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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. COHEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 2, 2007.

I hereby appoint the Honorable STEVE COHEN 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 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from California (Mr. ISSA) for 5 minutes.

WAR IN IRAQ

Mr. ISSA. Mr. Speaker, today in the Committee on Oversight and Reform, we are going to continue without a doubt the attack on our men and women in uniform. It is clear after last week's debate in which 79 Members of the House refused to denounce MoveOn.org for their attacks on the patriotism of General David Petraeus, there are those who intend to continue to attack the war on any front.

Mr. Speaker, I rise not because I support the war, not because I love war, not because in fact I have any desire to have this war or any war last one day longer than absolutely necessary.

Mr. Speaker, unable to effectively portray our men and women in uniform as guilty of wrongdoing, in spite of the fact that one of our Members called in fact our marines, marines based at Camp Pendleton, killers of women and children in cold blood. Those charges for the most part have already been dismissed.

Our men and women in uniform make mistakes. In the Committee on Oversight and Reform today, we are going to be talking about not our men and women in uniform, but men and women who served an average of 10 years in uniform who have joined private contractors in support of our State Department. Specifically, Mr. Speaker, I am talking about Blackwater. I am not defending Blackwater. The truth is neither Speaker PELOSI nor Chairman WAXMAN know what happened in Iraq in September. What we do know is that there are investigations going on into the specific incidents, like so many incidents in a country in which every day soldiers, sailors and marines die by IEDs and roadside bombs and other ways of killing our men and women without taking risk to their own lives.

An incident like that apparently occurred in September, but instead of waiting until the IG, the FBI, the State Department concluded their investigations, today, Mr. Speaker, the Government Oversight and Reform will decide that they are going to go after the facts directly. They have subpoenaed directly the CEO of that company, not because he was there, not because he has some special knowledge, but because, Mr. Speaker, it is all about the headlines. The bodies were not even cold on that incident before the Committee on Oversight and Reform began to prepare for today's hearings.

In order to believe that Blackwater is guilty before the evidence is in, you have to believe the Minister of Interior. Mr. Speaker, you have to believe the very organization that former Washington, DC, Chief Ramsey and retired four star General Jim Jones called that organization that he leads, some 300,000 police, 85 percent of whom are Shia, so corrupted and so compromised as to be disbanded. In fact, that is exactly the organization that apparently arrived and apparently is to be believed that some wrongdoing occurred.

Mr. Speaker, when I went to Iraq the last time or one time, I went with Chairman WAXMAN and now Speaker PELOSI, our unit was guarded by Blackwater. At that time, I didn't hear any objections to the overhead cover provided by Blackwater. I didn't hear any objections to the EOD unit that was protecting us against bombs. In fact, Mr. Speaker, the only time there seems to be a desire to have this type of oversight is when the headlines would help demean the very effort we are involved in in Iraq.

Mr. Speaker, I trust that the American people are in fact more knowledgeable of what this war is all about. Not that they want this war, but that they do not want to have the men and women in uniform or those Americans who under contract go to this combat zone willingly, most of them after service in that combat zone while in uniform, demeaned without a fair opportunity for investigation.

Mr. Speaker, I was one of many Members of Congress who asked that today's hearing be postponed until at least the State Department, the FBI, and other organizations had an opportunity to do a proper investigation. I am proud to be a ranking member on the Subcommittee on Oversight and Reform, but I am ashamed that we in fact are doing trials rather than oversight. We have never done anything more shameless than what we are doing today, going after an organization without waiting for the facts. We

do not oversee Blackwater in the Congress; we oversee the administration, and we should be looking at their reports, we should be looking at what they have done, and we should be in fact reforming anything that is wrong in the administration.

So I trust that today's hearings will be watched by many people, Mr. Speaker. I trust that Members of this body will view this as what it is, a witch hunt, because they can't go after our men and women in uniform.

ACKNOWLEDGING IRAQIS AT RISK

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

Mr. BLUMENAUER. Mr. Speaker, there is fierce debate and dissension on this floor and in Congress and around the country about the war in Iraq. This disagreement runs deep. It is profound. I believe it to be sincere. But there is one thing that everybody will agree on regardless of whether they think this war is merited or not, regardless of whether they think it has been prosecuted in a reasonable and efficient manner or not. They can acknowledge the debt and obligation that the United States has to over 4 million Iraqis who have been forced to flee their homes. This is a humanitarian crisis that rivals Darfur. It is the worst ongoing humanitarian crisis in the world at this point.

Over 2 million Iraqis have fled their country. And while there is debate over the precise numbers these days, whether it is an additional 25,000 a month or 50,000 a month, whether it is going up or going down, no one disputes that they are still fleeing their homes by the thousands.

I first became involved with the problem of the Iraqis who are at risk because they help the United States, guides and translators, when I started working with a group of high school students in Portland, Oregon, at Lincoln High School, who were working in turn with some Oregon National Guard members who had returned to Oregon but were trying desperately to save the life of a young woman who had served as their translator. Because she had helped the Americans, she was targeted. She and her family were targeted by extremists. It took months. Time doesn't permit going through all the hurdles that we encountered. Luckily, that young woman is safely in the United States now going to college and she is no longer at risk, although afraid to show her face or to be identified specifically for fear that her family would in turn be targeted. I made a commitment to those young people in the high school and in the Oregon National Guard that we would work to introduce comprehensive legislation to make it easier to meet the obligation to those who took America at its word, who helped our brave soldiers, and who in turn now have their lives imperiled.

We have introduced comprehensive legislation that would increase the allowable number that could come, that would put somebody in charge of this responsibility, make it possible to actually be processed in country.

It is ironic that we have the largest embassy in the world in Baghdad, and yet the Iraqis have to leave the country to seek refugee status. They can't go to the green zone and this vast embassy. They have to leave the country in order to apply for asylum.

I frankly was encouraged that last week our colleagues in the Senate made important progress by passing an amendment to the Senate defense authorization bill that would start to address the crisis by including some of the elements in the comprehensive legislation that I have introduced. It is an important first step, but it is only a first step. It is time for the United States to do the right thing for these people whose lives are imperiled.

When we started this process at the beginning of the fiscal year, the United States was going to allow 7,000 people in the country. A small number, actually, by comparison to what little Sweden, for example, was willing to do, a country a fraction of our size, and they aren't the country who engineered this war nor are occupying Iraq. Well, in a few months that goal of 7,000 was reduced to 2,000. As the fiscal year ended this last weekend, we fell short even of that reduced goal: Only 1,600 of these Iraqi refugees were brought into this country.

Our failure to step up is having serious operational consequences. Ambassador Crocker in a memo that has been I suppose leaked but widely published, widely disseminated here in Washington, DC, points out that the failure to help these people who are helping us actually undermines the ability to have other guides and interpreters and people working with us. We risk leaving a legacy of despair, undermining our credibility in the Middle East, to say nothing of the thousands of people whose lives are at risk.

I urge my colleagues to join me in passing comprehensive legislation that will deal with this humanitarian crisis, at least for the people who are most at risk for having put their trust in the United States as they worked to help us.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 13 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at 10 a.m.

PRAYER

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

Divine teacher and source of ageless wisdom, keep within Your vision all students, teachers, school administrators, and providers from families, business and government who are engaged in education across this vast and varied land.

Fan into flame, Lord, the desire for knowledge and the ability to make good decisions in Your people of all ages. Help the young to use their energy and imagination in all intellectual pursuits. Guide committed students to adjust to the needs of our times and look beyond self-interest to serve the broader community with global perspective.

Confirm professionals and the elderly with educational opportunities which will draw upon their experience and offer greater wisdom.

May educational possibilities flourish in this Nation so that growth in technology, science and human understanding may create an exciting future for Your people and give You greater glory founded upon solid reasons for faith and love, both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PITTS 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.

CHILDREN'S HEALTH INSURANCE PROGRAM

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

Mr. COOPER. Mr. Speaker, President Bush, having vetoed fewer bills than almost any President in American history, is now talking about vetoing many bills. One of these is the children's health insurance bill, the so-called CHIP or SCHIP piece of legislation.

To veto this bill would be a big mistake. One reason is the Senate has already demonstrated it has the votes for an override, and I think in the House it's just a question of time until we have the votes to override.

But the key point is this: It's a good bill. And I don't say that lightly. I

voted against the first version of the SCHIP legislation that came through the House. I thought it was unaffordable, and over half the bill wasn't for kids at all; it was for senior citizens.

This bill is tightly focused on poor children. Poor children, only up to 200 percent of poverty, not the $80,000 you may have been hearing about on talk radio. These are the Tiny Tims of the United States. President Bush should not want to play Ebenezer Scrooge in this play.

IN MEMORY OF HARRY SHULER DENT

(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, Harry Shuler Dent passed away Friday. The Charleston Post and Courier recognized him as the father of the present-day South Carolina Republican Party and White House southern strategist.

Lee Bandy of Columbia's The State outlined Harry Dent's successful career as a journalist, chief of staff for Senator Strom Thurmond, State Republican Chairman, White House Deputy Counsel, and founder of a multinational lay ministry.

I was grateful to see firsthand Harry's achievements. Under his leadership, the South Carolina Republican Party grew in the 1960s from no officeholders to having majorities in the State legislature, congressional delegation and Statewide offices. In Romania I watched his ministry take action and provide medical equipment to a local hospital.

His greatest achievement was to marry his high school sweetheart, Betty Francis Dent. In their 56 years of marriage, they produced four outstanding children, Harry, Jr., Jack, Dolly and Ginny, along with nine grandchildren.

As a political adviser, mission director and dedicated family man, Harry Dent has made an extraordinary difference to the people of South Carolina.

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

PRESIDENT BUSH'S VETO THREAT ON SCHIP

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

Mr. STUPAK. Mr. Speaker, during a speech at the 2004 National Convention, President Bush made a promise to cover America's uninsured children. The President said, ''In a new term we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government's health insurance program.''

Last week, both this House and the Senate passed a bill to reauthorize the State Children's Health Insurance Program, or SCHIP, which provides health coverage for children in low-income families who would otherwise be uninsured. This bipartisan bill will allow 4 million children who are currently eligible for SCHIP, but not yet enrolled, to now receive coverage. In fact, it does just what President Bush said he would do if America reelected him. But despite this election year promise, President Bush is now threatening to veto the bipartisan SCHIP reauthorization act.

Mr. Speaker, if the President vetoes this much-needed legislation, he will be breaking his election year campaign promise to enroll millions of currently eligible but uninsured children in the SCHIP program. I hope the President will reconsider his veto threat and instead hold to his promise to strengthen the SCHIP program.

BURMA

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

Mr. PITTS. Mr. Speaker, the peaceful protestors in Burma deserve our support, and the brutal generals in charge of the SPDC must be held accountable.

Reports on the number of deaths ordered by the dictatorship range from hundreds to thousands. It's difficult to get specific numbers, particularly as other reports detail the regime burning dead bodies so that no one can get an accurate count of the dead and disappeared.

One new image shows the badly bruised and semi-dressed body of a Buddhist monk floating face down in the Rangoon River.

The regime has also no respect for journalists. A Japanese journalist was shot point blank by the dictator's troops, and the regime detained other journalists.

One senior Burmese intelligence official is claiming that thousands of protesters are dead, and the bodies of hundreds of executed monks have been dumped in the jungle.

We must do everything possible to press the regime to stop the killing and detentions. This includes sanctions against the regime, specifically freezing bank accounts of members of the dictatorship.

The people of Burma deserve to live in peace and freedom.

WHAT KIND OF NATION ARE WE?

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

Mr. KAGEN. Mr. Speaker, what kind of Nation are we? And is anyone really listening?

Forty-seven million citizens have no health care coverage at all. Zero. And the costs, the costs for care are simply impossible to pay. People cannot afford to pay for their pills, for their doctor bills, for their hospital tests and treatments. They can't even afford their cancer treatments. And why? It's simple. They don't have the money.

And what kind of Nation are we when, in Shawano County in Wisconsin at the courthouse, 19 out of 20 families going bankrupt do so because they can't pay their medical bills?

We need a uniquely American solution to this crisis and we need it now because my patients can't hold their breath any longer.

Mr. Speaker what kind of Nation are we? Let's all agree here, right now and right here to change this situation. This is a national disgrace. My constituents are listening and so are yours. Let's end this national nightmare and guarantee access to affordable care for everyone everywhere in these United States.

THE BACK DOOR IS OPEN

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

Mr. POE. Mr. Speaker, the Government Accountability Office is in the border crossing business. Like the illegals, drug dealers, smugglers that cross both our southern and northern borders at will, GAO investigators recently crossed undetected from Canada into the United States in three different areas with, get this, red duffel bags of radioactive material, detonators and narcotics. They crossed with no problem, and no border agent was anywhere in sight.

On the 5,000-mile Canadian border, there are no more than 250 border agents on duty at any given time according to a deputy chief of the Border Patrol. It sounds easy to slip back and forth unnoticed across the border.

A GAO investigator said that ''there were substantial vulnerabilities on the northern border to terrorists and criminals entering the United States undetected''. While America's watching the front door to illegal crossing at the southern border, the back door is wide open to unwanted illegal guests on the northern border.

Homeland Security needs to get serious about homeland security and shut the open doors to our homeland.

And that's just the way it is.

REAL AND MEANINGFUL CHANGE IN CONGRESS

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

Mr. LAMPSON. Mr. Speaker, I'm proud to be a Member of this Congress which has delivered to the American people real and meaningful change. We are fiscally responsible. We have instituted pay-as-you-go rules and deficit reduction discipline.

Where our majority has made real progress is by creating greater opportunity and a chance for prosperity for

all. Already we have reduced the cost on student loans and increased the size of Pell Grant scholarships, and President Bush signed our college affordability bill into law last week. We thank him.

We gave millions of Americans a pay raise by increasing the minimum wage and restored government oversight lacking for the last 6 years, saving billions of taxpayer dollars and exposing corruption. These investments, done for all Americans, are a few examples of how this Congress is taking America in a new direction.

EXPAND OUR NATION'S EXPORT MARKETS

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

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of expanding our Nation's export markets. Last week Congress was challenged to implement the proposed free trade agreement with Peru. It is a challenge we need to meet.

The agreement laid on the table will create significant new opportunities for American farmers, ranchers, businesses and consumers by opening new markets and reducing trade barriers.

Nebraska's agriculture producers, manufacturers and service providers deserve more access to foreign markets. Last month I hosted a forum on the importance of exports for Nebraska and the United States.

Trade supports nearly one in five jobs in Nebraska, and Nebraska exported $2.8 billion worth of agriculture products in 2005.

Opening new export markets has long been a priority of mine. It goes without saying that agriculture markets are tremendously important to my district and the Nation as a whole, and I hope to help Nebraska's products continue to compete in the global marketplace.

PRESIDENT BUSH'S VETO THREAT ON CHIP

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

Mr. WELCH of Vermont. Mr. Speaker, last week, Congress passed legislation, of course, to reauthorize the Children's Health Insurance Program. It's a bipartisan bill, provides health coverage to 10 million low-income Americans. It's fully paid for, no change in eligibility requirements. And the President says he's going to veto it because it's going to lead to ''socialized medicine.''

We've had children who have received access to doctors for years. Many States have done it on their own. The Federal Government has supported it with the children's health care initiative. And what's happened? Children have been able to see a doctor. Parents have gone to bed at night with the confidence that if their child was sick they'd have access to health care.

It is bipartisan. Republican Senator SUSAN COLLINS said, ''I can't believe the President would veto a program that benefits low-income children.''

CHARLES GRASSLEY: ''The President's understanding of our bill is wrong. I urge him to reconsider.''

Senator HATCH: ''We're talking about kids who basically don't have coverage.''

No justification for this veto, Mr. President. Change your mind.

AUTO INDUSTRY MOVING TOWARD A BRIGHTER FUTURE

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

Mrs. MILLER of Michigan. Mr. Speaker, the recent contract negotiated by General Motors and the United Auto Workers was really a historic watershed for the domestic auto industry.

By tackling the very tough issues of pension reform and job security and, most importantly, health care reform, the industry is now poised to compete and win against foreign competitors.

The domestic auto industry has momentum in moving toward a brighter future, a future that will include high-tech alternative fuel vehicles that will help us reduce our dependence on foreign oil.

I had the opportunity actually last week to check out one of these vehicles. This was the Ford Edge powered by a lithium ion battery. This is a vehicle that uses no gas and its only emission is actually water.

That is the future if we join the cause. This Congress needs to partner with the domestic auto industry and the UAW to ensure that we produce those automobiles right here in America.

What we should not do is enact draconian fuel economy standards that will stifle innovation, assist our foreign competitors and kill American jobs. Both management and labor are doing their jobs to strengthen the industry. Now is the time for Congress to step up and do ours. Focus on the future, focus on technology, and focus on American jobs.

□ 1015

DEMOCRATIC CONGRESS PASSES BILL THAT FORCES BUSH ADMINISTRATION TO PLAN FOR REDEPLOYMENT

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

Mr. KLEIN of Florida. Mr. Speaker, when President Bush announced that he was keeping the troop escalation plan in effect until next summer, it was clear that he had no plan for ending the war in Iraq. In fact, the administration admits that they see our troops remaining in Iraq for at least 10 more years.

President Bush continues with the status quo in Iraq even though the Iraqi Government is not fulfilling its promise to meet the political benchmarks that were outlined by President Bush himself earlier this year.

House Democrats are not going to tolerate another decade of our troops serving as referees in a civil war. And while this Congress cannot force the President to change course in Iraq until some of our Republican colleagues break ranks with the administration, I think that they even see the value in forcing this administration to finally come up with an exit strategy that is strategic in purpose.

Today the House will vote on legislation that would require the President and his administration to develop and submit a comprehensive redeployment strategy within the next 60 days. This war cannot go on indefinitely, and this administration needs to begin preparing for the day that we can finally bring our troops home.

URGING THE PRESIDENT TO VETO THE DEMOCRATIC CONGRESS'S SCHIP BILL

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

Mr. PENCE. Mr. Speaker, in 1998 the Republican Congress enacted the State Children's Health Insurance Program to help children of families near poverty.

But now, true to their big government agenda, the Democrat Congress has sent the President a massive increase in the SCHIP program that will usher in a new era of socialized medicine in America. This bill will take a program designed to help children near the poverty level and expand it to include families with incomes of up to $83,000 a year, and Democrats would pay for this middle-class entitlement with a 61 cent per-pack tax increase on cigarettes.

Let's provide health insurance for children of the poor and the near poor, but let's reject a liberal Democratic Congress's attempt to create middle-class entitlements on the backs of American smokers.

Mr. President, veto this bill.

MOURNING TAYLOR BRADFORD AND URGING CONGRESS TO PASS THE COPS BILL

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

Mr. COHEN. Mr. Speaker, on Sunday night a football player, a young man named Taylor Bradford on the University of Memphis football team, was murdered on our campus. The football team, the City of Memphis, and the

university mourn the passing of this fine young man.

We play a game tonight on ESPN2 against Marshall, and there will be a moment of silence, a moment of silence for that young man's memory.

But while it is a national news event because he was a football player, he is an example of people who have senselessly been killed in this country, and there are crime problems everywhere. That is why we need to pass the COPS bill that this House has passed and the Senate should pass to provide community policing and aid for local governments to hire more policemen, to have feet on the streets to protect our citizenry.

While there are horror stories in Baghdad, there are horror stories in America; and we need to protect our own.

I will remember Taylor Bradford, and I will remember all victims of senseless crime tonight.

URGING MEMBERS TO VOTE ''YES'' ON H.R. 2003, ETHIOPIA DEMOCRACY AND ACCOUNTABILITY ACT

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

Mr. HONDA. Mr. Speaker, I rise today to urge my colleagues to vote ''yes'' on H.R. 2003, the Ethiopia Democracy and Accountability Act.

As Chair of the Ethiopia Caucus, I believe that if given the necessary tools, Ethiopia can truly be a lighthouse for Africa. In the dawn of the Ethiopian millennium, it is important now more than ever to celebrate this country with vigilance and genuine partnership.

I will continue to be an advocate of humanitarian assistance to Ethiopia and for supporting policies that promote trade and economic development there, but I cannot comply with clear offenses to the democratic process by the ruling government right now.

I believe that the financial and ideological backing of the United States administration can encourage the Ethiopian Government to allow for the effective participation of opposition parliamentarians and civil society.

I hope we can find a way to provide substantially more support for a true political and economic partnership with the Ethiopian people beyond this legislation.

I will vote ''yes'' on Mr. PAYNE's legislation. I ask my colleagues to do so too.

BIPARTISAN AGREEMENT ON CHILDREN'S HEALTH IS SOMETHING THE ENTIRE CONGRESS SHOULD SUPPORT

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

Mr. WILSON of Ohio. Mr. Speaker, last week the House and Senate passed a bill ensuring that 10 million low-income children have access to the quality health care coverage they need to live healthy and productive lives.

Democrats and Republicans alike worked together to do what was right for our Nation's children. This bipartisan agreement will strengthen the SCHIP program over the next 5 years by ensuring that an additional 4 million low-income children receive access to health care coverage they desperately need.

At a time when the number of uninsured children is increasing, we need to do more, more to ensure that they have access to quality health care, and that is what this bipartisan agreement does.

Despite strong bipartisan support here in Congress, President Bush is threatening to veto this bill. Instead, he favors a plan that would take health care coverage away from needy children. A million children would lose health insurance coverage. He should reconsider his veto threat and support our bipartisan legislation.

INTELLECTUAL PROPERTY ENFORCEMENT ACT

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

Mr. DONNELLY. Mr. Speaker, I rise today in support of H.R. 3578, the Intellectual Property Rights Enforcement Act.

In recent weeks, the confidence of the American people has been shaken by the revelation that contaminated food and counterfeit products have entered our country, threatening the safety of American consumers.

However, for many manufacturers in my home State of Indiana, dealing with counterfeit products has been a part of everyday business. It is estimated that these products comprise almost 10 percent of world trade, that they are costing American companies nearly $250 billion in revenue and an estimated 750,000 jobs.

In order to address this IP theft, I have joined with other Members of Congress and also with Senator EVAN BAYH and Senator GEORGE VOINOVICH on the Intellectual Property Enforcement Act. It has been endorsed by numerous groups, from the Chamber of Commerce to the AFL–CIO. This legislation creates a global task force to encourage our trading partners to join in a united effort to combat the practice of stealing intellectual property.

I ask my fellow Members to join me in supporting this legislation.

HONORING MAHATMA GANDHI

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

Mr. MCDERMOTT. Mr. Speaker, today is a very special day. Today, October 2, marks the birthday of Mahatma Gandhi. To honor him, the United Nations approved a resolution that, beginning today, designates October 2 as International Day of Nonviolence.

It's a start, one that was inspired by Sonia Gandhi after she successfully led an international conference called ''Peace, Nonviolence and Empowerment—Gandhian Philosophy in the 21st Century.'' There is a yearning for peace, for an end to world hunger and poverty, and a world in which peace and justice for all is not a dream but a reality.

Gandhi showed us the way. He said: ''Nonviolence is not a garment to be put on and off at will. Its seat is in the heart, and it must be an inseparable part of our being.''

Gandhi's philosophy is a legacy he left to benefit the whole world. It is up to us to preserve this great gift. And I will do my part. I have introduced House Resolution 653 to express the sense of the Congress that the concept of nonviolence and the teaching of Gandhi remain relevant in this world.

As Gandhi himself said: ''Nonviolence is the greatest force at the disposal of mankind. It is mightier than the mightiest weapon of destruction devised by the ingenuity of man.''

The U.N. resolution itself shows Gandhi's remarkable ability to change the world. A record 143 nations cosponsored the U.N. resolution, Gandhi uniting us again.

Let us resolve to honor his memory by dedicating ourselves to Gandhi's philosophy of peace through nonviolence. It is the only path to true peace in the world.

BUSH AND CONGRESSIONAL REPUBLICANS HAVE MISPLACED PRIORITIES: WAR OVER CHILDREN'S HEALTH

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

Mr. ELLISON. Mr. Speaker, last week Democrats and Republicans came together here in Congress to pass a bipartisan bill that will ensure that 10 million low-income children have access to private health care insurance. The bill would invest $35 billion more over the next 5 years in the Children's Health Insurance Program. It's fully paid for, as this Congress has vowed to pay as we go.

Despite receiving strong bipartisan support here in Congress, President Bush is threatening to veto this legislation. He says the bill is simply too big. Instead, the President proposes a $5 billion funding increase that the nonpartisan CBO concludes would force 800,000 children to lose their health insurance.

Talk about misplaced priorities. President Bush didn't bat an eye when the Pentagon said that it needed as much as $200 billion, with a ''b,'' over the next year to continue the war in Iraq.

Mr. Speaker, President Bush has no problem sending billions of dollars to

Iraq every day, but doesn't seem inclined to support an investment in children's health care here in the U.S. Talk about misplaced priorities.

APPOINTMENT OF MEMBER TO U.S. GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 1928a, clause 10 of rule I, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Member of the House to the United States Group of the NATO Parliamentary Assembly to fill the existing vacancy thereon:

Mr. MILLER, Florida

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 later today.

AWARDING A CONGRESSIONAL GOLD MEDAL TO MICHAEL ELLIS DEBAKEY, M.D.

Mr. AL GREEN of Texas. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 474) to award a congressional gold medal to Michael Ellis DeBakey, M.D.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 474

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

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) Michael Ellis DeBakey, M.D., was born on September 7, 1908, in Lake Charles, Louisiana, to Shaker and Raheeja DeBakey.

(2) Dr. DeBakey, at the age of 23 and still a medical student, reported a major invention, a roller pump for blood transfusions, which later became a major component of the heart-lung machine used in the first successful open-heart operation.

(3) Even though Dr. DeBakey had already achieved a national reputation as an authority on vascular disease and had a promising career as a surgeon and teacher, he volunteered for military service during World War II, joining the Surgeon General's staff and rising to the rank of Colonel and Chief of the Surgical Consultants Division.

(4) As a result of this first-hand knowledge of military service, Dr. DeBakey made numerous recommendations for the proper staged management of war wounds, which led to the development of mobile army surgical hospitals or ''MASH'' units, and earned Dr. DeBakey the Legion of Merit in 1945.

(5) After the war, Dr. DeBakey proposed the systematic medical follow-up of veterans and recommended the creation of specialized medical centers in different areas of the United States to treat wounded military personnel returning from war, and from this recommendation evolved the Veterans Affairs Medical Center System and the establishment of the Commission on Veterans Medical Problems of the National Research Council.

(6) In 1948, Dr. DeBakey joined the Baylor University College of Medicine, where he developed the first surgical residency program in the city of Houston, and today, guided by Dr. DeBakey's vision, the College is one of the most respected health science centers in the Nation.

(7) In 1953, Dr. DeBakey performed the first successful procedures to treat patients who suffered aneurysms leading to severe strokes, and he later developed a series of innovative surgical techniques for the treatment of aneurysms enabling thousands of lives to be saved in the years ahead.

(8) In 1964, Dr. DeBakey triggered the most explosive era in modern cardiac surgery, when he performed the first successful coronary bypass, once again paving the way for surgeons worldwide to offer hope to thousands of patients who might otherwise succumb to heart disease.

(9) Two years later, Dr. DeBakey made medical history again, when he was the first to successfully use a partial artificial heart to solve the problems of a patient who could not be weaned from a heart-lung machine following open-heart surgery.

(10) In 1968, Dr. DeBakey supervised the first successful multi-organ transplant, in which a heart, both kidneys, and lung were transplanted from a single donor into 4 separate recipients.

(11) In 1964, President Lyndon B. Johnson appointed Dr. DeBakey to the position of Chairman of the President's Commission on Heart Disease, Cancer and Stroke, leading to the creation of Regional Medical Programs established ''to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, and hospitals, for research and training''.

(12) In the mid-1960s, Dr. DeBakey pioneered the field of telemedicine with the first demonstration of open-heart surgery to be transmitted overseas by satellite.

(13) In 1969, Dr. DeBakey was elected the first President of Baylor College of Medicine.

(14) In 1969, President Lyndon B. Johnson bestowed on Dr. DeBakey the Presidential Medal of Freedom with Distinction, and in 1985, President Ronald Reagan conferred on him the National Medal of Science.

(15) Working with NASA engineers, he refined existing technology to create the DeBakey Ventricular Assist Device, one-tenth the size of current versions, which may eliminate the need for heart transplantation in some patients.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design, to Michael Ellis DeBakey, M.D., in recognition of his many outstanding contributions to the Nation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. AL GREEN) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. AL GREEN).

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 474.

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

There was no objection.

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

Mr. Speaker, today we take the final steps in the legislative process to accord the Honorable Dr. Michael E. DeBakey a Congressional Gold Medal.

While I am proud to be here at the revelation of this process while we are now revealing all that has taken place and all that has happened for us to have this great opportunity, I must confess that I was not there at the genesis of the process. But, Mr. Speaker, there is one person who has been a constant throughout the entirety of this process, and that one person, Mr. Speaker, is the Honorable KAY BAILEY HUTCHISON, Senator from the great State of Texas. She has been consistent in that she has annually filed this bill to get it to this point, and she has been persistent in that she has insisted that we work together so as to cause the Honorable Dr. Michael E. DeBakey to have this opportunity.

Mr. Speaker, while I am the original sponsor of the House bill, H.R. 1154, to accord this Congressional Gold Medal, there are many other persons who must be thanked. I want to thank my chairman of the Financial Services Committee, the Honorable BARNEY

FRANK, for the outstanding job that he has done to help get this piece of legislation, the bill that has already passed, out of the committee and to the floor. But he has also done an outstanding job in helping us to get the Senate bill to the floor, and for this we thank him.

I also would like to thank my colleagues Congressman MICHAEL BURGESS and Congressman JOHN CULBERSON for the outstanding job that the two of them jointly performed in getting the necessary signatures to get this bill to the floor.

□ 1030

That would be the bill in the House, not the Senate bill. But I want to thank them for what they did because it took getting the House bill through to get us to the point where we can now get the Senate bill passed, such that we can accord the Gold Medal.

I would like to thank the entire Texas delegation. They have all thought highly of Dr. DeBakey, and they have worked with us to make sure that we were in a position to get this done.

We want to thank the 313 cosponsors of this legislation. Literally, we have gone to the floor of the House and we have talked to persons who agreed that the Honorable Dr. Michael E. DeBakey should be accorded this preeminent privilege and this great honor.

I want to thank the House leadership because the leadership made it possible for the fellowship to be in this position today. And again, we thank Senator HUTCHISON and all of the Members of the Senate who have helped us with this process.

Mr. Speaker, the Congressional Gold Medal has 535 judges, 100 in the Senate, 435 in the House, because each Member of the House and each Member of the Senate has a vote on the Congressional Gold Medal. And I am honored to say that, while we must receive 290 votes in the House and 67 votes in the Senate, we have exceeded the required numbers in both the House and the Senate. People were excited about the opportunity to accord the Honorable Dr. Michael E. DeBakey a Congressional Gold Medal.

What is a Congressional Gold Medal? It is the Nation's highest and most distinguished civilian award. It was originally awarded to military leaders for their service and later became a civilian medal. It is the congressional equivalent of the Presidential Medal of Freedom. Each medal is unique. It is designed by the U.S. Mint and is duplicated in bronze for sale.

The Congressional Gold Medal has been awarded approximately 134 times to approximately 300 individuals. Some notable recipients include our first President, George Washington; General Andrew Jackson; the Wright brothers; Thomas Edison; Sam Rayburn, former Speaker of this august body; Sir Winston Churchill; Robert Kennedy; Lady Bird Johnson; Mother Teresa of India; Nelson Mandela; Rosa Parks; Pope John Paul, II; the Reverend Dr. Martin Luther King and Coretta Scott King; and the last recipients were the Tuskegee Airmen. I was honored to be present in the rotunda when they received their Congressional Gold Medal in April of 2006.

Mr. Speaker, I think that Dr. Michael E. DeBakey, the oldest of five children, born of parents of Lebanese descent, has truly been an outstanding American. He was born in Louisiana in Lake Charles, performed his residency at Charity Hospital. Mr. Speaker, I am from Louisiana. I was born in New Orleans. I was born in Charity Hospital. And while it may be a bit of wishful thinking, there may be the possibility, or the possibility may exist, that I am a DeBakey baby and that he was performing his residency at Charity Hospital at the time that I was born.

Mr. Speaker, he was on the faculty of the Baylor College of Medicine from 1948 to 1993, where he chaired the Department of Surgery. He served as President and Chancellor of the Baylor College of Medicine.

