHMANN. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Minnesota will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

Page 38, strike line 5 and all that follows through page 41, line 18.

Mr. OLVER. Madam Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. FLAKE. Madam Chairman, this amendment would eliminate funding for the operating subsidy grants to the National Railroad Passenger Corporation, or Amtrak, and save the taxpayer $475 million.

The FY 2007 funding level was $490 million. The President requested to eliminate funding for this grant program in the FY 2008 budget.

According to the committee report, operating subsidy grants allow the Department of Transportation to make quarterly grants to Amtrak after receiving and reviewing a grant request for each train route. This would be accompanied by a detailed financial analysis, revenue projection and capital expenditure projection. Receipt of these grants also requires Amtrak to achieve savings through operating efficiencies, yet Amtrak has been plagued by inefficiencies and debt since its inception.

Amtrak's model for providing intercity rail service has been a failure since it began in 1971. Historically Amtrak has carried has less than 1 percent of the traveling public. It is it has required annual Federal subsidies to cover operating losses and capital costs in every year since its existence, some $29 billion in taxpayer resources to date.

It lacks adequate cost controls. It has deferred capitalized repair projects, and it confronts increasing debt-service costs.

Now, we were told 30 years ago that Amtrak started from the ruins of what was then passenger rail service. Whatever its origins, the market has simply apparently vanished for passenger rail service of this kind. The Heritage Foundation reported that even if Amtrak increases its passenger load, for every passenger that is increased, the taxpayer pays more in subsidies. So, it's like the retail shop owner saying that I am losing money with every sale, but I am going to make up for it in volume. The taxpayers are making up for it in volume every time.

There has been a slight increase in passenger service in terms of passengers served over the past couple of years, or at least there was from 2001 to 2004, and still it bleeds red ink all over.

Now, contrast this with some cargo service provided by rail. It's largely free of subsidy. It's done by the private sector. There are huge profit margins there. In many routes they do very well. But Amtrak, passenger rail service, simply can't get there. There simply isn't a market for it.

Now, those providing cargo service wouldn't want to provide passenger service, because there is no market. But we continue to let the taxpayer subsidize it. As the last speaker mentioned, some routes the subsidy is between $400 and $500 per ticket. The Federal taxpayer could buy each person on a long-distance Amtrak service on some of the routes a plane ticket for what it costs to subsidize their Amtrak

travel. That's after they have paid a lot more than a plane ticket would cost in the first place.

There simply isn't a market for it. How long will we go on not recognizing it, not recognizing that we need some competition from the private sector to allow it to take it over? If there isn't a market at some point, the taxpayers shouldn't be forced to subsidize it any longer.

Let me just finish. We will hear that we need passenger rail service. We will need to catch up to countries like Germany and Japan who are doing it. Apparently they are doing a better job than we are.

Who among us here thinks that with the current model of government subsidizing a private corporation like this is going to get us where Germany is or Japan is? As has already been noted, people who study this issue note that with every new passenger added, every net increase in passengers, it's actually more subsidies. So under the current model, unless they change or reform somehow, if they increase ridership, we actually have to pay more in subsidies.

That simply doesn't work. It wouldn't work in the private sector. No private businessman would stand it. But the taxpayers are simply on the hook for about $1.2 billion a year. It continues year after year after year. I have been here 6 years. I have heard it every year. I suppose if we go the next 25 years, we will hear it again. It will just be an increase in subsidies, like we are doing this year.

Madam Chairman, I yield back the balance of my time.

□ 2130

The CHAIRMAN. Does the gentleman from Massachusetts continue with his reservation?

Mr. OLVER. I withdraw my reservation.

The CHAIRMAN. The reservation is withdrawn.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, this is an effort to bring Amtrak to a stop, simply. Over the last couple of years, we have had the President recommend no funding for Amtrak. We have refused that and funded them so they could continue service at the level that they were. We have added reform programs to them to require substantial savings out of the first-class service and the meals service and things of that sort, which have been quite substantial, and they have saved each year $80 million to $100 million a year on that program. So we are moving to make the system more efficient, though there is not any passenger rail system anywhere in this world that operates without some operating subsidy.

Where we have public transportation systems, any subway system, the fares never get to as high as 50 percent of the cost of the service, and the remaining service is then part of a subsidy for the operation of that service. In fact, most of our transit programs function at considerably less than a 50-percent fare box amount. So Amtrak is not any different from any other rail program which provides great energy efficiency in the movement of large numbers of people, and it is very important in our very densely populated corridors.

We as a Congress have then added the idea of having a national rail system that covers long-distance rail. And those even require a greater subsidy, but it has been our decision to do that over the years.

We have to have a rail program in this country. We have somehow to get over making Amtrak ultimately, somehow, to morph Amtrak into a system that will provide high-speed passenger rail in corridors of relatively short distance. But in the meantime, we also have to keep Amtrak running, and this amendment would take the operating monies completely away from a system which cannot operate without that operating subsidy.

The rest of the money, the gentleman believes most of the remainder was in there for capital improvements. Well, there isn't any point in having the capital improvements if you are not going to have an operating subsidy unless you can move the monies around, and then you have to cut seriously the total amount of service that is being provided by Amtrak with the amendment that the gentleman has offered. So it is really a killing amendment for Amtrak.

Amtrak cannot function with the amendment that the gentleman from Arizona has offered in this instance. We have gone through this fight time and time again, and each time the end result is that Amtrak is supported because Amtrak service is provided in over 40 of the States. In some cases, it is the only rail passenger service that is available to people in some of those States on some of the very long-distance rail lines that people complain are the ones that carry the highest subsidy. And those are supported the strongest because they are the only rail service, passenger service that is available in a good number of those States.

So I think that this amendment should be defeated, I think it will be defeated, and I hope it will be defeated.

Madam Chairman, I yield back the balance of my time.

Mr. OBERSTAR. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. This is, as the chairman of the subcommittee has said, a shutdown amendment. It would totally eliminate operating grants for Amtrak and guarantee a shutdown. I suppose that is what the gentleman wants as he offers the amendment. He knows what he is doing. He is a very astute Member of this body. But I want to widen the perspective here.

The effects would ripple through our economy, through our national transportation system, stranding millions of passengers and force them onto already congested roadways and airways.

People in 106 cities served by Amtrak who are without air service would have to find new means of transportation; 19,000 Amtrak workers would lose their jobs. Their local economies, businesses would suffer. The railroad retirement and unemployment programs that cover employees of freight rail as well as passenger rail would eventually be depleted. We would be scrambling around here trying to restore the railroad retirement fund. It would disrupt commuter operations with whom Amtrak has contractual arrangements, stranding millions more passengers. GAO has reported to our committee that an abrupt cessation of Amtrak would result in major disruptions or shutdowns of commuter rail service throughout the country, stranding and straining regional transportation systems as hundreds of thousands of regular commuter rail passengers would have to look for alternative transportation.

It would increase costs for our freight rails. If Amtrak were to shut down, the freight rail industry would lose some $5.3 billion over the next 6 years. That would also include the loss of $57 million Amtrak pays each year to the four class I railroads for access to their infrastructure and increase tier II taxes to keep the railroad retirement system solvent. It would shut down operations of freight railroads in the northeast corner. Norfolk Southern relies on Amtrak's dispatch and infrastructure systems throughout that corridor to provide rail service to major mid-Atlantic markets. Without Amtrak, cost of the freight rails to maintain operations on those lines would be very substantial.

The real issue with Amtrak is it has been on a starvation diet practically since the time that we created Amtrak in 1970. But little by little, people are seeking alternative operations. They learned in the aftermath, as I said a moment ago, of September 11, that the only option to travel without air was inner-city passenger rail.

Amtrak, in 2006, had 24.3 million passengers. President Alex Kummant of Amtrak told us very recently on the Transportation and Infrastructure Committee that they expect 2007 to far surpass 2006 ridership levels. So far this year, just in the first quarter of this year, Amtrak had 2.17 million passengers. That is nearly a 7 percent increase over the previous year.

So keep funding Amtrak, give it an opportunity to breathe, give it this additional investment that it needs. Soon our committee will come to the floor with a substantial increase in funding for Amtrak to put it on course to be a real world-class competitor in inner-city passenger rail service.

When I was a student just graduating from college in St. Paul, the College of St. Thomas, I won a scholarship to study at the College of Europe in Belgium. I traveled from my home in Chisolm by bus to the Twin Cities, and there I talk the Milwaukee 400: 400 miles to Chicago in 400 minutes. And in Europe, I took the train from Paris to Brussels and then on to Brugge in Belgium for this program. That was a 6-hour trip. Today, that 6-hour trip is 80 minutes traveling at 185 miles an hour on the TGV.

Today you can't get to Chicago in 400 minutes from Minneapolis, not even by air. By the time you travel, drive to the airport, park your car, go through security, wait for the plane, get off the plane, try to get to your destination, you can't do it. We need a restructure, a rebuild, a reinvigorated Amtrak. Don't kill it with this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Ms. WATERS. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Madam Chairman, I rise today in strong support of H.R. 3074, the fiscal year 2008 Transportation, Housing and Urban Development appropriations bill.

The distinguished chairman, Mr. OBEY, and Chair of the Subcommittee on Housing, Mr. OLVER, had to make many difficult decisions in drafting this bill, and I am pleased that most of our vital housing programs see increases over the President's budget request for funding year 2008. As Chair of the Subcommittee on Housing and Community Opportunity, I believe this bill will preserve many of the housing programs we have fought for over the years.

On July 12, the House passed H.R. 1851, the Section 8 Voucher Reform Act, by an overwhelming bipartisan majority. A central purpose of H.R. 1851 is to provide reliable, adequate funding for the Nation's largest subsidized housing program, buffeted in recent fiscal years.

In light of this, I am troubled that the President once again grossly underfunded section 8 in his budget request, asking for a mere $8 million above last year's funding level for the renewal of section 8 housing vouchers, an amount that won't even cover the cost of inflation. I commend Chairman OLVER for rejecting this abysmal funding level and putting the dollars needed back into the section 8 program.

I also urge my colleagues in the Senate to take up the Section 8 Voucher Reform Act and to pass the companion bill so that we can make needed reforms and bring stability and security to this critical program.

I am honored to be an original cosponsor of the National Affordable Housing Trust Fund Act of 2007, H.R. 2895, which will provide for the preservation and construction of 1.5 million units of affordable housing over the next 10 years. Because preservation begins with funding the units we have now, I am pleased that the bill increases the funding for project-based rental assistance by $667 million over the President's request; however, I am dismayed at the news that the Department has not paid some project-based owners for the month of July. It isn't enough for us to appropriate the dollars; HUD has to get them out of the door. I urge the Department to make these payments on time so that we do not risk losing owners of precious affordable housing units.

For too many years, the Nation's public housing program has been grossly underfunded. In 2007, PHAs will only receive between 82 cents and 85 cents for every dollar it costs to run public housing, impacting their ability to repair and maintain public housing units. By increasing funding for public housing programs to levels above the President's request, this bill maintains our investment in public housing. I am also pleased that the committee has rejected the administration's attempt not only to kill the HOPE VI program, but to take back prior-year funds appropriated by this House. The HOPE VI program needs to be updated, but it is a valuable program. That is why we'll soon introduce a bill to reauthorize and improve HOPE VI providing for, among other things, one-for-one replacement and the right of residents to return to a revitalized public housing unit.

Again, I want to applaud the committee for ensuring that the CDBG program is not severely underfunded. The CDBG program is funded at $3.396 billion, representing a $225 million increase compared to funding year 2006 funding level and $959 million above the President's funding year 2008 request. CDBG is vital to communities all over the country, providing valuable resources for almost every program imaginable from seniors programs to gang violence eradication programs. Without this increased level of funding, one of the Federal Government's only poverty fighting tools would have been stretched to the limit, leaving many communities desperate.

In addition, the bill provides funding for other key programs the administration sought to zero out, including the Brownfields, the Section 108 Loan Guarantee Program, and rural housing and economic development. The bill also maintains critical funding for the HOME program, Native American and Hawaiian housing grants, fair housing enforcement, and housing counseling.

□ 2145

Some of these important programs were scheduled to expire without reauthorization, but reauthorization without funding is the equivalent of killing a program.

Finally, the House today passed a resolution that I was pleased to cosponsor with Congressman SHAYS commemorating the 20th anniversary of the McKinney-Vento Homeless Assistance Act of 1987. While this is not a birthday for any of us we would prefer to be celebrating, these programs remain effective and desperately needed. Therefore, I am pleased that the bill funds the McKinney-Vento Homeless Assistance Grant at $1.561 billion, a full $234 million over funding year 2006.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure owned by the Corporation, including railroad equipment, rolling stock, legal mandates and other services, $925,000,000 to remain available until expended, of which not to exceed $285,000,000 shall be for debt service obligations: *Provided*, That the Secretary may retain up to one-quarter of one percent of the funds under this heading to fund the oversight by the Federal Railroad Administration of the design and implementation of capital projects funded by grants made under this heading: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital grant justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2008 business plan: *Provided further*, That $35,000,000 of amounts made available under this heading shall be available until expended for capital improvements if the Corporation demonstrates to the Secretary's satisfaction that the Corporation has achieved operational savings and met ridership and revenue targets as defined in the Corporation's business plan: *Provided further*, That of the funds provided under this section, not less than $5,000,000 shall be expended for the development and implementation of a managerial cost accounting system, which includes average and marginal unit cost capability: *Provided further*, That within 90 days of enactment, the Department of Transportation Inspector General shall review and comment to the Secretary of Transportation and the House and Senate Committees on Appropriations upon the strengths and weaknesses of the system being developed by the Corporation and how it best can be implemented to improve decision making by the Board of Directors and management of the Corporation: *Provided further*, That not later than 180 days after the enactment of this Act, the Secretary, in consultation with the Corporation and the States on the Northeast Corridor, shall establish a common definition of what is determined to be a ''state of good repair'' on the Northeast Corridor and report its

findings, including definitional areas of disagreement, to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

Page 41, line 26, after the dollar amount, insert ''(reduced by $425,000,000)''.

Mr. FLAKE. Madam Chairman, this amendment would reduce funding in the bill by $500 million for capital grants to Amtrak, reducing the funding level to the President's fiscal year 2008 request from $925 million to $500 million.

Here the same arguments really apply that were made in the last amendment debate, so I won't go over them all again, but let me respond a little to what was said before.

It was mentioned that these amendments are just designated to kill Amtrak. If these accounts were funded at the levels that we're talking about here, certainly there would be a restructuring somewhere. There has to be. It is likely that in some of the corridors, some of the corridors there is only a per-passenger subsidy of around $3 per ticket. In some corridors it's up to $466. I suppose that what would happen is that in those corridors, there are a lot of assets sitting with Amtrak now. If it wasn't shielded from private competition, others would come in and be able to run that service effectively and without subsidy in some of the corridors. Perhaps there'd be a smaller subsidy on some of the corridors.

But I can tell you on the corridors where we're having a subsidy of $466, in addition to the per-passenger ticket price of, in some cases, $900, I don't think that that would run at all, nor should it in any reasonable place where you believe in free markets or even limited subsidies.

There is no more call for passenger rail service to some places in this country than there is for stagecoach service. At some point you've got to say, how much can we subsidize? Four hundred sixty-six dollars per ticket probably is above that threshold somewhere.

So, under any reasonable system, yes, this would cause significant restructuring with Amtrak for that system, and that's what we're calling for. That's what we should be calling for. We can't continue to go down this road, because, as mentioned, even if you increase the number of passengers per train, if you increase ridership, it simply means more subsidy.

In any reasonable system that wouldn't be the case, but we have a system here that doesn't respond to market forces. Part of the problem with Amtrak, and we can't just blame the system there, but it's the requirements that we've placed on it. You have politicians in this small town here or this small town here designating routes that Amtrak has to follow, routes that can't even come close to being economical.

As mentioned, not many passenger rail or public transit systems anywhere in the world go unsubsidized. It's one thing to subsidize public transit; it's another to be paying $466 per ticket when the passenger is already paying $900. That simply doesn't pass any test of reasonableness. And unless we come in and really strike funding here and force change, it's simply not going to happen.

Who here in this body or who listening tonight thinks that Amtrak is suddenly going to become better and provide better service, more efficient service, given the numbers that we've given them here?

Some will call it a starvation diet. They've been on a starvation diet, but we've increased funding significantly many times. It hasn't improved. It's because we're shielding them from market forces, in some cases, and subsidizing routes that have no business running in others.

So I would offer this amendment to strike funding, or to actually bring it down to the President's level, what he has requested.

I've heard the chairman of the Appropriations Committee say many times and point out that the administration is wasting money here and there and everywhere. They are. Here's one case where we should say, there's too much money being wasted by the agencies. Let's direct them, let's exercise the oversight that this body is supposed to exercise and actually say, let's pull some funding back, let's force Amtrak to go through the restructuring that they're going to have to go through at some point. We're simply delaying the inevitable and forcing the taxpayer to subsidize at higher levels than they should until that time is reached.

Madam Chairman, I yield back the balance of my time.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, I again oppose this amendment. This is just a continuation of the effort to strangle Amtrak.

In this instance I think that what I'd like to do is to just try to review with the, whoever is still listening at this hour of the night what the President's budgets have looked like over the last several years. I may be slightly wrong, because I maybe have 1 year misplaced as to what happened, but I have been the ranking member for 2 years, the last 2 years, in the 2006 and 2007 budgets. My recollection is that the 2006 budget that the President provided no money, and we had to fill the hole completely to keep whatever was functional functioning in the case of Amtrak.

And then in the 2007 budget, that year we ended up providing between, by the time the conference process was complete, $1.3 billion for a mixture of operating subsidies and capital programs. In the 2007 budget, the administration came up with a number which was much lower than what had been appropriated the previous year, and again we had to, it was around 8- or $900 million in total, and we, again we had to come up with a higher sum of money, back to the $1.3 billion, in order to complete, to keep the level of service where it was, which includes the whole of the Northeast corridor, which carries half of all the passengers and is trackage that is owned by Amtrak, and all the services that go out of Chicago and the other metropolitan areas, and the long-distance services on the west coast and across the country.

So what we have this year is that the President came up with an amount of $500 million for capital, and $300 million for efficiency incentive grants, which is sort of an oxymoron because in the previous year, we had provided some sort of incentive grants which Amtrak, after they had provided the savings and made serious savings in the accounts, they then found that they got exactly nothing in the way of incentive grants that were released to them. So what's the point, really, of trying to save money?

But we've included that language, included the mandate essentially, that they are to continue to look for savings in the system. In the meantime we provided, again, the $1.3-, now up to $1.4- because of inflation, a total of $1.4 billion of which now the amount was put up to $925 million for capital, which the gentleman wishes to reduce to $500 million for capital, which was never adequate in the first place.

On the Northeast corridor, we have done so little upkeep, we are nowhere close to a state of good repair, which is dangerous. It is causing safety problems in the Northeast corridor, where more than half of our total passengers are being handled, so that the gentleman's amendment takes away capital monies now. This is the second hit at it, the capital monies that would be necessary to make progress on dealing with the backlog of capital deficiencies that have been built up over a period of years.

There are tunnels and bridges and trackage and the cantanary lines, the electric lines and so forth that go with it, all of which are in need desperately of capital repair and a steady infusion of money to bring that up to date. These are expensive propositions when nothing has been done or so little has been done over a period of time.

So first the gentleman has made an effort to reduce the operating subsidy, which no rail system anywhere in the world can function without it, and now he's reducing the capital grant program down to a level which leaves us with an ever-worsening state of safety and repair on the part of the system that is actually owned by the Federal Government.

So this should not be done. This is a bad amendment. This is another killer amendment for Amtrak, and I hope that the amendment will be defeated.

Mr. OBERSTAR. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. The chairman has said it very well. The gentleman from Arizona first wants to cut the operating account, and then, after Amtrak is unable to operate, then cut their capital and debt service funds, and then, I guess, bury passenger rail service in America. He doesn't provide for a burial service, however, and we're not about to do that.

This would cut the $425 million in capital and debt service grants that would go below the level recommended by Amtrak's Board of Directors, who haven't been known to be generously supportive of their own organization. It would undermine the solvency of Amtrak. The capital needs are critical to operating Amtrak, to bring it to a state of good repair and maintain it in a state of decent and good repair. The capital overhead program on rolling stock is critical to keep aging equipment in safe working order and minimize failures.

You should go out sometime to the Amtrak repair facility in Indianapolis and see the highly skilled technicians who are working to repair and restore locomotives and passenger cars and the dining service cars. They are meticulous workers who are saving Amtrak hundreds of thousands and even millions of dollars a year by restoring old equipment, putting it into a good state of operation. This amendment would cut the guts out from that operation. That doesn't make any sense whatever.

Amtrak has been investing in its deferred capital needs since 2003, incrementally, with not enough money, by far too little to reach the goals that they must attain, but they're doing it nonetheless. And the result is that with those very skilled workers, 70 percent of Amtrak's passenger car fleet and 85 percent of its locomotives will be in a state of good repair by the end of fiscal 2007.

Now, if you cut this money out, they'll never be able to bridge the gap and go on to make the other improvements that are needed.

I heard the gentleman say, well, we need to cut the funding and force change, and subject Amtrak to market forces. Well, in a hospital you don't cut off the blood supply to a patient and say, we're going to push the patient into a state of good health. That idea went out with applying leeches to the body and draining the body's fluids and essential operations. It doesn't make any sense.

And the gentleman, as many others have misguidedly said, we need to subject Amtrak to market forces. That implies that there's some other competitive passenger rail service in this country. There isn't. The railroads abandoned it in the 1960s. They didn't want to operate passenger rail service. It was much easier to carry freight than to carry people in this country. And they ran the passenger rail service into the ground, and then they handed it over to the Federal Government and said, here you take it. You do it. You do something good for the country.

□ 2200

Well, Congress did. I was here on the staff at the time when Amtrak was created. There was great hope for it. There were going to be capital investments made. The rail was going to help out with all the support that was needed for the infrastructure of intercity passenger rail. None of that happened.

Freight rails last year earned $4.5 billion net after-tax profit hauling freight. Amtrak is on a starvation diet made worse over the last 12 years by this previous leadership in Congress refusing to provide funding. But with a few enlightened Members on the other side supporting us over here, we were able to keep Amtrak alive, just keep it moving along, just hand-to-mouth existence.

Well, no more. There's a new leadership in this Congress. The gentleman from Massachusetts has seen the need, seen the opportunity to make investments. He has provided the funding in this bill. We need to move ahead. We should not cut the operating funds nor the capital grants. We ought to be doing far more than we are doing already in this bill. But this is at least a start and moves us in the right direction. We have to defeat this amendment.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. OLVER. Madam Chairman, I ask unanimous consent that the remainder of the bill through page 60, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of that portion of the bill is as follows:

INTERCITY PASSENGER RAIL GRANT PROGRAM

To enable the Secretary to make grants to States in support of intercity passenger rail, $50,000,000 as authorized by section 26101 of title 49, United States Code, to remain available until expended: *Provided*, That States may apply to the Federal Railroad Administration for grants up to 50 percent of the cost of planning and capital investments necessary to support improved intercity passenger rail service that either requires no operating subsidy or for which the State or States agree to provide any needed operating subsidy: *Provided further*, That priority shall be given to planning and infrastructure improvement projects that improve the safety, reliability and schedule of intercity passenger trains, reduce congestion on the host freight railroads, involve a commitment by freight railroads to an enforceable on-time performance of passenger trains of 80 percent or greater, involve a commitment by States of financial resources to improve the safety of highway/rail grade crossings over which the passenger service operates, and that protect and enhance the environment, promote energy conservation, and improve quality of life: *Provided further*, That to be eligible for this assistance, States must include intercity passenger rail service as an integral part of Statewide transportation planning as required under 23 U.S.C. 135: *Provided further*, That the specific project must be on the Statewide Transportation Improvement Plan at the time of the application to qualify.

ADMINISTRATIVE PROVISION—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $92,500,000: *Provided*, That of the funds available under this heading, not to exceed $1,504,000 shall be available for travel and not to exceed $20,719,000 shall be available for the central account: *Provided further*, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: *Provided further*, That upon submission to the Congress of the fiscal year 2009 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2009.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, $6,855,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, shall not exceed total obligations of $7,872,893,000 in fiscal year

2008: *Provided further*, That $28,660,920 in unobligated balances are rescinded.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $65,500,000, to remain available until expended: *Provided*, That $9,300,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, $7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That $44,900,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION)

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,700,000,000, to remain available until expended of which $200,000,000 is for section 5309(e): *Provided*, That $17,760,000 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds made available by this Act under ''Federal Transit Administration, Capital investment grants'' and bus and bus facilities under ''Federal Transit Administration, Formula and bus grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2010, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2007, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading ''Federal Transit Administration, Capital Investment Grants'' in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects.

SEC. 164. During fiscal year 2008, each Federal Transit Administration grant for a project that involves the acquisition or rehabilitation of a bus to be used in public transportation shall be funded for 100 percent of the net capital costs of a factory-installed or retrofitted hybrid electric propulsion system and any equipment related to such a system: *Provided*, That the Secretary shall have the discretion to determine, through practicable administrative procedures, the costs attributable to the system and related-equipment.

SEC. 165. In addition to amounts otherwise made available in this Act, to enable the Secretary of Transportation to make grants to carry out 49 U.S.C. 5308 of Public Law 109–59, $26,000,000, to remain available until expended.

SEC. 166. The second sentence of section 321 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (99 Stat. 1287) is repealed.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $17,392,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a United States-flag merchant fleet to serve the national security needs of the United States, $156,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $118,646,000, of which $24,720,000 shall remain available until September 30, 2008, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $14,139,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $10,500,000 shall remain available until expended for maintenance and repair of schoolships at State Maritime Schools.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $17,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, not to exceed $3,408,000, which shall be transferred to and merged with the appropriation for ''Operations and Training'', Maritime Administration.

SHIP CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $3,526,000 are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. No obligations shall be incurred during the current fiscal year from the construction fund established by section 53716 of title 46, United States Code, or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, $18,130,000, of which $639,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $28,899,000, of which $1,829,000 shall remain available until September 30, 2010: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $78,875,000, of which $18,810,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2010; of which $60,065,000 shall be derived from the Pipeline Safety Fund, of which $32,683,000 shall remain available until September 30, 2010: *Provided*, That not less than $1,043,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2009: *Provided*, That not more than $28,318,000 shall be made available for obligation in fiscal year 2008 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $12,000,000, of which $6,036,000 shall remain available until September 30, 2010: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978 (5 U.S.C. App. 3), $66,400,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act (5 U.S.C. App. 3),

to investigate allegations of fraud, including false statements to the government under 18 U.S.C. 1001, by any person or entity that is subject to regulation by the Department: *Provided further,* That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $26,495,000: *Provided,* That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further,* That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2008, to result in a final appropriation from the general fund estimated at no more than $25,245,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided,* That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Research and University Research Centers'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 187. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided,* That no notification shall involve funds that are not available for obligation.

SEC. 188. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 189. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided,* That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided,* That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further,* That for purposes of this section, the term ''improper payments'', has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 190. Funds provided in Public Law 102–143 in the item relating to ''Highway Bypass Demonstration Project'' shall be available for the improvement of Route 101 in the vicinity of Prunedale, Monterey County, California.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 191. Funds provided under section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106–346, 114 Stat. 1356, 1356A–41), for the reconstruction of School Road East in Marlboro Township, New Jersey, shall be available for the Spring Valley Road Project in Marlboro Township, New Jersey.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey:

At the end of title I, insert the following:

SEC. 192. Out of the funds appropriated or otherwise made available under this Act to the Surface Transportation Board of the Department of Transportation, when considering cases, matters, or declaratory orders before the Board involving a railroad, or an entity claiming or seeking authority to operate as a railroad, and the transportation of solid waste (as defined in section 1004 of 42 U.S.C. 6903), the Board shall consider any activity involving the receipt, delivery, sorting, handling or transfer in-transit outside of a sealed container, storage other than inside a sealed container, or other processing of solid waste to be an activity over which the Board does not have jurisdiction.

Mr. SMITH of New Jersey (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OLVER. Madam Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. SMITH of New Jersey. Madam Chairman, in 1995 the Congress passed and President Clinton signed the Interstate Commerce Commission Termination Act, Public Law 104–88. As a direct consequence, the Surface Transportation Board created by the law is now in the business of facilitating solid waste transfer stations that are not subject to local or State environmental laws or regulations.

This Federal preemption of local environmental laws is fraught with danger to the public and must be reversed, which would be accomplished if my amendment or a similar amendment that has been proffered by Senator LAUTENBERG and already adopted in committee were to become law.

During the past several years, small rail companies, many apparently formed for the expressed purpose of securing Federal exemption from local and State regulations, have filed numerous verified notices of exemption with the STB for the purpose of establishing solid waste transfer stations along rail lines and spurs. In one case in North Bergen, New Jersey, the New Jersey Department of Environmental Protection fined the New York Susquehanna & Western Railway Corporation $2.5 million for violation only to have this year a Federal judge nullify that important State enforcement. Thus far the STB has not acted on New Jersey's complaints of health, environmental, and fire risk and concerns the State raised concerning high levels of lead, arsenic, mercury, and copper.

Now at the property in my district in Freehold, New Jersey, a small class 3 rail company, Ashland Railroad, has filed a verified notice of exemption with the STB to operate a 1.5 mile track for the establishment of another solid waste transfer station. The proposed site would be situated right next to a wetlands area that poses significant hazards to the health, safety, and well-being of my constituents. This is especially important in light of the fact that the wetlands feed directly into the Manasquan Reservoir, the source of the potable water for hundreds of thousands of people in the Monmouth County area. The proposed site is also adjacent to residential housing, again raising serious concern, especially because there are many prevailing winds and other issues concerning the health and safety of those folks.

A waste transfer station, Madam Chairman, should not be established without significant local input. Preemption voids numerous meaningful State health and safety environmental laws, including those enacted in my State. I believe that people deserve the protection of these laws and the protection that these policies do provide.

Mr. OBERSTAR. Madam Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Madam Chairman, I support the gentleman's effort here. The Surface Transportation Board has attempted to insert itself into a matter that the gentleman has very well and thoroughly described, but it is sadly mistaken in its effort to preempt State rights in this arena. So I strongly support the gentleman's amendment.

Mr. SMITH of New Jersey. Madam Chairman, I thank the distinguished chairman for that support.

Mr. OLVER. Madam Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to my friend.

Mr. OLVER. It has been my understanding that you were going to withdraw the amendment.

Mr. SMITH of New Jersey. I understand. I thought you might be persuaded by Mr. OBERSTAR's very eloquent intervention, but I understand this is legislating on appropriations.

Madam Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, I think we got a little bit confused by the chairman of the authorizing committee's involvement here. But in any case, I very much sympathize with the gentleman from New Jersey's point of view. There is language in our report that deals specifically with businesses using railroad properties as waste transfer handling points and urges the Surface Transportation Board to ensure that these types of operations are subject to local, State, and Federal regulations as other solid waste facilities are.

So, again, I sympathize with the gentleman from New Jersey and Members from other affected States. My subcommittee will work with the STB to close this legal loophole and prevent instances of illegal handling of solid waste on railroad facilities. But it is an authorizing issue, and we have not allowed authorizing issues in the legislation this year. My ranking member has been particularly insistent and I have been insistent about that as we have moved thus far. And so I would have insisted on my point of order, and I appreciate the gentleman's withdrawing the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of Transportation Appropriations Act, 2008''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $16,330,000,000, to remain available until expended, of which $12,137,000,000 shall be available on October 1, 2007, and $4,193,000,000 shall be available on October 1, 2008: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $14,744,506,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary of Housing and Urban Development for the calendar year 2008 funding cycle shall provide renewal funding for each public housing agency based on the amount public housing agencies received in calendar year 2007, by applying the 2008 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with deposits to Family Self-Sufficiency Program escrow accounts or the first-time renewal of tenant protection or HOPE VI vouchers or vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following proviso, the entire amount provided under this paragraph shall be obligated to the public housing agencies based on the allocation and pro rata method described above and the Secretary shall notify public housing agencies of their annual budgets not later than 45 days after enactment of this Act: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso: *Provided further*, That up to $75,000,000 shall be available for additional rental subsidy due to unforeseen exigencies as determined by the Secretary and for the one-time funding of housing assistance payments resulting from the portability provisions of the housing choice voucher program: *Provided further*, That none of the funds provided in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract.

(2) $150,000,000 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: *Provided*, That additional section 8 tenant protection rental assistance costs may be funded in 2008 by utilizing unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Housing Certificate Fund'', and the heading ''Project-Based Rental Assistance'', for fiscal year 2007 and prior years; *Provided further*, That not more than $12,000,000 may be used for section 8 assistance to cover the cost of judgments and settlement agreements.

(3) $48,000,000 for family self-sufficiency coordinators under section 23 of the Act.

(4) $30,000,000 for incremental vouchers under section 8 of the Act for nonelderly disabled families affected by the designation of a public housing development under section 7 of the Act, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992 (42 U.S.C. 13611), or the restriction of occupancy to elderly families in accordance with section 658 of such Act (42 U.S.C. 13618), and to the extent the Secretary determines that such amount is not needed to fund applications for such affected families, for other nonelderly disabled families, of which remaining amount such amount as is necessary shall be made available to provide 1,000 vouchers for rental assistance for homeless veterans in accordance with section 8(o)(19)(B)(ii) of the Act: *Provided*, That incremental vouchers made available under this paragraph for nonelderly disabled families or for homeless veterans shall, to the extent practicable, continue to be provided to such families or veterans, respectively, upon turnover.

(5) $6,494,000 shall be transferred to the Working Capital Fund.

(6) $1,351,000,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $5,000,000 shall be available as an incentive bonus as determined by the Secretary for administrative expenses for public housing agencies that voluntarily consolidate, and of which up to $35,000,000 shall be available to the Secretary to allocate to public housing

agencies that need additional funds to administer their section 8 programs with up to $30,000,000 for fees associated with section 8 tenant protection rental assistance: *Provided,* That not less than $1,351,000,000 of the amount provided in this paragraph shall be allocated for the calendar year 2008 funding cycle to public housing agencies on a basis as provided in section 8(q) of the Act as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further,* That if the amounts made available under this paragraph are insufficient to pay the amounts required by this paragraph, the Secretary may decrease the amounts allocated to agencies by a uniform prorated percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts required under this paragraph, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Housing Certificate Fund'', and the heading ''Project-Based Rental Assistance'', for fiscal year 2007 and prior years: *Provided further,* That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8 of the Act, including related development activities.