And Mr. Speaker, I say from the bottom of my heart that I thank God for the Honorable Dr. Michael E. DeBakey. He has earned the right to receive a Congressional Gold Medal. He served his country in World War II, and he volunteered to perform this service. He helped to develop, while in the military, the mobile army surgical hospital, we know it as the ''MASH'' units. And Mr. Speaker, there is a TV program and a movie that was made popular because of the MASH units that were developed because of the Honorable Michael E. DeBakey. In fact, it may be said that, but for the Honorable Dr. Michael E. DeBakey, there might not be a MASH television series.

He helped to establish the VA Hospitals. He helped to establish the current Veterans Affairs medical system. He was one of the first to successfully perform a coronary bypass. He established the field of surgery for strokes. He led the movement to establish the National Library of Medicine. He performed the historic transplantation procedure, with a team of surgeons of course. He was the first person to successfully use a partial artificial heart to help patients who could not be weaned from the heart-lung machine following heart surgery.

He pioneered the field of telemedicine, with the first demonstration of open heart surgery transmitted overseas via satellite. He invented the Dacron tube, using his wife's sewing machine and fabric he purchased from a store in Houston, Texas. This, Mr. Speaker, was the first artificial artery.

He was a leader in the development of the artificial heart. He operated on more than 60,000 patients in Houston. He has published over 1,600 articles. He helped to establish health care systems around the world in Jordan, Morocco, Russia, Saudi Arabia, Spain, to name a few countries.

He became one of the persons to work at the Baylor School of Medicine, to the extent that Baylor has recognized his unprecedented achievements by naming the DeBakey Heart Center in his honor. And also, the Baylor College of Medicine has named the Michael E. DeBakey Department of Surgery in his honor.

Dr. DeBakey is a great citizen, Mr. Speaker, not only of the United States but also of the world. He is a great humanitarian; he has helped rich and poor alike. If we did not have the Congressional Gold Medal, Mr. Speaker, we would have to create one for the Honorable Dr. Michael E. DeBakey.

On his 99th birthday, we called him to let him know that we had completed the process in the House in terms of passing the House bill so that we can move forward to this bill, and his comment was, ''I am so grateful that I am a citizen of the United States.'' Mr. Speaker, I believe that his life stands for the proposition that one person can not only impact the world, but can change the world for the good of all.

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

Mr. BURGESS. Mr. Speaker, at this time I would like to yield such time as he may consume to the gentleman from Texas, one of the original cosponsors of this bill, Mr. CULBERSON.

Mr. CULBERSON. Thank you, Dr. BURGESS.

I want to thank my good friend, AL GREEN, my good friend and colleague, MICHAEL BURGESS, Senator HUTCHISON, who has been a leader in this effort, and the chairman of the Financial Services Committee as well in bringing this important legislation to the floor. Chairman FRANK has been extraordinarily helpful.

I won't be long, but I want to point out that Dr. Michael E. DeBakey is one of those singular geniuses whose name will truly be remembered in a thousand years when our work here today is long forgotten. What we do here we hope will impact the lives of our children and fellow Americans in ways that will improve their lives, and we all do our best every day to make that contribution, but Dr. Michael DeBakey has genuinely made contributions that will last for many, many generations and will continue to save lives for many generations.

Dr. DeBakey is an inventive genius. He is not only a physician, he is an engineer, an innovator, a surgeon, an educator, and the impact that he has had on medicine truly cannot be overstated.

Many of the medical procedures we rely on today would truly not be available were it not for his groundbreaking efforts. He is responsible for pioneering four different types of operations for the treatment of aneurysms in the heart, and the first physician to successfully perform bypass surgery.

Dr. Michael DeBakey's contributions are too numerous to mention here. We have had the privilege of bringing the House bill to the floor here within the last couple of weeks, and are very

pleased that Chairman FRANK has brought Senator HUTCHISON's bill to the floor so that we can speed this important legislation to the President's desk. Dr. DeBakey is now 99 years old, still in good health, still consulting as a physician in medical cases. The man is truly a legend. And it is my singular privilege to be here today to join with my colleagues, AL GREEN, Dr. BURGESS and Senator HUTCHISON, in recognizing and honoring this great, good man for his magnificent contributions to the improvement of the health of all humanity in awarding Dr. Michael DeBakey the Congressional Gold Medal.

Mr. BURGESS. Mr. Speaker, I am now pleased to yield such time as he may consume to the gentleman from Texas (Mr. POE).

Mr. POE. Thank you, Dr. BURGESS. And thank you, Judge GREEN, for sponsoring this legislation.

Mr. Speaker, Dr. Michael DeBakey's life motto is ''strive for nothing less than excellence,'' and he has achieved excellence in all of his 99 years.

He will be 100 years old next year, and he has made remarkable and valuable contributions to surgery and to the entire world in the area of heart surgery.

When he was only 23 years old, Dr. DeBakey reported the roller pump for blood transfusions, which was later used in the heart-lung machine used in the first successful open heart surgery. When he volunteered for the Army during World War II, his experience in the Surgeon General's staff taught him that more needed to be done for veterans and for the wounded that are on the battlefield. He recommended massive changes in the management of war wounds. And as Judge GREEN mentioned, he invented the mobile army surgical hospital, or the MASH units, as Americans know them. We have all watched MASH on television and its satire, but MASH has served a tremendous purpose for those who are wounded on the battlefield.

Once the MASH units came into play, Americans wounded during battle at war and were taken to these units, the survival rate increased tremendously. In previous wars when Americans were wounded, most of them died. Now, when they're wounded and taken to a MASH unit, most of them survive.

He created the medical follow-ups for veterans. We call that the Veterans Affairs Medical Center. And in 1948, Dr. DeBakey joined the Baylor University College of Medicine staff. He launched the first surgical residency program in Houston, and now Baylor Medical School is one of the Nation's most respected health science centers in the world.

He developed innovative treatments for aneurysms, performed the first successful coronary bypass, successfully used a partial artificial heart to help a patient wean off a heart-lung machine after open heart surgery, and he supervised the first successful multiorgan transplant.

Dr. DeBakey could be, Mr. Speaker, the finest heart surgeon that has ever lived in the world. He deserves this Nation's greatest honor. And we're forever grateful for his contributions, his vision, his leadership and his big heart for others.

Winston Churchill said, ''We live by what we get, but we judge our life by what we give.'' Dr. DeBakey has given hearts to thousands of people throughout the world.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I do want to thank my friends who have come to the floor to help us today honor Dr. Michael DeBakey. I do want to thank AL GREEN for his persistence in getting this bill to the floor. It has been a long time in the making. And obviously I want to thank our senior Senator from Texas, KAY BAILEY HUTCHISON, and certainly thank Chairman FRANK for allowing the Senate bill to come through the floor procedure so that we may hasten this floor process for Dr. DeBakey. As has been mentioned here several times this morning, Dr. DeBakey is 99 years old and certainly deserving of this honor, and we need to get it to him with all haste.

Dr. DeBakey is the father of cardiovascular surgery in our country. And I do encourage my colleagues to vote in favor of S. 474, a bill to designate the Congressional Gold Medal for the famed Houston heart surgeon.

□ 1045

This bill has been very important to me, as one of the physicians in the House of Representatives, to be able today to come to the floor and talk about how Dr. DeBakey changed the face of medicine so significantly forever in this country. As a fellow physician, Dr. DeBakey's work on medical advancements is legendary. His dedication to healing those around him came not only from his talents as a physician but his ongoing commitment to the larger medical community. His motto, as we heard others mention it today, was ''strive for nothing less than excellence.'' Boy, every Member of this House could adopt that as one of our mottos and do better by the country for it.

Mr. Speaker, I would be remiss if I didn't mention the education and entrepreneurial spirit that made him worthy of the Nation's highest expression of appreciation for distinguished achievements and contributions. Dr. DeBakey received his bachelor's and M.D. degree from Tulane University in New Orleans, as we have already heard mentioned. He delivered AL GREEN in medical school.

But probably more importantly, while in medical school, he developed the roller pump, later to become the major component in the heart-lung machine that is used in open heart surgery routinely today. This was a groundbreaking achievement, Mr. Speaker. Every pump to pump the heart, to take over the work of the heart artificially, prior to that time, had worked on a mechanical piston-type arrangement. Dr. DeBakey envisioned the roller pump which preserved the structure of red blood cells as they took their course through the pump and allowed this pump to, in fact, become part and parcel with something that we now just all accept as part of cardiovascular surgery. It was truly a visionary change. Again, he popularized that while he was in medical school in the 1930s.

Now, Dr. DeBakey completed his internship at Charity Hospital, one of the venerable institutions of learning in this country. Many of my professors at Parkman Hospital trained at Charity Hospital. Charity Hospital is no longer with us because of the ravages of Hurricane Katrina 2 years ago. After Dr. DeBakey completed his internship at Charity, he went on to the University of Strasbourg in France and the University of Heidelberg in Germany.

He volunteered for service in World War II and was subsequently named director of the surgical consultants division of the U.S. Surgeon General's Office. His work during that war led to the development of what we have already heard described today as the Mobile Army Surgical Hospital, the so-called MASH unit. Mr. GREEN has already eloquently pointed out that we wouldn't have the MASH units today. More importantly, we wouldn't have those forward surgical teams that go into the combat areas and provide vital care to our soldiers in that first golden hour after injury, all of that pioneered by Dr. DeBakey well over two generations ago.

He helped establish the specialized medical and surgical center system for treating military personnel returning home from war, which we now know as the Veterans Administration Medical Center. But it was at Methodist Hospital in Houston where Dr. DeBakey performed many of his groundbreaking surgeries, including the first removal of a carotid artery blockage in 1950, interestingly the year that I was born, the first coronary artery bypass graft in 1964, the first use of a ventricle assist device to pump blood and support a diseased heart in 1966; and then on to some of the first heart transplants in this country in 1968 and 1969.

He developed a self-contained miniaturized left ventricular assist device to pump blood for a diseased heart, something that is in use to this day. The techniques used to miniaturize the device's inner workings were developed by engineers working on the Nation's space program at nearby NASA.

He has served as adviser to every President of the United States for the last 50 years. Think of that, Mr. Speaker: every President for the last 50 years has depended upon Dr. Michael DeBakey for medical advice. He has given advice to heads of state throughout the world and traveled famously to Russia in 1996 to consult on heart surgery for the ailing Boris Yeltsin. I have

to believe, Mr. Speaker, that he did a lot more than consult in that operating room that day 10 years ago.

During his professional surgical career, he performed more than 60,000 cardiovascular procedures and trained thousands of surgeons who practice around the world. Today, his name is affixed to any number of organizations, centers for learning and projects devoted to medical education and health education for the general public.

But think of this, Mr. Speaker: Dr. DeBakey also underwent an operation that was named for him. I picked up a copy of the New York Times last December and read a story about how Dr. DeBakey had undergone the surgery that he himself had described many years before. In fact, Dr. DeBakey admitted that at the time, although he knew he was ill, he never called his own doctor, he never called 911.

''If it becomes intense enough you are perfectly willing to accept cardiac arrest as a possible way of getting rid of the pain.'' This is what he told the New York Times last year. What a unique, what a pragmatic individual.

He helped establish the National Library of Medicine which is now the world's largest and most prestigious repository of medical archives. The National Library of Medicine is something I look at several times a week as I prepare for committee hearings on our Committee on Energy and Commerce, developed and established by Dr. Michael DeBakey.

Mr. Speaker, as we talk in this Congress about the need for improving computer technology for medical records and medical information, Dr. DeBakey was on the forefront of that while most of us were still in grammar school. In 1969 he received the highest honor a United States citizen can receive, the Presidential Medal of Freedom with Distinction. In 1976, his students founded the Michael E. DeBakey International Surgical Society. His contributions to medicine and his breakthrough surgeries and innovative devices have completely transformed our view of the human body and our view of longevity on this planet. He has been designated as a living legend by the United States Library of Congress; and, today, we take another step in honoring him with the Congressional Gold Medal.

Mr. Speaker, it has been a high honor for me to be associated with this endeavor. And I certainly do thank Mr. GREEN and thank him for allowing me to be on the telephone when we gave the news to Dr. DeBakey several weeks ago on his 99th birthday. It is imperative that we get this legislation accomplished quickly. I appreciate Mr. GREEN's willingness to work with the other body in getting this legislation to the floor so swiftly.

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

Mr. AL GREEN of Texas. Mr. Speaker, I thank my colleague, Congressman BURGESS, for it was he who called this piece of legislation to my attention. And he has been steadfastly with me throughout the process, and I am honored to have worked on this piece of legislation with him and Congressman CULBERSON.

I also think that we would be remiss, Mr. Speaker, if we did not mention Mrs. DeBakey and the persons who are caring for him currently. We have had conversations with the persons caring for him. They have indicated that, of course, he was doing well when last we spoke to them, and they do an outstanding job of caring for Dr. DeBakey.

Earlier, I mentioned that he has had the Methodist Hospital DeBakey Heart Center named in his honor, and I may have misspoken and said Baylor, but it is Methodist.

Finally, Mr. Speaker, this piece of legislation has received bipartisan as well as bicameral support. I had the honor of meeting with Senator HUTCHISON, and we talked about continuing the effort together to move this piece of legislation as quickly as possible through the process so that the President can sign it and get the actual award ceremony to take place. The President will now have 10 days to sign this bill. History will show us that at no time has a President refused to sign a Congressional Gold Medal. So my suspicion is that this President, who is from the State of Texas, will move expeditiously to sign the bill. After the bill has been signed, the U.S. Mint will meet with the sponsors and with interested parties, which may include family members, to discuss possible designs for the medal.

The Mint engravers will then prepare a series of sketches and possible designs for consideration. These designs will be commented on by the Commission of Fine Arts, and subsequently the Secretary of the Treasury will make the final decision as to the medal's design. The medal is created by the Philadelphia Mint. The medal will be in bronze. The gold medal, of course, will be the one presented to Dr. DeBakey, but there will be replicas in bronze to offset the cost of the medal, and arrangements will be made for the presentation of the gold medal, a ceremony to honor the Honorable Michael E. DeBakey.

Mr. Speaker, this has been one of the great pleasures of my life in terms of being in Congress, in fact, one of the great pleasures of my life period. But this is a high point in my congressional career. I am so honored that my friends have worked with me on this process and that Senator HUTCHISON has been there throughout the entirety of the process. We are committed to making this happen as expeditiously as possible. If Dr. DeBakey were here today, I am confident that he would continue to talk about how great it is to be a part of this great country that we know as the United States of America.

So I close by saying, God bless you, Dr. DeBakey, and thank you for what you have done to make life better for all of us, and God bless America.

HONORING DR. MICHAEL DEBAKEY

Mr. BOUSTANY. Madam Speaker as a former cardiovascular surgeon, I rise to celebrate the contributions of Dr. Michael DeBakey to not only the medical community but to humanity. Honoring him with the Congressional Gold Medal is a fitting tribute for a modern leader and one of medicine's great pioneers.

The son of Lebanese immigrants, Dr. DeBakey grew up in my district, in Lake Charles, Louisiana. He attended medical school at Tulane University and served our country during World War II where he developed the concept of Mobile Army Surgical Hospitals. These M.A.S.H. units became famous during the Korean War, but today, modern M.A.S.H. units with the latest equipment and some of the best trained medical personnel in the world assist our service men and women in some of the most dangerous places in the world.

Following his military service, Dr. DeBakey began his work at Baylor University in 1948. There, he forged new surgical techniques, assisted with the first artificial heart, and operated on more than 60,000 patients. His success and contributions extend in each and every patient and the lives they lead after encountering Dr. DeBakey.

His model of determination, innovation, and perseverance serve as inspiration to our Nation's best and brightest who enter the medical profession to improve the condition of life for their fellow citizens. Dr. DeBakey has impacted our world for the better, and he is highly deserving of the Congressional Gold Medal. Lake Charles is both fortunate and proud to call him a native son.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. AL GREEN) that the House suspend the rules and pass the Senate bill, S. 474.

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

A motion to reconsider was laid on the table.

ELECTING A MINORITY MEMBER TO A STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. PUTNAM. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution (H. Res. 699) and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 699

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON FINANCIAL SERVICES: Mr. McCarthy of California.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SYMPATHY FOR MIDWESTERN FLOOD VICTIMS

Mr. WALZ of Minnesota. Mr. Speaker, I move to suspend the rules and

agree to the resolution (H. Res. 657) expressing heartfelt sympathy for the victims of the devastating thunderstorms that caused severe flooding during August 2007 in the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 657

Whereas during August 2007, severe thunderstorms were responsible for bringing as much as 18 inches of torrential rain to parts of the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin, resulting in devastating floods;

Whereas these storms tragically took the lives of 14 people;

Whereas these storms injured countless other people, damaged or destroyed thousands of homes, and devastated businesses and institutions;

Whereas on August 21, 2007, the Governor of Minnesota declared Fillmore, Houston, Steele, Olmsted, Wabasha, and Winona Counties, Minnesota, to be in a state of disaster as a result of these storms, and subsequently Dodge County, Minnesota, received a Federal major disaster declaration as well;

Whereas on August 19, 2007, and in the days following, the Governor of Wisconsin declared Crawford, La Crosse, Richland, Sauk, Vernon, Columbia, Dane, Grant, Green, Iowa, Jefferson, Kenosha, Racine, and Rock Counties, Wisconsin, to be in a state of disaster as a result of these storms;

Whereas on August 22, 2007, and in the days following, the Governor of Iowa declared Appanoose, Boone, Calhoun, Cherokee, Davis, Humboldt, Mahaska, Palo Alto, Pocahontas, Van Buren, Wapello, Wayne, and Webster Counties, Iowa, to be in a state of disaster as a result of these storms;

Whereas on August 22, 2007, the Governor of Ohio declared Allen, Crawford, Hancock, Hardin, Putnam, Richland, Seneca, Van Wert, and Wyandot Counties, Ohio, to be in a state of disaster as a result of these storms;

Whereas on August 24, 2007, and in the days following, the Governor of Illinois declared Cook, DeKalb, DuPage, Grundy, Lake, LaSalle, Kane, Knox, McHenry, Warren, and Will Counties, Illinois, to be in a state of disaster as a result of these storms;

Whereas President Bush declared 7 counties in Minnesota, 7 counties in Ohio, and 7 counties in Wisconsin to be major disaster areas as a result of these storms, and individuals and families in these areas became eligible for Federal disaster assistance;

Whereas numerous individuals and entities have selflessly and heroically given of themselves and their resources to aid in the disaster relief efforts; and

Whereas the catastrophic injury, death, and damage in Illinois, Iowa, Minnesota, Ohio, and Wisconsin would have been even worse in the absence of local relief efforts: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses heartfelt sympathy for the victims of the devastating thunderstorms that caused severe flooding during August 2007 in the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin;

(2) conveys gratitude to the local, State, and Federal officials and emergency personnel who responded swiftly to the crisis, including emergency management teams in each of the affected States, Michael Chertoff, Secretary of Homeland Security, and David Paulison, Administrator of the Federal Emergency Management Agency;

(3) recognizes the generous and selfless support of citizens, local businesses, the American Red Cross, the United Way, Catholic Charities, and the Salvation Army; and

(4) reaffirms support to helping the victims of the flooding rebuild their homes and lives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 657.

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

There was no objection.

Mr. WALZ of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Mr. GRAVES for joining us today. On August 18 and 19, torrential rains devastated communities all across the Midwest. In less than a 24-hour period, more than 18 inches of rain fell in some areas of southeast Minnesota causing severe flooding, mud slides, loss of property and loss of life. In my district in southeast Minnesota, seven people lost their lives as a result of these sudden and violent storms. Countless more were injured. Thousands of homes and businesses were damaged and destroyed. In community after community, people returned to their homes to discover that priceless family memories, literally all they owned, had been washed away in a matter of minutes. Roads and bridges had been swept away and must be rebuilt.

I went to many of these towns countless times. I saw the challenges that these people face. Let me give you one example. Rushford, Minnesota, sits in the beautiful Driftless area, the rolling hills and rich farmland of southeast Minnesota. It is a town of 1,700 people, with a vibrant Main Street, a great civic pride, and they are also defending State football champions from last year. This town was almost completely under water. I entered the town on the morning of the rains by boat. There was one small island, a dry bit of land that had a church, part of a local school and a city building. That was the only part of the town that was above water. People had to take boats to get to this island in which they were having meetings, receiving help, and even getting started on that very morning of the task of rebuilding.

□ 1100

Even during the flood itself, Minnesotans were reaching out to their neighbor. In Minnesota City, during the worst of the flash floods, authorities ran out of all rescue equipment and rescue boats. Residents used their own boats to go from house to house, literally plucking people off the rooftops and bringing them to safety.

The response to this disaster has been inspiring. People from all across Minnesota and across the Nation have stepped forward to help. There have been blood drives, canned food drives, and waves and waves of volunteers who have come into the area to offer their help, open their hearts and homes.

This disaster was not limited to Minnesota. Similar storms pounded all across my neighboring district, and my good friend from Wisconsin (Mr. KIND) experienced devastating damage, as well as Iowa, Illinois and Ohio also. All told, 14 people died as a result of these storms and the flash floods that it caused.

This resolution that the House considers today is one very, very small, but important way, to recognize the challenging times that these individuals have faced and will face. It expresses sympathy for their loss and gratitude to the State and Federal officials who responded swiftly. This resolution recognizes the generous support given by so many and reaffirms the support of this Congress for the flood victims and the immediate and heartfelt and serious disaster declaration help that came from FEMA and the Federal Government. President Bush was in Minnesota within days of this, reaffirming his support.

I urge my colleagues to support this resolution and to stand with Minnesota and those throughout the Midwest who have come through the flood waters and are now working to rebuild their lives. I am sorry to say, the same area received between 6 and 12 inches of rain in some areas last night and is experiencing heavy rains again today.

We have work to do, but the response so far has been truly inspiring.

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

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

Mr. Speaker, House Resolution 657 was introduced by Mr. WALZ of Minnesota on September 17, 2007. The resolution expresses the heartfelt sympathy of the House of Representatives for the victims of severe flooding in the States of Illinois, Iowa, Minnesota, Ohio and Wisconsin during August of 2007. These storms took the lives of 14 people, injured countless others, and damaged or destroyed thousands of homes and devastated businesses and institutions.

In addition, this resolution conveys gratitude to local, State and Federal officials and emergency personnel who responded swiftly to the crisis. Their selfless actions saved lives and helped their communities in their efforts to recover from this disaster.

Additionally, this resolution is a fitting commendation to the generous and selfless support of local citizens, businesses and volunteer organizations. They have shown their heroism and compassion for their fellow citizens while facing such destruction.

The citizens of the States of Illinois, Iowa, Minnesota, Ohio and Wisconsin will work hard to rebuild and make every effort to ensure the recovery of their communities. In recognition of their efforts, this resolution reaffirms our support to help the victims of the flooding rebuild their homes and lives. I extend my heartfelt sympathy to all those affected by this tragedy, and to their families.

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

Mr. WALZ of Minnesota. Mr. Speaker, at this time I want to yield as much time as he may consume to my colleague, my neighbor and my friend from Wisconsin whose district was greatly affected by this flooding. We have worked closely on this. It's through Mr. KIND's leadership, experience and forcefulness that we were able to secure, I believe probably in unprecedented fashion, the support we needed from the Federal Government.

With that, I yield to my friend from Wisconsin.

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

Mr. KIND. Mr. Speaker, I am honored to join Mr. WALZ here today to offer this resolution expressing our concern and support to the victims of the flooding that ravaged our congressional districts and so many other States during those fateful days in August, but also to take a moment to express our eternal gratitude and thanks to the countless numbers of official agencies, to private organizations, to individuals who rose to the call of many people in great need during this time.

I personally saw Mr. WALZ and the action that he immediately took when I visited southeastern Minnesota along with Senator KLOBUCHAR from Minnesota to see some of the damage and get together with many of the first responders who were working around the clock to come to the aid of so many businesses and families and individuals affected by the flooding.

The rains started on August 18, and it seemed as if they were never going to stop. It was literally a torrential downpour; in some areas, from 12 to 20 inches in just a very short period of time. It's amazing to personally witness the severe devastation that an intense amount of rain can accomplish in a very short period of time.

Fortunately for Mr. WALZ and myself, we represent two very beautiful congressional districts, but part of that beauty is the fact that we have a lot of hills and valleys and coulees that act like a funnel effect when you have the so-called ''1,000-year rain'' take place within a 24-hour period. That is exactly what happened; the rain came, the water backed up and started devastating community after community.

Unfortunately, at the end of the rain, there were 14 people who lost their lives. Fortunately for myself, there were none in my congressional district, but we did have some loss of life in Mr. WALZ's district. There were also three electrocutions associated with the rain and the flooding that occurred in Madison.

Short of loss of life or physical injury, there is nothing more devastating than having your personal belongings washed away, whether it was in your home or in your businesses or on your farm.

I was down in one of my communities in the southern part of my congressional district, Gays Mills, shortly after the flooding, and they described to me horrific conditions where the rain came so quickly that within a matter of an hour there was five feet of water standing on the main street in their downtown area. I was talking to two teenage girls who, that evening, literally left their homes only to see the rising water and the swift current coming through the main street; and they jumped into a tree in order to get out of the way, it was coming so quickly, only to be rescued by a volunteer fire department personnel in a boat that took them to high land. You heard countless stories of this.

I guess it's times like this during great personal tragedy when you also witness the greatness of humanity and the response that occurred, from the various agencies at the Federal, State and local level that immediately geared up and started rushing in help and supplies, to the private organizations and businesses, to the Salvation Army, Red Cross, Catholic charities that were on the ground with their staff and their volunteers to provide assistance, to also FEMA.

One of the fortunate aspects at the time of this tragedy was Hurricane Dean didn't hit landfall in the United States, so FEMA, in preparation for Hurricane Dean, had a lot of supplies, they had a lot of personnel ramped up in the southern part of our country anticipating the worst of the hurricane. When it didn't arrive, they were able to redeploy a lot of their personnel and resources up to our area to provide assistance immediately.

I also want to take a moment to thank Director David Paulison of FEMA, who personally came on an inspection tour shortly after the flooding to see the devastation himself, and his office out of the Chicago regional office who were there very quickly.

With the help of Representative WALZ and our respective Senators, as well as Governor Jim Doyle of WI, we were able to get quick State declarations, to be followed by a Natural Disaster Declaration in order to provide much-needed relief to the victims of the flooding. There's still a lot of work that needs to be done. There's still a lot of assistance that is going to have to occur in the community and in our respective States to try to make people whole.

On a lighter, happier note, I was fortunate to be home on Sunday to visit Gays Mills during their annual apple festival celebration and parade. This was a little more than a month after the floodwaters that were 5 feet deep in their town, yet they strove to make sure that they were going to keep this celebration, try to keep that continuity of tradition in their community. It was a wonderful day; the sun shown on us, the kids were having a great time, and that little sense of normalcy brought some smiles on a lot of faces in that community.

But if it wasn't for the quick reaction, again, of the agencies, but especially the family, the friends, the neighbors who responded to people in need, we could have suffered a fate much worse than what we did.

Again, I want to thank Representative WALZ for the work that he did. I look forward to continuing the work that still needs to take place, because this isn't going to get fixed overnight. It's going to be a slow, laborious process. There's nothing worse than being denied access to a home or businesses. Just now, people are able to go in and have access for the first time.

Many of our farms, too, were devastated just before the crop was supposed to be harvested. Many livestock were lost in the flooding. Again, you work so hard and long all year long, and then just at the time you are going to go to market with the fruits of your labor, something like this takes place.

We also were fortunate that 20 earthen dams in Vernon County in my congressional district held up. It is a great tribute to the engineers and their foresight over 20 or 30 years ago that constructed these earthen dams that they held up, or the damage and devastation could have been much worse if they had given out and those floodwaters had released further down the valley.

So I want to thank all of those that were involved in providing much-needed and quick assistance to the individuals and to the communities that were affected by it. I again want to express my gratitude to FEMA and their quick reaction, Director Paulison and his team on the ground. But there is still more work to be done. It is good to see in a tragedy like this that there is that type of capability, both at the local and Federal and State level, in order to come to the aid of many citizens who needed it.

In particular, I would like to thank the many people who were involved in the recovery effort, only a few of which are named here. In Vernon County: Cindy Ackerman, Glenda Sullivan and the Emergency Management staff; Elizabeth Johnson and the Public Health staff; Pamela Eitland and the Human Services staff; Gene Cary and the Sheriffs Department staff; Mark Rahr and the Viroqua Police Department staff; Steve Skrede and the Viroqua Fire Department staff; Kelly Jacobs and the Land Conservation staff; Virgil Hanold and the Highway Department staff; Pat Peterson and the Aging Department staff; Bethel Butikk Food Pantry; Linda Nederlow, Public Information Officer; Thomas Spenner, County Board Chair; Cathy Lewison and the Farm Service Agency staff.

In Crawford County: Roger Martin and the Emergency Management staff; Laurel

Hestetuene of Soldiers Grove; Larry McCarn and Maura Otis of Gays Mills; Jerry Moran and Sheriff's Department staff; Ron Leys, County Board Chair; Dennis Pelock and the Highway Department staff; Gary Knickerbacker; John Baird and the Farm Service Agency staff; Russ Hagen and the Land Conservation staff; Sara Ryan and the Human Services staff; Gloria Wall and the Public Health staff.

In La Crosse County: Keith Butler and the Emergency Management staff; Lynetta Kopp, Town of Shelby Chair; Dennis Osgood and the Highway Department staff; Randy Roeck and the Shelby Fire Department staff; Steve Doyle, County Board Chair; Ben Bosshart and the Farm Service Agency staff.

In Richland County: Darin Gudgeon and Emergency Management staff; Darrell Berglin and the Sheriff's Department staff; Randy Schoeneberg and the Highway Department staff; Ann Greenheck, County Board Chair; Jared Reuter and the Farm Service Agency staff; Marianne Stanek and the Public Health staff; Cathy Cooper and the Land Conservation staff; Dean Winchell and family; Bob Naegele and members of the Pine Valley Repeater Club ARES/RACES; Harriet Pedley, Ron Fruit and the WRCO radio station staff; Kim Clark and the Richland County Ambulance Service; Wes and Michelle Starkey; Richland Center Police Department; Rudy Nigel; Ken Anderson; Bob Bindl, Darrell Slama, Brian Jones, Dan Wilson, and the staff of the Richland County Fire Departments; Richland Center Public Works; DNR Warden Mike Nice and the DNR staff.

In Sauk County: Jeff Jelink and the Emergency Management staff; Marty Krueger, County Board Chair; Randy Stammen and the Sheriff's Department staff; Steve Muchow and the Highway Department staff; Cindy Bodendein and the Health Department staff; Joe Van Berkel and the Land Conservation staff; William Orth and the Human Services staff; Trish Vandre and the Commission on Aging staff; Curtis Norgard and the Farm Service Agency staff.

In Grant County: Steve Braun and Julie Loeffelholz, Emergency Management; Eugene Bartels, County Board Chair; John Wiederholt and the Farm Service Agency staff; Jeffery Kindrai and the Health Department staff.

In Iowa County: Ken Palzkill and the Emergency Management staff; Judy Lindholm and the Commission on Aging staff; June Meudt and the Health Department staff; Leo Klosterman and the Highway Department staff; Jim McCaulley and the Land Conservation staff; Darin Smith and the Social Services staff; Mark Masters, County Board Chair; Ned Johnson and the Farm Service Agency staff.

Further, I would like to thank: Ashley Furniture; AmeriCorps volunteers; Cheryl Hancock and the American Red Cross staff; Terri Leece and the Salvation Army staff; Deacon Richard Sage and the Catholic Charities staff; the Wisconsin Department of Agriculture, Trade, and Consumer Protection; the Wisconsin State Patrol; the Wisconsin Department of Corrections; the Wisconsin Department of Natural Resources; the Wisconsin National Guard; the Natural Resources Conservation Service; and the U.S. Fish and Wildlife Service.

Mr. Speaker, I wholeheartedly support this resolution and urge my colleagues to join me in voting for its passage.

Mr. GRAVES. Mr. Speaker, I certainly want to associate myself with the words of Mr. KIND and Mr. WALZ.

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

Mr. WALZ of Minnesota. Mr. Speaker, I say thank you to my colleague from Wisconsin, whose leadership and voice was instrumental. I also want to thank Mr. GRAVES. I think it is very important as Americans watch, and watch the proceedings on this floor, to understand the solidarity that is in this body and to hear my friends from Missouri and across the Nation stand with us in time of tragedy and understand that we will work together, we will solve these problems. I think it is encouraging to understand that we are making progress, we are making changes. I applaud that.