AMENDMENT OFFERED BY MR. CHABOT

Mr. CHABOT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHABOT:

Page 61, line 10, after the dollar amount, insert ''(reduced by $330,000,000)''.

Page 61, line 12, after the dollar amount, insert ''(reduced by $330,000,000)''.

Page 61, line 16, after the dollar amount, insert ''(reduced by $330,000,000)''.

Mr. CHABOT (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Madam Chairman, the section 8 program is a program I believe is in serious need of fundamental reforms, not more money.

Two weeks ago, the House debated H.R. 1851, the so-called Section 8 Voucher Reform Act. But rather than making the program more effective for the individuals who use it and more accountable to the taxpayers who fund it, the bill will create 100,000 more vouchers at a cost of $2.4 billion over the next 5 years.

I offered several amendments to strengthen the bill and bring about some much-needed responsibility to the program, to add, for example, work requirements and time limits and to stop the creation of new vouchers. Unfortunately, those amendments were voted down. And now 2 weeks later, we find ourselves considering a bill that would reward this flawed program by increasing its funding by hundreds of millions of dollars.

When we committed ourselves sometime ago to welfare reform, it was with the understanding that the program should no longer be a tax-funded handout but should instead offer people a way out of poverty, helping them obtain job and education skills they needed to become self-sufficient. Ending welfare cycle of dependencies have cut the welfare rolls in half, promoted individual responsibility, and saved billions of tax dollars in the process. Sadly, current housing programs closely resemble the failed welfare policies of the past.

Like the old welfare programs, the section 8 housing program discourages work and allows people to stay on the program indefinitely. It is also too often mismanaged by local governments or housing authorities.

I represent most of the city of Cincinnati, its western suburbs and few townships in Butler County, Ohio. Too many neighborhoods in my district have had to witness the crime, despair, and hopelessness that are inherent in a government program that asks virtually nothing of the recipients and that encourages dependency rather than responsibility and waste rather than work.

Whether it is the funding provided by the Federal Government or mismanagement of the program by local governments and agencies, section 8 has failed those who use it and those who pay for it: the American taxpayers.

It is also important to point out that the dependency that section 8 has created is so great that there are long waiting lists to get vouchers. Why? Because too many of those who gain access to the program don't leave. They don't really have an incentive to. The average stay is about 7 years.

Madam Chairman, this is a very modest, straightforward amendment. My amendment would simply reduce section 8 vouchers, the funding, by $330 million to bring it in line with the administration's budget request. This bill would spend $16.3 billion on vouchers, asking virtually nothing of its recipients.

On behalf of the American taxpayers, I don't think it is asking too much of this Congress to settle for a smaller increase to a program that spends far too much with too little accountability.

Madam Chairman, I yield back the balance of my time.

Mr. OLVER. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Madam Chairman, I rise in strong opposition to the gentleman's amendment to cut the $330 million from the Tenant-based Rental Assistance account will not hold the program steady at the fiscal 2007 level. It will actually cut somewhere between 40,000 and 80,000 families that are currently in the program. That means that somewhere between 40,000 and 80,000 families, that is a large margin but that is families, that is real people, that currently have a section 8 voucher will find themselves without a home in fiscal year 2008.

Now, we know that rents increase each year. This is a market-based program, and market-based programs do escalate, are subject to inflation.

□ 2215

And that's what this $330 million amount was. It was a deficiency in the President's budget, where the President's budget was presented to the Congress before the actions in this continuing resolution in February of this year were acted upon, were taken by the Congress, and the President signed, ultimately, that legislation in the continuing resolution.

So, his original amount of money was for an entirely different set of circumstances because there was a restructuring of the section 8, the tenant-based section 8 program in the continuing resolution. And keeping the people with the number of vouchers, the vouchers that have been out there, we had to come up with the additional money in this bill which only allows the same number of people to have vouchers.

There is one $30 million amount in here for the first incremental vouchers added to the system in about 6 years; $30 million to be used for new vouchers for nonelderly disabled people and homeless veterans. As my ranking member pointed out, while we were affording 4,000 new vouchers, 3,000 of them go to nonelder disabled people, and 1,000 of them go to nonelder disabled people who also happen to be homeless veterans. That's how the 4,000 is structured. It's a very good, one of only a handful of initiatives in this bill for new vouchers for that particular program.

I can't really fathom why anybody would want to deny thousands of people with disabilities and homeless veterans a chance to live in a safe, affordable home.

I strongly oppose this amendment and urge a ''no'' vote.

Madam Chairman, I yield back the balance of my time.

Mr. KNOLLENBERG. Madam Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Madam Chairman, the thing that I have a problem with is we seem to be, and I know the gentleman is well-intentioned in terms of what he's doing, but we're losing more and more vouchers, and this is one way we're going to lose a substantial amount. If you reduce it by 330 million in tenant-based vouchers, you would have an adversive impact, a significant impact on the number of families that would receive assistance in 2008. So I must rise in opposition to this amendment.

The program today is administered based on the number of vouchers that are under lease. Currently, 13 percent

of the 2 million vouchers authorized turn over each year. This means that about 240,000 vouchers are relinquished each year and provided to new families or individuals.

The amendment, if adopted, would mean that about 47,000 vouchers could not be renewed upon turnover nationwide. And after years of trying to increase the use of vouchers so more families could receive assistance, this amendment would greatly undermine that effort.

While it is true that in 2007 the appropriations bill provided significantly more funding than was called for or was needed, reducing next year's funding level will offset the overage provided in 2007. Instead, 2007 funds should be recaptured and used by the Congress. So therefore, I must stand in opposition to this amendment.

Mr. OLVER. Will the gentleman yield?

Mr. KNOLLENBERG. I would be happy to yield.

Mr. OLVER. I thank the gentleman for yielding.

I would also like to point out to the gentleman from Ohio that we have available about, under authorization, 2.1 million vouchers of which this bill only funds 1.9 million of them at the level that we have provided the money with the 4,000 additional vouchers.

I would like to remind that the authorizing committee just brought out legislation and has added 20,000 in authorization for each of the next 5 years. Whether we will have the funding next year to actually provide that money, I do not know, but they're asking for us not only to move upward toward filling the vouchers that presently are authorized, but also adding some additional ones.

And the reason for that is that we have 8 million families roughly, 8 million households in this country which are living at incomes below 30 percent of the median income in their areas, and we are only providing somewhere in the range of 2 million, a little bit less even in this funding, of money for rental assistance for those people. So we're not coming anywhere close to dealing with the poorest people who are eligible under the law as it is written for that rental assistance because their income lies below 30 percent of median income in the area involved.

Mr. KNOLLENBERG. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CHABOT. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

Mr. OLVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. HIRONO) having assumed the chair, Ms. BALDWIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. HIRONO). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

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

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

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

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

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Illinois (Mr. DAVIS) is recognized for half the time until midnight as the designee of the majority leader.

GENERAL LEAVE

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

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

There was no objection.

Mr. DAVIS of Illinois. Madam Speaker, I want to thank you for the opportunity to address the House.

I want to, first of all, thank Speaker PELOSI for granting to the Congressional Black Caucus this time on this evening.

I also want to thank our chairperson, Representative CAROLYN KILPATRICK, for deciding that each Monday members of the Congressional Black Caucus will come to the floor with a message to address issues, issues that affect not only African Americans, but issues which are pertinent to the quality of life in these United States of America.

This evening we have chosen to take a look at something called Second Chance, and that is we've chosen to take a look at how do we help successfully reintegrate the more than 650,000 people who come home from jail and prison each year back into a normal setting so that they can become contributing members of society, so that

they can become assets and not liabilities, and so that they can be the productive citizens that they have the potential of being.

We all know that it's common knowledge that people being released from prison and jail have complex needs, and that's why Second Chance is so important. Three out of four have a substance abuse problem, but only 10 percent in State prisons and 3 percent in local jails receive formal treatment prior to release. Fifty-five percent have children under 18, and about 2 percent of all United States minors either have or have had a parent in prison. Two out of three lack a high school diploma. And 40 percent have neither a diploma nor GED, and only about one out of three gets vocational training at any point during their incarceration.

Nearly half of those in jail earned less than $600 a month just prior to incarceration, and more than one of three jail inmates reported some physical or mental disability. About one out of five prisoners is released from prison without any real supervision or without any kind of help.

And so when we look at this enormous problem, it is essential that we provide all of the assistance. We know, for example, that those individuals who come out of prison and receive no help, within a 3-year period of time, 67 percent of them would have done what we call reoffend. About 53 percent of them will be back reincarcerated after having used up thousands of dollars of public resources just to get them back in jail or back in prison, not to mention the enormous cost of maintaining them during their stay.

□ 2230

That is why we believe that it makes far more sense to help these individuals return.

You know, it is not easy to get people to come over on a Monday night at 10:30. But one Member of the Congressional Black Caucus has come this evening. Not only has he come this evening, but he comes often. He comes often in terms of the kind of representation that he has provided in this House during his entire tenure, but also the kind of representation that he has provided throughout America trying to make sure that people experience equality, equal opportunity, a sense of justice, and a sense of hope. So I am very pleased that Representative BOBBY SCOTT has joined me.

Madam Speaker, it is my pleasure to yield to him to further discuss this issue.

Mr. SCOTT of Virginia. Madam Speaker, I thank the gentleman from Illinois for yielding.

Madam Speaker, I want to thank the gentleman from Illinois for scheduling this special order on the Second Chance Act and for his long and diligent labors to move the bill forward as part of his lifetime of dedication to protecting and serving the public's interest.

He has been a dedicated public servant on this issue, ensuring that those who are in prison have a chance to turn their lives around and become productive citizens. That is why he is the chief sponsor of the Second Chance Act.

Congressman DAVIS' efforts not only benefit the offenders, because for everyone who comes out and establishes a law-abiding and productive life, one or more potential victims of crime never become victims, and the taxpayers have to pay less in prison expenses because one less person is not going back to prison.

This is the third Congress in a row that we have been working on this bill on a bipartisan basis. I believe this year we will be successful in passing the bill.

Madam Speaker, over the last decade we have seen an unprecedented explosion in our prison and jail populations. Now there are more than 2.2 million people incarcerated in Federal and State prisons and local jails, a tenfold increase since just 1980. Moreover, the annual expenses for corrections have increased from $9 billion in 1982 to more than $65 billion today. The figures continue to grow. These figures do not include the cost of arrest and prosecution, nor do they take into account the cost to victims of crime.

As a result of this focus in incarceration, the United States leads the world in per capita incarceration rates. The United States locks up 726 inmates for every 100,000 in population, according to 2004 data.

The international average is about 100 per 100,000. 142 in England and Wales, 117 in Australia, 116 in Canada, 91 in Germany, 85 in France. So the United States average is more than seven times the international average of about 100 per 100,000. The closest competitor is 532 inmates per 100,000 in Russia. That is 726 in the United States, Russia, second place, 532 per 100,000.

This year, more than 650,000 people will be released from State and Federal prisons to communities nationwide, along with more than 9 million people leaving our local jails. According to the Department of Justice, 67 percent of offenders leaving State and Federal prison will be rearrested within the next 3 years.

There is a pressing need to provide ex-offenders with education and training, drug treatment and medical and mental health services necessary to afford them the ability to obtain and hold steady jobs.

The statistics underlying the needs of our prison population are staggering. For example, 57 percent of Federal and 70 percent of State inmates used drugs regularly before prison, with some estimates going as high as 84 percent of alcohol or drug use at the time the offense occurred.

Furthermore, one-third of all jail inmates will have some physical or mental disability. Twenty-five percent of jail inmates in fact have been treated at some time for mental or emotional problems. And as has been detailed by many researchers, other deficiencies include limited education and few job skills or job experience.

Evidence from the Department of Justice indicates that the needs for prison population are not being met under the current system. If we allow them to return to their communities with few economic opportunities where they were actually involved in crime and where their friends and associates may still be involved in crime and substance abuse, if we allow them to return to those communities without support, we can only expect to see the extension of the cycle of recidivism.

With bipartisan support in this legislation, we are set to build a broad web of programs which will help break the cycle of recidivism laying at the heart of our prison population explosion. The Second Chance Act provides a host of evidence-based approaches designed to reduce the high rate of recidivism that we are now experiencing.

If we are going to continue to send more and more people to prison with longer and longer sentences, we should do as much as we reasonably can to assure that when they do return to their communities, they don't turn around and commit new offenses and have to go back to prison.

Madam Speaker, let's be clear: The primary reason for supporting the Second Chance Act is not to benefit the offenders, although it does benefit the offenders. The primary reason for doing so is it better assures us that we and other Members of the community will not be victims of crime in the future and because the taxpayer will have to pay less in services under the Second Chance Act than we now have to pay because of the high recidivism rate and having people go back to prison.

So I want to thank again the gentleman from Illinois for holding this special order to bring attention to this important issue and the legislation that has been carefully drawn up to address it. I thank Mr. DAVIS for being the chief sponsor of the Second Chance Act. We are going to work as hard as we can to make sure it passes the House and the Senate.

Mr. DAVIS of Illinois. Madam Speaker, I want to thank Representative SCOTT again for leading the charge in the Judiciary Committee to make sure that this legislation was in fact passed. It has passed out of Judiciary. Without your leadership and the leadership of Chairman CONYERS and the help of individuals like Representative WATERS and Representative WATTS and Representative SENSENBRENNER and a number of others, it never would have happened. So we definitely appreciate that.

Mr. SCOTT of Virginia. If the gentleman will yield further, I would also like to point out it is bipartisan. Representative CHABOT from Ohio and many Republicans on the committee

have been strong supporters of the Second Chance Act. That is how it received such an overwhelming vote in the committee.

Mr. DAVIS of Illinois. And definitely Representative Chris Cohen was very helpful and was a chief Republican sponsor of the legislation.

Let me also indicate that I agree with what you just said about America having more of its people in prison than any other developed nation in the world. But the vast majority, 95 percent of those individuals, will eventually return to the community. That is, they will return to the communities from whence they came. That means that every year about 650,000 are released. These men and women deserve a second chance. Their families, spouses and children deserve a second chance, and their communities indeed deserve a second chance. ''Second chance'' really means an opportunity to turn a life around, a chance to break the grip of a drug habit, a chance to support a family, to pay taxes, to be self-sufficient.

Today, few of those who return to their communities are prepared for their release or receive any supportive services. When the prison door swings open, an ex-offender may receive a bus ticket and spending money for a day or two. Many leave prison to return to the same environment which saw them offend in the first place. But, as they return, they often face additional barriers to reentry: Serious physical and mental health problems, as you just indicated; no place to stay; a lack of education or qualifications to hold a job.

As a result, two out of three will be re-arrested for new crimes within the first 3 years of their release. Youthful offenders are even more likely to re-offend. One-third of all correction departments provide no services to released offenders, and most departments do not offer a transitional program, placing a heavy burden on families and communities.

Considering the cost of incarceration, as much as $40,000 per year, and all the social and economic costs of crime to the community, it is just plain common sense to act to help these individuals reenter, become useful and reduce the level of recidivism.

When we think about it, the Second Chance Act will provide transitional assistance to assist ex-offenders in coping with the challenges of reentry. It will help reunite families and protect communities. It will enhance public safety and save taxpayer dollars. It is the humane thing to do, it is the responsible thing to do, and it is indeed the right thing to do.

The bill has the support of more than 200 criminal justice, service provider, faith-based, housing, governmental, disability and civil rights organizations, and President Bush has signaled his support for the legislation as well.

No single piece of legislation is going to solve the reentry crisis we are facing, but the Second Chance Act is a good start. I believe that with its passage, then we put the spotlight not just on the problem, but on the opportunities for solutions.

I am convinced, however, that any serious effort to facilitate the reentry of men and women with criminal records to civil society must be prepared to do two things: First we must be prepared to help with drug treatment on demand for everyone who requests it; secondly, we must find work for ex-offenders. Programs won't supply jobs. And after ex-offenders have undergone rehabilitation and receive appropriate training, employers will have to open their hearts and put these men and women back into the workforce, or they will surely and certainly end up back in prison.

I hope that everyone watching does in fact agree. I hope that everyone listening does in fact agree. And I certainly hope that all of the Members of this body and all of the Members in the other body will agree. Because when we help a person successfully reenter, we are not really just helping them, we are helping ourselves. I would much rather help an individual get rid of a drug problem than have to watch behind me when I walk down the street, or have to wonder whether or not I am going to be under attack because some person is in need of a $15 fix.

Madam Speaker, this legislation is legislation for America.

Madam Speaker, I include for the RECORD the following statistics on adults on parole.