Mr. KIND. Mr. Speaker, if the gentleman will yield, we would be remiss, too, if we didn't acknowledge the help and the work that our respective staffs did during this time. They were 24/7 on the spot trying to provide assistance. I know my staff didn't get much sleep during those weeks following the flooding. I know Mr. WALZ's staff was the same way. I just want to take a moment to acknowledge their hard work.

Mr. WALZ of Minnesota. Mr. Speaker, reclaiming my time, I thank the gentleman for that. It absolutely is a team effort in this. I think the greatness that is this country is that when in times of tragedy and times of need, we can put many, many things aside and come together.

As Mr. KIND pointed out so clearly, to have Director Paulison from FEMA on the ground within a matter of about 72 hours of this tragedy and Secretary Chertoff from Homeland Security personally be on the ground to assess this, and to have President Bush in Minnesota and guarantee that we would get this declaration and then follow through, I think the American public should feel very, very good about that.

We have a lot of work to do, but the word coming out of our district and the word going to our staffs as they are working with people is that in this tragedy, they felt there was a face on a faceless bureaucracy. They felt America was there for them. They felt they could count on this body doing everything they could. For that, I thank everyone in here. I encourage my colleagues to adopt the resolution to show that continued solidarity.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H. Res. 657, a resolution to express sympathy for the victims of the thunderstorms that caused severe flooding during August 2007 in the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin.

I rise once again, as I did in May in the wake of devastating forest fire in the Gunflint Trail area in my district and again in August after the tragic collapse of the Interstate 35W bridge in Minneapolis, to express my heartfelt sympathy to our fellow citizens in Minnesota, and in surrounding States, in the aftermath of the destruction.

These severe floods serve as another reminder of the millions of men and women who serve this nation as police officers, firefighters, and emergency medical personnel who place themselves in great danger every day in order to protect each one of us. These well-trained, highly-skilled individuals are truly on the front lines in preparing for, responding to, and mitigating damages from a variety of hazards. They deserve our deepest thanks and respect.

Twenty-four hours a day, every day of the year, all over this country, when any type or tragedy enters our lives, from a medical emergency to a large-scale natural disaster, terrorist attack, or other incident, our Nation's emergency responders are the first on the scene to provide professional services, expert help, aid and comfort. These heroic, selfless individuals will tell you they are "just doing their job".

We rise today to also acknowledge and praise the support of local businesses, the American Red Cross, Catholic Charities, the United Way, and the Salvation Army who contributed to the local relief effort. Their boundless generosity and caring are just one of the pillars of recovery on which we have come to rely.

While we can never adequately express our gratitude to the organizations and the brave men and women who serve as our first responders, this resolution is a fitting tribute.

I strongly support this resolution and urge its passage.

Mr. PETERSON of Minnesota. Mr. Speaker, I rise today to honor the courageous people of southeastern Minnesota who have banded together to rebuild their communities after the devastating floods this past August.

Minnesota has had a tough summer with the unanticipated bridge collapse in the Twin cities and now extensive flooding in numerous smaller communities. Minnesota is known for its strong spirited communities and for how people come together to help one another in times of crisis. There is much to be admired in the way Minnesotans reached out to help their fellow neighbors.

It reminds me of how truly devastating storms can be. In 1997 and 2001, my district saw some terrible flooding along the Red River and its tributaries. I remember how hard it was for people to rebuild their lives, to have to start all over again after losing everything.

Flood recovery is a long and hard road, but I know that southeastern Minnesota has the support of the Minnesota legislature, the Minnesota Congressional Delegation and others across the State who have pitched in to help rebuild. I also want to commend the Minnesota National Guard and local officials, and those everyday heroes amongst us who saved lives, led their communities and helped to provide relief for all who needed it.

My heart goes out to the families that have lost loved ones and to those who have suffered injury in that devastating flooding. I pray that the healing will be swift and that your communities will recover and rebuild, stronger than ever.

Mr. WALZ of Minnesota. 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 Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 657, as amended.

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

A motion to reconsider was laid on the table.

INTERNATIONAL EMERGENCY ECONOMIC POWERS ENHANCEMENT ACT

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1612) to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1612

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 ''International Emergency Economic Powers Enhancement Act''.

SEC. 2. INCREASED PENALTIES FOR VIOLATIONS OF IEEPA.

(a) IN GENERAL.—Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) is amended to read as follows:

''SEC. 206. PENALTIES.

''(a) UNLAWFUL ACTS.—It shall be unlawful for a person to violate, attempt to violate, conspire to violate, or cause a violation of any license, order, regulation, or prohibition issued under this title.

''(b) CIVIL PENALTY.—A civil penalty may be imposed on any person who commits an unlawful act described in subsection (a) in an amount not to exceed the greater of—

''(1) $250,000; or

''(2) an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed.

''(c) CRIMINAL PENALTY.—A person who willfully commits, willfully attempts to commit, or willfully conspires to commit, or aids or abets in the commission of, an unlawful act described in subsection (a) shall, upon conviction, be fined not more than $1,000,000, or if a natural person, may be imprisoned for not more than 20 years, or both.''.

(b) EFFECTIVE DATE.—

(1) CIVIL PENALTIES.—Section 206(b) of the International Emergency Economic Powers Act, as amended by subsection (a), shall apply to violations described in section 206(a) of such Act with respect to which enforcement action is pending or commenced on or after the date of the enactment of this Act.

(2) CRIMINAL PENALTIES.—Section 206(c) of the International Emergency Economic Powers Act, as amended by subsection (a), shall apply to violations described in section 206(a) of such Act with respect to which enforcement action is commenced on or after the date of the enactment of this Act.

''(c) CRIMINAL PENALTY.—A person who willfully commits, willfully attempts to commit, or willfully conspires to commit, or aids or abets in the commission of, an unlawful act described in subsection (a) shall, upon conviction, be fined not more than $1,000,000, or if a natural person, may be imprisoned for not more than 20 years, or both.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to violations described in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) with respect to which enforcement action is pending or commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Illinois (Mr. MANZULLO) 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 under consideration.

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 yield myself such time as I may consume.

Mr. Speaker, the International Emergency Economic Powers Act, IEEPA, has over the years enabled the United States on various occasions to impose significant economic sanctions and limitations on terrorists, terrorist groups and their supporters, on financiers and on some of the worst rogue regimes in the world. It has allowed three Presidents to keep the U.S. dual-use export control system in operation against the efforts of states like Iran and North Korea to require sensitive dual-use technology and equipment.

IEEPA has accomplished this goal, even though Congress has been unable to reauthorize the long-expired Export Administration Act, and I hope that later in this Congress we do reauthorize the Export Administration Act. That act was the original basis for the system of export control which is now handled through IEEPA.

Immediately after 9/11, IEEPA authority was used to freeze the assets of terrorist, terrorist organizations and their supporters and to hobble the international terrorist network that sought and still seeks to kill and maim innocent Americans. Yet the penalties for violating IEEPA's provisions are lighter than they should be. Send $1 million as a gift to Osama bin Laden and you get as a maximum penalty a $50,000 fine and 10 years in prison under the act. The same is true for unlawful exports of sensitive commercial technology, equipment and components that have military applications that are controlled for national security purposes.

□ 1115

If you send a milling machine for shaping nuclear warhead cores to either Iran or North Korea, the same maximum fine and prison terms under the act apply.

This bill increases the penalties to a level that I think is consistent with the importance of making sure that Americans do not, whether for ideological reasons or financial gain, deliberately violate our efforts to control terrorism and to prevent the spread of weapons of mass destruction.

S. 1612 increases civil penalties from $50,000 up to $250,000, or to an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed. It also increases criminal penalties for willful violations from $50,000 up to $1 million and/or imprisonment for not more than 20 years. This increase in penalties is appropriate given the importance of the International Emergency Economic Powers Act to our national security. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of S. 1612. S. 1612 is legislation which significantly increases the enforcement and deterrent effects of sanctions and export control violations imposed under the International Emergency Economic Powers Act, otherwise known as IEEPA.

Through this law, the President may respond to unusual and extraordinary threats originating in substantial part outside of the United States by, among other things, prohibiting transactions associated with particular entities or countries.

In other words, IEEPA authorizes the President to impose economic and financial sanctions against certain foreign threats to the U.S. and our interests around the world. An example of success was the use of these tools to bring North Korea back to the bargaining table to eliminate their nuclear program.

IEEPA is also vital to U.S. national security because it continues the expired Export Administration Act in full force, allowing the Department of Commerce to carry out its mission of ensuring sensitive goods and technologies do not fall into the hands of our adversaries. It is important to keep the EAA in force so violators do not escape the penalties of the law on a mere technicality.

I would like to take the time to respectfully remind the administration that IEEPA brings the entire Export Administration Act into force, not just certain provisions.

Mr. Speaker, this legislation would remove existing barriers to meaningful enforcement of U.S. sanctions against terrorist financers, proliferators of weapons of mass destruction, Iran, Sudan, and other threats under IEEPA.

Current penalties under IEEPA do not constitute an effective deterrent to entities that violate the law by engaging in prohibited transactions.

The legislation will remedy that problem by increasing civil penalties from $50,000 to $250,000 and increasing criminal penalties for willful violations to $1 million with a maximum jail sentence of 20 years.

Mr. Speaker, while I strongly support this increase in penalties to willful and

knowing violators, I have expressed concern that these increased penalties may be applied without taking into account unintentional, accidental, or inadvertent violations by companies that are trying to comply with the law.

I have since been assured by the Departments of Treasury and Commerce that they will not abuse this new authority, and I include for the RECORD the letter sent to me by Under Secretary of Commerce Mancuso.

DEPARTMENT OF COMMERCE,
Washington, DC, September 26, 2007.

Hon. DONALD A. MANZULLO,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MANZULLO: Thank you for your letter of September 24, 2007, to Secretary Carlos Gutierrez expressing your concerns over S. 2000, the Export Enhancement Act of 2007 (EEA), and S. 1612, the International Emergency Economic Powers Enhancement Act, Secretary Gutierrez asked me to respond to you on his behalf.

We share a concern for ensuring the vitality of American businesses—small, medium and large, while keeping the most sensitive U.S. goods and technologies out of the hands of those who would do us harm. The Department of Commerce, including the Bureau of Industry and Security (BIS), welcomes your leadership in promoting the role of America's manufacturing sector in sustaining our country's industrial innovation and global competitiveness.

BIS is focused on ensuring that penalties for violations of the dual-use export control laws and regulations are appropriate. These penalties must not bear disproportionately on small businesses that may have committed a minor, inadvertent violation. With these goals in common, we can work together to protect businesses while protecting America.

Passage of the EEA is an important step toward this goal, and for this reason is a high priority of the Secretary. Although you point out that S. 2000 would substantially increase penalty levels for civil and criminal violations, we believe that such levels are necessary to make these penalties a more effective deterrent to companies that would intentionally violate the law. Given the national security issues involved, such as WMD proliferation, terrorism, and military diversions, we must do all we can to make our export controls effective.

Our intent is not to punish any business unfairly for minor, accidental violations. As you know, BIS has implemented a system that mitigates the penalty if certain elements are met in each case of a violation. It is through this system, as articulated in the BIS Penalty Guidelines published in the Code of Federal Regulations in July 2007 (a copy of which is enclosed for your review), that BIS ensures that the penalty assessed is commensurate with the infraction.

In civil cases, the published Penalty Guidelines set forth several factors that may be considered when deciding ultimate penalty amounts to be imposed, including;

1. whether or not the respondent submitted a voluntary self-disclosure in the case;
2. whether the respondent had an export compliance program in place at the time of the violation;
3. whether the respondent has a prior conviction for export control violations; and
4. how cooperative the respondent is with the investigation by export enforcement officials.

These, and other factors, are taken into consideration by BIS when imposing penalties to ensure the punishment fits the violation. Further, the Penalty Guidelines are drafted to allow BIS to take into account company size and the nature of the specific violations in a way that would warrant smaller penalty amounts.

Additionally, BIS frequently conducts outreach to large and small businesses to aid in the assessment of their export compliance programs, and to address general compliance questions. These visits and outreach programs provide significant opportunities for the federal government and exporters to have a dialogue on export controls, penalties, and compliance concerns. To that end, I would like to offer to visit your Congressional District and hold roundtable discussions with business leaders and entrepreneurs.

We are working to create, administer and improve an effective and flexible system of export controls that recognize the unique situations that U.S. businesses, particularly small businesses, encounter. Please do not hesitate to contact me or Bill Houston on my staff at 202–482–6002 at anytime. I value our relationship and look forward to working together in the future.

Sincerely,

MARIO MANCUSO,
Under Secretary for Industry and Security.

Mr. Speaker, I have also expressed concern about the lack of understanding that most small businesses have concerning export controls and sanctions. Our sanctions and export control laws are the most complex in the world. I believe if we are truly to keep goods and services from embargoed countries, small businesses must have a better understanding of what those prohibited items are.

Educated self-governance by small businesses would greatly enhance IEEPA as a deterrent, far more than some of the minimal fines that are currently imposed.

Mr. Speaker, I look forward to working with the Departments of Treasury and Commerce to make certain that small businesses clearly understand the law. IEEPA is an important tool in the effort to combat terrorist financing and other illicit activity, such as the proliferation of weapons of mass destruction.

I want to thank Chairman LANTOS, Ranking Member ROS-LEHTINEN and obviously Subcommittee Chairman SHERMAN for the bipartisan way they have moved this measure. They have worked with the administration to address my concerns. I support passage of this critical improvement to our economic sanctions law.

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

Mr. SHERMAN. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I thank the gentleman for his support of the bill. I thank Chairman LANTOS and our ranking member, Ms. ROS-LEHTINEN, for their work in bringing this bill to the floor.

IEEPA is but one part of an overall effort to use the economic power of the United States to prevent terrorism and the spread of nuclear weapons. I think we have adequately covered in today's debate the importance of this bill to strengthen IEEPA; but I now would like to put IEEPA into overall context and take a look at some of the other economic measures that we should also be employing in our effort to stop the spread of nuclear weapons.

This House passed H.R. 1400 designed to improve the Iran Sanctions Act. We need to press our colleagues in the Senate to pass that bill as well. But even more important, we need to press the administration to enforce the Iran Sanctions Act.

Many of us know that as the Iran-Libya Sanctions Act, or ILSA. What happened is both the last administration and this administration applied those sanctions to investments in the Libyan oil sector. That was effective. Gaddafi changed his policies, and so we had to rename the bill the Iran Sanctions Act, as we lifted sanctions from Libya.

Unfortunately, both the last administration and now this administration have been unwilling to enforce what is now the Iran Sanctions Act, which would be our best tool to put pressure on the regime in Tehran.

We need to close Iranian access to the U.S. financial system. I applaud the Treasury Department for blocking access to the New York Federal Reserve Board branch in New York to two major Iranian banks, which begs the question: Why not the others as well?

We need to stop World Bank loans to Iran. We need to urge upon our colleagues in the Senate that they pass H.R. 2337, known in their house as S. 1430, to allow American pension plans to divest from those companies doing business in Iran, and we need to urge the Senate to pass similar legislation already passed through this House doing the same thing with regard to investments in Sudan.

Finally, we need to make sure that our procurement laws and our laws for assisting businesses like the Ex-Im Bank and OPEC also require that corporations stop investing in the oil sector of Iran if they want the support of U.S. Government agencies.

It is time for us not to assume that the only possible response is either to acquiesce in a nuclear Iran or to use military action. It is time for us to get the message to Iranian elites and the Iranian people that they face true economic isolation if they continue down the current course. The way to do that is to muster all of the economic power of the United States towards achieving our national security objectives, and one small step in that direction is for us to pass S. 1612 today.

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

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

Mr. SHERMAN. 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 California (Mr. SHERMAN) that the House suspend the rules and pass the Senate bill, S. 1612.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

RECOGNIZING COMMENCEMENT OF RAMADAN AND COMMENDING MUSLIMS FOR THEIR FAITH

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 635) recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 635

Whereas it is estimated that there are approximately 1,500,000,000 Muslims worldwide;

Whereas since the terrorist attacks on the United States on September 11, 2001, some threats and incidents of violence have been directed at law-abiding, patriotic Americans of African, Arab, and South Asian descent, particularly members of the Islamic faith;

Whereas, on September 14, 2001, the House of Representatives passed a concurrent resolution condemning bigotry and violence against Arab-Americans, American Muslims, and Americans from South Asia in the wake of the terrorist attacks on the United States;

Whereas some extremists have attempted to use selective interpretations of Islam to justify and encourage hatred, persecution, oppression, violence and terrorism against the United States, the West, Israel, other Muslims, and non-Muslims;

Whereas some Muslims in the United States and abroad have courageously spoken out in rejection of interpretations of Islam that justify and encourage hatred, violence, and terror, and in support of interpretations of and movements within Islam that justify and encourage democracy, tolerance and full civil and political rights for Muslims and those of all faiths;

Whereas Ramadan is the holy month of fasting and spiritual renewal for Muslims worldwide, and is the 9th month of the Muslim calendar year; and

Whereas the observance of the Islamic holy month of Ramadan commenced at dusk on September 13, 2007, and continues for one lunar month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the Islamic faith as one of the great religions of the world;

(2) expresses friendship and support for Muslims in the United States and worldwide;

(3) acknowledges the onset of Ramadan, the Islamic holy month of fasting and spiritual renewal, and conveys its respect to Muslims in the United States and throughout the world on this occasion;

(4) rejects hatred, bigotry, and violence directed against Muslims, both in the United States and worldwide; and

(5) commends Muslims in the United States and across the globe who have privately and publicly rejected interpretations and movements of Islam that justify and encourage hatred, violence, and terror.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Texas (Mr. POE) 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 resolution under consideration.

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 resolution, and I yield myself such time as I may consume.

Mr. Speaker, I would like to thank our colleague from Texas, Ms. EDDIE BERNICE JOHNSON, for introducing this important and timely legislation, and I look forward to hearing her remarks as we proceed with this debate.

As we speak, millions of our Muslim friends and neighbors around the world are in the midst of Ramadan, a holy month of fasting and spiritual renewal. The observance of Ramadan requires devotion to faith, community and family, truly universal values we all share. During the month of Ramadan, observant members of the Islamic faith fast from sunrise to sunset and focus their attention on the teachings of their religion as well as purity of thought and action.

It is appropriate and necessary for the U.S. House of Representatives to mark the commencement of this important event which began this year on September 13 and continues for one lunar month. This legislation expresses the deep respect we all feel for Muslims in the United States and around the world.

Since the horrific events of September 11, 2001, unfortunately, peaceful patriotic members of the Islamic faith have been subject to hateful and demeaning threats, words, even acts of violence. This House must stand with these law-abiding citizens in this time of conflict. I strongly support this legislation and encourage my colleagues to do the same.

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

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

Mr. Speaker, I rise in support of H. Res. 635, which recognizes the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and expresses respect to Muslims in the United States and throughout the world on this occasion.

Regarded as the holiest month in the Islamic calendar, Ramadan signifies a time of deep reflection for the 1.5 billion Muslims across the globe. During this month, special emphasis is put on prayer, giving to charity, daylight fasting, and self-examination and improvement.

It is tragic that radical Islamists have used selective interpretations of Islam to justify and encourage hate, injustice, oppression, violence, and terror. They have indoctrinated many young Muslims to hate and target for violence America, Israel, the West, other Muslims, and non-Muslims.

Worse still, some have exploited the month of Ramadan, which should be devoted to spirituality and self-perfection, to stoke the fires of fanaticism and destruction.

It is important to note that a growing number of Muslims, including many in America, are rejecting radical Islam and its culture of death. Instead, they are articulating interpretations of Islam that embrace the values of human life, liberty, and democracy.

Indeed, today we are seeing a clash within Islamic civilization between those who wish to step into the light of progress and those who wish to return the entire world to the dark ages.

Given the threat that radical Islam poses worldwide, the clash within Islamic civilization affects everyone throughout the world. That is why this House should take the opportunity to pass H. Res. 635. This resolution commends Muslims who reject interpretations of Islam that justify and encourage hatred, violence, and terror.

May Ramadan this year truly be a time when Muslims and people of all faiths embrace freedom and tolerance for all, and reject violence and extremism.

I thank my friend and distinguished colleague from Texas, Ms. EDDIE BERNICE JOHNSON, for introducing this resolution; and I urge its adoption.

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

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Mr. SHERMAN. Mr. Speaker, I yield 5 minutes to the gentlelady from Texas (Ms. EDDIE BERNICE JOHNSON), who is the chairperson of the Transportation and Infrastructure Subcommittee on Water Resources and Environment and, more importantly, is the author of this important legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on September 13, 2007, Muslims in America and around the world celebrated the commencement of the Islamic holy month of Ramadan. I'd like to thank Chairman LANTOS, Congresswoman ROS-LEHTINEN, Congressman MEEK, Congressman ELLISON and the Congressional Muslim Staffers Association for their continued support and leadership on this historic bill.

The two best that I know are on my staff: my chief of staff, Murat Gokcigdem, a Turkish American; and Illham Jaffer, legislative assistant.

H. Res. 635 recognizes Muslims around the world and commemorates them during their holy month of Ramadan. Ramadan is observed in the ninth month of the Islamic lunar calendar. Of the Abrahamic faiths, Islam is a faith that places great emphasis on knowledge; therefore, it is a faith of reason and peace.

The month of Ramadan is a time of heightened spiritual awareness, family

bonding, communal service and worship, and self-renewal for Muslims everywhere. It is the month of fasting from sunrise to sunset for over 1 billion Muslims throughout the world.

During this month, Muslim Americans are appreciative of America's tradition of diversity. The community displays its appreciation by reconfirming its duty to ensure human dignity and a better future for all.

The Muslim American community contributes to the vibrant growth of American society and culture. Muslim Americans play a significant role in our Nation's political process, economic growth, scientific development, free enterprise, religious tolerance, law enforcement and homeland security.

American pluralistic ideals, democratic institutions and multiculturalism are expanded and strengthened by the contribution of Muslim American civic participation.

During this holy month, I'd like to say Ramadan Mubarak to all Muslims.

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

Mr. SHERMAN. Mr. Speaker, I yield 3 minutes to a member of both the Committee on Ways and Means and the Homeland Security Committee, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in strong support of H. Res. 635, which recognizes the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith.

I'm proud to be a cosponsor of this bill, and I want to congratulate the sponsor, Congresswoman EDDIE BERNICE JOHNSON. This is the first time in history that the United States Congress will commemorate and recognize the month of Ramadan, a month which Muslims have been observing for more than 1,300 years.

In this month, I know that Muslims will fast from sunrise to sunset, but the month of Ramadan is about so much more than the act of abstaining from food.

During the month of Ramadan, Muslims will strive to become stronger in their faith and in their character. This means striving to be better members of our families and within our communities, striving to perform acts of charity for those who are less fortunate, striving to set a better example to those around us. In truth, it is a striving to become a more complete human being.

But this month should not just be important for Muslims. It should also be imperative for all of us non-Muslims to learn about this faith, which too often has been misunderstood and mischaracterized.

Muslims share a great deal of commonality with other faiths. For example, the practice of fasting is not just done by Muslims but is also observed by Christians, Jews, Buddhists, and Hindus, among others. These United States of America, this is a Nation of God and all religions.

Indeed, the book of Exodus tells us that Moses fasted for 40 days and 40 nights while he was on the mountain with God, and the accounts of Matthew and Luke tell us that Jesus fasted for 40 days and 40 nights while in the desert prior to the three temptations.

I've always been extremely fortunate to represent probably one of the most diverse districts in the entire country, the Eighth District of New Jersey. It has been through the many good works of my Muslim constituents that it has become clear to me that the true faith of Islam is one of peace and mutual understanding.

Despite what others may say, we should have no qualms about electing a Muslim to any elected office in the United States, for our Nation was founded on the principle that there can be no religious test for holding office, only a test of that individual's character.

We are all part of the beautiful tapestry that comprises our Nation, and Muslim Americans are starting to move to the forefront where they belong.

I wish all Muslims in our Nation a happy and a blessed month of Ramadan.

Mr. SHERMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota, who serves with me on both the Financial Services Committee and the Judiciary Committee, Mr. ELLISON.

Mr. ELLISON. Mr. Speaker, let me thank the gentleman for yielding time and for this excellent resolution. I'd like to thank all of the authors, including Congresswoman EDDIE BERNICE JOHNSON and everyone who signed on to the resolution commemorating the month of Ramadan.

I am celebrating Ramadan myself personally, and I have been doing so ever since my 19th birthday. I'm 44 now, and I can tell you that it is a time of reflection, a time of renewal, and regeneration.

It's true that we fast during the daylight hours during Ramadan, but it also says in the sayings of Prophet Mohammed, that if you do not refrain from ill speech, bad speech, bad words, basically a bad attitude and negative disposition, then God has no use of your refraining from food and drink. And so in this month of Ramadan, it's important to reassess your life, to contemplate your role in society and to benefit your neighbor.

I think it's very important when we talk about ''neighbor'' that we reflect upon what that word really means, ''neighbor.'' It was Jesus, who the Muslims call Esau and who they revere very highly, who told the lawyer in the Bible that his neighbor really wasn't even somebody of his own religion or his own tribe but really was that Samaritan from that other group who lended assistance and gave a helping hand when it was needed. And that is the origin of the story of the Good Samaritan.

This idea of the neighbor is something that's very important in Islam, especially during Ramadan where Muslims of all faiths, all colors, all backgrounds, reach out to our neighbors, Muslim, Christian, Jewish, Buddhist of all types.

I want to report to you, Mr. Speaker, that over the course of the last several weeks we've had several Iftar celebrations right here in the Capitol and also in the Pentagon and a tremendous demonstration of interfaith cooperation, interfaith working together and mutual respect and recognition.

As was said earlier, and I quite agree, every faith tradition relies on fasting as a means for spiritual regeneration. I also want to report to you that on the date of Yom Kippur, which is the Jewish holiday of atonement and the commemoration of the time of the new year, that my mosque in Minneapolis and the synagogue Temple Israel in Minneapolis joined together to break fast together, and we ended up with a good problem, Mr. Speaker, and that is, that there were 150 people who RSVP'ed and said they wanted to come. We ended up with about 160 people coming, and we didn't have enough chairs for everybody, but we had enough food because we shared it, Mr. Speaker, showing again that we're not too far apart.

Mr. Speaker, I'd also like to let you know that many of our Christian friends came to celebrate the breaking of the fast with the Muslims and Jews together, and we're really warmed and encouraged by the fact that we can all come together even though we have different faith traditions.

So, Mr. Speaker, let me again thank the wonderful, excellent commemoration we're having today as a true expression of American values, religious tolerance, inclusion of everyone.

Mr. SHERMAN. Mr. Speaker, I would just like to take this opportunity to wish all my Muslim friends, particularly those in the San Fernando Valley, a Ramadan Mubarak, and I reserve the balance of my time.

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

Mr. SHERMAN. Mr. Speaker, I would like to take this opportunity to commend the gentlelady from Texas for introducing this legislation and our committee leadership, Chairman TOM LANTOS and Ranking Member ILEANA ROS-LEHTINEN, for moving this bill to the floor.

Mr. LAMPSON. Mr. Speaker, as a longtime advocate and friend of the Muslim-American community, I am pleased to support H. Res. 635, a bill recognizing the commencement of Ramadan, and commending Muslims everywhere for their faith.

I have always admired the unwavering commitment Muslims show towards their faith during the holy month of Ramadan. It has been an honor to join many of my Muslim friends during this month of family togetherness, selfless service, worship and spiritual rebirth.

As the grandson of immigrants, I know true assimilation means preserving tradition while achieving success. I am in awe at how quickly the Muslim-American community has mastered both. In a matter of decades, the Muslim-American community has rapidly assimilated into American society. With shared values of hard work, discipline, community, family and culture, it's no wonder that Muslim-Americans are one of the fastest growing, most educated and highest earning ethnic groups in the U.S.

America owes much of its vibrant society and rich culture to the contributions of Muslim-Americans. From the medical professionals who care for us, the educators who teach us and the titans of industry large and small, Muslim-Americans are one of the most indispensable parts of our nation's ever-growing melting pot. Muslim-Americans are authentic Americans, and proof that the American Dream continues to thrive.

Mrs. CAPPS. Mr. Speaker, today I rise in strong support of H. Res. 635, a resolution honoring the month of Ramadan, the Islamic holy month of fasting and spiritual renewal. This is an important resolution in support of our Muslim friends, neighbors and citizens.

In my district we have many distinguished Muslim residents who contribute extensively to our community. They work tirelessly to educate our community about their faith and work to build interfaith relationships across our communities. For this I am deeply grateful. Their efforts, along with those of other people of faith in my district, are enabling us to build a strong and pluralistic environment that promotes tolerance and diversity.

In this time of international conflict, it is critical that we demonstrate solidarity with and support for members of the Muslim community in the United States and throughout the world. In two weeks I will be bringing faith leaders from across my district, including Jews, Muslims, Christians and Buddhists, to Washington, DC, for a day of discussions with Members of Congress and advocacy organizations to help further the important interfaith work already underway throughout the Central Coast of California.

I am grateful for all of the people of faith in my district who are working to promote peace and justice through understanding.

May this month of Ramadan bring us all closer to realizing a peaceful society at home and abroad.

I urge all of my colleagues to support this important resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on September 13, 2007, Muslims in America and around the world celebrated the commencement of the Islamic holy month of Ramadan. I would like to thank Chairman LANTOS, Congresswoman ROS-LEHTINEN, Congressman MEEKS, Congressman ELLISON, and the Congressional Muslim Staffers Association for their continued support and leadership on this historic bill. The two I know best are Murat Gokcigdem who is Turkish American and my Chief of Staff and Illy Jaffer, Pakistani American and my Legislative Assistant. House Resolution 635 recognizes Muslims around the world and commemorates them during their holy month of Ramadan. Ramadan is observed in the ninth month of the Islamic lunar calendar. Of the Abrahamic faiths, Islam is a faith that places great emphasis on knowledge; therefore, it is a faith of reason and peace. The month of Ramadan is a time of heightened spiritual awareness, family bonding, communal service and worship, and self-renewal for Muslims everywhere. It is the month of fasting from sunrise to sunset for over one billion Muslims throughout the world. During this month, Muslim Americans are appreciative of America's tradition of diversity. The community displays its appreciation by reconfirming its duty to ensure human dignity and a better future for all.

The Muslim American community contributes to the vibrant growth of American society and culture. Muslim Americans play a significant role in our Nation's political process, economic growth, scientific development, free enterprise, religious tolerance, law enforcement, and homeland security. American pluralistic ideals, democratic institutions, and multiculturalism are expanded and strengthened by the contribution of Muslim American civic participation. During this holy month, I would like to say Ramadan Mubarak to all Muslims.

Mr. DINGELL. Mr. Speaker, I am pleased to rise in support of House Resolution 635, a resolution recognizing the Islamic holy month of Ramadan. On September 13 this year, millions of Muslims throughout the world, and a great number in Michigan's 15th Congressional district, began a month of fasting, prayer, and spiritual renewal. It is an important step for acceptance and tolerance within the United States that Congress, for the first time, is recognizing this exceptional religious observance.

During the holy month of Ramadan, Muslims engage in self-discipline and purification. From sunrise to sunset, Muslims refrain from common daily activities such as eating and drinking, and tobacco use. Muslims also spend time reading the Koran, contemplating Islam, and cleansing their spirits. Ramadan is also a time to gather with family and friends, both at the nightly iftar, as well as at the conclusion of Ramadan, during the Id-al-Fitr.

It is a pleasure to join my colleagues in honoring the celebration of Ramadan, not simply because Muslims are an important and growing part of American society, but also because goals and tenets of Ramadan—self sacrifice, charity, and spiritual renewal—are shared by Americans of all faiths. Hopefully, Congressional recognition of Ramadan will lead to an increased appreciation for these shared values. Certainly, recognizing Ramadan, along with its observance in the United States, contributes to the vibrancy, dynamism, and character of our great Nation.

Ms. JACKSON-LEE of Texas. Ms. Speaker I rise today in strong support of H. Res. 635, recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith. I would like to thank my colleague, Ms. EDDIE BERNICE JOHNSON, as well as the 30 other cosponsors for introducing this important and timely piece of legislation. I would also like to thank Chairman LANTOS for his leadership on this issue. This important legislation brings us together in celebration with our Muslim brothers and sisters, during this, their holy month of fasting and spirituality.