Adults on Parole, by Race/Ethnic Origin, 2005

State	Parold population, 12/31/2005	White	Black/African American	Hispanic or Latino	American Indian/Alaskan Native	Asian	Native Hawaiian/other Pacific Islander	Two or more races	Unknown or not reported
New Jersey	13,874	2,906	6,679	2,563	19	25	53	0	1,629
New York	53,533	8,770	24,467	18,739	225	312	0	0	1,020
Pennsylvania [a]	75,678	39,517	28,271	6,022	62	295	3	56	1,452
Illinois [b]	34,576	10,124	20,386	3,923	30	90	**	**	23
Michigan	19,978	9,170	10,209	309	132	38	0	0	120
Minnesota	3,966	2,350	996	319	201	0	0	0	100
Missouri	18,374	12,246	5,665	356	55	37	0	0	15
Ohio [b]	19,512	9,717	9,580	156	39	20	0	0	0
Wisconsin [a]	15,505	6,983	6,712	1,209	432	122	**	**	47
Alabama [b]	7,252	2,503	4,670	32	2	8	0	2	35
Florida	4,785	1,940	2,725	105	5	0	0	**	10
Georgia	22,851	7,979	14,872	**	**	**	**	**	0
Louisiana	24,072	8,519	15,432	4	4	2	**	**	111
Maryland	14,271	3,617	10,602	**	13	17	**	**	22
Mississippi	1,970	847	1,104	11	4	2	0	0	2
North Carolina	3,101	1,096	1,801	126	50	9	1	**	18
South Carolina	3,155	1,029	2,081	20	8	1	0	**	16
Texas	101,916	34,561	39,718	26,920	70	163	0	0	484
Virginia [b]	4,499	2,144	2,243	0	2	0	0	0	110
California	111,743	34,535	27,825	44,135	897	1,018	193	0	3,140

** Not known.
[a] See Explanatory notes for more detail.
[b] Some or all detailed data are estimated for race.

Mr. DAVIS of Illinois. Representative SCOTT, I don't know if you have anything else you would like to add. If so, please feel free to do so.

□ 2245

Mr. SCOTT of Virginia. Mr. Speaker, I would like to thank you for introducing the legislation. It not only helps individuals, but saves taxpayer money and reduces crime in a cost-effective manner. Everybody wins with passage of this legislation. I thank you for your leadership.

Mr. DAVIS of Illinois. I thank the gentleman.

Madam Speaker, I hope the next time we come to the floor to talk about ex-offender reentry, we will be congratulating ourselves, we will be congratulating the House, the Senate and the President for having put into play a meaningful piece of legislation that is going to be good for America.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in strong support of the Second Chance Act, and I thank Mr. DAVIS for introducing this important piece of legislation.

In American we have more than 2-million people in prison. Of these, over 600-thousand are released each year.

Very few of these individuals are prepared to return to their communities or receive support services to ease their transition.

These ex-offenders face serious impediments in obtaining employment, and often have serious mental or physical ailments that remain unaddressed.

Today, approximately half of all black men are jobless. Amongst ex-offenders this number is even higher.

There is revolving door of ex-offenders into many of our neighborhoods.

With few opportunities two-thirds of all ex-offenders are arrested for new crimes within a few years of their release.

We must give these individuals the opportunity to become productive citizens.

The Second Chance Act will go a long way towards this goal by providing transitional assistance to ex-offenders reentering their communities.

It will work to reunite families and provide the appropriate training and rehabilitation for these individuals.

This bill will increase public safety and give millions of ex-offenders a chance to be positive productive citizens. I strongly urge my colleagues support.

Ms. LEE. Madam Speaker. I would also like to thank Congressman DAVIS for his leadership on this issue, and for introducing H.R. 1593, The Second Chance Act, which injects a much needed dose of reality into this debate.

The reality is, recidivism rates continue to rise with nearly 70 percent of released offenders returning to prison within 3 years. By releasing ex-offenders back into our communities without arming them with the necessary tools for survival, we are condemning them to repeat their past mistakes. And this does nothing to reduce the crime rate and provide for safe communities.

Today, we can change the landscape of ex-offender re-entry programs in this country. We need to make rehabilitation a reality not just an abstract proposal. By providing all formerly incarcerated individuals with greater access to education, health care, job placement, and drug treatment we will reduce recidivism rates across the board.

Re-entry programs are critical to reintegrating ex-offenders into civil society. Up to 60 percent of ex-offenders are unemployed a year after their release and up to 30 percent go directly to homeless shelters upon their release. The incidence of drug use among ex-offenders is over 80 percent, twice the rate of the United States population. It's more than clear that something needs to be done.

Madam Speaker, this legislation is especially important to me due to large number of formerly incarcerated prisoners in my district. I am currently helping those who qualify to legally clean up their records. Following the lead of my colleague from Illinois, Congressman DANNY DAVIS, I have hosted two Record Remedy summits in my district. These summits are a resource for the nearly 10,000 people who come back to my District every year after having served their time in jail. We have a vested interest in making sure that people reentering our community do so successfully. Help with cleaning their records provides an opportunity for a second chance to read an application, get a job or go back to school.

Madam Speaker, our criminal justice systems are sorely in need of reform. We must provide formerly incarcerated individuals with the required skills to successfully reenter our communities. And, we must end the cycle of injustice that is perpetuated by a system that continues to punish people, long after they have paid their debt to society. H.R. 1593, the Second Chance Act, is a critical step forward. No one condones criminal activity but I tell you once one serves their time, they should be able to feed their family and move on with their lives.

I urge my colleagues and support the Second Chance Act.

Mrs. JONES of Ohio. Madam Speaker, I have been waiting nearly 30 years for Congress to enact meaningful reentry legislation, as I have been deeply involved in prisoner reentry issues since my days as a judge and county prosecutor in Cleveland, Ohio before serving in Congress. While Cuyahoga County Prosecutor, I helped establish the ''Pretrial Diversion Program,'' as well as the ''Municipal Drug Court.'' Both programs, I am proud to say, still exist and continue to help ex-offenders move on with their lives and become productive citizens of society.

Prisoner reentry is not a Democratic issue. It is not a Republican issue. It is a common sense issue. The facts are clear—meaningful reentry programs significantly diminish the chances that ex-offenders will return to prison. That saves taxpayer dollars and increases public safety. So why not invest in enhancing reentry programs in order to end the cycle of recidivism? That is exactly what the Second Chance Act does.

In 2002, two million people were incarcerated in all federal and state prisons. Each year, nearly 650,000 people are released from prison to communities nationwide. Nearly two thirds of released prisoners are expected to be re-arrested for a felony or serious misdemeanor within three years of their release.

The State of Ohio has one of the largest populations of ex-offenders re-entering the community, with about 24,000 ex-offenders returning to their respective communities annually. Of those ex-offenders, about 6,000 will return to Cuyahoga County and almost 5,000 will re-enter in the City of Cleveland. Statewide, about 40 percent of ex-offenders will return to prison. In Cuyahoga County, about 41 percent will return to prison. Such high recidivism rates translate into thousands of new crimes each year and wasted taxpayer dollars, which can be averted through improved prisoner reentry efforts.

Today, I am proud to stand with my colleague Representative DANNY K. DAVIS as an original co-sponsor of the ''Second Chance Act of 2007. This legislation allocates $360 million towards a variety of reentry programs. One of the main components of the bill is the funding of demonstration projects that would provide ex-offenders with a coordinated continuum of housing, education, health, employment, and mentoring services. This broad array of services would provide stability and make the transition for ex-offenders easier, in turn reducing recidivism.

This legislation is critical to successful reentry of offenders. The bill provides as a beginning the essential ingredients necessary to assure public safety and recovery. It will help begin the process of breaking down barriers to successful re-entry and allow offenders and their families the tools necessary to break the cycle of criminality.

This is first-of-a-kind legislation that is critical to successful reentry of ex-offenders. It provides as a beginning the essential ingredients necessary to assure public safety and recovery. It will help begin the process of breaking down barriers to successful reentry and allow offenders and their families the tools necessary to break the cycle of criminality.

A key component of the Second Chance Act is that it makes funds for reentry services directly available to state and local governments and non-profit organizations that offer reentry services. This is important because these are the groups that are committed to reentry and are ''on the ground.'' And if one thing is true, it is that that state and local governments and non-profits need more funds in order to provide reentry services more effectively.

Let me highlight two entities that do wonderful reentry work in my State of Ohio and would stand to benefit from the Second Chance Act: (1) Community Reentry in Cleveland, Ohio, led by Charles See, and on which I sit on the Board of Directors, and (2) the Ohio Department of Rehabilitation and Correction, formerly headed by Reggie Wilkinson, who devoted 33 years of public service to the Department.

Community Reentry, which is part of the Lutheran Metropolitan Ministry, has served the City of Cleveland since 1973 by resettling people who have been involved with the justice system to reduce recidivism and enhance the quality of their lives and the life of the community.

Community Reentry also provides prevention and intervention social services to youth in low-income public housing facilities who are at high risk for involvement in drug or gang activity and future incarceration.

Community Reentry administers a variety of reentry services that benefit the Cleveland community. Let me underscore a few of their programs, all of which are comprised of ex-offenders.

Care Team. Care Team members, also known as ''Red Jackets,'' that serve elderly people and people with disabilities who live in apartments managed by Cuyahoga Metropolitan Housing Authority (CMHA). Care Team members escort residents to the market, doctor's offices and the bank, run errands and assist with light chores.

When one elderly woman was asked how she feels about two of the members of her building's Care Team, she replied, ''They're not criminals. They are just like my sons!''

Care Team members are paid employees of Community Reentry. Full time employees receive a full benefits package that includes vacation, health insurance, and pension that is fully vested after 1 year. The recidivism rate for Care Team members is less than 5 percent.

Friend to Friend. The Friend to Friend program recruits, trains and coordinates volunteers to visit men and women in prison. Male volunteers are matched with men at Lorain Correctional and Grafton Prison—both located in Lorain County, Ohio. Female volunteers are matched with women at the Pre-Release Center in Cleveland. The purpose of the program is to reduce social isolation of people who are incarcerated and to help prepare them for reentry into the community.

Volunteers are not asked to do anything they don't already know how to do, and their only job is to be a friend to someone who needs one.

Women's Re-Entry Network (WREN). WREN's mission is to enhance the quality of life for women involved in the criminal justice system, their families, and the community, by helping participants reenter society. The program enhances self-sufficiency and access to resources, increases positive social supports and family ties, overcomes barriers to goal achievement, and reduces the risk of recidivism.

WREN provides a holistic network of mental health, education, employment, family and supportive services in a safe and welcoming

environment. It is a place where women can begin the process of rebuilding their lives, reconnecting with family and reclaiming their place as productive members of the community.

As a member of Community Reentry's Board of Directors, I can tell you that these reentry programs work, and investing in their expansion makes sense. I urge you to contact your Representatives and Senators so that they support the Second Chance Act and see that it passes the House and Senate as soon as possible.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of Georgia. Madam Speaker, I want to thank my leadership on the Republican side of the aisle for allowing me to address the House this evening. It is always an honor to come before the House of Representatives and to discuss issues of importance to this Chamber, to this Capitol and to the Nation.

This is a truncated version of the Official Truth Squad because of the hour of the evening. The Official Truth Squad is a group of individuals who come to the floor of the House and try to shed a little light, try to shed a little truth, if you will, on the deliberations going on here in our Nation's Capital and hopefully bring a perspective that will allow Members of the House and this Chamber and men and women across our Nation to be able to gain a little greater perspective on exactly what is going on here in Washington as we struggle with the challenges that we have facing the issues that we have in our Nation that demand so much of our attention and demand, frankly, a greater level of cooperation than is frequently seen here in Washington.

It is one of the things that I strive, along with my colleagues, try to bring about, and that is a greater sense of urgency to solve the challenges that we have, and to address honestly and openly and truthfully the issues we have before us.

We have one special quote that I like to quote that I think kind of puts it all into perspective, especially when you are talking about issues that are so complex in Washington. It comes from Senator Daniel Patrick Moynihan. He used to say everybody is entitled to their own opinion, but they are not entitled to their own facts.

So often here in Washington, people want their opinions to be facts. It is one of the items or issues that the Official Truth Squad attempts to address, and that is trying to talk about facts, trying to bring facts to the table as it relates to any particular issue.

Tonight we are going to talk about at least one issue that is in great need of facts. Madam Speaker, we are in appropriation season. During this period of time, the House works on its multiple appropriations bills and tries to determine exactly how we as a Nation ought to set priorities from an appropriations or a spending standpoint, what level of spending ought to go into the various programs of the Federal Government. And so often, and we just heard it this evening, many people come to the floor and they say, if we just had more money, if we just had more money for this program or that program, that would solve the problem.

And so often it is not money that is needed for programs, especially out across our Nation, because what is needed most often is to free up the wonderful enthusiasm of the American people and the wonderful ingenuity of the American people. What happens is along with the money that comes from Washington comes rules and regulations and strings and stipulations, and makes it that those individuals who are trying as hard as they can to make ends meet and improve their communities and make certain that they are providing for their families, so often what Washington does is ties their hands behind their back and makes it so they are not able to realize the kinds of dreams that they would otherwise be able to realize.

We cite often the Golden Rule. You know what that is. Most folks know what that is, but the Golden Rule of Washington is not what most people across this Nation know. The Golden Rule across this Nation is to do unto others as you would have them do unto you. But the Golden Rule here in Washington is he who has the gold makes the rules. That is especially true during appropriation season because we put all kinds of strings attached to the money that the Federal Government spends.

We often forget, as I am fond of reminding my friends here in the House, of whose money it is, because it is not government's money, it is the people's money. It is hard-earned American taxpayer money.

We have had individuals come even to this well and say, ''Keep your hands off my money.'' My money. It is phenomenal when you hear that, when I go home to the Sixth Congressional District in Georgia, and my constituents ask incredibly insightful questions about that kind of mindset that exists here in Washington. ''How can politicians believe it is their money?'' This is so important as we are in this appropriation season and as we determine exactly how to spend that hard-earned taxpayer money, and we ought to do it more responsibly, I would suggest, Madam Speaker.

I want to talk tonight about an issue that is near and dear to my heart, and to the heart and well-being of every single American, and that is the issue of health care. Before I came to this body, I was a practicing physician. I was an orthopedic surgeon and practiced for over 20 years in the Atlanta area.

One of the things that drove me into politics or had me stand up and volunteer to get into politics was the recognition and the appreciation that year after year after year would go by as I tried the best I could to care for my patients and worked with my colleagues to provide the best and highest quality of health care we could provide, and year after year, and month after month, and day after day each of us appreciated that there were more individuals in our State capital and in this Capital right here who were making decisions about health care that affected very directly what I could do for and with my patients than anybody I ever met in medical school and anybody I met in residency and training as I was training to become an orthopedic surgeon. That was true for every specialty that I talked to, every single colleague.

If you talk to your doctor, Madam Speaker, or if the Members of Congress would speak to their physicians and to their neighbors, they would appreciate readily that there are so many rules and regulations that are coming from Washington and from State capitals around this Nation that tie the hands, that make it more difficult, not easier, more difficult for physicians and other health care providers to be able to take care of patients. And that's wrong. That is wrong because what it means is we have a lesser quality of health care system than we would otherwise have if the government weren't involved in the way that it is.

And there are all sorts of programs that you can talk about that would lend truth and credibility to that statement, but I want to talk about one specifically this evening that is going to get a lot of discussion, Madam Speaker, here over the next week or two and maybe number of months as we move forward in Washington, and that is the program known as SCHIP, or the State Children's Health Insurance Program.

That is a program that was begun 10 years ago. It was part of the Balanced Budget Act of 1997. It was a program that had wonderful goals. The goals were, specifically, there was a recognition that low-income individuals who weren't eligible for Medicaid, they made too much money to be eligible for Medicaid, but they didn't make enough money to be able to afford health insurance for their families, those individuals ought to be able to have some sort of assistance provided by States and the Federal Government in a complex formula that would allow those families to be able to have health insurance for their children. So hence the name State Children's Health Insurance Program. And it was a laudable goal, without any doubt. And it was passed by a significant majority, and the goal was to increase the enrollment of children who were below 200 percent of the poverty level. That is what was selected as the limit at the time.

Over the last 10 years what happened, however, is a distortion, a significant

distortion, of the program so that it covered not just children up to 200 percent of the poverty level, but in some States covered up to 350 percent of the poverty level, and it covered not just children. The State Health Insurance Program covered hundreds of thousands of adults. So like other government programs, it grew.

Government programs in the area of health don't just grow, as I started this conversation talking about, they insert themselves in terms of rules and regulations into the process and make it extremely difficult for those who are charged with the administration of the program, charged with caring for patients in this instance, to be able to care appropriately for them.

So what we saw between 1998 when the State Children's Health Insurance Program was instituted and became effective, at that time there were about 28 percent of the children of this Nation on some sort of government-run health care. In 2005, that number had grown to 45 percent. It is a little more than that right now, but about 45 percent.

The proposal that will be on the floor of the House or certainly in Committee of the House is to move it so that in a relatively short period of time, another 5 years, we will have 70 to 75 percent of children on government-run health care.

We will talk a little bit more about the consequences of that and why many of us believe that is the wrong direction to head, because most of us, most people, most Americans, I believe, are not interested in having a Washington-controlled, bureaucratic medical model be the one that is making those kinds of personal health care decisions for themselves and their families, and especially for their children.

That is what we are going to talk a little bit about tonight. I am so pleased to be joined by one of my good friends and colleagues, the gentleman from New Jersey (Mr. GARRETT), who has great insights into both fiscal responsibility issues and issues where government tends to intervene in ways that most of us would desire that it not. I am happy to have the gentleman join us this evening, and I yield to the gentleman.

Mr. GARRETT of New Jersey. I thank the gentleman from Georgia for coming to the floor this late hour, although on the west coast it is just early evening, and so we welcome all those who partake in these forums that we have that are educational to not only the American public, but also to our colleagues who may be in their chambers learning a little about SCHIP as we go along.

I was listening to your opening comments, and you were right on point on this one, as you are always right. I have great respect for your ability to have a strong grasp of the situation on a whole slew of topics. I sort of focus on certain areas like the U.N., which is one of my pet peeves, or financial services, or education and No Child Left Behind. But I know whether on the floor or at home, I can watch and be assured that you are covering thoroughly a topic of importance to the American people. And SCHIP is one of those topics.

You were just beginning to address the issue of the number of children that will be on SCHIP and the direction that the government is going in this area. Your chart makes the point abundantly clear.

Red is usually a warning sign to people. When the red flashers go off or the red lights flash, you know something is amiss, and I guess you chose the appropriate coloration of your charts that something is amiss.

We see back in 1998, less than a decade ago, a little over a quarter of the kids in this country were under a government-run plan, and now we are looking to see almost three-quarters of the children in this country under a government-run plan.

□ 2300

That is fine. That would be fine if you thought that the U.S. government, if Washington is in the best position to take care of and administer the health of our children.

But you know, you don't have to listen to The Official Truth Squad here on the floor each week to know that things are oftentimes amiss when it comes to the efficiency and the accountability of the Federal Government.

Heck, just look a couple of years ago when the whole issue of Katrina was coming on, there was railing from both sides of the aisle, rightfully so, when we realized that the Federal Government couldn't get into an area where it had an obligation to, and that is, to help out people in a tragic situation, whether it's home settings or others or in a health situation.

Likewise, I think I recall there was railing again against the Federal Government when, again, in an area that the Federal Government does have a distinct responsibility, and that is taking care of our veterans and our men and women who are in the military or returning back from the military to the facility just down the road a piece from here, and there was a question as to the conditions of those medical facilities and whether we're giving those brave men and women all the facilities and care and comfort and proper medical care that they deserve.

Yet, when we know that all those problems exist, there are some, especially from the other side of the aisle in this House and certainly on the other side of the aisle in the Senate, who would say that the solution to the health dilemma in this country is not by turning it back to a patient-doctor relationship, but instead of turning it to a Federal Government/doctor-patient relationship. So we are going in the wrong direction with regard to that.

I'd like to come back to that in a moment or two, but at this point I yield back to gentleman if he would like to speak.

Mr. PRICE of Georgia. I appreciate your comments in pointing out a number of different areas where the government has been intimately involved in health care issues specifically and ones where most individuals across this Nation I believe, Madam Speaker, have questions about the advisability of governmental involvement and the effectiveness of governmental involvement.

We're pleased to be joined by another good friend, the gentleman from Wisconsin, who has been chair and now is ranking member of the Budget Committee, an individual who has great perspective on both fiscal responsibility and the issue of health care as a member of the Ways and Means Committee. We are pleased to have Mr. RYAN join us this evening and I'm happy to yield to him.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding, and I thank the gentleman for his leadership on health care issue, not only the fact that you're practicing physician, but also your leadership here in Congress, and the gentleman from New Jersey as well.

I just listened to this conversation you're having in my office, and I wanted to come down and just add maybe a few facts. I missed part of your debate as I walked over here.

But we're looking at all these various SCHIP bills to renew this program, and we looked at what the other body is doing over in the Senate. They propose a new $35 billion expansion of the program, but what we find in their legislation is that, not only do they provide a $35 billion expansion, they provide another $35 billion expansion after that in 5 years. Then to contort their budgets to make it all work, they actually say that we will cut off 4.5 million children off of SCHIP insurance to make their numbers work, meaning they have a budget gimmick.

The budget gimmick is, they're going to put as much money into this program as possible, but to fit in their contorted budget window, they will just assume that in about 9 years everybody's knocked off of health insurance.

Both you and I know that that's not going to happen, but what we have over here in this body is an even larger SCHIP expansion, a $50 billion SCHIP expansion which translates into $100 billion SCHIP expansion if their full 10-year ambitions are realized.

And what does that mean? What they're talking about is having all families at 400 percent of poverty, a family of four earning $80,000, being on government health care. What they're talking about is the largest expansion of Washington-controlled bureaucratic health care we have seen in decades, and this expansion of Washington-controlled bureaucratic health care is not the recipe for America.

All of us know from the fact that we represent Americans that the cost to health care and the cost of health insurance is an enormous crisis in America today. Finding good quality, affordable health care is a big problem.

And so what the majority is doing is, rather than attacking the root cause of health care inflation, rather than looking at what is producing these high costs, they're simply saying we will just pay for more of that from the government. They simply want to take more control in Washington and go down the same path, the same path where, today, we spend two-and-a-half times per person on health care of any other industrialized world; yet, today, we have 46 million people who have no health insurance.

We have a system today where all the fiscal experts in Washington and across America from the left and the right are telling us health care's unsustainable, the entitlements in this country are bankrupting America, that our children and grandchildren simply won't be able to pay for the government of tomorrow because of the cost of health care today and the trajectory it's on.

We believe in a different philosophy, a different alternative. We believe we can have affordable, accessible health care that is patient-centered, that is patient-driven and patient-controlled health care.

And so that is why we have a very different vision of this Washington-controlled bureaucratic health care, where the patient and his or her doctor are making the decisions in health care, where we actually go at the root cause of health care inflation and attack those causes so that people get affordable health care at a good price and good quality, and that the patients are the ones who are the drivers of the system.

Today, under the third party payment system we have today, either an HMO bureaucrat or a government bureaucrat's making the decisions, and we as consumers really don't care what things cost because someone else is paying the bills. We can't shop around based on quality and price because we don't know what quality and price is or we're told who and where we've got to go to by our closed network. That's a system that's unsustainable. That's a system that we have today, but this is the system that the majority wants to not only expand, but they want to turn more of it over to Washington, more of it over to government bureaucrats making our health care decisions which will cost us even more money, $50 billion to be specific, in this bill that's going through the Ways and Means Committee and Commerce Committee this week.

But the key here is that we have 16 percent of the GDP, 16 percent of the economic output of this country is dedicated to just health care. The Democrats want that to grow and grow and grow. What's ironic about this is the other 84 percent of health care doesn't work like the 16 percent of GDP that health care consumes, because the other 84 percent of our economy operates on the basic free market premise of competition, competition on price, competition on quality. If you don't do a good job, you don't get more business. If you're not price competitive, people aren't going to buy your product.

Unfortunately, that is not how health care works today, and those are the reforms that we want to inject into health care so that people can get affordable, accessible health insurance coverage, health care that is very high quality and that doesn't grow at 6, 10, 20, 18 percent of price increases every single year.

So we have two different philosophies, two different visions of where we want to go to with health care. We very much believe in putting the patient at the center of the equation, giving the patient and their physician control over the health care system so health care providers, rather than oligopolistic pricing, rather than just raising prices on everybody, will compete again for our business on price and quality.

What the majority wants to do is continue this system, where providers continue to raise prices over and over and over, third parties make the decision whether it's a bureaucrat at an insurance company or a bureaucrat in Washington, and they simply want to raise more taxes to pay for more of this.

In this particular bill, they want to cut Medicare patients. They want to raise taxes on low-income individuals in order to pay for this unprecedented expansion of Washington-controlled bureaucratic health care. To me, that's not the right way to go. It's not the right priorities, and what it will do will be to get more difficult for small businesses, individuals, families and even large businesses to be able to afford health insurance.

That's not the path to take. That's the way that's going to bankrupt this country. That's going to raise our taxes and that's going to take health care decisions away from individuals and families.

That's the approach that we want to go, and I just am pleased to see that my colleague from Georgia and New Jersey have joined in this debate on the floor because it's a very important debate. I would argue that the cost and affordability and accessibility of health care is the largest domestic crisis facing America today, and it's high time we do something about this.

I just want to thank the gentleman for including me in this debate.

Mr. PRICE of Georgia. I thank the gentleman for his comments and really succinct presentation of the issue of health care and the philosophical difference between the two parties, philosophical difference between the majority party and our party at this point.

The majority party believes that Washington-controlled bureaucratic medicine, bureaucratic health care is exactly what the country needs, and we don't believe that. We believe firmly in patient-centered health care and patient-centered decisions as it relates to health care.

So I thank you very much, and you point out as clearly as anybody could ever do the philosophy on that side of the aisle, once again, that is, if we just give it more money, give it more money, it will somehow miraculously improve.

You know as well as anybody as the ranking member on the Budget Committee that when the estimates are a certain amount, it's never that amount. So if $50 billion is the estimate for the first 5 years and $100 billion for the 10-year period of time, it will never remain at that level. When folks across America hear that kind of comment, they just better say I better hold on to my wallet.

I'm pleased to yield to you once again if you have any other comments.

Mr. RYAN of Wisconsin. All I would say is I think most Americans realize, if you're spending someone else's money, you are not going to be judicious with that money like you are with your own, and that is what we do here in government.

And in health care, by asking Washington to spend our taxpayer dollars, they are not spending it like it's their own money. Think of what's happening in health care. In health care, they're spending someone else's money, our money, and they're spending it in a very irrational way, and it's giving us high health care costs. That is the basis of this third party payment system.

And so by simply saying we're going to raise taxes to spend more money in Washington on health care in a system that takes control of health care out of the hands of the patient, him- or herself, is just wrong.

I can't think of a more intimate and personal decision you experience in your life than making a decision over your own health care. Yet, they want more bureaucrats to make that decision than individuals. They want Washington to control this system. They want HMO bureaucrats to control this system and not the patient and their doctor.

That is the real core of the issue here, who you trust. Do you trust Washington with your money to make personal decisions for you or do you trust individuals to make them for themselves?

I would argue, and I think the evidence is clear, that when individuals make the decisions for themselves, when they're spending their own money, when they're talking to their doctor and making decisions on their own treatments, with affordable insurance, that the system's going to be far better, people are going to be much more satisfied, and we're going to save a lot more money and we'll have healthier outcomes.

So it's a real difference in philosophy, and where we see competition working, prices go down and quality goes up, even in health care.

I will just give one final conclusion. I used to have really bad eyes. I had 8.5 in this eye and 8.0 in this eye, which means you have really bad eyes, about 2800 vision. In the year 2000 after years and years of wearing contacts, I decided I'm going to get this LASIK surgery, and that LASIK surgery cost me $2,000 an eye for a total of $4,000 out-of-pocket discretionary spending in elective surgery. They used this Excimer Laser at the time, and it went very well. I can see your charts extremely well. I can even see the detail on your tie. You're standing about 20 feet away me, and the LASIK worked well.

Well, what is LASIK procedure now in the year 2007 where it was in the year 2000? It costs $800 an eye at the same place, and they've revolutionized this procedure, revolutionized this Excimer Laser they use four times over. So the procedure is much better in quality, it's much better in recovery, and it costs $800 an eye instead of $2,000 an eye. $1,600 instead of $4,000 seven years ago. Better quality, lower price, because of competition.

So, even in health care, with complicated things like eye surgery, you can see where competition is allowed to work, is allowed to flourish, that good results can occur, and that is the way out of this. That is the way forward, and that is the lesson that we need to learn as we go through this, instead of raising taxes on Americans and having more Washington-controlled bureaucratic health care, which has given us this double digit inflation on health care.

And with that, I'd be happy to just yield back to the gentleman, and I thank him for including me this time debate.

Mr. PRICE of Georgia. Thank you ever so much for your comments and, once again, succinctly pointing out the rationale for why it doesn't make sense for Washington to be controlling health care.

And sometimes I get the question as a physician, what does it mean specifically? What kind of issues would the government insert themselves into? If I think back on personal experience that I have, there are a number of issues where Washington and governments insert themselves into health care. The reason that it sometimes isn't easy to see is because patients don't often see it.

□ 2315

I worked for a period of time in a veterans hospital in Atlanta, and every quarter there were a certain number of joint replacements that were allowed to be done at the hospital. When we got to the end of that number, even though it wasn't the end of the quarter, there were more patients that needed joint replacements, we couldn't do them. We weren't able to do them because the resources weren't there to be able to fund them.

Now, the patients that didn't get their joint replacement in May or June because they were rescheduled to July didn't know that the reason they didn't get their joint replacement in May or June wasn't because there wasn't anybody to do it, or there weren't any prostheses to implant, or the nurses weren't there, or the operating rooms weren't functioning, no. They didn't know that the reason they weren't getting it is because the Federal Government wouldn't pay for it. That was the reason.

So, the government inserts itself in so many ways into the practice of medicine. Medicaid programs are a classic example. Medicaid programs across this Nation, which are government-run health care for lower-income individuals, the vast majority of States have formularies for drug prescription plans in Medicaid, which means that the government is deciding which drugs are available for folks at the lower end of the economic spectrum. That's wrong. That's simply wrong.

Now, there is a way to solve that without the heavy hammer of the government, because when the heavy hammer of the government comes in, what happens is that they just put more restrictions on, or they make a change, and for 2 months it's the right change to make.

But government isn't nimble, it isn't flexible, it can't change easily. Even if it made the right decision at one point in relatively short order, it would be the wrong decision, because science moves on, medicine moves on, health care moves on. There is no way the government can catch up, which is why the importance of having patient-centered decisions, patients and their families making decisions in concert with the consultation with the physician, is so incredibly important.

I yield to my good friend from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. The last point you make as far as the area of intrusiveness of the Federal Government and how they are sometimes basically out of step with what is appropriate between the normal doctor-patient relationship, maybe that's because the Federal Government and all governments in general always lag behind the private sector, whatever field you might consider, as far as innovation and moving ahead and new areas.

I mean, think about it. You can go to the store tonight and buy any item that you possibly want, whip out your credit card and slip it through a machine. Within seconds that transaction is created, and they know your credit rating and whether you have money in that bank account to pay for that item. It's all done just in the blink of an eye.

Go to your local town hall or go to the IRS or go to anybody else like that and see whether they are up to date with that technology, and you will find out they are not. Those are okay, because that's not a life-and-death situation. But you, as a physician, know that when it comes to a life-and-death situation, or we all know, that we want our children and our spouses to be able to have the most up-to-date, the most innovative, the most advanced technology available to them.

I think that is going to be found on the marketplace of ideas that is in the general marketplace, as opposed to the convoluted, Byzantine system that we call this, the Federal Government.

Mr. RYAN just stated that what the Federal Government is attempting to do here, with the expansion of this program, as we come to the floor tonight, we mark approximately the sixth month of control of the Federal Government under Democrat leadership. As we mark this sixth month, we have seen the largest expansion in taxes, the largest tax increase in U.S. history. I guess, as we discussed here on the floor tonight about the Democrat plan for the expansion of the SCHIP program, we see the largest expansion intrusion into the family and personal life by the health system, by the expansion of the SCHIP system.

The point I just wanted to make, though, is take a look at how the system has worked so far with respect to the system, the distribution of money to the States. If you go back to I guess it was 1968 or 1969, the first couple of years under the Nixon administration, and he came up with a program of distributing money to the States that was called revenue sharing. That was a new idea at the time, and after a time we realized it didn't really work exactly the way Nixon intended it to do. In fact, he tried to do it in certain areas like education and was never able to get it into legislation. Yet the same sort of idea here, in the original version and the version that will be coming out in the Senate as well.

In a similar situation that we can all relate to, say you have four kids in your family, and you are going to give them all $40 to spend each week. So you give each one of your children $10 each. So here, Child One, Two, Three, Four, presumably you have better names than that for them, here is $10 each. You each get to spend it on anything you want during the course of this week. But, mind you, when the weekend comes, if you don't spend it, if one of the other ones here happens to go over their budget, and you didn't spend it all, what we are going to do is redistribute those funds to the other child there.

What do you think that your kids are going to do? I would imagine that each one of them is probably going to go out as soon as they possibly can, spend that full $10, and maybe even spend $11 just hoping that there will be some money left over from their siblings there to spend it.

Well, children, not to make the comparison here to the States, but the States here are a lot like children in

this situation. This system was set up with $40 billion initially spread out to all the States. It was done, you might say, as fair as the Federal Government goes, as far as how many children may be in the program versus how many children are under other programs. But what happened immediately after that, when they told the States, now, look, if you don't spend your money, we are going to take your leftover money and send it to the other States? Well, initially, in the first couple of years, a number of States did not spend all their money. In 2001, only 12 States exhausted their entire allotment. However, once they saw how that all came down, in 2006, 40 States used all available funds. In that same period of time, unused State funds dropped from $2 billion to only $170 million.

So, finally, in this past appropriations, we had to step in, because there was too few States not spending all their money, too many States spending it. So we had to come up with spending of an additional $393 million that was recently appropriated to address the 2007 shortfall. That just goes to show you one of the inherent problems in the system and the way it has been administrated in the past and, I believe, will continue under this system as well.

Mr. PRICE of Georgia. I thank the gentleman for pointing out the shortfall of Federal Government rules, because they can't ever catch up.

My State, Georgia, was one of those States that spent too much. It spent too much, we would argue, in Georgia, because we were too efficient at signing up children in the program.

Because the formula wasn't flexible, wasn't nimble enough, couldn't accommodate for a State that overperformed, if you will, then it wasn't able to be able to get the match that it was promised. Whether or not that should have happened in the first place is a different question. But the fundamental challenge that we see in all of this is that the Federal Government can't respond, and it can't respond in so many different ways.

But what we see with this chart here that my colleagues know very, very well, and that is that there are all sorts of children out there right now across our Nation that are covered by private insurance. What happens when the Federal Government and the States get involved and they say, let's put this carrot in front of you; let's entice you to come and join government-run health care? What happens?

The fact of the matter is that there is a crowd-out phenomenon, that individual families who currently have private insurance, either they or their employer looks at the program and they say, well, we could save that money by having you enroll your children in government-run health care.