Since the tragic terrorist attacks on the United States of September 11, 2001, patriotic, law-abiding Muslims-Americans of the Islamic faith have been targeted by threats and incidents of violence. The House of Representatives has rebuked and condemned such actions from their very inception, with their September 14, 2001 resolution condemning bigotry and violence against American Muslims, and must continue to do so. It is important during this period of international uncertainty and apprehension to look to our commonalities, recognizing universal values that transcend culture, nationality, and religion.

The Muslim American Community has grown in size and prominence, and is an integral part of the fabric of this nation. The Muslim population in North America is characterized by its diversity. Some 80 nations are represented in the mosque communities of the United States, including a variety of traditions, practices, doctrines, and beliefs. Muslim Americans share the same values and ideals that make this nation great. These include ideals such as discipline, generosity, peace and moderation. In no month is this more evident than in the month of Ramadan, when more than a billion Muslims all across the world renew their bonds to family and friends, to neighbors and colleagues, and most of all to God. Ramadan is a special time of prayer and fasting, contemplation of God's greatness, and service to those in need.

Mr. Speaker, it is in the spirit of equality and sharing that we must recognize the universal values of family, community, and faith that we all share. By recognizing the Islamic faith as one of the great religions of the world, the House of Representatives may demonstrate solidarity with and support for the members of the Muslim community, both within the United States and throughout the world. By supporting this legislation, we may convey our respect to the Muslim community and commend the vast majority of Muslims within the U.S. and across the globe who have rejected the misapplication and misinterpretation of their religion.

As a co-sponsor of this legislation I feel that this is an issue we must address and I therefore strongly urge my colleagues to join me in supporting this important legislation.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise in support of H. Res. 635, a resolution recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal. This resolution also commends the Muslims in the United States and across the globe for their devotion.

Ramadan demonstrates the strength of each Muslim's faith with a month of prayers, fasting, charity and self reflection. It is a beautiful observance each year by those who believe in Islam.

It is important to have resolutions like this that recognizes and shows respect for one of the world's most significant religions, Islam, and the nearly 1.5 billion Muslims throughout the world. Following the September 11th attacks, I am sad to say, there was an outbreak of bigotry and violence against Arab-Americans, American Muslims and Americans from South Asia. Intolerance is not an American value and Congress must show its support for the community of Islam in the United States and throughout the world.

I would like to thank Congresswoman EDDIE BERNICE JOHNSON, Congressman GREGORY MEEKS and Congressman KEITH ELLISON for introducing the resolution and working to bring it to the House floor today.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in strong support of H. Res. 635.

As our Founding Fathers recognized, the strength of this great Nation derives from the tolerance we espouse. America builds strength from its diversity. I am proud to be a part of a country where every person may practice their religious beliefs without fear. At a time when religious differences are igniting conflicts throughout the world, America serves as a beacon of hope that religious tolerance is not only achievable, but only serves to make a country stronger and more viable.

The Islamic faith follows the lunar calendar. During the ninth month of the lunar calendar, called "Ramadan," the Arabic term for intense heat and scorched earth, Muslims throughout the world celebrate the revelation of the Quran. In 2007, the month of Ramadan lasts from September 13 to October 12. This sacred month is observed with prayers, fasting, and charity.

I believe we could all use a time of peace and reflection. Ramadan embodies these principles, and I applaud our Muslim friends and neighbors for their sincere religious beliefs.

I encourage my colleagues to support this resolution.

Mr. SHERMAN. 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 California (Mr. SHERMAN) that the House suspend the rules and agree to the resolution, H. Res. 635, 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. SHERMAN. 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.

RECOGNIZING THAT VIOLENCE POSES AN INCREASINGLY SERIOUS THREAT TO PEACE AND STABILITY IN CENTRAL AMERICA

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 564) 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, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 564

Whereas murder rates have been increasing throughout Central America in recent years;

Whereas in 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras, and 38 in Guatemala;

Whereas the February 2007 murder of 3 Salvadoran legislators from the Central American parliament and the subsequent murder in prison of the Guatemalan policemen linked to the crime clearly illustrated to the international community the threat posed by violence in Central America;

Whereas a May 2007 report by the United Nations Office on Drugs and Crime (UNODC) makes the case that Central American countries are particularly vulnerable to violent crimes fueled by drug trafficking and corruption because they are geographically located between the world's largest drug producing and drug consuming countries;

Whereas 90 percent of the cocaine shipped from the Andes to the United States flows through Central America and thus contributes to increased violence on the Central American isthmus;

Whereas Central American governments and United States officials have attributed a large proportion of the rise in violent crime in Central America to youth gangs, many of which have ties to the United States;

Whereas UNODC estimates that there are 69,145 gang members in Central America;

Whereas on June 7, 2005, the Organization of American States (OAS) passed a resolution to urge member states to support the creation of holistic solutions to the gang problem;

Whereas Guatemala has experienced a surge in female murders during the past 3 years, with many of those murders allegedly committed by drug traffickers and other organized criminal groups;

Whereas violence between partners, particularly violence by men against their wives or girlfriends, is widespread in Central America and an International Violence Against Women Survey comparing selected countries in Africa, Latin America, Europe, and Asia found that 60 percent of women in Costa Rica—often considered the least violent country in Central America—reported having experienced domestic violence during their lives;

Whereas the House Foreign Affairs Subcommittee on the Western Hemisphere held a briefing and hearing on June 26, 2007, on violence in Central America;

Whereas the Guatemalan government and the United Nations signed a groundbreaking agreement in December 2006 to establish the International Commission Against Impunity in Guatemala (CICIG) which was approved by the country's legislature on August 1, 2007;

Whereas the Central American Integration System (SICA) is an inter-governmental organization formed in 1991 comprised of the following member states: Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama;

Whereas the Dominican Republic participates in SICA as an Associate Member State;

Whereas SICA and the United States held their first ever Dialogue on Democratic Security in Guatemala City from July 16 through 18, 2007, which focused on gangs, drug trafficking, and arms trafficking;

Whereas SICA and the United States signed an agreement at this meeting to improve intelligence sharing and policing and to institutionalize dialogue on regional security;

Whereas this meeting was the first time in almost a quarter century that high level officials from the United States and all 7 Central American countries and the Dominican Republic have met formally to discuss security issues;

Whereas United States Assistant Secretary of State for Western Hemisphere Affairs Thomas Shannon announced at this meeting the United States Strategy to Combat Criminal Gangs from Central America and Mexico designed to prevent youth from entering gangs and strengthen the fight against gang-related violence and other crimes;

Whereas Assistant Secretary Shannon recognized at this meeting that youth gang delinquency "has profound social roots and our way of fighting it cannot only be through policing";

Whereas the United States pledged $1,000,000 at this meeting to help Central American governments draft a regional strategy to fight youth gangs and drug trafficking and $3,000,000 to fund rehabilitation programs for youths in gangs; and

Whereas an enhanced political commitment and cooperation between the United States and Central America on security issues can help curb violence in Central America: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) crime and violence pose an increasingly serious threat to peace and stability in Central America;

(2) officials from Central America and the United States should be commended for holding a historic meeting to discuss regional security strategies;

(3) the announcement on July 18, 2007, of the United States Strategy to Combat Criminal Gangs from Central America and Mexico should be commended;

(4) the President of the United States should follow through on commitments made in the United States Strategy to Combat Criminal Gangs from Central America and Mexico with concrete actions;

(5) the commitment of funds by the United States to fight youth gangs in Central America is an important step forward and greater resources should be considered in the future to fight this problem due to its severity and its transnational nature; and

(6) Central American and United States officials should be encouraged to meet on a regular basis to further cooperation in combating crime and violence in Central America.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Texas (Mr. POE) 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 resolution under consideration.

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 resolution and yield myself as much time as I may consume.

I want to thank our colleagues, Congressman ELIOT ENGEL and DAN BURTON, the Chair and ranking member respectively of the Western Hemisphere Subcommittee, for introducing this important legislation.

The measure brings a long overdue spotlight to the serious and growing problem of violence in Central America. The February murder of three Salvadoran legislators and the subsequent shocking murder in prison of the Guatemalan policeman linked to the crime illustrate the very real daily threat posed by violence in this region.

While this high-profile incident brought violence into the spotlight, it is unfortunately nothing new. In recent

years, murder rates have been increasing throughout Central America. In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras, and 38 in Guatemala. These rates are extraordinarily high by international standards.

Much of the violence in Central America is closely related to drug trafficking. A report released by the United Nations in May argues that Central American countries are particularly vulnerable to violent crimes, fueled by drug trafficking, because they are geographically located between South America and the United States; in other words, between the world's largest drug-producing and the world's largest drug-consuming countries or areas. In fact, 90 percent of the cocaine shipped from the Andean region to the United States flows through Central America. This clearly plays a major role in triggering violence in the region.

If drugs are the primary factor in the scourge of violence, youth gangs are a close second. There's estimated to be about 70,000 youth gang members in Central America. Many of these gangs have ties to the United States and pose threats to security in our own communities.

□ 1145

We are beginning to address this violence crisis. The United States and Central American officials have started to work together to combat violence in Central America, but more needs to be done. This July, high-level officials from the United States and all seven Central American countries met to discuss security in the region, particularly addressing gangs, drug trafficking and arms trafficking. This meeting marked the first time in almost a quarter century that high-level officials from the United States and all the countries of Central America met formally to discuss security issues.

At the meeting, the State Department announced the U.S. strategy to combat criminal gangs from Central America and Mexico and pledged $4 million to help Central America deal with the youth gang issue. I applaud this meeting and the State Department's initiative and encourage Central American countries to go beyond a police-based approach and address the social roots of violent crime.

With passage of the important measure today, the United States Congress will recognize that violence poses an increasingly serious threat to peace and stability in Central America. This resolution encourages Central American and U.S. officials to meet on a regular basis to enhance further cooperation in curbing violence in the region.

The measure also recognizes the U.S. has a commitment of $4 million to tackle this problem, and that is a welcome start. But, importantly, this resolution notes that greater resources should be considered in the future to fight the problem of violence in Central America.

Our friends in Central America are great and close allies, and we should do everything we can to bring stability to these societies and to end excessive violence. That is why I urge all Members to support this resolution.

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

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

Mr. Speaker, I rise in support today of H. Res. 564 and join my colleagues in recognizing the efforts taken by the United States and seven Central American countries to confront gang violence in Central America.

The tragic nature of gang violence in Central America threatens the peace and stability of its neighbors to the north and to the south. Geographically located between the world's largest drug-producing and drug-consuming countries, Central America faces a seemingly insurmountable problem when forced to counter gang violence on its own.

For this reason, I was pleased to see that earlier this year, the United States and seven Central American countries took the first step towards finding an international solution to the growing level of violence in Central America by holding the first-ever dialogue on democratic security in Guatemala City.

As the transnational nature of gangs causes crime and violence in Central America to bleed into the United States, this resolution recognizes the importance of a continuing United States involvement and commitment of funds towards dealing with youth gangs in Central America.

Gangs have become more organized, more violent, and affect North America, Central America and South America. It also encourages Central America and U.S. officials to meet on a regular basis for further cooperation in combating crime and violence and commends these countries for taking the first step in the struggle for security by developing the United States' strategy to combat criminal gangs from Central America and Mexico.

While I am pleased to see the progress made this year, I also recognize the grave importance of sustaining these efforts while increasing our understanding of the roots of this epidemic. I look forward to our continued cooperation with our neighbors to the south and once again applaud the efforts already taken to counter this increasing threat to peace and security in our region.

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

Mr. SHERMAN. Mr. Speaker, I yield 5 minutes to one of the co-authors of this legislation, the chairman of the Foreign Affairs Subcommittee on the Western Hemisphere, Mr. ENGEL.

Mr. ENGEL. I thank my friend from California.

Mr. Speaker, I rise today in strong support of my House Resolution 564, which brings attention to the serious and growing problem of violence in Central America.

I first want to thank my colleague and the ranking member on the Western Hemisphere Subcommittee, Dan Burton, for introducing this resolution with me. I also want to thank Chairman LANTOS and Ranking Member ROS-LEHTINEN for their support of this bill.

The February murder of three Salvadoran legislators in the Central American Parliament and the subsequent shocking murder in prison of the Guatemalan policeman linked to the crime illustrate the very real daily threat posed by violence in Central America. While this high-profile incident brought violence in Central America to a spotlight, it is, unfortunately, nothing new.

Homicide rates in El Salvador and Guatemala are higher today than they were in those countries' civil wars. According to government statistics, Guatemala's murder rate has doubled since 1999.

As chairman of the Western Hemisphere Subcommittee of the House Foreign Affairs Committee, I focus intently on violence in Central America and the roots of this violence. At a recent hearing that I chaired on this topic, I was taken aback by the major role that drug trafficking plays in encouraging violence in the sub-region.

Ninety percent of the cocaine shipped from the Andean region to the United States flows through Central America. The sub-region's location between the highest drug-consuming and the highest drug-producing regions of the world make it particularly vulnerable. Unfortunately, we are the highest drug-consuming portion of that equation.

If drugs are the primary factor in this scourge of violence, youth gangs are a close second. The U.S. Southern Command has estimated that there are 70,000 gang members in Central America alone. Fortunately, we are beginning to address this crisis. The United States and Central American officials have started to work together to combat violence in Central America; but, obviously, much more needs to be done.

This resolution recognizes the recent progress that has been made in enhancing U.S.-Central American cooperation and combating violence in Central America. The seven countries of Central America, the Dominican Republic and the United States held its first-ever dialogue on democratic security in Guatemala City this July. That meeting was the first time in almost a quarter century that high-level officials from the United States and all of these countries met formally to discuss security issues.

At this meeting, Assistant Secretary of State for Western Hemisphere Affairs, Tom Shannon, announced that the U.S. strategy to combat criminal gangs from Central America and Mexico was beginning. The United States also pledged $4 million in assistance to help Central Americans begin to address this issue.

This resolution commends U.S. and Central American officials for their joint efforts to combat violence and encourages greater cooperation in the future. In the coming days, the Bush administration will present Congress with a plan to assist Mexico and Central America in dealing with issues of crime and violence, particularly as they relate to counternarcotics.

I look forward to working with my colleagues from the State Department and Central America as we begin to shape a future assistance package that will address violence in Central America.

Finally, I want to point to one area of progress that we have seen since this resolution was first introduced in July.

On August 1, Guatemala's legislature approved the international commission against impunity. This is a groundbreaking agreement between the Guatemalan Government and the United Nations to combat impunity in Guatemala. It is a major step for all of us who care so deeply about curbing violence in Central America, and I want to congratulate my colleagues in the Guatemalan Congress and the executive branch on this major accomplishment.

Let me say in closing that one of the things I have noticed as chairman is the feeling of neglect in the hemisphere that the other nations feel that the United States is not concentrating on this region, that we are looking elsewhere in the world. I think that this resolution and what we are doing goes a long way in combating that feeling.

I urge my colleagues to support House Resolution 564.

Mr. POE. Mr. Speaker, I want to commend Mr. ENGEL, and I yield back the balance of my time.

Mr. SHERMAN. 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 California (Mr. SHERMAN) that the House suspend the rules and agree to the resolution, H. Res. 564, as amended.

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

A motion to reconsider was laid on the table.

CONDEMNING THE PERSECUTION OF LABOR RIGHTS ADVOCATES IN IRAN

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 203) condemning the persecution of labor rights advocates in Iran, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 203

Whereas Iran, in violation of ILO principles, refuses to recognize independent labor unions;

Whereas, on April 9, 2007, Iranian agents arrested and imprisoned Mahmoud Salehi, founder of the Saghez Bakery Workers Association, a labor union that is independent and therefore not recognized under Iranian law;

Whereas Salehi's life is in grave danger as he sits in the Sanandaj prisons without access to kidney dialysis treatment;

Whereas, on July 10, 2007, plainclothes Iranian agents severely beat and arrested Mansour Osanloo, president of the Syndicate of Bus Drivers of the Tehran and Suburbs Bus Company, another labor union that is independent and therefore not recognized under Iranian law;

Whereas this arrest was the third time in less than two years that Syndicate president Osanloo has been arrested by Iranian agents;

Whereas Osanloo now sits in Iran's notorious Evin prison with a chronic heart condition and a serious eye condition that requires immediate surgery;

Whereas Osanloo has no access to medical or legal assistance and no contact with his family; and

Whereas, on August 9, 2007, the International Transport Workers' Federation, together with the International Trade Union Confederation, staged an international ''day of action'' to free Osanloo and Salehi: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) condemns the Iranian regime for the arrest and imprisonment of Iranian union leaders Mahmoud Salehi and Mansour Osanloo and demands their immediate release;

(2) expresses its solidarity with the workers of Iran and stands with them, and with all Iranians, in their efforts to bring political freedom and individual liberty to Iran; and

(3) calls on the Iranian regime to respect the right of Iranian workers to form independent associations and unions, as required by its membership in the ILO.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Texas (Mr. POE) 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 resolution under consideration.

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 support of this resolution and yield myself such time as I may consume.

I would like to thank our colleagues, Mr. KIRK from Illinois, Mr. ANDREWS from New Jersey, for introducing this important and timely legislation.

Iran's pursuit of nuclear weapons in support of terrorism and its abuse of the human rights of its own people collectively form one of the most serious threats to peace and freedom faced by our country and faced by the world. It speaks volumes that Iran is a member of the International Labor Organization and formally subscribes to the core ILO principles like freedom of association, yet continues to jail those who attempt to form independent labor unions.

The mistreatment of two courageous labor leaders, Mr. Mahmoud Salehi and Mansour Osanloo, is yet another example of the unacceptable behavior of the regime in Iran.

Since 2004, Mahmoud Salehi, who comes from the Kurdish region of Iran, has been jailed on trumped-up charges for the crime of trying to organize a May Day rally in his own city. Unlike many well-known Iranian dissidents, Mr. Salehi is not a writer or a professor or even a politician. He is an ordinary man, a baker by trade, who has had the courage to stand up for the rights of working people. Since April 19 of this year, he has been imprisoned and denied access to the dialysis treatments he requires.

The same is true of Mansour Osanloo, who fell afoul of the regime for threatening in 2006 to lead his fellow bus drivers in Tehran out on strike. Mr. Osanloo was kidnapped from his bus by unknown parties and severely beaten. He too is now being held on vaguely worded charges.

It is appropriate and necessary for the United States House of Representatives to condemn the brutal mistreatment of these leaders and call for their immediate release.

I strongly support this resolution, and I encourage all my colleagues to do likewise.

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

Mr. POE. Mr. Speaker, I yield such time as he may consume to the author of this measure, the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, this resolution before us demonstrates America's commitment to human rights around the world. As the cochair of the Iran Working Group and a member of the Human Rights Caucus, I am proud to stand here as the co-author of this Kirk-Andrews resolution.

On April 9, 2007, Iranian agents arrested and imprisoned Mahmoud Salehi, the founder of the Saghez Bakery Workers Association. Mr. Salehi is a kidney patient who now sits in the Sanandaj prisons, his life in grave danger as the regime blocks his access to dialysis treatment.

July 10, plain-clothed Iranian agents severely beat and arrested Mansour Osanloo, the president of the Syndicate of Bus Drivers of the Tehran and Suburbs Bus Company. Osanloo now sits in Iran's notorious Evin prison with a chronic heart condition, no access to medical or legal assistance, and no contact with his family. The Teamsters have called on Iran to immediately release both men.

In August, the International Trade Union Confederation, together with the International Transport Workers Federation, staged an international ''day of action'' to free these union leaders; and now it's our turn. Together with my good friend and the cochair of the Iran Working Group, Congressman ROBERT ANDREWS of New Jersey, we introduced this resolution, a bipartisan

resolution condemning the Government of Iran for the arrest and imprisonment of Iranian union leaders, demanding their immediate release. Today, we speak with one voice, not as Democrats or Republicans, but as Americans, to say to the Iranian people, we stand with your efforts to bring about political freedom and individual liberty in Iran.

□ 1200

As a board member of the National Endowment for Democracy, I am proud of the U.S. Government's commitment to international workers' rights. This resolution embodies that commitment.

I want to thank Chairman LANTOS and Ranking Member ROS-LEHTINEN for their cosponsorship and continued leadership on this human rights issue.

I also want to thank my friend, Congressman ROB ANDREWS, and the vice chairs of the Iran Working Group, Congressman BOUSTANY and Congressman KLEIN, and key staff members, including Alan Makovsky, Yleem Poblete, Alan Goldsmith, Luke Ballman, Michael Hare and Mira Kogen for their hard work on this resolution.

I especially want to thank Richard Goldberg of my staff, who did the heavy lift on this piece of legislation, so heavy he might become an honorary Teamster.

Mr. Speaker, it is very important to see what is happening in Iran, that there is now an attack going on against Baha'is, there is now an attack going on against intellectuals, and there is now an attack going on against free union members. We need to speak out against all of these if we adhere to our principles of faith to the dignity of the individual as enshrined, not just in the Constitution of the United States, but in the U.N. Universal Declaration of Human Rights, of which the Government of Iran is a signatory.

Mr. SHERMAN. Mr. Speaker, I'd like to yield 3 minutes to the coauthor of this legislation, the chairman of the Education and Labor Subcommittee on Health, Employment, Labor and Pensions, the very distinguished Mr. ANDREWS from New Jersey.

Mr. ANDREWS. Mr. Speaker, I rise in strong support of this resolution. I would like to thank the cochairman of the Iran Working Group, my good friend, Mr. KIRK, for his efforts and the staff's efforts. And I would associate myself with the remarks that MARK made about the staff members who worked so hard on this.

I'd like to thank our subcommittee chairman, Mr. SHERMAN, and ranking members on the other side for their help.

A prison must be a terribly lonely and solitary place. And I think there is no more lonely and solitary place on the face of the Earth than an Iranian prison, because in an Iranian prison you live in a place where there is no due process, there is no right to be heard, there is no sunlight, there is no chance to address your grievances.

Mr. Speaker, as we meet today, two men, Mahmoud Salehi and Mansour Osanloo sit in that solitary confinement. Their crime is speaking up for the members of the group for which they work. Their offense is trying to organize and represent the men and women next to whom they work. This is taken universally as a human right, the right to speak up for better working conditions, for fairness in the workplace. It is a right that Iran recognizes as a signatory to the International Labor Organization, and Iran is bound to follow the core principles of the ILO. Clearly, Iran is not doing so as we meet today.

For more than 6 months, Mr. Salehi has been confined in a prison. For more than 3 months, Mr. Osanloo has been confined in a prison.

It is my hope that this resolution today will have the Members of this House, Republican and Democrat, liberal and conservative, joining the voices of labor leaders around the world as expressed on August 9 saying to the Government of Iran that this imprisonment is unjustified. This is an egregious abuse of human rights. These men should be released. Their medical needs should be tended to, and justification should be given for the unlawful and inhuman incarceration of these individuals.

This is a larger question than the political relationship between the United States and Iran. It is a larger question than labor law and the right to organize. This is a fundamental question of human rights. Innocent, infirm people should not be held against their will with no rights and no right to address their grievances. Surely, Mr. Speaker, this House can and should join together today to rise up in opposition to this inhuman practice.

I would urge a ''yes'' vote.

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

Mr. Speaker, I rise today in strong support of this resolution condemning the persecution of labor rights advocates in Iran.

During the past 2 years, the already brutal regime in Tehran has increased its repression of its own citizens, cracking down on religious and ethnic minorities, human rights and pro democracy activists, even university students, and now the labor movement.

Like many supposedly revolutionary governments, this regime has been particularly harsh to workers and their representatives who have dared to protest the injustices that pervade the present system in Iran.

On April 9 this year, Iranian agents arrested Mahmoud Salehi, the founder of an independent bakery workers association. And then on three separate occasions since 2005, this same Iranian regime has arrested and imprisoned Mansour Osanloo, the president of the Syndicate of Workers of Tehran and Suburbs Bus Company, an independent labor association of transportation workers.

Most recently then, on July 10, 2007, reports indicate that plainclothes Iranian agents kidnapped, assaulted and imprisoned Mr. Osanloo.

When transport workers have attempted to strike in order to protest their lack of rights and the arrest of their representatives, the Iranian regime has beaten them and compelled them to return to work. Iran's deplorable behavior violates its own legal obligations under its own Constitution.

Article 26 of the Iranian Constitution permits, and I quote, ''the formation of parties, societies, political or professional associations,'' and Iran's labor law recognizes that ''it is prohibited to force a person to perform work against their will.'' So much for following their Constitution.

Mr. Speaker, while Iranian thug-in-chief Mahmoud Ahmadinejad spoke freely at the United Nations last week, labor representatives Mahmoud Salehi and Mansour Osanloo, both of whom suffer from medical conditions and medical problems, languished in Iran's infamous prisons without access to any medical attention. This current situation is intolerable.

The Iranian regime must stop its persecution of its own workers and systematic human rights abuses, release all the imprisoned labor representatives and fulfill its obligations in ensuring the right of Iranians to work freely and to organize freely.

I want to thank Mr. KIRK of Illinois and Mr. ANDREWS of New Jersey for introducing this resolution, and also labor unions in the United States for bringing this issue to the forefront.

This resolution condemns the Iranian regime for the arrest and imprisonment of Iranian labor leaders and demands their release. It also sends a simple but yet powerful message. As the people of Iran struggle to live freely and exercise their basic human rights, Congress and the United States stands with those people.

I urge my colleagues to adopt this legislation.

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

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

The SPEAKER pro tempore (Mr. MCGOVERN). 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. 203, 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. KIRK. 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.

TAIWANESE SELF-DEFENSE CAPABILITY

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 676) declaring that it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 676

Whereas relations between the United States and Taiwan are governed by the Taiwan Relations Act (22 U.S.C. 3301 et seq.; Public Law 96–8), three joint communiqués, and the Six Assurances;

Whereas the Taiwan Relations Act has governed United States arms sales to Taiwan since 1979, when the United States extended diplomatic recognition to the People's Republic of China;

Whereas the Taiwan Relations Act specifies that it is United States policy, among other things, to consider any non-peaceful means to determine Taiwan's future ''a threat'' to the peace and security of the Western Pacific and of ''grave concern'' to the United States; ''to provide Taiwan with arms of a defensive character;'' and ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion'' jeopardizing the security, or social or economic system of Taiwan's people;

Whereas section 3(a) of the Taiwan Relations Act states that ''the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability'';

Whereas section 3(b) of the Taiwan Relations Act stipulates that both the President and the Congress shall determine the nature and quantity of such defense articles and services ''based solely'' upon their judgment of the needs of Taiwan;

Whereas Taiwan's 2007 defense budget included approximately $488,000,000 to begin the process of procuring 66 new United States-origin F–16C/D fighters, pending United States price and availability data;

Whereas after October 31, 2007, those funds will no longer be available to begin the process of procuring the F–16C/D fighters;

Whereas the Taiwanese Defense Ministry has requested and the Executive Yuan (cabinet) approved in August 2007 a 2008 defense budget that includes approximately $764,000,000 for the second year's budget for F–16C/D fighters;

Whereas notwithstanding the requirements of the Taiwan Relations Act, the Bush Administration has not been responsive to Taiwan's clear expression of interest in receiving price and availability data for the F–16C/D fighters; and

Whereas in its annual, congressionally mandated report on China's Military Power (most recently released in May 2007) the Department of Defense concluded that China is greatly improving its military, with those improvements largely focused on a Taiwan contingency, and that this build-up poses an increasing threat to Taiwan and ultimately to the United States military presence in Asia: Now, therefore, be it

Resolved, That—

(1) it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability; and

(2) the United States should determine the nature and quantity of such defense articles and services ''based solely'' upon the legitimate defense needs of Taiwan.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SHERMAN) and the gentleman from Texas (Mr. POE) 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 resolution under consideration.

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 resolution and yield myself as much time as I may consume.

I would like to thank my distinguished colleague, the ranking member of the Foreign Affairs Committee, ILEANA ROS-LEHTINEN of Florida, for introducing this important resolution and Chairman LANTOS, Chair of the Foreign Affairs Committee, for moving this to the floor.

When it comes to military sales to Taiwan, U.S. policy is clear: We must ensure that the thriving democracy of Taiwan has the capacity necessary to defend itself from outside threats.

We in the United States provide defensive military equipment to Taiwan, not just because it is right to aid our democratic friends, but because it is the law of the land under the Taiwan Relations Act. The Taiwan Relations Act, which has been the core of our policy toward Taiwan for almost 3 decades, also states clearly that the United States should base its decision on whether to supply defensive military equipment to Taiwan solely on the basis of the security needs of the Taiwanese military, not on the basis of political concerns.

In the context of these guiding principles, the administration currently has before it a decision on whether to sell F–16C/D fighters to Taiwan, fighters which Taiwan has expressed a clear interest in purchasing and for whose purchase they have budgeted $488 million in their 2007 defense budget and another $764 million in their budget for 2008.

The answer of the United States should be obvious. We should agree to sell the fighters without delay. Yet the administration has dragged its feet and failed even to respond to our Taiwanese friends; and this, in spite of the fact that under Taiwanese laws the funds for the fighters will no longer be available after October 31 of this year. If we do not offer to sell the planes by that date, the rules governing Taiwanese defense spending require that these funds be deleted from their budget.

Some have argued that this delay is justified because in a tense political season in Taiwan, the United States does not want to be seen as taking sides in the upcoming Taiwanese election. This assertion is wrongheaded and shortsighted in the extreme. This resolution in no way indicates support for one political party or another.

Furthermore, under the Taiwan Relations Act, we are supposed to make our decision based upon the needs of the Taiwanese military, not based on some argument that we would be falsely seen as supporting one political party or another, which, of course, is hardly the case if we decide to follow our own law and provide the Taiwanese military with the planes they need for military security.

I support this resolution and the sale of the F–16C/Ds to Taiwan so that the people of Taiwan can protect their democracy and to advance our security interests in East Asia. My support does not in any way indicate support for any candidate in Taiwan for any elected office, nor would selling these planes or agreeing to sell them indicate the support of the United States Government for any particular political party or candidate.

There are still others who claim that the F–16 sale, and this resolution, will upset the balance of the Taiwan Strait. Taiwan already has F–16 aircraft, so these additional planes will hardly upset the balance between Taiwan and China.

Moreover, no one puts forward the idea that Taiwan is today going to invade the mainland. It is obvious that the weapons Taiwan acquires are for defense, not for offense, and so a country acquiring military weapons to defend itself is not upsetting the balance of power but, rather, preserving the military status quo, preserving stability and peace.

I would also point out that the Taiwan Relations Act and our arms sales under this act have been instrumental in maintaining peace and security across the Taiwan Straits and in East Asia for 30 years.

□ 1215

Under this peace, Taiwan developed from authoritarian rule into a robust and lively democracy. Taiwan has asked our assistance in defending itself, and it deserves from us the respect of a prompt response.

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

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

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

I rise in support of House Resolution 676, a resolution reiterating that it is the policy of the United States to make available to Taiwan such defense articles and services as may be necessary for its self-defense.

At the outset, I want to thank Chairman LANTOS and the gentlewoman from Florida, the author of this resolution; Mr. LANTOS being the cosponsor; as well as many other members from the Foreign Affairs Committee and the Taiwan Caucus.

Mr. Speaker, this is a very straightforward resolution. It simply says that the executive branch should follow the law, in this case the Taiwan Relations Act, TRA, of 1979, and make available to our friends in that vibrant democracy such defense articles as may be necessary for their self-defense.

While the Chinese Air Force and Navy continue to be upgraded with modern Russian-made combat aircraft, Taiwan's Air Force is literally falling from the sky. In fact, some 17 obsolete F–5 fighters have crashed in the last 10 years, including one this May which killed a number of Singaporean servicemen.

Yet despite Taiwan's clearly compelling needs and the fact that Taipei has not only increased defense spending but also has budgeted and appropriated for the F–16s, the United States is refusing to respond to Taiwan's entirely legitimate request for military sales. In so doing, the clear intent of Congress and the law of the land as articulated in the TRA is obviously being ignored.

In this regard, section 3(b) of TRA stipulates that both the President and the Congress shall determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan.

In life there are times when you can outthink yourself by overanalyzing issues and events, hoping to find that perfect moment to make a major decision. This is one of those times. Given China's ongoing and notorious military buildup, as well as its ceaseless efforts to isolate and belittle Taiwan, there will never be an ideal time for the United States to make defense sales to this island. The ideal time, obviously, is when the time is right, which is now.

The reality is that any major U.S. sale at any time will be objected to by the Chinese Communist regime. Should that affect our commitment to the stability of the Taiwan Strait? Mr. Speaker, are we timid because of China? Likewise, should our defense commitment to Taiwan be held hostage to a clash of personalities, the political season in Taiwan, or Washington's desire to accommodate Beijing?

In conclusion, this commonsense resolution simply says that consistent with the Taiwan Relations Act, the TRA, the United States should make decisions about prospective arms sales to this island based upon Taiwan's legitimate self-defense needs and our assessment of the relative balance of power in the Western Pacific.

I urge the adoption of this resolution.

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

Mr. SHERMAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada, a member of the Veterans' Affairs Committee and the Ways and Means Committee, the very distinguished and dapper Ms. BERKLEY.

Ms. BERKLEY. I thank the subcommittee chairman for that very lovely introduction.

Mr. Speaker, I rise in support of this important resolution, in support of a U.S. ally and a fellow democracy.

For ever 50 years, Taiwan and the United States have enjoyed a strong political and economic partnership. Taiwan is our eighth largest trading partner with almost $60 billion in bilateral trade. In the last two decades, we have watched Taiwan blossom into one of the world's leading democracies, holding a number of open, fair, and internationally approved elections. Its constitution guarantees fundamental freedoms and civil liberties and ensures all citizens have a voice in local and national affairs.

Mr. Speaker, in an age of terrorism and political violence, it is absolutely imperative that the United States stands up for peaceful and free countries around the globe. We must make certain our fellow democracies can determine their own destinies at the ballot box without fear of attack or violence. And as this resolution states, we must continue to provide Taiwan with the ability to defend itself, to safeguard the expansion of democracy on that island and in its region in the coming years.

Taiwan is a vibrant democracy, a trusted ally, a strategic partner of the United States. It is imperative, I repeat, that we signal our support for the world to see that America stands with its fellow democracy and will defend against any threat of military aggression.

I urge support for this resolution.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend the gentlelady from Florida, our senior Ranking Member of this Committee for her authorship of H. Res. 676, just as I commend Chairman LANTOS also and other Members of this Committee who are supporting this Resolution. Having said this, my question is, is it necessary?

I have serious concerns about H. Res. 676 which declares that is should continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability.

The Taiwan Relations Act of 1978 has always been the basis of how our country has defined its relationship with Taiwan, and there has been no change in the provisions of this Act. The Act allows for the sale of arms to assist Taiwan with its defense capabilities against its enemies which it considers to be the People's Republic of China (PRC).

Why then is H. Res. 676 necessary? I also question H. Res. 676 being put forward at a time when all of us know that the situation between Taiwan and China has been extremely tense for weeks and months. While I respect my colleagues' view on H. Res. 676, I disagree with this course of action. We all know that H. Res. 676 is a nonbinding resolution that does not oblige our Government to act but only serves to add fuel to the fire, or exacerbate already tense relations between Taiwan and Beijing. Again, I ask, is this Resolution necessary?

Some 15 times now, Taiwan has sought and failed to be formally recognized by the United Nations, and this has caused a heated exchange of responses even among Members of this body. I just returned from Taiwan where I met with Taiwan's President, and the opposition party. I also recently visited China where I met with the Vice President, and other government officials. When I say that relations are tense, I mean it. From both sides, the situation between Taiwan and Beijing is quickly becoming a confrontation which may lead to an outcome none of us wants.

I am certain that all of us are committed to a course of action which will avert a crisis, and bring about a peaceful solution in the Taiwan Straits. But I do not believe H. Res. 676 gets us where we want to go. H. Res. 676 is just a reminder that an arms deal is still pending and it is pending because the Administration is having difficulties persuading Taiwan not to seek membership with the UN. Obviously, Taiwan is not listening and does not care what this may mean for the United States and our important, strategic relationship with Beijing.

The fact is there is a difference of opinion among the people and leaders of Taiwan about what position Taiwan should take towards Beijing. One of the two major parties advocates peaceful coexistence with the PRC. The other major party and its leaders keep pushing the envelope to the point of forcing Beijing's hand which led to President Clinton having to send two naval battle groups to the Taiwan Straits and almost led to a nuclear confrontation with Beijing. I wonder if my colleagues want to go through this again.

Last time, Beijing backed off. But will Beijing back off again? With implications as serious as this, I am hopeful that we will not move forward with this resolution until we have had time to consider a more thoughtful approach, and until Taiwan has time to hold its elections next March.

For now, H. Res. 626 can potentially influence the outcome of those elections, as could the sell of F–16s. I suspect this is probably one of the reasons the Administration has been reluctant to proceed with the sale of F–16 fighter jets to Taiwan because the Administration also recognizes we should give the people of Taiwan time to determine their future status before acting in ways that could set off a chain reaction in this volatile region of the world.

All of us, including Taiwan, know that our United States foreign policy has always been to accept the One-China concept whereby Beijing and Taiwan are to work out their political differences through peaceful means. This said, Taiwan has made significant progress towards a pluralistic and democratic form of government. Taiwan enjoys a free market system and economy that ranks among the top fifteen economies in the world. Taiwan also enjoys one of the highest standards of living in the world.

Currently, Taiwan conducts over $100 billion in unofficial trade with Beijing. Over the years, millions of Taiwanese have also been able to freely travel to Beijing to be reunited with their families and friends.

Beijing is also moving towards a more free market system. China has become one of the

top five economies in the world, despite its Socialist Marxist ideology that puts a limitation on greater freedom for its citizens and transparency in government. Beijing is doing its best to feed more than 1 billion people, and we must also credit Beijing for bringing North Korea to the negotiating table, thwarting North Korea's efforts to produce nuclear weapons of mass destruction.

Mr. Speaker, do we want to build on the positive? Do we want to avert a crisis? Or, do we want to add fuel to the fire? I submit that H. Res. 626 tilts favorably towards Taiwan, and I suggest to my colleagues that we ought not to pursue this course of action anymore than we should adopt legislation or resolutions that favor China over Taiwan.

Having said this, I will not oppose this resolution but I will again ask if it is necessary and, in closing, I will suggest that it is not. I will also suggest that it is in our interest to work collectively and bilaterally with both Taiwan and China to prevent another standoff in the Taiwan Straits.

Mrs. CHRISTENSEN. Mr. Speaker, I stand before you today in support of our continued support and defense of Taiwan. The United States has stood on the forefront of making the World safe and as a protector of democratic freedoms. To that end, Taiwan has emerged as flag bearer of not only democratic principles but as a strong economic partner.

Although Taiwan enjoys a robust economy and has a strong trade-relationship with countries within Asia they do not have the ability to defend themselves militarily if the need arises. The United States has played a major part in the development of Taiwan's economy over the past 40 years. In order to continue this relationship, we should help to guarantee their safety.

On a recent trip to Taiwan, I was pleased to learn of the great strides they have made in a short period of time to become such a powerful economic power. Although they have an aggressive economy, they have also developed a society built on the safety and health of its citizens. A first class government funded healthcare system that provides service to over 90 percent of its people, speaks to their commitment to its citizens. A bustling industrial sector where the creation of new innovations for an ever increasing technological world is a top priority. They are also fulfilling their commitment to a secure international port with 21st century safeguards to ensure that all shipments are properly inspected and tracked before transshipment to other parts of the world.

Recently, I participated in a ceremony in the Capitol where agreements Taiwan has made to purchase billions of dollars in U.S. agricultural goods over the next several years were signed. I was a signatory to several of them as a witness.

Taiwan's continued commitment to trade in good faith with the United States should not be one sided and we should do our part in upholding our agreement with them as it pertains to the Taiwan Relations Act. I am in full support of H. Res. 676 and ask my colleagues to support the resolution and Taiwan.

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

Mr. SHERMAN. 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 California (Mr. SHERMAN) that the House suspend the rules and agree to the resolution, H. Res. 676.

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.

FOREIGN SERVICE VICTIMS OF TERRORISM ACT OF 2007

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2828) to provide compensation to relatives of United States citizens who were killed as a result of the bombings of United States Embassies in East Africa on August 7, 1998, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2828

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 ''Foreign Service Victims of Terrorism Act of 2007''.

SEC. 2. DEATH GRATUITY.

Section 413 of the Foreign Service Act of 1980 (22 U.S.C. 3973) is amended—

(1) in subsection (a), in the first sentence, by striking ''at the time of death'' and inserting ''at level II of the Executive Schedule at the time of death, except that in the case of foreign national employees, foreign nationals appointed under section 303, and locally employed staff the amount shall be equal to one year's basic salary at the highest step of the highest grade on the local compensation plan of the country in which the foreign national or locally employed staffer was being paid'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following new subsection:

''(d) In addition to a death gratuity payment under subsection (a), the Secretary or the head of the relevant United States Government agency is authorized to provide for payment to the surviving dependents of a Foreign Service employee or a Government executive branch employee, if such Foreign Service employee or Government executive branch employee is subject to the authority of the chief of mission pursuant to section 207, of an amount equal to a maximum of eight times the salary of such Foreign Service employee or Government executive branch employee if such Foreign Service employee or Government executive branch employee is killed as a result of an act of international terrorism. Such payment shall be accorded the same treatment as a payment made under subsection (a). For purposes of this subsection, the term 'act of international terrorism' has the meaning given such term in section 2331(1) of title 18, United States Code.''.

SEC. 3. PAYMENTS TO FAMILIES OF CERTAIN VICTIMS OF TERRORISM.

Subject to the availability of appropriations specifically for the purpose specified in this section as provided in appropriations Acts enacted on or after October 1, 2007, and notwithstanding any other provision of law, the Secretary of State shall pay the maximum amount of payment under section 413(d) of the Foreign Service Act of 1980 (as amended by section 2(3) of this Act) to an individual described in such section 413(d) or to an individual who was otherwise serving at a United States diplomatic or consular mission abroad without a regular salary who was killed as a result of an act of international terrorism (as such term is defined in section 2331(1) of title 18, United States Code) that occurred between January 1, 1998, and the date of the enactment of this Act, including the victims of the bombing of August 7, 1998, in Nairobi, Kenya. Such a payment shall be deemed to be a payment under section 413(d) of the Foreign Service Act of 1980, except that for purposes of this section, such payment shall, with respect to a United States citizen receiving payment under this section, be in an amount equal to ten times the salary specified in this section. For purposes of this section and section 413(d) of such Act, with respect to a United States citizen receiving payment under this section, the salary to be used for purposes of determining such payment shall be $94,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. 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 New Jersey?

There was no objection.

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

I rise in strong support of this bill. The legislation before us recognizes one of the most tragic and unfortunate incidents in the history of the Department of State. It has been more than 9 years since the brutal bombings of our embassies in Kenya and Tanzania occurred. Twelve Americans perished in these terrorist attacks, and many other foreign nationals did in both of the attacks. These murders marked the true beginning of the war on terror, when al Qaeda targeted innocent Americans abroad merely because of their association with our great country.

Of those twelve victims, five were foreign service officers including Julian Bartley, Sr., the Deputy Chief of Mission, and his young son who was interning at the Embassy when al Qaeda struck. I had visited the Embassy just several weeks before and had a conversation with Julian and knew him personally even as he worked here on the Hill before going to Kenya.

It was later determined in an official accountability report that the security arrangements at the Nairobi Embassy were inadequate, as were the State Department's risk assessment procedures. The Nairobi Embassy was not classified as a hardship post. It was maddening to learn that the Ambassador in Nairobi had pleaded with the Department for additional security measures, but to no

avail. Worse, upon returning to the United States, many of the relatives of those killed were treated dismissively by the Department of State. The expression ''pouring salt on a wound'' does not do justice to the bureaucratic manner in which the government addressed the relatives' claims. It was truly a disgrace.

The families of the victims are still awaiting sufficient compensation. The fact that this tragedy occurred so far away should not undermine the care given to the victims' families, whose lives will be forever altered by this incident. No amount of money will bring back those loved ones. However, in cooperation with Representative JACKSON, our committee is making an effort to ensure that the families have some added degree of comfort.

The bill is also intended to send a message to the State Department: protect your employees; and God forbid, if incidents like this occur again, be attentive and sensitive to the families.

This legislation will create a new program whereby the Secretary of State or the head of a relevant agency may compensate the relatives of a U.S. Government employee killed in an act of international terrorism up to eight times the individual's salary. The program would include foreign service nationals. It will also require the Secretary of State to retroactively compensate those U.S. Government employees killed in an act of terrorism since 1998, which would include the 12 victims in the Nairobi attack. Those victims will receive an award commensurate with the total aid package available to a victim of terror today under this amendment.

It saddens me that such legislation is necessary, but I am heartened that perhaps this legislative act will bring some small degree of closure to the families of the Nairobi bombing victims.

I urge my colleagues to support this legislation.

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

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

Mr. Speaker, on August 7, 1998, American embassies in Nairobi, Kenya and Dar es Salaam, Tanzania were the target of almost simultaneous terrorist bombings, killing hundreds and wounding thousands of people.

Among those killed were 12 American Embassy employees and dozens of foreign service nationals. These public servants paid with their lives while performing their duties, and it is our responsibility to ensure that their families receive proper compensation.

I strongly support H.R. 2828, introduced by my distinguished colleagues Congressman JACKSON and our Republican whip, ROY BLUNT, which provides compensation to the families of the United States Embassy employees who perished due to acts of international terrorism.

This bill increases the death gratuity for foreign service officers and foreign national employees. It also authorizes additional compensation to family members of foreign service employees or government executive branch employees killed as a result of an act of international terrorism. It also requires the Secretary of State to provide compensation to foreign service employees killed in an act of international terrorism that occurred from 1998 to the date of the enactment of this act, including the victims of the Nairobi bombing.

I urge all my colleagues to support this bill and provide proper compensation to the families of the United States Embassy employees killed by brutal acts of international terrorism.

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

Mr. PAYNE. Mr. Speaker, I would like to thank the majority whip, JIM CLYBURN, who assisted greatly in helping to move this bill forward through the Congress; and others, SHEILA JACKSON-LEE, who had a very strong interest in this legislation. We had been dealing with this for some time, ever since the tragedy occurred; and we have been looking forward to a vehicle that we could bring this very important legislation forward.

□ 1230

And so we really are appreciative of the fine work of Mr. CLYBURN and the principal sponsor of the legislation in the Appropriations Committee, Representative JESSE L. JACKSON, Jr., Second District of Illinois, a member of the Appropriations Committee, who put in tireless effort to bring this legislation forward.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank you, Chairman PAYNE, for the time.

Mr. Speaker, I rise in strong support of H.R. 2828, a bill to compensate relatives of U.S. citizens killed in the 1998 embassy bombings in Kenya and Tanzania.

I introduced this bill with Republican Whip ROY BLUNT, and it has solid bipartisan support, including 19 members of the Foreign Affairs Committee.

On August 7, 1998, an al Qaeda truck bomb exploded at the American embassies in Dar es Salaam, Tanzania and in Nairobi, Kenya. The embassy bombing in Nairobi killed 12 Americans serving their government. The Americans killed in the embassy bombings were, and Mr. BLUNT will now join me in calling their names, Sergeant Nathan Aliganga, United States Marine Corps; Consul General Julian Bartley; his son, Jay Bartley; Jean Rose Dalizu; Molly Huckaby Hardy; Staff Sergeant Kenneth Hobson II.

Mr. BLUNT. I thank the sponsor of the bill for not only allowing me to cosponsor it with him, but for allowing me today to assist and recognize the 12 individuals whose lives were lost in this terrible attack on our embassies. And let me do that now.

First of all, Prabhi Kavaler, Arlene Kirk, Dr. Louise Martin, Michelle O'Connor, Master Sergeant Sherry Lynn Olds from the Air Force, and Tom Shah.

Mr. JACKSON of Illinois. The State Department was negligent in not responding to concerns raised about the danger and exposure of the U.S. Embassy in Nairobi to a vehicle bomb attack. The U.S. intelligence community had been surveilling several al Qaeda associates in Nairobi for 2 years, yet that information was not shared with the diplomats bidding on assignments in Nairobi, Kenya. Prior to the attack, then-U.S. Ambassador Prudence Bushnell warned the State Department about the vulnerability of the Nairobi Embassy and requested more security.

Members of al Qaeda were convicted of the bombing in New York Federal District Court in 2001. Government witnesses at the trial testified that intelligence and security reports from several different sources had confirmed the presence of an al Qaeda cell in Nairobi and the likelihood that the location of the embassy exposed the employees to an attack given the proximity of the street, but the State Department failed to act on these intelligence reports.

The Accountability Review Board, established to examine the facts and circumstances surrounding the embassy bombings, found that the bombings were the result of a ''collective failure of several administrations and Congresses over the past decade to invest adequate efforts and resources to reduce the vulnerability of U.S. diplomatic missions around the world to terrorist attacks.''

Like the families of those killed on 9/11, the families compensated in H.R. 2828 also suffer a similar heartache and pain from an al Qaeda attack on U.S. soil. Several of the victims' children still suffer from serious emotional problems. However, unlike quick action taken by Congress and the executive branch to respond to the needs of families of 9/11, these families have waited more than 9 years without any meaningful compensation.

Former Secretary of State Albright has stated publicly that her administration failed to help the families because the attacks happened thousands of miles away and because the Department failed to respond to the pre-attack intelligence report of the serious threat of the al Qaeda organization in Nairobi and Dar es Salaam. Mr. Speaker, this bill is the very least that a grateful Nation can do.

I would like to thank Republican Whip ROY BLUNT and his staff member, Brian Diffel, for working with us on this bill. I would also like to thank CBC Chairwoman KILPATRICK and her staff member, James Williams; DAN BURTON and his staff member, Brian Fauls, as well as the committee staff of Chairman LANTOS, Chairman PAYNE and Ranking Member ROS-LEHTINEN for all the work they did on this bill.

I want to recognize the work of Karen Williams, counsel for the Nairobi Embassy families, and especially Consul General Bartley's daughter, Edith, who has brought this issue to the attention of the Congress and has worked tirelessly to get us to where we are today.

Mr. Speaker, present with us today in the House are members of the Bartley family, members of Ms. Kavaler's family, and members of the Kirk family. And I understand that it's not appropriate or within House rules to acknowledge specifically their location in the House Chamber, but they are here today on this momentous occasion.

Thank you, Mr. Chairman, for the time. I urge an ''aye'' vote on H.R. 2828.

Mr. POE. Mr. Speaker, I yield such time as he may consume to the distinguished minority whip, the gentleman from Missouri (Mr. BLUNT), the original cosponsor of this legislation.

Mr. BLUNT. I thank Mr. POE for the good work he has done on this legislation and the recognition today to be allowed to speak for a few minutes.

On August 7 of 1998, al Qaeda launched a devastating and meticulously coordinated attack on American people residing in foreign countries, but on American soil because they were at our embassies. On that day, 12 Americans and 200 Kenyans were killed at the U.S. Embassy in Nairobi, and another 11 lives were taken at Dar es Salaam, the former capital of Tanzania.

Though other indications existed, these bombings represented the clearest signs to date that Osama bin Laden had declared war on our country and its people. It was a declaration that fell largely on deaf ears, as my good friend, Mr. JACKSON, just pointed out and has been acknowledged by our government. Had we been paying closer attention to that declaration, it's possible that we could have been more prepared for the terrible attacks that day and those attacks that came just 3 years later.

The legislation before us today speaks to an issue I've been working on since 2002 when, at the time, I introduced and the House passed the Embassy Victims Compensation Act. At that time, my good friend MAXINE WATERS was my cosponsor and an active advocate in dealing with this issue, and the House as a whole stepped forward and dealt with this issue, now 5 years ago. It was our first effort at that time to recognize the profound sacrifices made by those Americans that have been mentioned here today, and just as important, that their families made and continue to make.

Today, we take a step toward completing the work this House started 5 years ago. The families of those who lost so much at the hands of al Qaeda deserve this bill, and I'm proud to have been involved in it.

I would also like to especially thank Congressman JESSE JACKSON, Jr., who has helped make this bill happen this year. He took up the mantle of the hard work that needed to be done; he was tireless in insisting that our Nation deal with this issue and deal with it now.

Along with JESSE JACKSON, I would like to recognize the incredible and patient work of Edith Bartley, who lost her father and her brother in the Nairobi attack. For almost a decade now, she has worked to point out the sacrifices made by our State Department personnel, as well as some of the shortcomings of that agency's treatment of her family and others both before and after the attacks.

Obviously, nothing we do today can replace those who were lost nearly a decade ago, but I'm hopeful that this effort, if nothing else, will demonstrate that we have not forgotten those who died in this horrific attack. And we will never forget the enduring lessons that we've learned from it.

Mr. PAYNE. I yield as much time as she may consume to the gentlelady from the 35th District of California, chairperson of the Financial Services Subcommittee on Housing and Community Opportunity, Congresswoman MAXINE WATERS.

Ms. WATERS. Thank you very much for yielding this time to me, Congressman PAYNE.

I rushed from my last appointment to be here because this is a day that we have waited for far too long. And I certainly appreciate all of the work that you have done, and certainly the work of Congressman JESSE JACKSON, Jr., and the work of Members on both sides of the aisle. And Congressman BLUNT is correct; we did coauthor this legislation I think some 6 years ago, but we have only been able to stick with this legislation because of one person, in my estimation, and that is Edith Bartley. She has walked these halls. She has lobbied. She has educated us. She has always been pleasant. She has been patient and cooperative. You couldn't have a better daughter. You couldn't have a better child. You couldn't have a better family member not only looking out for the family, but for all of the families who have not yet been treated fairly and compensated for what happened to them.

Mr. Speaker, as it was said, 9 years ago, on August 7, 1998, terrorists affiliated with al Qaeda bombed United States Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania. These terrorist attacks were one of the first warnings of the threat posed by al Qaeda, the international terrorist organization that hijacked American airplanes and attacked the World Trade Center and the Pentagon on 9/11 6 years ago.

The embassy bombings in Nairobi killed over 200 United States Embassy employees, 12 of whom were United States citizens, and injured thousands more. The embassy bombing in Dar es Salaam, Tanzania killed 11 employees and injured over 80 people. The terrorist attacks of 9/11 killed nearly 3,000 innocent people.

The United States Government provided compensation to the families of the victims of the 9/11 attacks. It is, therefore, entirely appropriate that the United States be consistent and provide compensation to the families of the victims of the embassy bombings in East Africa 3 years earlier.

So, I urge all of my colleagues to support this bill. I offer my apology and the apology of many others because it has taken so long. My sympathies to the families of the victims of those embassy bombings, as well as all of the victims of al Qaeda's acts of terror. Let us move forward so that we can finally do the right thing.

Mr. PAYNE. Mr. Speaker, let me once again commend the combined effort on both sides of the aisle.

As you know, this has been lingering ever since it occurred. I recall meeting with the family, very devastated by the event, but I do recall, too, that the manner in which the Department of State dealt with the issue was in very, very poor taste.

The family persisted. And all of the families that suffered I'm sure today are pleased that the recognition for what their family members, those who joined the Foreign Service, those who said that they wanted to contribute their careers to serving the United States of America on foreign soils in diplomatic ways. And so we are extremely pleased that this bill has finally come to fruition.

Once again, I, too, commend Ms. Bartley, who has been in my office year in and year out in a pleasant and very persistent manner. As Congresswoman MAXINE WATERS said, she is just a gem for anyone to have as their daughter.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 2828, to provide compensation to relatives of United States citizens who were killed as a result of the bombings of United States embassies in East Africa on August 7, 1998. I would like to commend my colleague, Congressman JESSE JACKSON, JR., for introducing this important and long-overdue legislation, and I would like to thank the Chairman of the Committee on Foreign Affairs, Congressman LANTOS, for his leadership on this important issue.

I have been pleased to work with Congressman JACKSON, and to cosponsor this bill, because I strongly believe that the relatives of the victims of the 1998 East Africa bombings have gone too long without the recognition and the compensation they need and deserve. I was also pleased to work with the Chairman of the Committee, Congressman LANTOS, to ensure that these families receive what they deserve.

Mr. Speaker, as you are well aware, in 1998 simultaneous bombs exploded at United States embassies in the East African capital cities of Dar es Salaam, Tanzania, and Nairobi, Kenya. These attacks, which killed hundreds of people, first brought international attention to Osama bin Laden and his al Qaeda terrorist network, and stand out as one of the worst anti-American terrorist attacks preceding September 11, 2001.

Mr. Speaker, nearly a decade later, the families of those victims who died in these bombings still have not been compensated. In contrast, after the catastrophic events of September 11, Congress acted relatively quickly to set up the September 11 Victim Compensation Fund, which paid out nearly $6 billion to 2,880 families of those injured on that catastrophic day. We have shown compassion toward those affected by terrorism, and we have shown that we can act with purpose and haste. It is now time to finally act to compensate the families of those who died in East Africa.

In the case of the Kenya bombings, a 2001 bipartisan review panel found no negligence per se, but did find that there was an ''institutional failure . . . to recognize threats posed by transnational terrorism and vehicle bombs worldwide.'' The intelligence community had been monitoring several Al Qaeda associates in Nairobi for 2 years. That information was not shared with the diplomats bidding on assignments in Nairobi. Prior to the attack, then-Ambassador Prudence Bushnell warned the State Department about the vulnerability of the embassy and requested more security. Instead of properly addressing Bushnell's concerns, State replied: ''go back to Nairobi, don't send any more cables about this or we are going to place a statement in your personnel file.''

After this cavalier treatment of embassy officials in Africa, many of the relatives of those killed were treated dismissively by the State Department upon returning to the United States. Instead of compassion they found bureaucracy, and instead of recompense they found only red tape. Now, 9 years later, those families are still awaiting sufficient compensation. While no amount of money can bring back loved ones or heal the wounds this act of terrorism caused, we must make an effort to ensure that the families receive some degree of comfort.

This legislation would amend the Foreign Service Act to provide a death benefit to all U.S. Government employees abroad in U.S. diplomatic facilities who are killed in an act of international terrorism. It would retroactively require the Secretary of State to compensate those killed since 1998, including the Nairobi families, at ten times the salary of the highest paid employee in the embassy.

Mr. Speaker, this legislation recognizes one of the most tragic and unfortunate incidents in the history of the Department of State. We have waited too long to bring recognition and compensation to the families of those who perished in these tragic bombings. I am pleased to have worked with these brave families to bring this legislation, with a full compensation package, before the Committee today.

Mr. Speaker, I strongly support this legislation, and I urge my colleagues to do the same.

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

Mr. PAYNE. 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 Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 2828, as amended.

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

Mr. PAYNE. 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.

□ 1245

RESIGNATION AS MEMBER OF COMMITTEE ON NATURAL RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Natural Resources:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 2, 2007.

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

DEAR SPEAKER PELOSI: This letter serves as my intent to resign from the House Natural Resources Committee, effective today. I appreciated the opportunity to serve on this important committee and its jurisdictional prerogatives that affect the resources on Federal lands across our nation.

Sincerely,

KEVIN MCCARTHY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 2, 2007.

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

DEAR SPEAKER PELOSI: This letter serves as my intent to resign from the House Agriculture Committee, effective today. I appreciated the opportunity to serve on this important committee and its jurisdictional prerogatives that affect the farmers, ranchers, and consumers of our nation.

Sincerely,

KEVIN MCCARTHY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ETHIOPIA DEMOCRACY AND ACCOUNTABILITY ACT OF 2007

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2003) to encourage and facilitate the consolidation of peace and security, respect for human rights, democracy, and economic freedom in Ethiopia, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2003

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 ''Ethiopia Democracy and Accountability Act of 2007''.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) support the advancement of human rights, democracy, independence of the judiciary, freedom of the press, peacekeeping capacity building, and economic development in the Federal Democratic Republic of Ethiopia;

(2) seek the unconditional release of all political prisoners and prisoners of conscience in Ethiopia;

(3) foster stability, democracy, and economic development in the region;

(4) support humanitarian assistance efforts, especially in the Ogaden region;

(5) collaborate with Ethiopia in the Global War on Terror; and

(6) strengthen United States-Ethiopian relations based on the policy objectives specified in paragraphs (1) through (5).

SEC. 3. SUPPORT FOR HUMAN RIGHTS IN ETHIOPIA.

The Secretary of State shall—

(1) provide financial support to local and national human rights groups and other relevant civil society organizations to help strengthen human rights monitoring and regular reporting on human rights conditions in Ethiopia;

(2) provide legal support, as needed, for political prisoners and prisoners of conscience in Ethiopia and assist local, national, and international groups that are active in monitoring the status of political prisoners and prisoners of conscience in Ethiopia;

(3) seek to promote and bolster the independence of the Ethiopian judiciary through—

(A) facilitation of joint discussions between court personnel, officials from the Ethiopian Ministry of Justice, relevant members of the legislature, and civil society representatives on international human rights standards; and

(B) encouraging exchanges between Ethiopian and United States jurists, law schools, law professors, and law students, especially in legal fields such as constitutional law, role of the judiciary, due process, political and voting rights, criminal law and procedure, and discrimination;

(4) establish a program, in consultation with Ethiopian civil society, to provide for a judicial monitoring process, consisting of indigenous organizations, international organizations, or both, to monitor judicial proceedings throughout Ethiopia, with special focus on unwarranted government intervention on matters that are strictly judicial in nature, and to report on actions needed to strengthen an independent judiciary;

(5) establish a program, in consultation with Ethiopian civil society, and provide support to other programs, to strengthen independent media in Ethiopia, including training, and technical support;

(6) expand the Voice of America's Ethiopia program;

(7) support efforts of the international community to gain full and unfettered access to the Ogaden region for—

(A) humanitarian assistance organizations; and

(B) independent human rights experts; and

(8) work with appropriate departments and agencies of the Government of the United States and appropriate officials of foreign governments—

(A) to identify members of the Mengistu Haile Mariam regime and officials of the current Government of Ethiopia who were engaged in gross human rights violations, including those individuals who may be residing in the United States; and

(B) to support and encourage the prosecution of individuals identified under subparagraph (A) in the United States or Ethiopia.

SEC. 4. SUPPORT FOR DEMOCRATIZATION IN ETHIOPIA.

(a) STRENGTHENING LOCAL, REGIONAL, AND NATIONAL DEMOCRATIC PROCESSES.—The Secretary of State shall—

(1) provide assistance to strengthen local, regional, and national parliaments and governments in Ethiopia, as needed;

(2) establish a program focused on reconciliation efforts between the Government of Ethiopia and political parties, including in minority communities, in preparation for negotiation and for participation in the political process; and

(3) provide training for civil society groups in election monitoring in Ethiopia.

(b) DEMOCRACY ENHANCEMENT.—

(1) ASSISTANCE.—United States technical assistance for democracy promotion in Ethiopia should be made available to all political parties and civil society groups in Ethiopia.

(2) RESTRICTION.—

(A) IN GENERAL.—Nonessential United States assistance shall not be made available to the Government of Ethiopia if the Government of Ethiopia acts to obstruct United States technical assistance to advance human rights, democracy, independence of the judiciary, freedom of the press, economic development, and economic freedom in Ethiopia.

(B) DEFINITION.—In this paragraph, the term ''nonessential United States assistance'' means assistance authorized under any provision of law, other than humanitarian assistance, food aid programs, assistance to combat HIV/AIDS and other health care assistance, peacekeeping assistance, and counter-terrorism assistance.

SEC. 5. ENSURING GOVERNMENT SUPPORT FOR HUMAN RIGHTS, DEMOCRACY, AND ECONOMIC DEVELOPMENT IN ETHIOPIA.

(a) LIMITATION ON SECURITY ASSISTANCE; TRAVEL RESTRICTIONS.—

(1) LIMITATION ON SECURITY ASSISTANCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), security assistance shall not be provided to Ethiopia until such time as the certification described in paragraph (3) is made in accordance with such paragraph.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to peacekeeping assistance, counter-terrorism assistance, or international military education and training for civilian personnel under section 541 of the Foreign Assistance Act of 1961 (commonly referred to as ''Expanded IMET''). Peacekeeping or counter-terrorism assistance provided to Ethiopia shall not be used for any other security-related purpose or to provide training to security personnel or units against whom there is credible evidence of gross human rights abuses or violations.

(2) TRAVEL RESTRICTIONS.—Beginning on the date that is 60 days after the date of the enactment of this Act and until such time as the certification described in paragraph (3) is made in accordance with such paragraph, the President shall deny a visa and entry into the United States to—

(A) any official of the Government of Ethiopia—

(i) who has been involved in giving orders to use lethal force against peaceful demonstrators or police officers in Ethiopia; or

(ii) against whom there is credible evidence of gross human rights abuses or violations;

(B) security personnel of the Government of Ethiopia who were involved in the June or November 2005 shootings of demonstrators;

(C) security personnel responsible for murdering Etenesh Yemam; and

(D) security personnel responsible for murdering prisoners at Kaliti prison in the aftermath of the election violence in 2005.