Mr. RYAN of Wisconsin. So what the gentleman is saying is because you have so many families and children with private health insurance, with this new expansion, taxpayers will be replacing that private health insurance and paying for families who already have health insurance?

Mr. PRICE of Georgia. That's exactly right. That's what we saw with the previous program. It happens every time when you have a government program that potentially can supplant the private program.

In 1998, 28 percent of the children in our Nation were covered by some sort of government-run health insurance. In 2005, 45 percent. This is a combination of SCHIP and Medicaid.

Now, the problem is that when you look at the number of children that are covered by private health insurance in our Nation, up to 200 percent, 50 percent of them are already covered by private health insurance. If you go up to 300 percent, which is what the Senate proposes, 70 percent of the children in America whose families have incomes less than 300 percent have some form of private health insurance.

Mr. RYAN of Wisconsin. At 400 percent?

Mr. PRICE of Georgia. At 400 percent it's nearly 90 percent.

Mr. RYAN of Wisconsin. So in the bill that's coming to the House which takes SCHIP to have government, Washington-controlled, bureaucratic health care, for all children at 400 percent poverty, those families, 89 percent of those family already have health insurance. We are talking about having the government step in, raising taxes on taxpayers, and having the government take over the provision of health care for a group of families, 89 percent of whom right now have private health insurance?

Mr. PRICE of Georgia. That's exactly right. That is the crux of the matter. If everything else were equal in the system, if it were to allow for the same kind of ability for patients and families and doctors to make decisions, that might be one thing. But as we have talked about, and as everybody across this Nation knows, that's not the case.

When you have government get involved in the provision of health care, government is going to make decisions about where you can be treated, who can treat you and what kind of treatment you can have. That's where the personal health care decisions go away from the individual. I don't believe, and I know you don't believe, that that's what the American people want. It's up to you.

Mr. RYAN of Wisconsin. So just to expand on this point a little bit further, we have here a situation where 89 percent of the children in these families are already covered by private health insurance that their parents had purchased, that their parents and employers probably had provided them. So what we are proposing here in this bill is that we raise taxes on the American taxpayers, and that we pay for government-controlled health care to replace that health insurance that they already have.

Mr. PRICE of Georgia. Yes.

Mr. RYAN of Wisconsin. So we are going to pay for a system that we already have coverage of so that we can raise taxes and have the government control their health care system. That is a system, that is a sense of priorities that just doesn't square with the American people that I know. That is not what people in Wisconsin sent me to Congress to do.

I don't believe the American people, if they really know the truth and the facts surrounding this issue, want to see their taxes raised so that Washington controls the health care for all of these families, for all of these children, especially when they already have health care provided to them.

I think people understand that if we truly have uninsured poor children, that they ought to get health insurance. I think there is no disagreement here about making sure that uninsured low-income children receive health insurance.

But talking about providing government-controlled health care to families that already have health insurance and raising taxes to do that, that just doesn't jive with the priorities of the American people and the American taxpayer, in my opinion.

Mr. PRICE of Georgia. No, it doesn't make any sense at all. It lays bare the true motive and the true philosophy, which, on the other side of the aisle, at least the true leadership who are pushing this legislation, their belief is that government knows better how to spend people's money than the people themselves. This stretches all the way into the area of health care, which, as you mentioned, are very personal, personal, health care decisions.

Mr. GARRETT of New Jersey. I know that the gentleman from Wisconsin would be able to elaborate on this in much more detail, but in the best case scenario, would that the Federal Government be awash with cash right now, and would that we had no mandatory spending problem going on in the Federal Government right now, maybe some people would want to sit down right now and say, how can we spend our extra dollars around the country?

But as the gentleman can elaborate in much detail, and we have seen in the Budget Committee for the first months of this year, testimony after testimony after testimony, expert after expert after expert from all spectrums of authority, we are now in that situation where we find ourselves with the Federal Government and mandatory spending going out of control. There are legitimate groups within that that the American public would agree with, or those that we should be targeting, to make sure that they do.

The aged, the poor, the infirm, who desperately need medical care and are not able to cover it by themselves and are not fortunate enough to be able to work any longer, and who are not working now and covered by an employer plan, and did not unfortunately

work for a company that provides for a company-sponsored plan after their termination at work, those are the people that the American public would ask that's where our focus would be.

But do we find ourselves in our situation right now where we can say that we have all the other mandatory spending under control that we can address this now?

Mr. RYAN of Wisconsin. All three entitlement programs that are in place today, Medicare, Medicaid Social Security, all go bankrupt in about 10 years. It's because we are doubling the amount of retirees in this country at a time where we were only increasing those taxpayers into the program by 17 percent.

So we are seeing a 100 percent increase of the consumers of those three entitlements, while only experiencing a 17 percent increase of the taxpayers in these entitlements. That's why these three programs are going bankrupt. That's why these three programs will consume 100 percent of our budget by about 2030. By about the year 2040, when my kids are my age, they will have to pay twice the level of taxes we pay today just to keep today's Federal Government going at that time.

□ 2330

We have run this Federal Government remarkably constant at about 18 percent of GDP. We have had to tax the U.S. economy at about 18 percent of the output of the economy just to run the Federal Government for about the last 40 years. And what we are on the trajectory today because of the aging of America and way the entitlement programs are designed and the baby boomers retiring, my children will have to pay 40 percent of GDP just to keep today's Federal Government going when they are at my age group. You can't have a strong growing economy, a high standard of living.

So what we are in the middle of doing here, we are deciding whether or not we are going to sever that American legacy to our children and grandchildren. And the American legacy that I was taught by my parents was that you leave the country better off for the next generation than when you received it. You leave a standard of living better off for your children and grandchildren than that which you received from your parents. We are at risk of severing that legacy for our children and grandchildren if we are going to confound them to a system to where they will literally have to pay twice the amount of taxes to just the Federal Government than we do today.

At a time when we are in tough competition and globalization with China and India, it is impossible to pretend that we are going to be able to enjoy this kind of standard of living if we are requiring our kids and our grandkids to pay double the amount of taxes they pay today to Washington when they are in our age bracket. It will just be fundamentally irresponsible if this is the future we would confine them to, yet that is exactly the trajectory we are on today.

Mr. PRICE of Georgia. You are absolutely right. And to give some credibility to that from a pie chart standpoint, these are the mandatory spending programs, and all of what you said happens unless we act. Unless we act as a Congress, all of these things happen.

In 1995, those three programs were this yellow portion, about percent 48.7 percent of Federal spending. In 2005, about 53.4 percent. In relatively short order, 2017, 62.2 percent. And, as you mentioned, in 2030 the yellow portion of that will be the entire pie.

Mr. RYAN of Wisconsin. And if the gentleman will yield, so the blue portion, which is what we call discretionary, that is national defense, the Department of Education, the Department of Commerce, the Department of Energy, Transportation, roads, bridges, the Pentagon, all of those things are the blue portion. There won't be any money left for those, Will there?

Mr. PRICE of Georgia. You are absolutely right. And that is why you mentioned the significant increase in taxes that would be required, and that is if we don't do anything. That is why it is so imperative that we act, which is why it was so astounding to me that this new majority that came in with this ''new direction'' that they were going to take us on for our Nation. You know what happened when they had the opportunity to bring about some entitlement reform.

What happened with the bill that they passed this year in their budget was no entitlement reform, in spite of the fact that we worked as diligently as we could back in 1997 with the Balanced Budget Act, about $130 billion of entitlement reform, and fought like the dickens, as you remember, in 2005 with the Deficit Reduction Act to get about $40 billion in entitlement reform.

But this new majority comes in with the previous chart that we saw, increases in Social Security spending, increases in Medicare spending, increases in Medicaid spending, the prospect of another $100 billion entitlement with the SCHIP program if they have their way, and no reform. Can you imagine what that is going to do to our economy?

Mr. GARRETT of New Jersey. If the gentleman would yield, And lest anyone following this get confused when we talk about the tax increases, the gentleman from Wisconsin set it out and you followed up with quite some detail, as far as the tax increase necessary in order to pay for those entitlement expansions over time. That would be in addition to what we have already seen has occurred during this first 6 months in office.

In other words, we have already seen the largest tax increase in U.S. history. And the current tax increase means that 115 million taxpayers are going to see a $1,716 increase in their tax bill in just a couple years; 84 million women would see their taxes go up by $1,970; 42 million families with children, which is what we are down here talking on the floor about right now, those children, trying to be sure they have health insurance. Those 42 million families with children will see an increase of over $2,000 in their taxes already this year because of what the Democrats have done. And what you are speaking of is going to be in addition to and on top of that.

In trying to just throw some numbers to the percentages that you were throwing out there before as far as this expansion of children that will come under this program now, those children who may be just living across the street from us who their dads or moms work for a company right now that provides them insurance, all of a sudden those companies don't provide it anymore because now the government, we are going to pay for it.

Or those children who have parents who have retiree benefits and are getting insurance for them now, they will no longer have to get it from their retirement pension programs; the government, meaning taxpayers, will pay for it.

The CBO just came out with some numbers on this, and real numbers means that for the first, just the expansion of the program as far as additional dollars means 600,000 new children who used to yesterday have coverage under the private sector will now look to the taxpayer to pay for it; and another 600,000 children yesterday who had insurance, whether through pensions or their parents' employers, will now look to the Federal taxpayers. So 1.2 million children. Now, that is under the House version. That number, I haven't gotten a CBO estimate yet, would be even greater under the Senate version as far as children expanded into this program who are already covered.

Mr. PRICE of Georgia. I appreciate your pointing out the issue of taxes, because there has also been work that has laid out the tax increase for the average citizen in every State across this Nation. And in Georgia, that average increase is $2,700 average tax increase when those tax increases go into effect if they are not changed. They were included in this budget that included no entitlement reform. In Wisconsin, the average number was $2,964. And New Jersey is a big winner, average increase $3,779.

Mr. GARRETT of New Jersey. We are number one in a number of things, in the number of taxes that we pay and the number of taxes that the Democrats are going to make us pay in the future as well.

Mr. PRICE of Georgia. I want to thank you all for joining us tonight. I do want to close on a positive note, and that is that there is an alternative. And the alternative, as we talk about, is patient-centered health care. And patient-centered health care, as you know, puts the opportunity and the

right and the privilege and the responsibility for decisionmaking among patients and their doctors, among families and their doctors. And the way to do that is to structure a tax system that allows individuals, incentivizes individuals to purchase health insurance, through whether it is tax deductions or tax credits, or advanceable refundable tax credits, through high-risk pools, through risk pools that allow people to pool together, making certain that individuals have the same kind of tax treatment for the purchase of health insurance as employers do now, as businesses do now, all sorts of wonderful ways to bring about the opportunity for folks to purchase health insurance.

So it is not whether or not you have the current system or whether you march down the road to more Washington-controlled bureaucratic medicine. There is another way. And I know my good friend from Wisconsin has worked on this extensively on Ways and Means, and I would be pleased to hear your comments.

Mr. RYAN of Wisconsin. I just think that we have a different vision, and that vision is that we believe we can provide a system that gives us universal access to affordable health insurance for all Americans, where they and their physicians are the nucleus of the medical system. What the majority is offering is a bankrupting entitlement system, massive tax increases unprecedented, in addition to the largest tax increase in American history that they have already passed here on the floor this year, and more Washington-controlled bureaucratic health care, where bureaucrats, either HMO bureaucrats or government bureaucrats make the decisions in health care rather than patients and their physicians. We can come up with a system that is patient centered, where every American has access to affordable health insurance, where we have universal access to affordable health insurance throughout America. Or that person who has a risky health care profile, may be overweight and has diabetes, has a history of cancer in the family, we can come up with a system where that person, too, can get affordable health insurance and get access to it without having the government run the entire system, without have to go through a government or an HMO bureaucrat to make decisions on how you get your care. You ought to be able to go to your doctor and come up with a good treatment plan that works for you, and that is where the decisions ought to be made.

And more important to that, all the health care providers, the hospitals, the physicians, all those who are in charge of providing care in the health care system will compete against each other for the consumers and the patients' business. That is the vision we see, where everybody has access to affordable health care and it is a patient-centered system, not a government-driven, government-run, bureaucratically controlled system. And I just thank the gentleman from Georgia and the gentleman from New Jersey for taking this time to address this incredibly important issue.

Mr. PRICE of Georgia. I appreciate the gentleman's comments from Wisconsin. And this is what we believe, patient-centered health care, and we going to work on putting some limbs and leaves on the tree of this over the next number of weeks and number of months, and make certain that the American people understand, Madam Speaker, that there is an alternative and it is a positive alternative. Because we live in a wondrous and a grand Nation, and a Nation where when individuals are allowed to encourage their own visions and their own dreams and their own entrepreneurship and their own work, that they can decide what is best for themselves, not government.

Nobody across this Nation I believe is truly interested in having Washington-controlled bureaucratic medicine, yet that is the road that we are about to march down if this new majority has their way. Our alternative is patient-centered, patient-centered health care and allows individuals to make decisions with their families and with their physicians and with their health care providers.

I look forward to working with colleagues on both sides of the aisle to make certain that as we move forward on this issue, that we move forward in a way that ensures that those decisions, those very personal decisions are able to be made in a very personal way without the government limiting care, without the government determining where you can be seen and who can see you and what kind of treatment you would receive.

Madam Speaker, on that positive note and looking forward to patient-centered health care across this Nation, I want to once again thank the leadership for allowing us to spend this time on the floor.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CLARKE (at the request of Mr. HOYER) for today and through August 3, 2007.

Mr. ENGEL (at the request of Mr. HOYER) for today on account of a delayed flight.

Mr. GENE GREEN of Texas (at the request of Mr. HOYER) for today on account of family medical reasons.

Mr. KING of Iowa (at the request of Mr. BOEHNER) for today on account of official business.

Mr. JORDAN of Ohio (at the request of Mr. BOEHNER) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DAVIS of Illinois) to revise and extend their remarks and include extraneous material:)

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

(The following Members (at the request of Mr. CHABOT) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 27 and 30.

Mr. JONES of North Carolina, for 5 minutes, July 27 and 30.

Mr. BURTON of Indiana, for 5 minutes, today and July 24, 25, 26, and 27.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced her signature to an enrolled bill of the Senate of the following title:

S. 966. An act to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes.

ADJOURNMENT

Mr. PRICE of Georgia. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 24, 2007, at 9 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2604. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Tolerance Nomenclature Changes; Technical Amendment [EPA-HQ-OPP-2002-0043; FRL-8131-3] received June 28, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2605. A letter from the Publications Control Officer, Department of Defense, transmitting the Department's final rule — Law Enforcement Reporting (RIN: 0702-AA56) received June 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2606. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Amendments to Bank Secrecy Act Regulations Regarding Casino Recordkeeping and Reporting Requirements (RIN: 1506-AA84) received June 22, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2607. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Amendments to National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting and Secondary Copper Smelting Area Sources [EPA-HQ-OAR-2006-0510; FRL-8334-4] (RIN: 2060-AO46) received June 28, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2608. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Lancaster 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base-Year Inventory [EPA-R03-OAR-2006-0840; FRL-8333-6] received June 28, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2609. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Tioga County Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base Year Inventory [EPA-R03-OAR-2006-0862; FRL-8333-7] received June 28, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2610. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Extension of the Deferred Effective Date for 8-hour Ozone National Ambient Air Quality Standards for the Denver Early Action Compact [EPA-HQ-OAR-2003-0090; FRL-8332-2] (RIN: 2060-AO05) received June 28, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2611. A letter from the Chief of Staff, 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. (Grapeland, Elgin, Burnet, Cameron, Calvert, Junction and Mason, Texas) [MB Docket No. 03-149 RM-10725] received June 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2612. A letter from the Associate Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Burmese Sanctions Regulations — Recieved June 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2613. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Locality Pay Area (RIN: 3206-AL27) received June 22, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2614. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Locality-Based Comparability Payments and Evacuations Payments (RIN: 3206-AL09) received June 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2615. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Virginia Regulatory Program [VA-123-FOR] received June 29, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2616. A letter from the Assistant Administrator for 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 Multispecies Fishery; Allocation of Trips in the Closed Area II Yellowtail Flounder Special Access Program [Docket No. 070427094-7113-02, I.D. 042407A] (RIN: 0648-AV50) received June 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2617. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries [Docket No. 070110003-7111-02; I.D. 112006A] (RIN: 0648-AS89) received June 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2618. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Port of New York and Vicinity [CGD01-06-023] (RIN: 1625-AA01) received June 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2619. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Peru, IL. [Docket No. FAA-2007-27110; Airspace Docket No. 07-AGL-1] received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2620. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Data Breaches (RIN: 2900-AM63) received June 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2621. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Exclusions from Gross Income of Foreign Corporations [TD 9332] (RIN: 1545-BG00) received June 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2622. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 355. Distribution of stock and securities of a controlled corporations 26 CFR 1.355-3: Active Conduct of a Trade or Business (Rev. Rul. 2007-42) received June 25, 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

Uunder clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAHALL: Committee on Natural Resources. H.R. 31. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Elsinore Valley Municipal Water District Wildomar Service Area Recycled Water Distribution Facilities and Alberhill Wastewater Treatment and Reclamation Facility Projects (Rept. 110–243). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 50. A bill to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994; with an amendment (Rept. 110–244). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 465. A bill to reauthorize the Asian Elephant Conservation Act of 1997; with an amendment (Rept. 110–245). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 716. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan; with an amendment (Rept. 110–246). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 761. A bill to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; with an amendment (Rept. 110–247). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1239. A bill to amend the National Underground Railroad Network to Freedom Act of 1998 to provide additional staff and oversight of funds to carry out the Act, and for other purposes; with amendments (Rept. 110–248). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1285. A bill to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station, and for other purposes; with an amendment (Rept. 110–249). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1388. A bill to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail; with an amendment (Rept. 110–250). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1503. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project; with an amendment (Rept. 110–251). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1526. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program, and for other purposes; with an amendment (Rept. 110–252). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2400. A bill to direct the Administrator of the National Oceanic and Atmospheric Administration to establish an integrated Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the Continental Shelf of the United States, and for other purposes; with an amendment (Rept. 110–253, Pt. 1). Ordered to be printed.