(3) CERTIFICATION.—The certification described in this paragraph is a certification by the President to Congress that the Government of Ethiopia is making credible, quantifiable efforts to ensure that—

(A) all political prisoners and prisoners of conscience in Ethiopia have been released, their civil and political rights restored, and their property returned;

(B) prisoners held without charge or kept in detention without fair trial in violation of the Constitution of Ethiopia are released or receive a fair and speedy trial, and prisoners whose charges have been dismissed or acquitted and are still being held are released without delay;

(C) the Ethiopian judiciary is able to function independently and allowed to uphold the Ethiopian Constitution and international human rights standards;

(D) security personnel involved in the unlawful killings of demonstrators and others, including Etenesh Yemam, and Kaliti prisoners are held accountable;

(E) family members, friends, legal counsel, medical personnel, human rights advocates, and others have access, consistent with international law, to visit detainees in Ethiopian prisons;

(F) print and broadcast media in Ethiopia are able to operate free from undue interference and laws restricting media freedom, including sections of the Ethiopian Federal Criminal Code, are revised;

(G) licensing of independent radio and television in Ethiopia is open and transparent;

(H) Internet access is not restricted by the government and the ability of citizens to freely send and receive electronic mail and otherwise obtain information is guaranteed;

(I) the National Election Board (NEB) includes representatives of political parties with seats in the Ethiopian Parliament and the NEB functions independently in its decision-making;

(J) representatives of international human rights organizations engaged in human rights monitoring work, humanitarian aid work, or investigations into human rights abuses in Ethiopia are admitted to Ethiopia and allowed to undertake their work in all regions of the country without undue restriction; and

(K) Ethiopian human rights organizations are able to operate in an environment free of harassment, intimidation, and persecution.

(4) WAIVER.—

(A) IN GENERAL.—The President may waive the application of paragraph (1) or (2) on a case-by-case basis if the President determines that such a waiver is in the national security interests of the United States.

(B) NOTIFICATION.—Prior to granting a waiver under the authority of subparagraph (A), the President shall transmit to Congress a notification that includes the reasons for the waiver.

(b) TREATMENT OF POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE.—

(1) IN GENERAL.—The President, the Secretary of State, and other relevant officials of the Government of the United States shall call upon the Government of Ethiopia to immediately—

(A) release any and all remaining political prisoners and prisoners of conscience, especially prisoners held without charge; and

(B) allow full and unfettered access to the Ogaden region by humanitarian aid organizations and international human rights investigators.

(2) TORTURE VICTIM RELIEF.—While it is the responsibility of the Government of Ethiopia to compensate the victims of unlawful imprisonment and torture and their families for their suffering and losses, the President shall provide assistance for the rehabilitation of victims of torture in Ethiopia at centers established for such purposes pursuant to section 130 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Government of the United States should—

(1) encourage the Government of Ethiopia to enter into discussions with opposition political groups interested in reconciliation in order to bring such groups into full participation in the political and economic affairs of Ethiopia, including their legalization as political parties, and provide such assistance as is warranted and necessary to help achieve the goal described in this paragraph; and

(2) provide assistance to promote the privatization of government owned or controlled industries and properties in Ethiopia.

SEC. 6. SUPPORT FOR ECONOMIC DEVELOPMENT IN ETHIOPIA.

(a) RESOURCE POLICY ASSISTANCE.—The President, acting through the Administrator of the United States Agency for International Development and in cooperation with the World Bank and other donors, shall provide assistance, as needed, for sustainable development of Ethiopia's Nile and Awash River resources, including assistance to help Ethiopia with the technology necessary for the construction of irrigation systems and hydroelectric power that might prevent future famine.

(b) HEALTH CARE ASSISTANCE.—The President, acting through the Administrator of the United States Agency for International Development, shall provide material support to hospitals, clinics, and health care centers in Ethiopia, especially hospitals, clinics, and health care centers in rural areas.

SEC. 7. REPORT.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to Congress a report on the implementation of this Act, including a description of a comprehensive plan to address issues of security, human rights, including in the Ogaden region, democratization, and economic freedom that potentially threaten the stability of Ethiopia.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act $20,000,000 for each of the fiscal years 2008 and 2009.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PAYNE).

GENERAL LEAVE

Mr. PAYNE. 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 New Jersey?

There was no objection.

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

Mr. Speaker, first let me thank Chairman LANTOS for his leadership in bringing this bill up and the ranking member, Ms. ROS-LEHTINEN, and the ranking member of the Africa and Global Health Subcommittee, Mr. SMITH, for H.R. 2003, the Ethiopia Democracy and Accountability Act of 2007.

Ethiopia is one of our most reliable allies as one of Africa's most capable peacekeeping forces and is making positive steps towards a prosperous economy and functioning democracy. However, Ethiopia continues to be a country riven with conflict that threatens to tear the country apart. Ethiopia took a major step backwards in the immediate aftermath of the 2005 general elections when the Prime Minister declared a state of emergency, outlawed any public gatherings, and placed all security forces under his direct command. While the government performed commendably in negotiations with opposition parties before the election, the response after the election set off a violent confrontation between the opposition and the government. The opposition accused the government of vote rigging and fraud and called for a public demonstration and civil disorder.

The government responded by ordering the security forces to fire live ammunition at demonstrators, killing some and detaining opposition leaders and their followers. In spite of continued negotiations between the government and the opposition, the political environment continued to deteriorate, resulting in regrettable death of civilians and police.

An estimated 112 political leaders, human rights activists, community leaders and journalists, including the founder of the Ethiopian Human Rights Council, were imprisoned and charged with treason and genocide. In spite of international pleas for more measured responses by the government towards its civilians, the Government of Ethiopia has continued to stifle and criminalize opposition activities and to intimidate and silence civil society and independent journalists.

The legislation before the House will withhold nonhumanitarian funds from the Ethiopian Government until democracy and respect for human rights are fully restored. It will send a strong signal of dissatisfaction toward the Ethiopian Government and increase pressure on the Ethiopian leaders to change. As I indicated, in leading up to the election, the government made debates available, opened up journalism and had the opposition candidates on equal footing. However, after the results, 193 people were killed, shot and murdered by sharpshooters.

So we are very disturbed. We urge our colleagues to support this important legislation.

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

Mr. SMITH of New Jersey. Mr. Speaker, I rise in very, very strong support of the Ethiopian Democracy and Accountability Act. I am very happy that it has finally been brought to the floor. It is legislation that will limit and condition U.S. Government assistance on the Ethiopian Government provided that the government meets a very modest list of human rights benchmarks and provides financial support to human rights promoters in Ethiopia.

Mr. Speaker, the Ethiopian Democracy and Accountability Act is as timely now as it was last year, maybe even more so after the failure of so many attempts to promote human rights reform through dialogue and persuasion. It is clear that stronger measures are necessary, and they must come now. Human rights abuses have to be penalized.

Recently, Human Rights Watch reported that the Ethiopian Government, fighting an insurgency in Ogaden region, had forcibly displaced thousands of civilians in that region, burned villages and food stocks and imposed a trade blockade on the region. Just a few minutes ago in the Subcommittee on Africa and Global Health, we heard from a number of witnesses who told us very chilling tales. People who were there on the ground, human rights reporters on the ground were documenting the abuse that is being committed against people: rape, and a whole host of other gross indignities being committed, crimes against humanity by government forces.

Mr. Speaker, even the U.S. Department of State in its ''Country Reports on Human Rights Practices for 2006'' points out that there were numerous credible reports that security officials often beat or mistreated detainees. Massive arrests and detentions are common, the reports went on to say. Although the Ethiopian Constitution and law prohibit arbitrary arrest and detention, the government frequently did not observe these provisions in practice. Authorities regularly detained persons without warrants and denied access to counsel and family members, particularly in the outlying regions. The Independent Commission of Inquiry found that security officials held over 30,000 civilians incommunicado for up to 3 months in detention centers located in remote areas. Other estimates place the number of such detainees as high as 50,000.

This is only part of a long series of human rights outrages, Mr. Speaker, committed by Prime Minister Meles. On June 20, 2005, after an election that displeased the Prime Minister, almost 200 pro-democracy demonstrators in Addis were slaughtered when they demanded that there be a true accurate accounting of how people voted. It was a magnificent outpouring of Ethiopians. They voted. Eighty-five percent of the eligible voters poured out to vote despite much intimidation and despite the fact that many of the election observers all of a sudden were thrown out of the country by the Meles government, including NDI and the International Republican Institute. So they weren't there.

But despite all that, people voted, only to have, in many cases, their votes discounted by the government. Then, as people took to the streets to protest, like I said, almost 200 pro-democracy demonstrators were gunned down.

When I visited Ethiopia in August of that year and met with Prime Minister Meles, I urged him to investigate that atrocity, to punish those who were responsible and to release the political prisoners. Meles told me, I have a file on all of them, that is to say, all of the opposition leaders. He said, They are all guilty of treason. It is hard to put faith in the reformist intentions of a government official who says those kind of things.

Mr. Speaker, I believe that neither we nor the international community has pushed Meles hard enough on human rights and democracy issues because we have been satisfied perhaps that they cooperate with us to some extent in the war on terror. I would point out to my colleagues that the war on terror is very important, but no regime that terrorizes its own citizens can be a reliable ally in the war on terror. Terrorism isn't just a military issue. It is also a human rights issue. Terrorists come from countries where their governments fail to respect their human rights. In promoting human rights in Ethiopia, we are attacking terrorism at its root.

Mr. Speaker, I have come to know and admire many people from Ethiopia's great and ancient civilization. I ensure my colleagues that democracy, human rights, and rule of law are things that they desperately want for their country. It should be our country's policy to promote these important things which correspond with our own long-term interests.

Mr. Speaker, I urge my colleagues to support this bill; and, again, I congratulate my good friend and colleague from New Jersey (Mr. PAYNE) for his leadership on this very important issue.

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

Mr. PAYNE. Mr. Speaker, let me once again thank the gentleman from New Jersey (Mr. SMITH) who has worked so hard on this issue of Ethiopia. We are very pleased that today the proof it is coming to fruition is the fact that this bill is here on the floor. I, too, met with Prime Minister Meles in the summer of 2006 and asked if he would consider releasing the prisoners. He once again said that it is up to the judiciary. It is not in his hands. I then went to the Kality prison and met with two of the witnesses who just testified this morning Dr. Nega and Ms. Mideska, who appreciated the pressure and the insistence that we had through the years and because perhaps they would still be in prison. But they are here as free citizens testifying before

the Africa and Global Health Subcommittee this morning.

So, once again, we have also in this bill made provisions to assist the Government of Ethiopia. We are saying that you need help in your judicial system, and there are funds in it for that, that we hope to get appropriated. We say the health system is in disrepair, and there are funds in it to help the health system. We say that there is a need for water projects, and in this bill there is financial assistance to help in the economic development.

So this is a bill that we are saying that Ethiopia is an ally of the United States. We need a strong Ethiopia. But we need a democratic Ethiopia, not an Ethiopia that is run by a dictatorial regime. So we are hoping that this bill will move forward and effect change in that great country with such a long and rich history.

Mr. MORAN of Virginia. Mr. Speaker, I rise in support of the Ethiopia Democracy and Accountability Act of 2007. As an original cosponsor of this legislation, I commend the majority and minority managers and urge strong support for this measure to support human rights, democracy, independence of the judiciary, freedom of the press, peacekeeping capacity building, and economic development in the Federal Democratic Republic of Ethiopia; to collaborate with Ethiopia in the Global War on Terror; to seek the release of all political prisoners and prisoners of conscience in Ethiopia; to foster stability, democracy, and economic development in the region; and, finally, to strengthen U.S.-Ethiopian relations. This is a message not just to the leadership in Ethiopia, but also to the Secretary of State to take specified actions to support human rights and democratization in Ethiopia.

This important legislation expresses the sense of Congress that we should encourage the government of Ethiopia to enter into discussions with peaceful political groups to bring them into full participation in Ethiopia's political and economic affairs. We need to provide the necessary assistance to help achieve such a goal, so this legislation directs the President to provide Ethiopia with resource policy assistance and health care assistance. This legislation is crafted to seek a balance and return democracy to one of the African continent's oldest democracies.

Northern Virginia is home to one of the largest African immigrant populations in America, with significant numbers of Nigerians, Ethiopians, Eritreans, Somalians, and Ghanaians. They both enrich our culture, and enrich our appreciation of what a return to democracy in Ethiopia could mean. Ethiopia's peoples—in my District, in our country, and in Africa are the proud representatives of a great and ancient civilization. I believe we have an opportunity and responsibility to them to help restore democracy, human rights, and the rule of law—goals they want desperately for their own country. It should be our country's policy as well to promote these objectives which correspond to our long-term interests.

What it ought not to mean was last summer's sentencing of 35 opposition politicians and activists to life in prison—in a case where the prosecution had asked for the death penalty against the defendants, who included Ethiopia's top opposition leaders. Those sentenced to life imprisonment include the leader of the Coalition for Unity and Democracy, Hailu Shawel; Berhanu Nega, who was elected mayor of Addis Ababa; former Harvard scholar Mesfin Woldemariam; and former U.N. special envoy and former Norfolk State University professor, Yacob Hailemariam.

Thus, this is an important step for the Congress to take to foster accountability for the actions the Ethiopian government has taken that undermine rule of law and fundamental political freedoms. It is an important act to restrict security assistance for Ethiopia until such time as the President certifies that, among other things, the government of Ethiopia has taken steps to release political prisoners, hold security forces accountable for human rights abuses related to the demonstrations of 2005, and the Meles regime is respecting freedom of speech and information and allowing human rights groups to operate without being harassed.

For, as our colleague CHRIS SMITH said, "Terrorism is not just a military issue; it is also a human rights issue. Terrorists come from countries whose governments failed to respect their human rights. In promoting human rights in Ethiopia, we are attacking terrorism at its roots." It is for this reason that the bill also contains provisions for economic assistance and health care assistance for victims of torture, and it authorizes $20 million in 2008 and $20 million in 2009 to carry out these provisions.

Equally important, this legislation is intended to promote accountability for the killing of innocent civilians by government security forces, to build the institutions of democracy, and to provide meaningful support for human rights and those who defend them in Ethiopia. It requires our Secretary of State to support human rights by establishing a mechanism to provide funds to local human rights organizations and victims' support networks to provide legal support for political prisoners and prisoners of conscience. In this legislation, we require the Secretary of State to put in place a means to identify and extradite members of the Mengistu regime currently residing in the United States. We are trying, through this effort today, to balance this demand for accountability by supporting democratization through directing the State Department to provide assistance to strengthen local, regional, and national democratic processes through training authorities, political parties, and civil society groups in negotiation skills, campaign management, and election monitoring. The legislation bars non-humanitarian assistance to Ethiopia if the ruling party obstructs U.S. efforts to provide human rights and democracy assistance and training within Ethiopia. It makes it illegal for members of the security forces who have committed human rights violations against civilians to receive U.S. security assistance training.

This bill does provide flexibility for the administration by providing a waiver the President can exercise to continue security assistance to programs with Ethiopia that support U.S. efforts on the Global War on Terror and the Ethiopians' efforts in United Nations peacekeeping and whatever is deemed necessary for the U.S. national interests.

Mr. Speaker, we cannot and must not remain silent, but rather we have an obligation to do much more in order to promote the rule of law and respect for fundamental freedoms in Ethiopia—a very proud country with a tremendous heritage and history. We want to see Ethiopia move back, as it has in the past, to being our good ally. We can no longer allow this situation to fester.

Mr. LAHOOD. Mr. Speaker, I rise today in support of H.R. 2003, the Ethiopia Democracy and Accountability Act of 2007. This important legislation authorizes $20 million for both FY 2008 and FY 2009 to provide economic support for Ethiopia, the oldest independent nation in Africa.

H.R. 2003 provides a framework for support programs designed to impact all aspects of Ethiopian society. The bill would provide financial support to human rights groups to continue their efforts in Ethiopia, as well as expand the Voice of America's Ethiopia program. The legislation would also provide economic development assistance, with a focus on meeting the healthcare needs of the Ethiopian people. The legislation also requires the President to submit a report to the Congress outlining a comprehensive plan to address Ethiopia's many economic, security, and human rights issues.

Perhaps most importantly, H.R. 2003 places a number of limitations on our country's dealings with the Ethiopian government, requiring that a number of benchmarks be met before the full support of the United States is realized. The Ethiopian Government must allow the media to operate freely; the judiciary must operate independent of government influence; all political prisoners must be released; internet access cannot be restricted; and human rights and democratization groups must be allowed to operate free of government interference.

I believe our country can be a positive and powerful influence to the Ethiopians, and I am thankful that this Congress has turned its attention to a people that struggle to achieve the basic human freedoms that we enjoy. I urge adoption of the resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 2003, the Ethiopia Democracy and Accountability Act of 2007, which I, together with over 80 of my colleagues, have co-sponsored. This important legislation reaffirms the United States commitment to supporting human rights, democracy, independence of the judiciary, freedom of the press, and economic development in the Federal Democratic Republic of Ethiopia.

I would like thank Chairman PAYNE for introducing this important legislation, and Chairman LANTOS for his leadership on this important issue. I was pleased to work with both Chairmen within the Committee on Foreign Affairs to incorporate important language into the bill at the committee markup. As amended, to reflect my language, I believe that this bill is an important and firm diplomatic step toward addressing our serious concerns with Ethiopia.

My language will work to bolster an independent judiciary in Ethiopia by encouraging exchanges between Ethiopian and United States jurists, law schools, law professors, and law students, especially in legal fields such as constitutional law, role of the judiciary, due process, habeas corpus, political and voting rights, criminal law and procedure, and discrimination. Mr. Speaker, Ethiopia's judicial system is making important strides forward, but it still requires our support and ongoing engagement. Such exchanges would be mutually beneficially to both American and Ethiopian legal students and professionals.

In addition, I am pleased to have successfully offered language that added exemptions for international military education and training for civilian personnel under section 541 of the Foreign Assistance Act of 1961, commonly referred to as ''Expanded IMET,'' from the restrictions on security assistance until the Government of Ethiopia can certify it has met certain standards of human rights, democracy, and economic development. While I certainly believe these standards are crucial goals, and that we should be using our aid programs as an incentive for the government to meet these objectives, I also strongly believe that we must continue to fund crucial programs. IMET ensures that the military and related civilian personnel receive a range of necessary training, in important areas including human rights and military justice. I do not believe these crucial programs should be suspended, pending certification. Making sure that the military receives proper training, including in international standards and norms, is a crucial component to helping Ethiopia meet human rights specifications.

Finally, I offered language to provide assistance to promote the privatization of government industries and property. As Ethiopia transitions from a socialist structure to an open-market, I believe it is mutually beneficial for us to assist in this groundbreaking transformation. My language authorizes the President, acting through USAID, to provide assistance to promote the privatization of government owned or controlled industries and property in Ethiopia.

Mr. Speaker, though Ethiopia is currently on the road to democracy, I do not believe we should be treating the country with kid gloves. This is a path that should be paved with civil and political discourse, peaceful transitions of power, and respect for human rights. By necessity, the achievement of a modem democracy requires the implementation of electoral reforms, the separation of powers in the government, and the establishment of a truly independent judiciary. These are the founding principles of our American Republic, and I have seen firsthand the progress on the path to democracy Ethiopia has made since the brutal dictatorship of Mengistu Haile Mariam was brought down in 1991. I strongly believe that the United States should do all it can to support this transition, including bolstering civil society and speaking out when fundamental human rights are violated.

Mr. Speaker, Ethiopia is a leader in its region, and in the African continent, and has the potential to be a great global leader. However, years of fighting and alleged abuses are standing in the way of Ethiopia's progress. We need a roadmap toward establishing peace, stability, protection of human rights, and democracy in Ethiopia, and in the entire Horn of Africa region. This will necessitate addressing the ongoing lawlessness in neighboring Somalia, which continues to destabilize and threaten the entire region.

Ethiopia has a long and proud history. It is the cradle of mankind, as illustrated by ''Lucy,'' also known as Dinkinesh (Amharic for ''you are wonderful''), which is the nearly complete hominid skeleton discovered by archaeologists in the Awash Valley of Ethiopia on November 30, 1974. Lucy is estimated to have lived 3.2 million years ago and has redefined science's understanding of human evolution. I was happy to work with Texas State Senator Rodney Ellis, Ethiopian Ambassador Samuel Assefa, and the Houston Museum of Natural Science to bring Lucy to Houston, which is one of only 9 American cities and the only city in Texas to host the exhibit. The bones are currently on display in Houston, and will be until April 2008.

Ethiopia is also the oldest independent nation in Africa, has never been colonized, and is home to the African Union. Despite Ethiopia's rich history, however, this bill recognizes that recent decades have brought hardship and suffering to Ethiopia's people, through military conflict, natural disasters, and a military dictatorship.

For over a decade in the House of Representatives, and prior to that in the Houston city council, I have been an outspoken and unwavering advocate for the country of Ethiopia and its people, both in Ethiopia and in the diaspora. Following in the legendary footsteps of my predecessor, Mickey Leland, who died attempting to alleviate the starvation faced by Ethiopia's innocent populace, I have been a champion of increasing foreign aid to, political, economic, and social cooperation with, and improving human rights in Ethiopia.

While I continue to advocate close interaction and constructive dialogue with Ethiopia and its leaders, I believe the human rights situation there must be addressed. Of particular recent concern was the detention of elected parliamentarians, human rights advocates, and independent journalists and the harsh response to protesters after Ethiopia's recent unprecedented elections in 2005. In response to reports that thousands of prisoners languished in prisons throughout Ethiopia, I was proud to join a number of my colleagues in sending a letter to Secretary Rice, expressing our strong concern about the treatment of detainees.

In July, an Ethiopian court harshly sentenced 35 opposition leaders and activists to life in prison and denied them the right to vote or run for public office on charges of inciting violence. Although I was pleased to see the Court rebuff the prosecution's call for the death sentence against these defendants, I believe that the sentence of life imprisonment is still too severe a punishment.

However, I am heartened by the active role that elders such as Professor Ephraim Isaac played in the negotiations for these prisoners' release, and I was extremely pleased that these negotiations led to the release of these prisoners. Only through amnesty will the Ethiopian government and opposition leaders be able to secure a path to reconciliation rather than assuring a future of political divisiveness.

This legislation reaffirms the United States commitment to supporting Ethiopia as it builds the necessary institutions and civil society framework for a successful democracy. It contains a number of important provisions directing the Department of State to provide mechanisms for supporting and monitoring the promotion of human rights and democracy within Ethiopia.

Mr. Speaker, I believe that we in Congress should focus on the pursuit of truth. It is extremely important that we seek truthful accounts of what is going on in Ethiopia, and in the entire Horn of Africa region, and that we use these reports to develop a roadmap that will guide Ethiopia along the path to democracy and greater guarantees for human rights. This roadmap must be characterized, above all, by firm diplomacy.

I would like to conclude by reiterating my firm belief in the extreme importance of supporting the strengthening of democracy and human rights in Ethiopia.

Mr. PAYNE. 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 Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 2003, 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.

□ 1300

COMMISSION ON THE ABOLITION OF THE TRANSATLANTIC SLAVE TRADE ACT

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3432) to establish the 200th Anniversary Commemoration Commission of the Abolition of the Transatlantic Slave Trade, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3432

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 ''Commission on the Abolition of the Transatlantic Slave Trade Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) On March 2, 1807, President Thomas Jefferson signed into law a bill approved by the Congress ''An Act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States'' (hereinafter in this Act referred to as the ''1808 Transatlantic Slave Trade Act'') and made it unlawful ''to import or bring into the United States or territories thereof from any foreign kingdom, place or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of such. . .as a slave, or to be held to service or labour''.

(2) Article I, Section 9 of the United States Constitution clearly spelled out that the international slave trade could not be banned before 1808, and it is only on January 1, 1808, that the 1808 Transatlantic Slave Trade Act went into effect.

(3) An Act entitled ''An Act to continue in force 'An act to protect the commerce of the United States, and punish the crime of piracy,' and also to make further provisions for punishing the crime of piracy'', enacted May 15, 1820, made it unlawful for any citizen of the United States to engage ''in the slave trade, or . . ., being of the crew or ship's company of any foreign ship . . ., seize any negro or mulatto . . . with the intent to make . . . a slave . . . or forcibly bring . . . on board any such ship . . . .''.

(4) The transatlantic slave trade entailed the kidnapping, purchase, and commercial export of Africans, mostly from West and Central Africa, to the European colonies and new nations in the Americas, including the United States, where they were enslaved in forced labor between the 15th and mid-19th centuries.

(5) The term ''Middle Passage'' refers to the horrific part of the transatlantic slave trade when millions of Africans were chained together and stowed by the hundreds in overcrowded ships where they were forced into small spaces for months without relief as they were transported across the Atlantic Ocean to the Americas.

(6) During the Middle Passage, enslaved Africans resisted their enslavement through non-violent and violent means, including hunger strikes, suicide, and shipboard revolts, the most historically-recognized events taking place on board the Don Carlos in 1732 and on board the Amistad in 1839.

(7) Scholars estimate that, at a minimum, between 10,000,000 and 15,000,000 Africans survived the Middle Passage, were imported as chattel through customs houses and ports across the Americas, and were sold into slavery.

(8) The thirteenth amendment to the Constitution of the United States recognizes that ''Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.''.

(9) The slave trade and the legacy of slavery continue to have a profound impact on social and economic disparity, hatred, bias, racism, and discrimination, and continue to affect people in the Americas, particularly those of African descent.

(10) In 2007, the British Parliament marked the 200th anniversary of the abolition of the slave trade in the former British Empire with plans launched by the Department for Education and Skills which provided joint funding of £910,000 ($1,800,000) for the Understanding Slavery Initiative, and the Heritage Lottery Fund announced awards of over £20,000,000 ($40,000,000) for projects to commemorate the anniversary.

(b) PURPOSE.—The purpose of this Act is to establish the Commission on the Abolition of the Transatlantic Slave Trade to—

(1) ensure a suitable national observance of the bicentennial anniversary of the abolition of the transatlantic slave trade by sponsoring and supporting commemorative programs;

(2) cooperate with and assist programs and activities throughout the United States in observance of the bicentennial anniversary of the abolition of the transatlantic slave trade;

(3) assist in ensuring that the observations of the bicentennial anniversary of the abolition of the transatlantic slave trade are inclusive and appropriately recognize the experiences of all people during this period in history;

(4) support and facilitate international involvement in observances of the bicentennial anniversary of the abolition of the transatlantic slave trade; and

(5) study the impact of the transatlantic slave trade on the United States and the Americas.

SEC. 3. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the ''Commission on the Abolition of the Transatlantic Slave Trade'' (referred to in this Act as the ''Commission'').

SEC. 4. MEMBERSHIP, DUTIES, AND RELATED MATTERS.

(a) MEMBERSHIP.—

(1) IN GENERAL.—

(A) The Commission shall be composed of 9 members, of whom—

(i) 3 shall be appointed by the Speaker of the House of Representatives;

(ii) 2 shall be appointed by the majority leader of the Senate;

(iii) 2 shall be appointed by the minority leader of the House of Representatives; and

(iv) 2 shall be appointed by the minority leader of the Senate.

(B) Each appointing authority described in subparagraph (A) shall appoint the initial members of the Commission not later than 30 days after the date of the enactment of this Act.

(2) QUALIFICATIONS.—Members of the Commission shall be individuals with demonstrated expertise or experience in the study and program facilitation on the transatlantic slave trade and the institution of slavery as it relates to the United States and the Americas.

(3) TERM; VACANCIES.—

(A) TERM.—A member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—

(i) IN GENERAL.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(ii) PARTIAL TERM.—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the predecessor of the member was appointed.

(4) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet—

(i) as many times as necessary; or

(ii) at the call of the Chairperson or the majority of the members of the Commission.

(B) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its initial meeting.

(C) NOTICE OF MEETINGS.—All Commission members shall be given reasonable advance notice of all Commission meetings.

(D) APPOINTMENT OF CHAIRPERSON AND EXECUTIVE DIRECTOR.—Not later than 60 days after the date on which all members of the Commission have been appointed, the Commission shall—

(i) designate 1 of the members as Chairperson; and

(ii) select an executive director as described under subsection (d)(2).

(5) VOTING.—

(A) IN GENERAL.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(B) QUORUM.—A majority of the members of the Commission, which includes at least 1 member appointed pursuant to clause (iii) or (iv) of paragraph (1)(A), shall constitute a quorum for conducting business but fewer members may meet or hold hearings.

(b) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) plan, develop, and execute programs and activities appropriate to commemorate the bicentennial anniversary of the abolition of the transatlantic slave trade;

(B) facilitate commemoration-related activities throughout the United States;

(C) encourage civic, historical, educational, religious, economic, and other organizations, as well as State and local governments, throughout the United States to organize and participate in anniversary activities to expand the understanding and appreciation of the significance of the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(D) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of, the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(E) assist in the development of appropriate programs and facilities to ensure that the bicentennial anniversary of the abolition of the transatlantic slave trade provides a lasting legacy and long-term public benefit;

(F) support and facilitate marketing efforts for the issuance of a commemorative coin, postage stamp, and related activities for observances;

(G) facilitate the convening of a joint meeting or joint session of the Congress for ceremonies and activities relating to the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(H) promote the sponsorship of conferences, exhibitions, or public meetings concerning the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(I) coordinate and facilitate the sponsorship of high school and collegiate essay contests concerning the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States; and

(J) examine reports of modern-day slavery and human trafficking to raise the public's awareness of these matters and ensure such atrocities do not go unnoticed by the people of the United States.

(2) INITIAL REPORT.—Not later than March 31, 2009, the Commission shall submit to the Congress a report containing a summary of the activities of the Commission for 2008.

(c) POWERS OF THE COMMISSION.—The Commission may—

(1) accept donations and gift items related to the transatlantic slave trade, the institution of slavery, and the significance of slavery to the history of the United States;

(2) appoint such advisory committees as the Commission determines necessary to carry out this Act;

(3) authorize any member or employee of the Commission to take any action that the Commission is authorized to take under this Act;

(4) procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements, to carry out this Act (except that any contracts, leases, or other legal agreements made or entered into by the Commission shall not extend beyond the date of the termination of the Commission); and

(5) use the United States mails in the same manner and under the same conditions as other Federal agencies.

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS OF THE COMMISSION.—

(A) BASIC PAY.—Members of the Commission shall not receive compensation for the performance of their duties on behalf of the Commission.

(B) TRAVEL EXPENSES.—Upon approval of the Chairperson, a member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular place of business in the performance of their duties on behalf of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission shall, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform its duties.

(B) EXECUTIVE DIRECTOR.—

(i) QUALIFICATIONS.—The person appointed executive director shall have demonstrated expertise or experience in the study and program facilitation on the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States.

(ii) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the members of the Commission.

(C) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(D) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(f) NON-APPLICABILITY OF FACA.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 5. TERMINATION.

(a) DATE OF TERMINATION.—The Commission shall terminate on December 31, 2009.

(b) FINAL REPORT.—Upon termination, the Commission shall submit to the Congress a report containing—

(1) a detailed statement of the activities of the Commission; and

(2) a final accounting of the funds received and expended by the Commission.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, first of all, let me thank the chairman of the committee, Mr. LANTOS, for moving this bill through expeditiously, and also the cooperation of our friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), for assisting in the moving of this bill through our committee.

Let me say that January 1, 2008, will mark the 200th anniversary of the Act to Prohibit the Importation of Slaves, which effectively ended the legal transatlantic slave trade. I am proud to be the sponsor of H.R. 3432. The Bicentennial Abolition of the Transatlantic Slave Trade Commemoration Commission Act of 2007, is the total title, to honor the victims and survivors of the transatlantic slave trade.

The bill before us establishes a commission to cultivate and preserve the memory of a grave injustice in American history, the transatlantic slave trade, and to mark the trade's conclusion at the hands of our President at that time, Thomas Jefferson.

In the early years of the Republic, the transatlantic slave trade constituted a thriving economic vein of the United States. By 1807, millions of Africans had been captured and transported to the Americas on notorious slave vessels. We may recall ''Roots.'' The 30th anniversary of that is being lived out now, which so vividly showed that era. As a matter of fact, it was the most watched series on television, even today.

Many individuals perished as a result of torture, including rape, malnutrition and disease. Those who survived faced miserable prospects of a lifetime of bondage. Few Americans are aware that captured slaves resisted their enslavement until the bitter end.

During the Middle Passage, enslaved Africans defied their slave masters through nonviolent and violent means, including hunger strikes, suicide, and shipboard revolts, the most historically recognized events taking place on board the *Don Carlos* in 1732 and on board the *Amistad* in 1839, that famous case that was defended by John Quincy Adams, who argued and won the case and had the enslaved people released in Connecticut.