Mr. LANTOS: Committee on Foreign Affairs. H.R. 176. A bill to authorize assistance

to the countries of the Caribbean to fund educational development and exchange programs; with an amendment (Rept. 110–254). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 562. Resolution providing for consideration of the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–255). Referred to the House Calendar.

Mr. PETERSON of Minnesota: Committee on Agriculture. H.R. 2419. A bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; with an amendment (Rept. 110–256, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANTOS: Committee on Foreign Affairs. H.R. 2844. A bill to promote United States emergency and non-emergency food and other assistance programs, to promote United States agricultural export programs, and for other purposes; with an amendment (Rept. 110–257, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Science and Technology discharged from further consideration. H.R. 2400 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Foreign Affairs discharged from further consideration. H.R. 2419 referred to the Committee of the Whole on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration. H.R. 2844 referred to the Committee of the Whole on the State of the Union.

TIME LIMITATIONS OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on July 20, 2007]

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than September 7, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself and Mr. HINOJOSA):

H.R. 3122. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. KENNEDY (for himself, Mr. RAMSTAD, Mr. CONYERS, Mr. WALBERG, Ms. ZOE LOFGREN of California, Mr. PENCE, Mr. LANGEVIN, and Mr. BLUNT):

H.R. 3123. A bill to extend the designation of Liberia under section 244 of the Immigration and Nationality Act so that Liberians can continue to be eligible for temporary protected status under that section; to the Committee on the Judiciary.

By Mr. ABERCROMBIE:

H.R. 3124. A bill to treat certain hospital support organizations as qualified organizations for purposes of determining acquisition indebtedness; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ:

H.R. 3125. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that their income, estate, or gift tax payments be spent other than for purposes of supporting the war in Iraq and to provide that amounts so designated shall be used to provide funding for Head Start, to reduce the national debt, and to provide college funding for children of Iraq war veterans; to the Committee on Ways and Means, 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 Ms. WATERS (for herself, Mr. WATT, and Mr. FRANK of Massachusetts):

H.R. 3126. A bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes; to the Committee on Financial Services.

By Mr. BECERRA (for himself and Mr. GENE GREEN of Texas):

H.R. 3127. A bill to amend title XIX of the Social Security Act to assist low-income Medicare beneficiaries by improving eligibility and services under the Medicare Savings Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT:

H.R. 3128. A bill to direct the Secretary of Defense to conduct a study on the feasibility of using military identification numbers instead of social security numbers to identify members of the Armed Forces; to the Committee on Armed Services.

By Mr. GOHMERT:

H.R. 3129. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate income tax overpayments as contributions to the Federal Government on their income tax returns; to the Committee on Ways and Means.

By Ms. HOOLEY:

H.R. 3130. A bill to amend title V of the Public Health Service Act to provide for enhanced comprehensive methamphetamine treatment services; to the Committee on Energy and Commerce.

By Mr. MORAN of Kansas:

H.R. 3131. A bill to amend the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, to strike a requirement relating to forage producers; to the Committee on Agriculture.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CARNEY, Mr. COSTA, Mr. DAVIS of Illinois, Mr. FARR, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HARE, Mr. HINOJOSA, Mr. HOLDEN, Mr. HOLT, Ms. HOOLEY, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Ms. LEE, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASCRELL, Mr. PAYNE, Mr. ROTHMAN, Mr. RUSH, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SHIMKUS, Ms. SLAUGHTER, Ms. SOLIS, Mr. TAYLOR, and Mr. WEXLER):

H.R. 3132. A bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs; to the Committee on Education and Labor.

By Mr. SCOTT of Georgia (for himself and Mr. SHAYS):

H.R. 3133. A bill to authorize the Secretary of the Treasury to make grants to States, units of general local government, and nonprofit organizations for counseling and education programs for the prevention of predatory lending and to establish a toll-free telephone number for complaints regarding predatory lending, and for other purposes; to the Committee on Financial Services.

By Ms. WATERS (for herself, Ms. LEE, and Ms. WOOLSEY):

H.R. 3134. A bill to prohibit the use of funds for training and equipping the Iraqi Security Forces; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida:

H.R. 3135. A bill to amend the Internal Revenue Code of 1986 to make permanent the child tax credit and to allow for adjustments for inflation with respect to the child tax credit; to the Committee on Ways and Means.

By Mr. WYNN:

H.R. 3136. A bill to provide for enhanced retirement benefits for administrative law judges; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida (for himself, Ms. SLAUGHTER, Ms. MATSUI, Mr. MCNULTY, Mr. GERLACH, and Mr. LEVIN):

H. Con. Res. 189. Concurrent resolution urging all sides to the political crisis in Ukraine to abide by the May 27, 2007, agreement which calls for a new round of parliamentary elections on September 30, 2007, and to ensure a free and fair, transparent democratic system in Ukraine based on the rule of law; to the Committee on Foreign Affairs.

By Ms. CORRINE BROWN of Florida:

H. Res. 563. A resolution honoring the life and achievements of Ronald H. Brown and commending the example that he set for the African-American community; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself and Mr. BURTON of Indiana):

H. Res. 564. A resolution recognizing that violence poses an increasingly serious threat to peace and stability in Central America and supporting expanded cooperation between the United States and the countries of Central America to combat crime and violence; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WYNN introduced a bill (H.R. 3137) for the relief of Web's Construction Company, Incorporated; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. STUPAK, Mrs. NAPOLITANO, Mr. FRANKS of Arizona, Mr. ISRAEL, Mr. EMANUEL, Mr. KINGSTON, Mr. MCGOVERN, Ms. KILPATRICK, Mr. RUSH, Mr. KUCINICH, Mr. ALEXANDER, and Ms. WASSERMAN SCHULTZ.

H.R. 45: Mr. DAVIS of Illinois.

H.R. 279: Mr. BARTLETT of Maryland.

H.R. 346: Mr. CARNAHAN and Ms. ZOE LOFGREN of California.

H.R. 368: Mr. LINCOLN DAVIS of Tennessee, Mr. BOOZMAN, Mr. COHEN, Mr. YARMUTH, Ms. ROS-LEHTINEN, Mr. SPACE, and Mr. LAHOOD.
H.R. 405: Mr. BOSWELL.
H.R. 418: Mr. KIRK.
H.R. 457: Mr. WALBERG.
H.R. 464: Ms. CARSON.
H.R. 543: Mr. UDALL of New Mexico.
H.R. 563: Mr. PLATTS.
H.R. 676: Ms. HIRONO.
H.R. 743: Mr. TOWNS, Mrs. BACHMANN, Mr. LATHAM, Mr. KIND, and Mr. BUYER.
H.R. 782: Mr. GINGREY.
H.R. 783: Mr. LAMBORN.
H.R. 821: Mr. LIPINSKI.
H.R. 871: Ms. LINDA T. SÁNCHEZ of California.
H.R. 928: Mr. MOORE of Kansas and Mr. BISHOP of Georgia.
H.R. 946: Ms. ZOE LOFGREN of California.
H.R. 947: Mr. PASCRELL.
H.R. 948: Ms. MCCOLLUM of Minnesota.
H.R. 969: Ms. LINDA T. SÁNCHEZ of California, Ms. CASTOR, Mr. WALSH of New York, and Mr. CASTLE.
H.R. 989: Mr. TIBERI.
H.R. 1014: Mr. MORAN of Virginia, Mr. GEORGE MILLER of California, Mr. KILDEE, and Mr. JEFFERSON.
H.R. 1108: Mr. TIERNEY and Mr. CONYERS.
H.R. 1223: Mr. FILNER.
H.R. 1240: Ms. CARSON and Mr. BACA.
H.R. 1293: Mr. NEUGEBAUER, Mrs. BIGGERT, Mr. MATHESON, Mr. CHANDLER, Ms. HERSETH SANDLIN, Mr. LATHAM, Mr. BILIRAKIS, and Mrs. WILSON of New Mexico.
H.R. 1376: Mr. KENNEDY.
H.R. 1389: Mr. HINCHEY.
H.R. 1391: Mr. SMITH of Washington.
H.R. 1398: Mr. PRICE of Georgia and Mr. SOUDER.
H.R. 1400: Mr. MARKEY.
H.R. 1418: Mr. HINOJOSA.
H.R. 1420: Mr. TOWNS.
H.R. 1440: Mr. VAN HOLLEN, Mr. BOREN and Mr. TOM DAVIS of Virginia.
H.R. 1461: Mr. WU and Mr. BLUMENAUER.
H.R. 1506: Mr. WALSH of New York.
H.R. 1553: Mrs. MALONEY of New York, Mr. BRADY of Texas, Mr. RAHALL, Mr. ABERCROMBIE, and Mr. WELCH of Vermont.
H.R. 1621: Mr. YOUNG of Alaska, Mr. WYNN, and Mr. SESSIONS.
H.R. 1655: Mr. SPRATT and Mr. PASTOR.
H.R. 1707: Mr. FRANK of Massachusetts and Mr. KAGEN.
H.R. 1709: Mr. ALTMIRE.
H.R. 1801: Mr. ELLISON.
H.R. 1961: Mr. KUCINICH.
H.R. 1967: Mr. PRICE of Georgia.
H.R. 1971: Ms. DEGETTE and Mr. PAYNE.
H.R. 1990: Mr. KIND.
H.R. 1992: Mr. LOEBSACK.
H.R. 2183: Mr. ALEXANDER.
H.R. 2188: Mr. RYAN of Ohio.
H.R. 2265: Mr. ALLEN and Mr. JACKSON of Illinois.
H.R. 2266: Mr. YOUNG of Alaska.
H.R. 2329: Mr. MARSHALL, Mr. NEUGEBAUER, Mr. MEEKS of New York, Ms. HOOLEY, Mr. BOREN, and Mr. BURTON of Indiana.
H.R. 2347: Mr. ENGEL.
H.R. 2370: Mr. PAYNE.
H.R. 2387: Mr. POE.
H.R. 2407: Mr. BOREN and Mr. LAMPSON.
H.R. 2425: Mrs. MCMORRIS RODGERS.
H.R. 2439: Mr. MORAN of Kansas.
H.R. 2443: Mr. SALAZAR and Mr. ARCURI.
H.R. 2475: Mr. INSLEE.
H.R. 2490: Mrs. MYRICK.
H.R. 2505: Mr. SOUDER.
H.R. 2580: Mr. BAKER.
H.R. 2586: Ms. KAPTUR.
H.R. 2610: Mr. RYAN of Ohio.
H.R. 2639: Mr. GILLMOR and Mr. BONNER.
H.R. 2702: Mr. MCGOVERN.
H.R. 2758: Ms. DELAURO and Mrs. MALONEY of New York.
H.R. 2761: Mr. HIGGINS.
H.R. 2778: Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. REYNOLDS, Mr. WALSH of New York, and Mr. VELÁZQUEZ.
H.R. 2784: Mr. MICA, Mr. BUYER, Mr. HULSHOF, Mr. SIMPSON, Mr. LATOURETTE, Mr. TOM DAVIS of Virginia, Ms. FOXX, Mr. CAMP of Michigan, Mr. PLATTS, Mr. BURGESS, Mr. WESTMORELAND, Mr. HASTERT, Mr. TIM MURPHY of Pennsylvania, Mr. UPTON, Mr. HOBSON, Mr. COLE of Oklahoma, Mr. DENT, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, Mr. CULBERSON, Mr. GINGREY, Mr. DANIEL E. LUNGREN of California, Mr. MCCOTTER, Mr. LAMPSON, Mr. GONZALEZ, Mr. REYES, Mr. CUELLAR, Mrs. MCMORRIS RODGERS, Mr. GOHMERT, Mr. ENGLISH of Pennsylvania, Mr. KNOLLENBERG, Mr. BLUNT, Mr. BOOZMAN, Mr. TERRY, Mr. YOUNG of Alaska, and Mr. SULLIVAN.
H.R. 2792: Mr. PRICE of North Carolina.
H.R. 2818: Ms. DEGETTE and Mr. COHEN.
H.R. 2851: Mr. BERMAN, Mrs. EMERSON, Mr. FRANK of Massachusetts, Mr. MOORE of Kansas, Mr. DINGELL, Mr. INSLEE, Mr. KENNEDY, Ms. DEGETTE, Mr. ACKERMAN, Mr. RAMSTAD, Ms. WOOLSEY, Ms. CARSON, Mr. MICHAUD, Mr. ISRAEL, Mr. GEORGE MILLER of California, Mr. ISSA, Mr. BUTTERFIELD, Mr. SERRANO, Mr. STUPAK, Ms. HERSETH SANDLIN, Mr. SPRATT, Ms. VELÁZQUEZ, Mr. OLVER, Mr. WEINER, Mr. CROWLEY, Mr. MARKEY, Mr. PERLMUTTER, Ms. HIRONO, and Ms. MCCOLLUM of Minnesota.
H.R. 2852: Mr. YOUNG of Alaska, Ms. MCCOLLUM of Minnesota, and Mr. SCHIFF.
H.R. 2861: Mr. DAVIS of Illinois.
H.R. 2874: Mr. ALTMIRE and Mr. YOUNG of Alaska.
H.R. 2885: Mr. CLAY.
H.R. 2892: Mr. NADLER.
H.R. 2894: Mrs. CAPITO, Mr. BROWN of South Carolina, Mr. MCCOTTER, Mr. GONZALEZ, Mr. MORAN of Virginia, Mr. FARR, Mr. CANNON, Mr. NADLER, Mr. INSLEE, Mr. ETHERIDGE, and Ms. CORRINE BROWN of Florida.
H.R. 2925: Mr. ROTHMAN.
H.R. 2929: Mr. COHEN, Mr. HARE, Mr. CAPUANO, Mr. MARKEY, Mr. SCHIFF, Mr. CONYERS, Ms. DELAURO, and Ms. KAPTUR.
H.R. 2934: Mr. KAGEN.
H.R. 2941: Mrs. JONES of Ohio and Mr. WU.
H.R. 2942: Mr. EDWARDS, Mr. VISCLOSKY, Mr. MEEKS of New York, Mr. JACKSON of Illinois, and Mr. GINGREY.
H.R. 2943: Mr. JOHNSON of Georgia.
H.R. 2954: Mr. CAMP of Michigan, Mr. SAM JOHNSON of Texas, Mr. HALL of Texas, Mr. CULBERSON, Mr. GOHMERT, Mr. BURGESS, and Mr. WESTMORELAND.
H.R. 2966: Mr. CLEAVER.
H.R. 3004: Mr. LOEBSACK, Mr. SHUSTER, Mr. BOOZMAN, Mr. HULSHOF, Mr. SHIMKUS, Mr. BLUNT, Mr. PEARCE, Mr. RENZI, and Mrs. BOYDA of Kansas.
H.R. 3051: Mr. CAPUANO, Mr. CARNAHAN, and Mr. PLATTS.
H.R. 3054: Mr. TANCREDO, Mr. DAVIS of Illinois, and Mr. GONZALEZ.
H.R. 3058: Mr. UDALL of Colorado.
H.R. 3059: Mrs. MYRICK.
H.R. 3096: Mr. PAYNE and Mr. FRANKS of Arizona.
H.R. 3099: Mr. BRADY of Pennsylvania.
H.R. 3116: Mr. PALLONE.
H.J. Res. 3: Mr. SHULER.
H.J. Res. 44: Ms. SCHAKOWSKY.
H. Con. Res. 37: Mr. PLATTS.
H. Con. Res. 49: Mr. BAKER.
H. Con. Res. 137: Mr. FEENEY.
H. Con. Res. 176: Mr. BAKER, Mr. POE, and Mr. GALLEGLY.
H. Con. Res. 187: Ms. SCHAKOWSKY, Mr. UPTON, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Ms. WATSON, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. KUCINICH, Mr. RYAN of Ohio, Ms. BALDWIN, Ms. CARSON, Mr. HIGGINS, and Mr. SAXTON.
H. Con. Res. 188: Mr. ROYCE, Mr. BURTON of Indiana, Mr. CARTER, Mr. POE, Mr. HASTINGS of Florida, Mr. LINDER, Mr. ACKERMAN, Mr. MACK, Mr. WEXLER, Mr. CROWLEY, Mr. SMITH of New Jersey, Ms. WATSON, Mr. BERMAN, Mr. COHEN, Mr. KIRK, Mr. FORTUÑO, Mr. SAXTON, Mr. WYNN, Mr. COBLE, Mr. ENGEL, Mr. KLEIN of Florida, Mr. PENCE, Mr. WELLER, and Mr. MANZULLO.
H. Res. 32: Mr. ROTHMAN and Mr. GEORGE MILLER of California.
H. Res. 54: Ms. BORDALLO.
H. Res. 121: Mr. MILLER of Florida, Mr. POE, Mr. RAMSTAD, and Mrs. MYRICK.
H. Res. 146: Mr. GEORGE MILLER of California.
H. Res. 231: Mr. WICKER and Mr. CALVERT.
H. Res. 235: Mr. POE and Ms. SCHWARTZ.
H. Res. 345: Mr. CROWLEY.
H. Res. 380: Mr. WEXLER.
H. Res. 433: Mr. BOYD of Florida.
H. Res. 443: Mr. BUYER and Mr. LARSON of Connecticut.
H. Res. 499: Mr. SULLIVAN, Mr. SESSIONS, Mr. ROHRABACHER, Mr. MCKEON, Ms. GRANGER, Mr. BRADY of Texas, Mr. HALL of Texas, Mr. GOHMERT, Mr. BILIRAKIS, and Mr. WESTMORELAND.
H. Res. 529: Mr. PLATTS, Mr. FATTAH, and Mr. PAYNE.
H. Res. 535: Ms. NORTON.
H. Res. 548: Mr. WEXLER.
H. Res. 550: Ms. CARSON and Ms. WATSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2720: Mr. ROTHMAN.
H.R. 2750: Mr. VISCLOSKY.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

109. The SPEAKER presented a petition of the City Council of the City of Miami Gardens, Florida, relative to Resolution No. 2007-93-600 requesting that the Congress of the United States appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current Levee Protection Standards; to the Committee on Appropriations.

110. Also, a petition of the Council of the City of Albany, California, relative to Resolution No. 07-19 calling for the cessation of combat operations in Iraq and for the return of United States Troops; to the Committee on Armed Services.

111. Also, a petition of the Harrisonburg City School Board, Virginia, relative to a Resolution supporting fully H.R. 648, the Reauthorization of the No Child Left Behind Act of 2001; to the Committee on Education and Labor.

112. Also, a petition of the San Francisco Labor Council, ARL-CIO, relative to a Resolution to Erase, Rewrite and Reauthorize the ''No Child Left Behind Act''; to the Committee on Education and Labor.

113. Also, a petition of the Commission of the City of Miami Beach, Florida, relative to Resolution No. 2007-26572 urging the Congress of the United States to pass the Employee Free Choice Act to protect and preserve workers' freedom to join a union; to the Committee on Education and Labor.

114. Also, a petition of the International Fire Marshals Association, relative to concerning the increased import and sale of novelty lighters that resemble toys; to the Committee on Energy and Commerce.

115. Also, a petition of Daniel O'Donnell, Assemblymember of the State of New York, relative to petitioning the Congress of the United States to stop the implementation of a proposed rule published by the Centers for Medicare and Medicaid Services (CMS) entitled, ''Medicaid Program: Cost Limits for Providers Operated by Units of Government and Provisions to Ensure the Integrity of Federal-State Financial Partnership''; to the Committee on Energy and Commerce.

116. Also, a petition of the Board of County Commissioners of Miami-Dade County, Florida, relative to Resolution No. R-632-07 urging for the investigation of gasoline pricing in Florida; to the Committee on Energy and Commerce.

117. Also, a petition of the Board of County Commissioners of Miami-Dade County, Florida, relative to Resolution No. R-716-07 proclaiming June 29 through July 5, 2007 National Clean Beaches Week and urging the Congress of the United States to adopt H.R. 186; to the Committee on Natural Resources.

118. Also, a petition of the Village Council of Islamorada, Florida, relative to Resolution No. 07-05-27 requesting the Congress of the United States appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Transportation and Infrastructure.

119. Also, a petition of the City Council for the City of Okeechobee, Florida, relative to Resolution No. 07-07 requesting the Congress of the United States to appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Transportation and Infrastructure.

120. Also, a petition of the Town Commission of Lauderdale-By-The-Sea, Florida, relative to Resolution No. 2007-09 requesting the Congress of the United States appropriate funds required to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Transportation and Infrastructure.

121. Also, a petition of the Board of County Commissioners of Monroe County, Florida, relative to Resolution No. 178-2007 supporting the Governing Board of the South Florida Water Management District to the Congress of the United States to appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Transportation and Infrastructure.

122. Also, a petition of the City Council of the City of Miami Spring, Florida, relative to Resolution No. 2007-3361 requesting the Congress of the United States appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Transportation and Infrastructure.

123. Also, a petition of Mr. Bill Klech, a citizen of San Ramon, California, relative to concerning the veteran health care for Mr. William Klech by the Pleasanton Nursing and Rehabilitation Center; to the Committee on Veterans' Affairs.

124. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 243 supporting legislation to be proposed to grant a $1000 federal income tax credit to volunteer firefighters; to the Committee on Ways and Means.

125. Also, a petition of Ms. Michelle Bachelet Jeria, President of Chile, relative to concerning a Free Trade Agreement between the United States and Chile; to the Committee on Ways and Means.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3074

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following new section:

SEC. ____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 0.5 percent.

H.R. 3074

OFFERED BY: MR. TURNER OF OHIO

AMENDMENT NO. 2: Page 82, line 6, after the dollar amount, insert ''(increased by $6,760,000)''.

Page 82, line 6, after the dollar amount, insert ''(increased by $6,760,000)''.

Page 82, line 11, after the dollar amount, insert ''(increased by $6,760,000)''.

Page 100, line 5, after the first dollar amount, insert ''(reduced by $6,760,000)''.

H.R. 3074

OFFERED BY: MS. GINNY BROWN-WAITE OF FLORIDA

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act for the Department of Housing and Urban Development may be used to print, or acquire the printing of, any document in any language other than English.

H.R. 3074

OFFERED BY: MS. GINNY BROWN-WAITE OF FLORIDA

AMENDMENT NO. 4: Page 120, after line 5, insert the following new section:

SEC. 225. (a) ANNUAL STUDY.—Before the commencement of each fiscal year, the Secretary of Housing and Urban Development shall conduct a study of the single family housing mortgage insurance programs under title II of the National Housing Act to determine the following:

(1) APPROPRIATE RESERVES.—The amounts, and a method of determining such amounts, that are appropriate to be held in reserve for such programs to ensure that such programs—

(A) are operated in a safe and sound manner; and

(B) comply with the operational goals and the requirements under such title for such programs.

(2) APPROPRIATE INSURANCE PREMIUMS.—The appropriate premium amounts to charge for such mortgage insurance, that comply with the requirements of such title and are sufficient to provide for—

(A) maintaining an appropriate reserve amount for such programs, as determined by the Secretary pursuant to paragraph (1); and

(B) operation of such programs in compliance with subparagraphs (A) and (B) of paragraph (1).

(b) REPORT AND ADJUSTMENTS.—

(1) REPORT.—Before the commencement of each fiscal year, the Secretary shall submit to the Congress a report setting forth the findings and conclusions of the study under subsection (a) for such fiscal year, including specific determinations for appropriate reserve and premium amounts pursuant to paragraphs (1) and (2), respectively, of subsection (a). The report shall also set forth any adjustments made, or to be made, under paragraph (2) of this subsection pursuant to such determinations.

(2) ADJUSTMENTS.—If, for a fiscal year, the Secretary determines that the single family housing mortgage insurance programs under title II of the National Housing Act are operating in a manner that will result in a negative credit subsidy for such programs for such fiscal year in an amount that, in the aggregate, exceeds the amount necessary to provide for appropriate reserves and appropriate mortgage insurance premiums as determined under the study pursuant to subsection (a) for such fiscal year and set forth in the report pursuant to paragraph (1) of this subsection, the Secretary shall take the following actions:

(A) RESERVES.—Make such adjustments as necessary to the amounts held in reserve for such programs, and to the method of determining such amounts, such that the reserve amounts held for such programs will be consistent with the determination made pursuant to subsection (a)(1).

(B) PREMIUMS.—Restructure the premiums for single family housing mortgage insurance under such programs in a manner such that—

(i) the aggregate receipts from such premiums are reduced; and

(ii) the resulting applicable premium charges are consistent with the appropriate premium amounts determined pursuant to subsection (a)(2).

H.R. 3074

OFFERED BY: MS. CORRINE BROWN OF FLORIDA

AMENDMENT NO. 5: Page 80, after line 22, insert the following:

The referenced statement of managers under this heading in title II of Public Law 107–73 is deemed to be amended with respect to the item relating to the City of Maitland, Florida, by striking ''for a senior citizens center'' and inserting ''for the Minihaha Park development''.

H.R. 3074

OFFERED BY: MR. AL GREEN OF TEXAS

AMENDMENT NO. 6: Page 94, line 16, after the dollar amount, insert ''(increased by $5,820,000)''.

Page 94, line 18, after the dollar amount, insert ''(increased by $5,820,000).

Page 99, line 18, after the dollar amount, insert ''(reduced by $5,820,000)''.

H.R. 3074

OFFERED BY: MR. JORDAN

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following new section:

SEC. ____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 6.3 percent.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 8: Page 5, strike line 18 and all that follows through page 6, line 9.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 9: Page 34, line 17, after the dollar amount, insert ''(reduced by $6,000,000)''.

Page 34, line 19, strike ''2010,''.

Page 35, strike line 7 and all that follows through the semicolon on line 8.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 10: Page 38, strike line 5 and all that follows through page 41, line 18.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 11: Page 41, line 26, after the dollar amount, insert ''(reduced by $425,000,000)''.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 12: Page 43, strike line 22 and all that follows through page 44, line 23.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 13: Page 72, strike line 10 and all that follows through page 73, line 2.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 14: Page 74, strike lines 15 through 21.

H.R. 3074

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 15: At the end of the bill, before the short title, insert the following new section:

SEC. 410. None of the funds made available by this Act shall be used to support Amtrak's route with the highest loss, measured by passenger per mile cost as based on the National Railroad Passenger Corporation's September 2006 Financial Performance of Routes Report.

H.R. 3074

OFFERED BY: MR. GARY G. MILLER OF CALIFORNIA

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available by this Act shall be used to take any action to issue a final rule or notice based on, or otherwise implement, all or any part of the proposed rule of the Department of Housing and Urban Development published on Friday, May 11, 2007, on page 27048 of volume 72 of the Federal Register (Docket No. FR–5087–P–01), relating to standards for mortgagor's investment in mortgaged property.

H.R. 3074

OFFERED BY: MR. GARY G. MILLER OF CALIFORNIA

AMENDMENT NO. 17: At the end of the bill, before the short title, insert the following new section:

SEC. ____. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204 of Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134; 42 U.S.C. 1437f note), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

H.R. 3074

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 18: At the end of the bill, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act to the Surface Transportation Board of the Department of Transportation shall be used, when considering cases, matters, or declaratory orders before the Board involving a railroad, or an entity claiming or seeking authority to operate as a railroad, and the transportation of solid waste (as defined in section 1004 of 42 U.S.C. 6903), by the Board to consider any activity involving the receipt, delivery, sorting, handling or transferring in-transit outside of a sealed container, storage other than inside a sealed container, or other processing of solid waste.

H.R. 3074

OFFERED BY: MR. SHAYS

AMENDMENT NO. 19: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Federal Aviation Administration to implement the New York/New Jersey/Philadelphia Airspace Redesign project of the Federal Aviation Administration.

H.R. 3074

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 20: At the end of the bill (before the short title), insert the following:

SEC.____. Appropriations made in this Act are hereby reduced in the amount of $507,767,000.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used for parking facilities.

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 22: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Edmunds Center for the Arts, City of Edmunds (WA).

H.R. 3074

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Alpine Heritage Preservation (WV).

H.R. 3074

OFFERED BY: MR. WALBERG

AMENDMENT NO. 24: At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Department of Transportation to promulgate regulations based solely on race, ethnicity, or sex.

H.R. 3074

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 25: At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Federal Aviation Administration (FAA) to eliminate, consolidate, de-consolidate, co-locate, execute inter-facility reorganization, or plan for the consolidation/deconsolidation, inter-facility reorganization, or co-location of any FAA air traffic control facility or service, with the exception of the reversal of the transfer of the radar functions from the Palm Springs Terminal Radar Approach Control (TRACON) to the Southern California TRACON.

H.R. 3074

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 26: Page 72, line 1, after the dollar amount, insert ''(reduced by $20,000,000) (increased by $20,000,000)''

H.R. 3074

OFFERED BY: MR. JORDAN

AMENDMENT NO. 27: At the end of the bill, before the short title, insert the following new section:

SEC. ____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by section 8003 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users is hereby reduced by 6.3 percent.

H.R. 3093

OFFERED BY: MR. STEARNS

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act to the Equal Employment Opportunity Commission may be used for litigation expenses incurred in connection with cases commenced after the date of the enactment of this Act against employers on the grounds that such employers require employees to speak English.

H.R. 3093

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds in this Act shall be made available for the Security and Prosperity Partnership.

Amendment to H.R. 3093

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds appropriated in this Act may be used to enforce—

(1) the judgment of the United States District Court for the Western District of Texas in the case of United States v. Ignacio Ramos, Et Al. (No. EP:05–CR–856–KC) decided March 8, 2006; and

(2) the sentences imposed by the United States District Court for the Western District of Texas in the case of United States v. Ignacio Ramos, Et Al. (No. EP:05–CR–856–KC) on October 19, 206.

H.R. 3093

OFFERED BY: MR. ROGERS OF MICHIGAN

AMENDMENT NO. 4: Page 3, line 4, after the dollar amount, insert ''(increased by $6,000,000)''.

Page 3, line 11, after the dollar amount, insert ''(increased by $6,000,000)''.

Page 6, line 19, after the dollar amount, insert ''(reduced by $6,000,000)''.

H.R. 3093

OFFERED BY: MR. ROGERS OF MICHIGAN

AMENDMENT NO. 5: Page 30, line 4, strike the period and insert the following: '':*Provided further*, That not to exceed $16,000,000 shall be available for a housing allowance pilot program for Special Agents of the Federal Bureau of Investigation.''.

H.R. 3093

OFFERED BY: MR. ROGERS OF MICHIGAN

AMENDMENT NO. 6: Page 30, line 4, strike the period and insert the following: '':*Provided further*, That funds shall be available for annuity protection for Special Agents of the Federal Bureau of Investigation who had completed a total of 3 or more years in field supervisory positions as of June 3, 2004, who are subsequently transferred to positions at a lower grade because they chose not to accept transfers to equivalent or higher positions within the FBI pursuant to the Field Office Supervisory Term Limit Policy issued on that date, and are not subsequently reduced in grade or removed for performance or misconduct reasons. 'Average pay' for purposes of section 8331(4) or 8401(3) of title 5, United States Code, as applicable, shall be the larger of (1) the amount to which such Agents are entitled under those provisions, or (2) the amount to which such Agents would have been entitled under those provisions had they remained in the field supervisory position at the same grade and step until the date of their retirement. This provision shall be retroactive to the date the Federal Bureau of Investigation began implementing the policy.''.

H.R. 3093

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 7: Page 6, line 23, after the dollar amount insert ''(reduced by $3,000,000)''.

Page 11, line 19, after the dollar amount insert ''(increased by $3,000,000)''.

H.R. 3093

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 8: Strike section 524.

H.R. 3093

OFFERED BY: MR. SESSIONS

AMENDMENT NO. 9: Strike section 213.

H.R. 3093

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Appropriations made in this Act are hereby reduced in the amount of $535,510,000.

H.R. 3093

OFFERED BY: MR. POE

AMENDMENT NO. 11: At the end of the bill, before the short title, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available under this Act shall be used by the Bureau of Prisons to incarcerate Guillermo Falcon Hernandez.

H.R. 3093

OFFERED BY: MR. POE

AMENDMENT NO. 12: At the end of the bill, before the short title, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available under this Act shall be used by the Bureau of Prisons to incarcerate Ignacio Ramos or Jose Alonso Compean.

H.R. 3093

OFFERED BY: MR. POE

AMENDMENT NO. 13: Page 16, line 20, insert ''(decreased by $10,000,000)'' after the dollar amount.

Page 75, line 24, insert ''(increased by $10,000,000)'' after the dollar amount.

H.R. 3093

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 14: At the end of the bill and before the short title, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available under this heading may be used to provide assistance under the Office of Justice Programs—Community Oriented Policing Services program to any State or political subdivision that is acting in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a))''

H.R. 3093

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 15: At the end of the bill and before the short title, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated or otherwise made available in this Act may be used to provide assistance under the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)), to any State or political subdivision that is acting in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

H.R. 3093

OFFERED BY: MR. CARDOZA

AMENDMENT NO. 16: Page 83, after line 6, insert the following new section:

SEC. 529. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''BUREAU OF THE CENSUS—PERIODIC CENSUSES AND PROGRAMS'', by reducing the amount made available for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—ADMINISTRATIVE REVIEW AND APPEALS'', by reducing the amount made available for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—SALARIES AND EXPENSES'', and by increasing the amount made available for ''OFFICE ON VIOLENCE AGAINST WOMEN—VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' for the court-appointed special advocate program, by $10,000,000, $2,350,000, $3,650,000, and $16,000,000, respectively.

H.R. 3093

OFFERED BY: MS. BORDALLO

AMENDMENT NO. 17: Page 11, line 19, after the dollar amount insert ''(reduced by $500,000) (increased by $500,000)''.

H.R. 3093

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 18: Page 10, strike lines 22 through 25.

H.R. 3093

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 19: Page 68, strike line 18 and all that follows through page 69, line 3.

H.R. 3093

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 20: Page 8, strike lines 1 through 13.