On March 3, 1807, President Thomas Jefferson signed into law the Transatlantic Slave Trade Act, which prohibited the importation of slaves into any port or place within the jurisdiction of the United States. The bill was nothing short of revolutionary. It single-handedly outlawed the longstanding and brutal trade of transporting Africans to the United States.

In commemoration of President Jefferson's act and to explore the impact of the slave trade on the United States, we will move this legislation which is drafted that will establish the 200th Anniversary Commemoration Commission.

This important body will be tasked with the mandate to plan, develop and execute programs and activities appropriate to commemorate the 200th anniversary of the abolition of the transatlantic slave trade, which we will tend to start talking about ''slave trade'' as ''enslaved people,'' which is a new definition that is starting to be used. Slaves are now considered people who were enslaved people.

The mission is timely, and the subject is critical. The United States is a primary voice on trafficking issues today, and we are aware also that the principal advocate for human rights and freedom around the world that we stand so strongly behind. Our Nation's willingness to confront its past and calmly assess the impact of enslaved people on the United States strengthens our ability to serve as an advocate on the international stage. I strongly urge the support of this legislation.

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

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

Mr. Speaker, as the poet Maya Angelo once said, ''History, despite its wrenching pain, cannot be unlived, but if faced with courage, need not be lived again.'' I find these words fitting as we consider H.R. 3432 today.

For over 200 years, countless Africans died in brutal conditions during the so-called Middle Passage, the overseas voyage of their lives to enslavement in America. The United States formally prohibited the importation of slaves nearly 200 years ago, although the institution of slavery persisted in this country for another 50 years afterwards.

This bill will establish a commission to ensure that this important anniversary is appropriately commemorated within the United States and also abroad. In essence, the bill seeks to ensure that all Americans, no matter their age, race, gender, culture, or even religion, are afforded the opportunity to learn more about the institution of slavery and its vestiges so that we may understand this tragic aspect of history.

While we cannot unlive our past, it is hoped that this commission will promote greater tolerance and understanding among all Americans, while shedding light on the fact that slavery still exists in the modern world. Yes, even 200 years after the transatlantic slave trade was abolished, slavery still goes on. It exists through human trafficking and wherever any group of people is systematically robbed of its fundamental human rights.

So I stand in support of H.R. 3432, in the hopes that this commission will help Americans confront the past with honesty, while committing themselves to the eradication of modern-day slavery in all of its forms, no matter where it may be found.

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

Mr. PAYNE. Mr. Speaker, let me once again thank all of those responsible for moving this bill through. As you recall, it was in 1807 that slavery was abolished in England through the work of Mr. Wilberforce, who for 20 years argued against slavery in the British Parliament. A resolution was passed this year by Mr. PITTS commending the abolition of slavery in Great Britain and commending Mr. Wilberforce for his work as a great abolitionist. So we are pleased that this will give us time to commemorate, to investigate, to remember those who had this difficult period of time.

As has been indicated, even though transatlantic slavery was abolished in

1807, slavery continued. As a matter of fact, even in the North, and our State has found records that even after the Emancipation Proclamation and as late as 1866, the last slave was freed in New Jersey. Many people are unaware of the fact that there was slavery in New Jersey, which abolished slavery, but you had to be 25 as a man and 21 as a woman, and any children born of a union had to remain in slavery. Therefore, people remained in slavery up through after the Emancipation Proclamation, which only freed slaves in the Confederacy.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished chairman of the committee. I rise enthusiastically to support the present legislation on the floor, because we have had a rocky time, Mr. Speaker, over the last couple of months, and we have raised in the current light that race and history are not relevant.

I am grateful that the most powerful lawmaking body in the world has now come to the floor to acknowledge the slave trade and all of the ramifications, from its beginning to its ending, because we have been told over the last couple of months that there is no concern to a young African American male still being incarcerated in the State of Georgia and that race is not an issue. We have been told that there is no problem to the existence of the Jena Six, and that race is not an issue. Likewise, we have been told that inequity in our school systems that impact heavily on African American and other minorities is not an issue of race, and many times it is. So to be able to rise to debate this question of recognizing the impact of slavery and the slave trade and its relationship to our international allies and their history with it is extremely important.

Might I, in my comments, as I support the underlying bill, thank the chairman for his leadership. I thank Congresswoman BARBARA LEE. I particularly thank the chairman for his leadership on remuneration.

On the previous bill, very briefly, I would like to acknowledge my support for the remuneration of those families that suffered in the tragedy of the African Embassies, who did not get a response, did not get coverage, did not get a response from the Federal Government for 9 years after this tragic incident where they lost their loved ones.

Mr. Speaker, I thank the chairman of the full committee and other members of the full Committee on Foreign Affairs for understanding that the moneys had to be raised to compensate for the grief and pain that these particular family members now hold dear to their heart. That legislation was long in coming, and it is crucial that we did it under this Democratic majority Congress. We pressed the administration to sign it.

Then I would finally like to comment, Mr. Speaker, that my delay was because we had a hearing, at the same time as this legislation, on Ethiopia. Having just come back from Ethiopia, I know how hard Mr. PAYNE has toiled. I, frankly, am concerned on the recent legislation that I know has just passed that we would have an indictment of a chairperson who has shown nothing but love and affection for the continent of Africa.

I said in my remarks that we need to be big boys and girls. The world arena of diplomacy is a tough business, and we need to be able to have tough love. We need to be able to love the people of Ethiopia and its opportunities, but we likewise need to know that we need to be able to promote human rights, we need to be able to have an independent judiciary, we need to be able to have a move toward democratization and a recognition of the brilliance of Prime Minister Meles.

But we have to address the concerns of the people, and I am grateful that amendments that I offered in that legislation now on the floor were accepted, that we have greater exchange between U.S. and Ethiopian judiciary, that we begin to look at changing property ownership from Ethiopia to the people. I saw that firsthand in Ethiopia. And in the discussion we had in the committee, it is important that we look at the Somalia-Ethiopian border and the people caught up in that crisis and begin to fight for humanitarian rights.

That is crucial. I believe that this legislation that passed just prior to my coming to the floor, I believe the legislation on the terrorist victims whose families were lost in the African Embassies 9 years ago, and this legislation, begins to address nationally and internationally that America understands that this Congress will not abnegate its responsibility to, one, affirm its commitment to the continent of Africa, but also to understand the questions of race, and that race should not be negated for the crisis that we face.

Mr. Chairman, let me thank you for your leadership and also for the acceptance of my amendments regarding the Ethiopian bill. I still, in the name of Mickey Leland, have a love and affection for Ethiopia and will continue to work with a degree of tough love with Ethiopia. I hope that the message that came forward, that you can't be harsh, you have to handle it with kid gloves, is very tricky and that it does not keep us from fighting for those incarcerated, fighting for those who are in need of humanitarian needs, and affirming the value of Ethiopia as it fights with us in the war against terror, and in Sudan. Why should we be afraid to give tough love? It will help the people of Ethiopia. That is what we are looking for.

Ethiopian Americans, bring us your roadmap so that we can work together and make not only the United States the best country in the world, but work with Ethiopia as it aspires to be a shining star of democracy on the continent.

Mr. Speaker, I rise today in strong support of H.R. 3432, the 200th Anniversary Commemoration Commission of the Abolition of the Transatlantic Slave Trade of 2007, which I am proud, along with over 90 of my colleagues, to cosponsor. This legislation recognizes the 200th anniversary of the Transatlantic Slave Trade, and it establishes the rubric from which the Commission, to be known as the "Transatlantic Slave Trade 200th Anniversary Commission," shall be formed.

I would like to thank my distinguished colleague, Congressman PAYNE, for introducing this important legislation, as well as the Chairman of the Committee on Foreign Affairs, Congressman LANTOS, for his leadership on this issue.

Mr. Speaker, though 200 years have passed since the abolition of the Transatlantic Slave Trade, the legacy of slavery continues to have a profound impact on American society. The legacy of social and economic disparity lives on, as do hatred, bias, and discrimination. Despite two centuries of progress, the African American community continues to feel the impact of the Transatlantic Slave Trade, and subsequent years of racism and persecution.

While our Nation has pursued the ideals of liberty and equality for all, there still remain steps that must be taken in order to ensure that even such a dark piece of our Nation's history be preserved and its conclusion at the hand of President Thomas Jefferson be celebrated.

Mr. Speaker, the bill before us establishes a commission to cultivate and preserve the memory of a grave injustice in American history, we must recognize and in some small way try to rectify our past. In the early years of the Republic, the transatlantic slave trade constituted a thriving economic vein of the United States. By 1807, millions of Africans had been captured and transported to the Americas, many perishing as the result of torture, rape, malnutrition, and disease. It was not until March of 1807 that President Thomas Jefferson signed into law "An Act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States," a Congressionally approved bill intended to end the heinous practice of the transatlantic slave trade.

It is in commemoration of President Jefferson's revolutionary act, and to explore further the impacts of the slave trade on our Nation that H.R. 3432 establishes the 200th Anniversary Commemoration Commission. This import commission will be composed of 11 congressionally appointed members charged with the task of planning, developing, and executing programs and activities appropriate to commemorate the 200th anniversary of the abolition of the transatlantic slave trade.

January 1, 2008 will mark the 200th anniversary of the "Act to Prohibit the Importation of Slaves." The United States today serves as a moral compass for the rest of the world and as such we must provide a voice for human trafficking issues. Our willingness to confront our Nation's past and to address the impacts of the slave trade and its legacy on the Unites States strengthens our undeterred commitment to serving as an advocate for human rights and freedom in the international community.

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

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 3432 which establishes the

200th Anniversary Commission of the Abolition of the Transatlantic Slave Trade. It was 200 years ago in 1807, when first the British Parliament and then the U.S. Congress abolished the then 300 year old practice of forcibly removing Africans from their homes along the Western coast of that continent to provide free labor for the empires of Europe in the New World.

The triangular trade would link the peoples of Africa, Europe and the Americas in a chain of blood, power, money, imperialism and despair and set the tone for our modern day relationships as none of our ancestors were left untouched by its sheer brutality.

By the time it was all over, the world's first massive attempt at globalization, would profoundly change it from corner to corner and would leave behind many of the social reverberations of race, class and poverty that we as a world community struggle with today.

As we recognize this momentous anniversary and the way it has shaped the lives of African descendants in the Western Hemisphere, and as one of those descendants I want to take the opportunity to call attention to the end of enslavement of Africans in my own district, the U.S. Virgin Islands, which was then the Danish West Indies. The abolition of the slave trade did not immediately end slavery. It was not until 1848 in response to an uprising by enslaved Africans demanding emancipation that slavery was ended there. It is a day which we celebrate on July 3rd of every year, and this year will be the 160th Anniversary of that important event.

As we approach that anniversary it is relevant to note the dialogue that the people of the Virgin Islands and the people of Denmark have embarked upon regarding reparations—not in terms of monetary compensation, but in education, restoration and reconciliation efforts that can finally close that sad chapter of our history and our relationship. While discussions have not taken place at a government to government level, we anticipate that these will begin in the near future and we look forward to the opportunities this could make available to both sides.

Mr. Speaker, returning to the resolution before us, it is important that we mark the end of this dark period in world history and human relations and that we study and commemorate the events that led up to the beginning, the middle and the end of slavery. It is important that the civic, historical, educational, religious and economic activities planned on the state and national levels be used for the American people to look back and seek understanding of that time and the legacy that it has left behind.

As we commemorate with speeches and conferences and exhibitions, let us remember that there is still human trafficking taking place today and that we should be as adamant and as vigilant as our forbears of 200 years ago, in seeing to its end.

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Mr. PAYNE. 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 Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 3432, 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 establish the Commission on the Abolition of the Transatlantic Slave Trade.''.

A motion to reconsider was laid on the table.

CONGRESSIONAL ACCOUNTABILITY ACT AMENDMENTS

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3571) to amend the Congressional Accountability Act of 1995 to permit individuals who have served as employees of the Office of Compliance to serve as Executive Director, Deputy Executive Director, or General Counsel of the Office, and to permit individuals appointed to such positions to serve one additional term.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3571

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

SECTION 1. PERMITTING FORMER OFFICE OF COMPLIANCE EMPLOYEES TO SERVE IN APPOINTED POSITIONS WITH OFFICE.

Section 301(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(d)(2)(B)) is amended by striking ''legislative branch,'' and inserting ''legislative branch (other than the Office),''.

SEC. 2. PERMITTING ADDITIONAL TERM FOR EXECUTIVE DIRECTOR, DEPUTY EXECUTIVE DIRECTORS, AND GENERAL COUNSEL OF OFFICE OF COMPLIANCE.

(a) IN GENERAL.—

(1) EXECUTIVE DIRECTOR.—Section 302(a)(3) of the Congressional Accountability Act of 1995 (2 U.S.C. 1382(a)(3)) is amended by striking ''a single term'' and inserting ''not more than 2 terms''.

(2) DEPUTY EXECUTIVE DIRECTORS.—Section 302(b)(2) of such Act (2 U.S.C. 1382(b)(2)) is amended by striking ''a single term'' and inserting ''not more than 2 terms''.

(3) GENERAL COUNSEL.—Section 302(c)(5) of such Act (2 U.S.C. 1382(c)(5)) is amended by striking ''a single term'' and inserting ''not more than 2 terms''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to an individual who is first appointed to the position of Executive Director, Deputy Executive Director, or General Counsel of the Office of Compliance after the date of the enactment of this Act.

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.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD on H.R. 3571.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Office of Compliance is an independent agency that was tasked by Congress to oversee the administration of the Congressional Accountability Act, which provides congressional and legislative branch employees with workplace protections enjoyed by other Federal and private sector workers.

Being responsible for the oversight of 12 workplace protection, health care, labor and civil rights laws is a huge task that requires a well-seasoned and experienced staff. Unfortunately, when the Congressional Accountability Act was signed into law in 1995, the law barred the Office of Compliance from promoting from within. This lack of flexibility threatens to impact the effectiveness of the office by preventing them from building on the expertise gained by certain personnel.

This legislation would lift the current ban on hiring former legislative branch employees within 4 years of their appointment to the Office of Compliance, as well as allowing for the reappointment of executive staff for one additional term. Congress passed legislation during both the 108th Congress and 109th Congress to temporarily address the issue of reappointment. Both pieces of legislation, H.R. 5122 and H.R. 3071, were noncontroversial and passed both Chambers unanimously.

Let us continue to provide the Office of Compliance with the tools needed to carry out their mandate of ensuring that all of our workers' rights are protected.

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

Mr. MCCARTHY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3571, which provides needed flexibility for the Office of Compliance to fill critical positions within the office and to maintain institutional knowledge within the office.

The Office of Compliance provides an important function in the legislative branch. It is charged with administering and enforcing the Congressional Accountability Act. The act, one of the first considered and passed by the 104th Congress with the new Republican congressional majority, required Congress to comply with the same employment and workplace safety laws that applied to the private sector, including the Americans with Disabilities Act, Occupational Safety and Health Act, and the Family and Medical Leave Act.

Current law governing the office places limits on the appointment and tenure of the staff and board. These limits, placed in part to preserve the integrity and independence of the office, have unfortunately resulted in the board's inability to fill vacancies with the best-qualified candidates.

In addition, GAO has recommended, and the board agreed, that Congress amend the law to allow for reappointment of board members and staff to an

additional term in the office to maintain institutional continuity and to ''prevent the loss of critical organizational knowledge'' within the office.

This bill is a commonsense adjustment of current law, and I recommend my colleagues support the legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3571.

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.

FEDERAL PROTECTIVE SERVICE GUARD CONTRACTING REFORM ACT OF 2007

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3068) to prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3068

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 Protective Service Guard Contracting Reform Act of 2007''.

SEC. 2. FEDERAL PROTECTIVE SERVICE CONTRACTS.

(a) PROHIBITION ON AWARD OF CONTRACTS TO ANY BUSINESS CONCERN OWNED, CONTROLLED, OR OPERATED BY AN INDIVIDUAL CONVICTED OF A FELONY.—The Secretary of Homeland Security may not award a contract for the provision of guard services under the contract security guard program of the Federal Protective Service to any business concern that is owned, controlled, or operated by an individual who has been convicted of a felony.

(b) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall issue regulations to carry out this section.

(c) IMPLEMENTATION.—In this section, the term ''Secretary'' means the Secretary of Homeland Security acting through the Assistant Secretary of U.S. Immigration and Customs Enforcement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3068.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume, and I would like to note that I am here for the gentlewoman from the District of Columbia (Ms. NORTON) and if she does come in, I will relinquish my duties.

But in the meantime, Mr. Speaker, this bill, H.R. 3068, as amended, is the result of two oversight hearings held by the Transportation and Infrastructure Committee that examined the role of Federal Protective Service, FPS, in providing security for our Nation's public buildings. There was evidence of serious allegations of wrongdoing, chaos, and irregularities in contracting employment of private security guards who protect Federal employees and facilities.

This legislation intends to preserve the security of the country's most sensitive buildings. Due to the security needs of a Federal building, it is surprising that an individual with a felony conviction would hold a contract for security services in a Federal building.

This bill codifies the commonsense approach to providing security for Federal buildings. Specifically, this bill directs the Secretary of Homeland Security not to award any security guard contracts through the Federal Protective Service to any company that is owned, controlled, or operated by a convicted felon. The bill would ensure that contractors are capable, responsible and ethical as required by the Federal Acquisition Regulations.

Contract security officers are a critical component of Federal strategies to protect the safety and security of Federal employees, visitors to Federal buildings and the surrounding community. Given the critical role these guards play in Federal security, this bill will hold owners of companies who provide security to Federal buildings to the highest standards. I urge all Members to vote for H.R. 3068, as amended.

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

Mr. GRAVES. Mr. Speaker, I don't have any other speakers and I am going to talk about the bill, but I know it is Ms. NORTON's bill and she may want to say something before I do. I would reserve the balance of my time and would like to speak after her if that is all right.

Mr. BRADY of Pennsylvania. I ask unanimous consent to relinquish control of the time to the gentlewoman from the District of Columbia (Ms. NORTON).

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I thank the gentleman from Missouri, and particularly thank the gentleman from Pennsylvania in my absence for assuming the responsibility because I was at a hearing on Blackwater.

H.R. 3068, as amended, the Federal Protective Service Guard Contracting Reform Act of 2007, ensures that Federal Protective Service guard contractors are ''capable, responsible, and ethical,'' and those are the words of the regulation. I want to thank Chairman OBERSTAR for facilitating early consideration of this bill, and for the leadership on both sides, including the Subcommittee on Economic Development, Public Buildings, and Emergency Management Ranking Member GRAVES for understanding its importance and for their efforts in support of the bill.

The Federal Protective Service Guard Contracting Reform Act prohibits the Secretary of the Department of Homeland Security from contracting with any security guard service that is owned, controlled or operated by an individual who has been convicted of a felony. The bill would eliminate proxy operation by felons who are relatives, spouses or others.

H.R. 3068, as amended, is a result of two oversight hearings Mr. GRAVES and I held that examined the role of the Federal Protective Service in providing security for the Nation's public buildings. There was evidence of serious allegations of wrongdoing, chaos and irregularities in the contracting and employment of private security guards whose mission it is to protect Federal employees and facilities.

Our subcommittee worked closely with appropriate Department of Homeland Security officials to eliminate the backlog in payments to guards and to correct FPS mismanagement that risked the security of Federal employees and visitors. FPS guards, like guards employed by the Federal Government, these security guards are used on our most sensitive buildings, including here in the Nation's Capital and the National Capital region where your most secure facilities are located.

Therefore, it was surprising to learn that an individual with a felony conviction would hold a contract for security services in a Federal building, especially here, but frankly anywhere in the United States in the post-9/11 climate.

It was clear that this bill was necessary when our subcommittee learned at a hearing in June that an FPS security guard contractor had failed to pay 600 D.C. area Federal security officers and to make other important benefit payments to pensions, health benefits and the like. Our subcommittee intervened when an action by the FPS and the Immigration and Customs Enforcement, a division of DHS where FPS is placed, was reported to us.

The effects on the security of employees, visitors and the Federal agencies alike could not be ignored in today's post-9/11 climate.

We are indebted to the contract security officers who continue to work to protect Federal workers, the visiting public and the work sites, as well as to their unions. As a result of the subcommittee's June hearing, we learned that an individual who had served 5 years in prison for money laundering and fraud was a de facto owner of a private security business despite Federal law barring felons from owning companies that do business with the Federal Government. In fact, it was the felon, not his wife, who came forward to defend the company after it failed to pay the 600 D.C.-based guards despite receipt of funds for payment from the FPS. His testimony concerning his operational control of the company was nothing short of a case study in evasion of existing law by taking advantage of obvious loopholes.

□ 1330

His company has, of course, since been dismissed. H.R. 3068, as amended, strengthens existing requirements and prohibits all proxy ownerships by felons, including control or operation by an individual who has been convicted of a felony.

H.R. 3068, as amended, reminds us that we must not lose sight of the mission of private contract guards who serve the Federal Government to guard Federal employees and sites as vital as nuclear plants and military posts against terrorism and crime. The example of unpaid contract guards and apparent misuse of Federal funds that had been directed to pay them demonstrated why these contractors must be required to have a satisfactory record of integrity and business ethics. H.R. 3068, as amended, codifies this important requirement.

I urge my colleagues to support this bill.

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

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

Mr. Speaker, H.R. 3068, introduced by Subcommittee Chairwoman NORTON, adds an additional level of security to our Federal buildings by prohibiting the Federal Protective Services from awarding contracts to convicted felons.

I would like to commend Chairwoman NORTON for her commitment to the security of Federal buildings, government employees and visitors. She probably has more than anybody else in the House.

The protection of the employees and visitors at Federal buildings remains a high priority. This legislation will increase the standards of safety and security for Federal properties across this country.

The Federal Protective Service serves as one of the first lines of defense for our Federal buildings. We entrust the security of Federal courthouses and buildings and their employees and visitors to FPS personnel. From day-to-day security screening, to protection from riots and terrorist attacks, the FPS force plays a vital role in facilitating the work of the Federal Government.

The Federal Protective Service employs more than 1,000 trained employees and more than 15,000 contract security guards. H.R. 3068 prohibits FPS from contracting with security firms that are owned or operated by convicted felons. It's a very simple measure. The security of Federal buildings must be managed by those that have the best interests of the American people in mind.

This legislation will ensure the integrity of the forces protecting our Federal buildings, and I urge my colleagues to join me in supporting H.R. 3068.

Mr. Speaker, I think this is a fantastic idea, and again, I want to applaud Chairwoman NORTON for the work that she's done on this, again, to push it through.

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

Ms. NORTON. Mr. Speaker, I thank the gentleman for his kind words to me and for his work with me on the committee.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 3068. This bill represents an important step in ensuring the safety of Federal employees and all those who work in and visit our Federal buildings.

I thank the Delegate of the District of Columbia (Ms. NORTON), chair of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, for bringing this issue to the attention of the Committee on Transportation and Infrastructure and for quickly developing and advancing, in a bipartisan manner, a remedy.

On April 18, 2007, the committee held a hearing entitled "Proposals to Downsize the Federal Protective Service and Effects on the Protection of Federal Buildings". The hearing probed the Department of Homeland Security's plans to cut the presence of Federal Protective Service, FPS, officers nationally. The reliance on contract security guards to protect Federal buildings is a troubling trend.

H.R. 3068 prohibits the award of contracts to provide guard services under the contract security guard program of the FPS to any business that is owned, controlled, or operated by an individual who has been convicted of a felony. The bill directs the Secretary of Homeland Security to promulgate regulations within 6 months to implement the provisions of this act.

This bill offers a common sense way to ensure that security contracts that provide an essential service are awarded only to contractors who are "capable, responsible, and ethical" as required by the Federal Acquisition Regulations.

I support this bill and urge its passage.

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

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. 3068, as amended.

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

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 1 o'clock and 33 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. JONES of Ohio) at 3 p.m.

EXPRESSING SENSE OF CONGRESS REGARDING THE IMMEDIATE AND UNCONDITIONAL RELEASE OF DAW AUNG SAN SUU KYI

Mr. LANTOS. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 200) expressing the sense of Congress regarding the immediate and unconditional release of Daw Aung San Suu Kyi, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 200

Whereas on August 15, 2007, Burma's ruling military junta, the State Peace and Development Council (SPDC), cancelled fuel subsidies resulting in the quintupling of the price of fuel which had an immediate and damaging impact on the living conditions of the Burmese people and Burma's already devastated economy;

Whereas on August 19, 2007, in reaction to this crippling measure, prominent student and democracy leaders peacefully took to the streets in Rangoon and elsewhere to protest the draconian action of the military junta in Rangoon; during the subsequent weeks, protests continued in Rangoon, and spread to other cities and towns throughout Burma, including Mandalay, Sittwe, Pakokku, Tounggok, Yehangyaung;

Whereas the growing numbers of protestors peacefully demanded democratic reforms and the release of 1991 Noble Peace Prize Winner Daw Aung San Suu Kyi and all political prisoners and prisoners of conscience;

Whereas Buddhist monks actively participated and increasingly led these peaceful demonstrations, culminating in an estimated 100,000 people marching through Rangoon on September 24, 2007; in response to this largest protest since the 1988 demonstrations which were brutally crushed by the Burmese military by firing on unarmed civilians, the Burmese regime threatened to "take action", indicating the junta's willingness to significantly increase the level of violence used against the Burmese people;

Whereas on September 25, 2007, the Burmese junta imposed a 60-day (9pm-5am) curfew and a ban on gatherings of more than

five people and moved military forces into strategic locations;

Whereas on September 26, 2007, the Burmese military opened fire on protesting crowds who bravely continued to peacefully demand democratic reforms; the continuing vicious attacks on Buddhist monks and other peaceful protesters, who were simply demanding human rights, democracy, and freedom, led to the reported deaths of 200 people and hundreds of injured to date; democracy and human rights groups further estimate that over 2,000 individuals have been arrested, imprisoned, or tortured as part of this violent crackdown;

Whereas members of the international and Burmese media covering the protests, including a Japanese photojournalist, have also been killed, injured, or imprisoned by the Burmese Government;

Whereas the Burmese military junta tried to hide from the world community its indiscriminate attacks on peaceful protestors by severely restricting the use of the Internet, phone lines, and radio and television equipment, making it extremely difficult to gauge the full extent of the government's crackdown on Buddhist Monks and other peaceful demonstrators;

Whereas on September 27, 2007, the United Nations Security Council held an emergency session in response to the brutal crackdown and Special Envoy Ibrahim Gambari updated the Security Council on the situation in Burma; as a result of the Security Council meeting, United Nations Secretary General Ban Ki-moon ordered Special Envoy Gambari to visit the region; on September 30, 2007, Special Envoy Gambari arrived in Burma and was able to meet with Daw Aung San Suu Kyi;

Whereas the Burmese regime has mobilized all its resources, including armed soldiers stationed in all strategically important locations throughout the country, including religious centers, and has made it impossible for peaceful protesters to gather;

Whereas the rapid growth of spontaneous demonstrations into the largest Burmese protests in the last two decades should not come as a surprise given the human rights record of the regime over the past two decades;

Whereas the ruling military junta in Burma has one of the worst human rights records in the world and routinely violates the rights of Burmese citizens, including the systematic use of rape as a weapon of war, extrajudicial killings, arbitrary arrests and detention, torture, as well as slave and child labor;

Whereas the Burmese regime has destroyed more than 3,000 ethnic villages, displaced approximately 2,000,000 Burmese people, more than 500,000 of which are internally displaced, and arrested approximately 1,300 individuals for expressing critical opinions of the government;

Whereas in 1990, the State Law and Order Restoration Council (SLORC), the military junta in Burma, which renamed itself the State Peace and Development Council (SPDC) in 1997, nullified the victory of the National League for Democracy (NLD);

Whereas NLD leader Daw Aung San Suu Kyi was not allowed to assume the office of Prime Minister and was subsequently placed under house arrest;

Whereas Daw Aung San Suu Kyi was released in July 1995, yet once again placed under house arrest in September 2000;

Whereas following a second release, Daw Aung San Suu Kyi and several of her followers were attacked by a government-sponsored mob on May 30, 2003, and she was then imprisoned at Insein Prison in Yangon;

Whereas on May 16, 2007, more than 50 world leaders sent a letter demanding the release of Daw Aung San Suu Kyi, a demand repeated by United Nations Secretary-General Ban Ki-moon, 14 United Nations human rights experts, the European Union, the United States, the Association of Southeast Asian Nations (ASEAN), and the foreign ministers of three ASEAN member states, yet on May 27, 2007, her detention was extended; and

Whereas for her non-violent struggle for democracy and human rights, Daw Aung San Suu Kyi received the Nobel Peace Prize in 1991: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) condemns the despicable crackdown on peaceful protesters in the strongest possible terms and demands that the Burmese junta end its violent crackdown on dissent;

(2) demands that the People's Republic of China and other countries that provide political and economic support to Burma's military junta end such support until the Burmese regime's violent campaign against peaceful protest has ceased and the Burmese Government has fully met the political demands of the Burmese opposition;

(3) firmly insists that Burma's military regime begin a meaningful tripartite political dialogue with Daw Aung San Suu Kyi, the National League for Democracy, and ethnic nationalities toward national reconciliation, and the full restoration of democracy, freedom of assembly, freedom of movement, freedom of speech, freedom of the press, and internationally recognized human rights for all Burmese citizens;

(4) demands the immediate and unconditional release of Daw Aung San Suu Kyi, detained Buddhist monks, and all other political prisoners and prisoners of conscience;

(5) calls on governments around the world, including the nations of the European Union and the Association of Southeast Asian Nations (ASEAN) to severely tighten their sanctions regimes against Burma, including through the imposition of import bans such as maintained by the United States, with the goal of denying the Burmese ruling junta with hard currency to continue its campaign of repression;

(6) calls on the United Nations Security Council to immediately pass a resolution imposing multilateral sanctions on Burma's military regime, including a complete arms embargo, and to take other appropriate action to respond to the growing threat the State Peace and Development Council (SPDC) poses in Burma;

(7) calls on the United States Government to work with its global partners to bring to justice those Burmese military and government leaders who have ordered or participated in any massacre during or after the protests, or who may be guilty of crimes against humanity; and

(8) calls on the members of ASEAN to immediately suspend Burma's membership in such organization as a response to the violent crackdown on political protesters.

SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LANTOS. Madam 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 concurrent resolution under consideration.

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

There was no objection.

Mr. LANTOS. Madam Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume.

Madam Speaker, the images from Burma that have flashed across our television screens over the past two weeks have stirred the conscience of the entire civilized world. Buddhist monks draped in their simple crimson robes, peacefully gathering to press for change. Rangoon citizens pouring from their homes to join their holy men, their numbers swelling to over 100,000. Sandals hurriedly abandoned in the road as peaceful marchers were chased away by baton-wielding police. Soldiers firing automatic weapons into unarmed crowds. The charred body of a Buddhist monk, slain by the ruling junta, lying face down in a pool of dirty water stained crimson with his innocent blood.

These indelible images, Madam Speaker, will not soon fade, nor will the anguished cry to us made by the leader of the Burmese Democratic movement, Noble Laureate Aung San Suu Kyi, and I quote her: ''Use your liberty to promote ours.''

So today, Madam Speaker, we use our liberty here in the Congress of the United States to condemn the violent crackdown on dissent in Burma. We use our liberty to call for the release of Aung San Suu Kyi, the imprisoned Buddhist monks, and all other Burmese prisoners of conscience. And today we use our liberty here in the Congress of the United States asking our friends in Asia and Europe to join us in using economic leverage to promote democratic change in Burma.

Since the last bloody crackdown in Burma 17 years ago, we in the United States have led the way in imposing tough economic sanctions against the ruling junta. Each year, I ask my colleagues to join me and my good friend PETER KING of New York in renewing import sanctions against Burma, and each year this Congress, under both Republican and Democratic control, has responded overwhelmingly to our request.

But Burma's elite will only feel the economic squeeze when other countries join us. The enormous flow of aid and trade from China to Burma, not to mention China's political support for the regime in the United Nations Security Council, must come to an abrupt end. The military packages for Burma offered by the world's largest democracy, India, must be removed from the table. And our friends in ASEAN, the Association of Southeast Asian Nations, who have begun to speak out for democratic change in Burma, must move beyond words and suspend Burma's membership in this very important regional organization.

Madam Speaker, when the generals run out of cash, change will come to

Burma. When military officials cannot send their children to be educated abroad, change will come to Burma. And when the Burmese officials are no longer welcome at the table of ASEAN, change will come to Burma.

And to those Burmese military officers who are on the fence deciding whether to join in the violent campaign of repression or to refuse orders to kill and torture your fellow citizens, I have a simple message: Do the right thing. As in Germany, as in Rwanda, as in Yugoslavia, those who commit war crimes will be brought to justice before an International Criminal Tribunal. Put yourself on the right side of history.

The crimes committed by this junta, Madam Speaker, stretch far beyond the atrocities of the past few days. This regime has systematically used rape as a means of war against ethnic minorities. Recently released satellite images show that it has burned and destroyed entire villages. And since the regime nullified the democratic elections in 1990 won by Aung San Suu Kyi, it has arbitrarily arrested and tortured dissidents, real and imagined, by the thousands.

Just a few days ago, the world caught a brief glimpse of Aung San Suu Kyi peaking out of the gate of her home, which has become her virtual prison. Today, we stand with Aung San Suu Kyi, this courageous woman, demanding her freedom, demanding the freedom of all those prisoners of conscience in Burma, and demanding far-reaching democratic change.

Change will not come overnight to Burma, but it will come, and it will be my great pleasure to join our distinguished Speaker, NANCY PELOSI, a true champion for human rights around the globe, in witnessing the inauguration of Aung San Suu Kyi as the true prime minister of a free Burma.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

First of all, let me thank Congressman KING for offering this very important resolution, and my good friend and colleague, Chairman LANTOS, for bringing this to the floor, as well as ILEANA ROS-LEHTINEN, who serves very admirably as the ranking member.

This is a very important and very timely resolution. Chairman LANTOS has been speaking out on behalf of Burma and human rights in Burma for years, and this today is another expression of our collective bipartisan support for the beleaguered pro-democracy activists in that country.

Madam Speaker, the shocking, unprovoked actions of Burma's brutal regime in recent days are part of a long history of repression by that country's dictators. The wanton bloodshed, Tiananmen Square-like, was just another serious manifestation of hate and cruelty by the junta in Rangoon.

Members will recall, that in 1988 Burmese military forces slaughtered several thousand peaceful demonstrators, sending even more into hiding in the hills and border areas. The military regime took no heed of international criticism of these crimes and continued to suppress the most basic freedoms of its people.

When the National League for Democracy won control at the ballot box, the generals nullified that election and harassed, tortured and killed parliamentarians and pro-democracy activists. They also harassed, incarcerated and put under house arrest Nobel Peace Prize winner Aung San Suu Kyi, one of the greatest people on Earth.

Meanwhile, in 1998, Madam Speaker, a 19-year-old student from my district, Michelle Keegan, traveled to Burma to commemorate in a peaceful way with other pro-democracy activists the 10th anniversary of those 1988 massacres. She and others were locked up, convicted and sentenced to 5 years imprisonment. Her only crime was to distribute pamphlets calling for democracy in Burma. As a matter of fact, it was a very small business card. Very small. They handed those out, and for that she got 5 years.

I travelled to the region at the time in an effort to help negotiate the release of these young people, including my constituent. I repeatedly was denied a visa to enter Burma, but from Bangkok remained in close contact with the U.S. Embassy in Rangoon, and others as we were pressing for the release of Ms. Keegan and the five other Americans.

Together, along with family members of the detainees and others, we made these dictators understand that the whole world, including the U.S. Congress and the American people, were watching and would somehow hold them accountable. In response to international pressure, the government soon released them and then expelled them from the country. She and those other Americans were the lucky ones. Others from other countries regrettably spent long periods of time in jail.

Sorry to say, the members of the junta in Rangoon are not people who readily listen to reason. This body has addressed the situation in Burma several times over the years. I chaired a hearing on human rights abuses in Burma in September of 1998, and we shed further light on these issues in February of 2006 at a hearing entitled ''Human rights in Burma. Where are we now and what do we do next?''

Clearly we need to do more. Yes, we have sanctions. Chairman LANTOS is the prime sponsor of legislation imposing sanctions on Burma. But, unfortunately, the other countries, the ASEAN countries and other countries of the world, have not followed suit the way they ought to.

We need to be united in this effort. That is when we will get the junta to stand up and take notice, especially when the PRC does something other than enable and facilitate these abuses.

Madam Speaker, now as the courageous Burmese people again dare to demonstrate peacefully for change in their society, the junta has once again unleashed the military, killing more of their people and imprisoning at least 700 Buddhist monks and 500 others. Former prisoners in Burmese jails have told us at hearings and at meetings of the torture, humiliation and deprivation that they experienced.

One called it the closest thing to hell on Earth that he could imagine. We have good reason to fear that those who are arrested in recent days, that they too now are spending time in hell.

So we have a duty, Madam Speaker, an obligation, to speak out in the face of these outrages. We need to call in the strongest way possible for the restoration of democracy and the restoration of human rights in Burma and the unconditional release of Aung San Suu Kyi.

Those with interests in Burma, especially the Chinese government, would like to turn a blind eye to these continuing abuses. China may be happy to have another egregious human rights abuser in the spotlight deflecting attention as it prepares to host the world for the Olympics amidst its own repression. But we must hold the Chinese accountable, as well, at home and abroad, and they need to step up to the plate and do what they can to stop this terrible repression in Burma.

□ 1515

Madam Speaker, I wholeheartedly endorse this resolution. I ask my colleagues and the global community to act to end the suffering in Burma and bring about democratic reforms that the Burmese people so desperately desire.

Madam Speaker, I reserve the balance of my time.

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

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the author of the resolution, the distinguished gentleman from New York (Mr. KING).

Mr. KING of New York. Madam Speaker, I am proud to stand today in support of H. Con. Res. 200. Let me thank at the outset Mr. SMITH for the work he has done for so many years for the cause of human rights in so many countries, often at great risk to himself. I thank him for that, and we all admire him for his tenacity. I have a special regard for the chairman of the committee, Mr. LANTOS, who is cosponsoring this resolution with me and has been such an outspoken advocate of freedom and human rights in Burma for so many years. Even when it is not on the television screens and the eyes of the world are not watching, Mr. LANTOS has been there, dedicating himself to this issue; and I have been privileged to be able to work with him on this.

Madam Speaker, as terrible as the atrocities have been in Burma over the past 6 to 7 weeks, the fact is this is unfortunately merely an extension of the

type of tyrannical behavior which has characterized the junta in Burma for almost two decades now. This is a junta which tramples upon human rights. They use rape and torture and murder as an instrument of policy.

When we see the hundreds of innocent, freedom-loving people who have been murdered over the past several weeks, who have been tortured and arrested and abused, when we see the innocent Buddhist monks who have been shot down, when we see that communication into and out of Burma has been shut off by the junta, we can only assume the worst.

That is why it is incumbent upon the international community to speak with one voice, as we are speaking with one voice here in Congress. This is not a Republican or Democratic issue, or majority or minority issue. It is a world issue, an issue of human rights. For all of these years Daw Aung San Suu Kyi has been in prison or under house arrest and now imprisoned again, she has become a symbol of that fight. When we talk about symbols, often we forget these are real human beings who are paying the price for being symbols of freedom and justice and who are willing to put their lives and their freedom on the line.

That is why this resolution calls for her release and the release of all of the political prisoners and an end to the repressive actions of the Burmese junta. In saying this, as Mr. LANTOS and Mr. SMITH have said, yes, the United States has been at the forefront of this. But it is so important for neighboring countries now to step forward, especially China and India.

When we think of China, which is going to be hosting the Olympic Games and is trying to clean up its image in the eyes of the world, is attempting to project itself as a true country on the world scene, the fact is if China continues in any way to support Burma, to be silent in the face of what the junta is doing, it really puts a cloud and a tarnish over whatever image China is attempting to establish for itself. And that will be kept in mind by world governments as we approach the Olympic Games next year. So it is essential that China step forward and work with the world community, work with the United States, work with the United Nations, work with countries in the region to put pressure on the junta in Burma to ease, stop and, end its oppressive tactics.

As Mr. LANTOS said, we are also sending a very clear signal to the military leaders, the officers, in Burma who are part of this junta, telling them that the world will hold them responsible for what they do. The world will hold them accountable.

As Mr. LANTOS knows better than anyone in this House, we saw what happened when military leaders in Germany felt they could go forward and do what they were ordered to do and carry out those atrocities against innocent people. Nuremburg showed that is not a permissible defense. Similarly, it will not be a permissible and acceptable defense for the military leaders in Burma who continue to carry out these atrocities. They just can't say, We were following orders.

So our message to Daw Aung San Suu Kyi is that we stand with you. Our message to the Buddhist monks is we stand with you. Our message to the oppressed people of Burma is that we stand with you. And our message to the Government of China is we are watching what you are going to do as far as putting pressure on the junta. And our message to the military leaders in Burma is the world is watching you and will hold you accountable and will know what you did. You will face justice when this is over, depending on whether you did the right or you continued to carry out the atrocities ordered upon you.

So with that, I strongly urge the adoption of H. Con. Res. 200. I applaud the fact that the House of Representatives is speaking with one voice. We have put partisanship aside. We stand as one and have put differences aside. I thank Mr. LANTOS and Mr. SMITH for the leadership they have shown over the years. I urge adoption of the concurrent resolution.

Mr. SMITH of New Jersey. Madam Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Madam Speaker, I thank the gentleman from New York, as well as Chairman LANTOS, for his leadership on this issue.

Fort Wayne, Indiana, my hometown, is estimated to have 2,000 or 3,000 people from Burma, the greatest number of refugees from Burma in the United States. Many are coming in directly. Many are coming through Washington and Los Angeles and heading to Indiana because of our job situation. It is important to note because as Americans become more internationally aware, just like in Iraq there are different groups, and in Afghanistan there are different groups, it is important to say ''people of Burma'' because the Mon and other subgroups were persecuted by the Burmese inside Burma.

What they all agree on is the current situation in Burma is intolerable. The violent suppression of Buddhist monks and the peaceful demonstrators in Burma, they want the immediate, unconditional release of Daw Aung San Suu Kyi who is their elected leader. They all know she is the elected leader. Regardless of the differences they have in their country, they elected a leadership and worked together, like what we are trying to do in Iraq and like what we are trying to do with the different tribes in Afghanistan. They chose a leader, and then the leader was locked up.

In 1990, Daw Aung San Suu Kyi was rightfully elected, and the junta placed her under arrest. This has been going on for 18 years. She has been locked up for 12 of the 18 years since the election.

In Fort Wayne, I hear many stories as I talk to individuals who have talked to their relatives who have lived in concentration camps, in effect, more refugee camps; but at times they felt both abused by the Thai Government that wants to move them back to Burma, by the Burmese Government that is trying to chase them out. They have been abused in the camps. They have been raped in the camps, and they have had their money stolen in the camps.

We have a huge challenge in America, and it is speaking to broader questions than just Burma, which is how to handle situations, because our area has also become in the top three of refugees from Darfur. One of the challenges we are having is Catholic Social Services has come to me and said we don't have the support system to handle, and the State Department has come back and said what do you want to do, leave the people in the refugee camps? They aren't doing well in the refugee camps.

We have to understand that we no longer live in an isolated world. What happens in Burma and the demonstrations you are seeing in Burma and the persecution of the people in Burma, the terrible tragedies in Darfur, what happens in Iraq and Afghanistan impacts all of us. It impacts us in our hometowns. If we are going to be the Nation that welcomes immigrants, there is only so much we can handle, and we need to put international pressure on some of these countries to handle their own regional problems. This resolution helps us move in that direction.

They have to have changes in Burma. It is not only unfair to the people who come to the United States; it is unfair to the people trapped in the camps. It is unfair to the monasteries being emptied out in Burma, and it is unfair to the people being persecuted throughout Burma. If we don't stand up and force some changes for human liberties in Burma, we are going to face another type of catastrophe like is happening in Darfur while the world watches.

Mr. LANTOS. Madam Speaker, before yielding to our distinguished Speaker, I would like to say a word comparing our Speaker to the subject of this resolution, Daw Aung San Suu Kyi.

These are two extraordinary women of deep courage and commitment, but there is one profound difference in their political lives: when Members of this body elected NANCY PELOSI as Speaker of this House, she assumed that position. When the people of Burma elected Daw Aung San Suu Kyi to serve as their Prime Minister, she was subjected to onerous imprisonment and persecution for almost two decades.

It gives me a great deal of pleasure and pride to yield such time as she may consume to the Speaker of the House of Representatives, an indefatigable fighter for human rights and the champion of a fellow woman political leader, Daw Aung San Suu Kyi.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me this time and thank him for his leadership in bringing this resolution to the

floor. I thank him for mentioning my name in the same breath with Daw Aung San Suu Kyi. You compliment me, Mr. Chairman. You and I know that the sacrifice she has been making for so many years is incomparable, really, in the world.

For many years, many of us, CHRIS SMITH, DANA ROHRABACHER, JOHN PORTER when he was here, worked on this issue for a very long time. JOHN PORTER and Chairman LANTOS co-chaired the Human Rights Caucus, and the issue of Daw Aung San Suu Kyi and repression in Burma was and has been an important priority for them.

So today we are coming together again following this horrible crackdown in Burma, and I am pleased to rise in support of the resolution condemning that crackdown on the peaceful protesters in Burma and calling for the immediate release of Burma's democracy leader, a Nobel Peace Prize recipient, Daw Aung San Suu Kyi. I thank Mr. LANTOS for bringing this resolution to the floor.

Daw Aung San Suu Kyi for many decades has been a leader on this issue. She won the last democratic election in 1990 and has spent the last decade under house arrest away from her husband and her two children. Who in the world could have the courage and strength that she has had? When her husband was ill and was in the United Kingdom for his treatment, she could not visit him. When he passed away, she could not attend his funeral. Imagine the personal sacrifice of this great leader. Imagine the turmoil within her. But she understood that the democracy for all of the people of Burma was more important than the personal needs that she had for her family. What greatness.

She has seen her supporters beaten, tortured and killed; and, yet, she has never responded with hatred and violence. All she ever asked for was peaceful dialogue.

Others have mentioned some of the provisions of the legislation, and I think it is important to continue to mention them: condemn the crackdown. Mr. KING particularly emphasized the role of China in all of this. And, yes, we should act in a bipartisan way, Mr. KING.

This resolution demands that the People's Republic of China and other countries that provide political and economic support for Burma's military junta end such support.

This resolution firmly insists that Burma's military regime begin a meaningful tripartite political dialogue with Daw Aung San Suu Kyi, the National League for Democracy, and ethnic nationalities; demands the immediate unconditional release of Daw Aung San Suu Kyi, detained monks and other political prisoners and prisoners of conscience; calls on governments around the world, including the nations of the European Union and the Association of Southeast Asian Nations, to severely tighten their sanctions regime against Burma; calls on the United Nations Security Council to immediately pass a resolution imposing multilateral sanctions on Burma's military regime.

Of course, this cannot happen without China's cooperation on the Security Council. That is why their role is so important. It is also important because of the role they have played in propping up the junta. I am disappointed but not surprised that China is using its veto power at the United Nations Security Council to block the condemnation of the recent crackdown. For many years, the Chinese Government has helped prop up the Burmese, I think of them as thugs, but the Burmese regime, by blocking multilateral sanctions and providing substantial economic and military assistance to the Burmese Government.

China is Burma's largest trading partner, and it is estimated that China controls more than 60 percent of the Burmese economy and has provided close to $3 billion in military aid since the early 1990s.

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Simply said, the Burmese regime would not have the strength and power that it has absent the support of China. We're calling on China to use its influence to bring about a political negotiation with the pro-democracy activists. This is a golden opportunity for China to show that it can be a force for peace and stability in the world.

In the last few weeks, we all know that we've seen an extraordinary turn of events in Burma. This has been there for a long time. The repression has been there for a long time, but in these last few weeks, courageous people led by Buddhist monks have taken to the streets to stand up to a corrupt, illegitimate military regime that has repressed the country for nearly 20 years.

The ruthless crackdown is outrageous, and the international community must not stand by while peaceful protesters are arrested, beaten and murdered.

Let there be no doubt that the United States stands with the freedom-seeking people of Burma in their just cause.

President Bush is to be commended for supporting tougher sanctions on those responsible for the gross violations of human rights. We can and should go further in bringing diplomatic pressure to bear on the regime. I know we all look forward to working closely with the President on this as we go forward.

And so I again commend Aung San Suu Kyi as years ago, she called on individuals, organizations and governments to support Burma's democracy movement, and at that time, she said please use your liberty to promote ours.

Today, on the floor of the United States House of Representatives, we are doing just that. I commend Aung San Suu Kyi for her courage and her leadership. The people of Burma are rising up and demanding their country back. The world must meet this challenge to our conscience.

I thank again Mr. LANTOS and Mr. SMITH and all of my colleagues, in a bipartisan way, in support of democracy in Burma.

Mr. SMITH of New Jersey. Madam Speaker, we have one remaining speaker. I yield such time as he may consume to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, I would like to thank Speaker of the House PELOSI. Over the years we have worked, along with Chairman LANTOS, on many human rights issues, and it has always been the people of Burma that were the most inspiring of those people that we sought to stand with over the years in these human rights causes that have unified us and Congressman SMITH and so many others in this body.

Chairman LANTOS again, of course, has provided such leadership. His life, of course, is exemplary of a person who holds such values as human rights and democracy and that we hold dear and affirm today.

Today, the Congress of the United States speaks with one voice. The people of Burma, we are on your side. Be courageous. You are not alone.

To the gangsters in uniform who have held the people of Burma in bondage for decades, you will be held accountable. Now is the time to join with the people of Burma. If, instead of joining them and trying to build a new Burma, that you bloody your hands even more, you will be held accountable. Your bank accounts will be frozen and you will be arrested for crimes against humanity if you leave your country.

And I can promise that those of us who hold dear human rights in this Congress will not rest until those actions are taken against you as individuals if you are committing these crimes against the people of Burma.

We call on those in the Burmese military, who take orders from the gangster regime that runs that country, we call on them to change sides. Now is the time for the Burmese military to join the people of Burma in creating a democratic and free society.

The military clique that gives orders to the military of Burma has no lawful authority. They are criminals. They are the criminals who have made deals with the government in China to steal Burma's natural resources and to impoverish the people of Burma in the process.

Let us not overlook the role of China in this crime. China has provided the military junta in Burma with over a billion and a half dollars of military aid over the last few years. It is the government of China that has enabled this monstrous dictatorship to hold 50 million people in bondage. It is China which has blocked the actions of the United Nations to stop the junta slaughter of Burmese monks and other peaceful demonstrators who, right as

we speak, are losing their lives in the cause of human freedom.

I ask my colleagues to support my efforts and others' efforts who have come here. We have several people who have already cosponsored a resolution to hold China accountable for what they are doing in Burma. This is only a taste of what we're going to experience around the world as China becomes a monstrous power in this planet. We have built up their economy. We have not only permitted them to become a powerful force in the world; we have subsidized the growth of power of this Chinese monster that now not only supports Burma, but is involved with the genocide in Darfur.

The United States should not be participating in an Olympics that is being hosted by a regime that commits genocide in Darfur and Burma.

Finally, let us today remember Aung San Suu Kyi. She represents not just the people of Burma, but she is the one who represents the higher aspirations and the higher ideals of humanity. She has suffered for many long decades peacefully in her home. Now, she has been taken from house arrest and sent to a prison. We do not know what fate she is suffering. We know that she is in the hands of murderers. We know she is in the hands of people who torture and would slaughter peaceful monks in the streets. So our hearts go out to her, and we keep her in our prayers, but we also suggest that if anything happens to Aung San Suu Kyi, the rise of anger will be heard not only from Washington but from around the world, for every decent and freedom-loving person will rise up. So those criminals who now slaughter the monks on the streets of Rangoon should understand that we are watching and the whole world is watching, and we speak with one voice.

Mr. LANTOS. Madam Speaker, I am pleased to yield 2 minutes to our distinguished colleague from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this resolution and for the leadership of his Foreign Affairs Committee in bringing this forward.

Madam Speaker, one of the most inspiring events of my life was being able to spend an afternoon with Aung San Suu Kyi in her compound in Burma with my son and daughter. Having a chance to meet this gentle woman, a clarion voice for democracy, for human rights, a strong and steadfast beacon for the 50 million people. Burma, a country that a generation ago was poised to be one of the bedrocks of that area in southeast Asia, a country that is rich in natural resources, with a gentle and sophisticated people have been taken over, as my colleagues have mentioned, by a gang of thugs. The Burmese have suffered untold privation, brutality by the regime as symbolized by their treatment of this gentle woman who was appropriately awarded the Nobel Peace Prize. It is time for us not only to speak resolutely but for us to work behind the scenes and overtly with countries like China, India and Thailand that can, in fact, have a significant influence on the behavior of the government in Burma. We must work for the Asean countries and speak with one voice about the intolerable behavior that is being evidenced by this regime.

There are many areas that the United States is involved with internationally where there isn't a consensus, where Members on this floor will debate with themselves and disagree about the best path forward. Yet as it relates to Burma, I think there is no debate. There is no confusion. There is no division. We need to speak as one. We need to work to fashion that international consensus. We need to make sure that we use every resource possible to put the spotlight on the problem, and help save the Burmese people.

Mr. SMITH of New Jersey. Madam Speaker, we have no further requests for time, and I yield back the balance our time and urge a strong ''yes'' vote for this resolution.

Mr. LANTOS. Madam Speaker, before yielding back our time, I would like to make mention of a visit I had yesterday afternoon from the ambassador of China on the subject of Burma.

We had a long and difficult discussion. The Chinese Ambassador outlined for me the various steps his government has taken in recent days to deal with the crisis in Burma. I pointed out to him that gestures are not enough, that with the enormous leverage China has over Burma, China must take serious, substantive measures to compel the Government of Burma to give back the freedom to its own people and her freedom to Aung San Suu Kyi, the legally elected leader of Burma.

I call on the Government of China, just a few months short of the opening of the Beijing Olympics, to do the right thing, to exert its enormous influence on behalf of the people of Darfur, on behalf of the people of Burma, and by inviting His Holiness, the Dalai Lama, for a dialogue in Beijing. Nothing would make the climate for the opening of the Beijing Olympics more positive and salutary than a serious dialogue between the Government of China and the Dalai Lama.

There have been so many negative developments from China's point of view in recent times: the selling of food, the selling of tooth paste, the selling of children's toys, all of them dangerous to consumers in this country. There is a deep concern here that China's insatiable appetite for raw materials closes their eyes and minds to human rights violations across the globe, from Darfur to Burma.

This is a glorious opportunity for the government in China to do the right thing, and to do the right thing vis-âvis Burma is to put pressure on the military junta to ease up on the Burmese people and to give Aung San Suu Kyi her right to live in freedom as the elected leader of the Burmese people.

Mr. LANGEVIN. Madam Speaker, I rise today in strong support of H. Con. Res. 200, a resolution that condemns the Burmese Junta for their violent suppression of Buddhist Monks and other peaceful demonstrators in Burma and demands the immediate release of opposition leader Daw Aung San Suu Kyi. As a cosponsor of this resolution, I believe it is important for Congress to show its support for Burma's call for democracy.

In 1988, the Burmese military established rule through a military junta, and named themselves the State Peace and Development Council (SPDC). This repressive regime arrested those who opposed them, including Daw Aung San Suu Kyi, who is the leader of the legitimately elected political party, the National League of Democracy. SPDC, which has changed the country's name to Myanmar, has forcefully led the Burmese citizens ever since. According to the U.S. Department of State's Country Reports on Human Rights, as well as private organizations, Burma's human rights record has worsened in recent years. These reports have cited government and military abuses of civilians that include killings, torture, rape, arbitrary arrests, and forced labor.

This past August, the SPDC ended fuel subsidies, which led to excessive costs for gas. The Burmese citizens, unhappy with yet another burden, held pro-democracy rallies and called for the transfer of power to Aung San Suu Kyi. These rallies were ended forcefully by the SPDC, but Buddhist Monks, nuns and students have continued to peacefully protest the regime. The SPDC has recently banned the assembly of citizens in public, as well as attacked, arrested and killed those involved in the protests.

Madam Speaker, the ongoing violence and repression of peaceful protests for democracy is a travesty. H. Con. Res. 200 shows our country's support for the Burmese citizens' right to challenge their regime. This resolution also demands the release of other political prisoners who are detained by the regime, and calls on the United Nations Security Council to take the appropriate action against the State Peace and Development Council. The United States has already imposed heavy sanctions on the SPDC for many years, but we must also call on other countries, including China and India, who benefit from Burma's natural gas exports, to keep the pressure on the SPDC to end this atrocity.

As a member of the Congressional Human Rights Caucus, I will continue to work with my colleagues to keep pressure on the Burmese regime and express support for those citizens who peacefully congregate for a new government. Passing H. Con. Res. 200 is an important and necessary step for Congress to take as we work to achieve this goal.

Mr. MANZULLO. Madam Speaker, the horrendous massacre that is taking place in Burma is despicable and unconscionable. Now is the time for Members of this House to condemn the military junta and support human rights by supporting my good friend, Representative PETER KING's resolution on Burma.

On September 27, 2007 the military junta violated the sacred traditional sanctuary of Buddhist temples in mass coordinated predawn raids. More than 200 monks were arrested. What we know is that at least five

monks, eight civilian protestors, and a Japanese photographer were killed by the army. But how many more were gunned down or dragged off in the middle of the night by the junta may never be known.

This resolution not only calls for the immediate and unconditional release of Nobel Peace Price laureate Aung San Suu Kyi but also for a restoration of democracy and human rights that has eluded the people of Burma for so long. The Rangoon Massacre only makes our call for the return to democracy ever more urgent.

Burma was once the richest country in Southeast Asia and the world's largest rice exporter. However, as a result of decades of corruption and gross mismanagement, Burma is now an economic failure. Countless Burmese are regularly victimized by human traffickers as they seek a better life outside the country. The junta's decision in August to hike fuel prices further threatened the people's livelihood. This led to the largest street demonstrations in two decades. So, instead of listening to the will of the people, the generals have only made things worse by cracking down violently.

Aung San Suu Kyi is the daughter of Burma's George Washington. Ms. Suu Kyi is the living symbol of Burmese democracy, and this year she turns 62. How much longer must democracy and freedom be held hostage?

President Bush, in his recent speech before the United Nations General Assembly in New York, announced plans for new U.S. sanctions against the military regime in Burma. I join the President in calling on the U.N. to act more decisively in the face of the unprecedented demonstrations taking place in that country. Now is the time for the world community to stand up for human rights and democracy.

Who else will join the U.S. in raising their voice against this injustice? Singapore has issued a strong statement on behalf of the Association of Southeast Asian Nations. I commend them for this. However, more needs to be done. Burma's neighbors can make a real difference by letting the junta know that their actions will not be tolerated. China, India, and Russia must act too because the world is watching.

The U.S. Congress must speak loudly and clearly. Let there be no mistake. As the senior Republican on the Asia Subcommittee of the House Foreign Affairs Committee, I strongly and wholeheartedly urge passage of this resolution today. We must stand with the people of Burma; they have waited long enough and can wait no longer.

Mr. PAUL. Madam Speaker, I rise in opposition to this legislation not because I do not sympathize with the plight of the oppressed people of Burma, particularly as demonstrated by the continued confinement of Aung San Suu Kyi. Any time a government represses its citizenry it is reprehensible. My objection to this legislation is twofold. First, the legislation calls on the United Nations Security Council to "take appropriate action" with regard to Burma and its internal conditions. This sounds like an open door for an outside military intervention under the auspices of the United Nations, which is something I do not support.

More importantly, perhaps, I am concerned that while going around the world criticizing admittedly abhorrent governmental actions abroad we are ignoring the very dangerous erosions of our own civil liberties and way of life at home. Certainly it is objectionable that the Burmese government holds its own citizens in jails without trial. But what about the secret prisons that our own CIA operates around the globe that hold thousands of individuals indefinitely and without trial? Certainly it is objectionable that the government of Burma can declare Aung San Suu Kyi a political prisoner to be held in confinement. But what about the power that Congress has given the president to declare anyone around the world, including American citizens, "enemy combatants" subject to indefinite detention without trial? What about the "military commissions act" that may well subject Americans to military trial with secret evidence permitted and habeas corpus suspended?

So while I am by no means unsympathetic to the current situation in Burma, as an elected Member of the United States House of Representatives I strongly believe that we would do better to promote freedom around the world by paying better attention to our rapidly eroding freedom here at home. I urge my colleagues to consider their priorities more closely and to consider the much more effective approach of leading by example.

Ms. JACKSON-LEE of Texas. Madam Speaker, I am pleased to rise in support of H. Con. Res. 200, condemning the violent suppression of Buddhist monks and other peaceful demonstrators in Burma and calling for the immediate and unconditional release of Daw Aung San Suu Kyi. I want to congratulate my good friend and colleague, the distinguished Ranking Member of the House Committee on Homeland Security from New York, PETER KING, on this extremely timely resolution on the deteriorating human rights situation in Burma.

When this bill was first introduced in August, the main concern was for the well-being of the 1991 Nobel Peace Prize Winner Daw Aung San Suu Kyi, and the overall deplorable human rights situation in Burma. Little did the members of Congress or the Committee know that only a few weeks later we would be witnessing this unrelenting brutality, as the Junta released its military personnel to crack down on the non-violent protesters and the Buddhist Monks. These actions set a new low even for this regime.

Even before this latest escalation, Burma's human rights record was abysmal. Systematic rapes as a means of war against ethnic minorities, the burning and destruction of their villages, the torture and arbitrary arrest of dissidents and trafficking in people and illicit drugs, are all hallmarks of this illegitimate regime. This unenviable record guarantees the military government a leading place among the world's worst human rights offenders. The Burmese regime has led this beautiful and resource-rich country down the spiraling path of degradation, instability, economic plunder and bankruptcy.

Prominent pro-democracy leader and Nobel Peace Prize winner, Daw Aung San Suu Kyi, has had various restrictions placed on her activities since the late 1980s. Her party, the National League for Democracy, won a landslide victory in 1990 in Burma's first multi-party elections for 30 years, but she has never been allowed to govern. In 1990, the ruling military junta placed the rightfully and lawfully elected Daw Aung San Suu Kyi under house arrest, where she has remained ever since. During her arrest, she was awarded the Sakharov Prize for Freedom of Thought in 1990, and the Nobel Peace Prize the year after. Her sons Alexander and Kim accepted the Nobel Peace Prize on her behalf. Aung San Suu Kyi used the Nobel Peace Prize's 1.3 million USD prize money to establish a health and education trust for the Burmese people.

On August 15, in a sign of incredible courage, non-violent protesters, took spontaneously to the streets and protested the government's actions, demanding the release of Daw Aung San Suu Kyi and a meaningful dialogue to national reconciliation and democracy. Thousands of Buddhist monks started leading protests on September 18, and were joined by Buddhist nuns on September 23. Undeterred by threats of military retaliation, on September 24, as many as 100,000 protesters led by monks marched in the largest protest Burma has seen in two decades.

In the wake of the protests, hundreds were arrested, beaten, and severely tortured. Peaceful monks were disrobed and severely abused, tortured and imprisoned. Over the past week, nearly 4,000 monks have been rounded up by the military. There are reports of hundreds if not thousands of bodies now littering the jungles near Burma's largest cities.

A United Nations Special Envoy has been in Burma since Saturday, but has yet to meet with the Senior Gen. Than Shwe. Instead of the meeting Gambari sought Monday, he was sent to a remote northern town for an academic conference on relations between the European Union and the Association of Southeast Asian Nations, diplomats reported, speaking on the condition of anonymity. This circus show must stop. The Burmese military leaders need to stop parading these diplomats around, and real dialogue needs to start, so that we can bring an end to the unrelenting violence.

This resolution before us rightly calls on our government to continue its leadership role in the international community to move the U.N. Security Council to act swiftly on Burma, and shine a bright spotlight on the actions of those countries, such as the People's Republic of China, which collaborate with this despicable regime. They need to use their influence with the Burmese government to bring an immediate end to those despicable actions, and to force the regime to enter into a meaningful tripartite dialogue with Daw Aung San Suu Kyi, the National League of Democracy, and the ethnic groups.

I urge all Members of Congress to join me in supporting H. Con. Res. 200 and in sending the Burmese military regime and the international community a wakeup call. The United States will stand unwavering with the people of Burma, Daw Aung San Suu Kyi, and the National League of Democracy. It is essential that these violence ends and a peaceful resolution is reached. The Burmese people are yearning for democracy, and as the world's shining beacon of democracy, the United States must not let these protests be in vain. I call on Burma's military leaders to allow its people to freely elect its government and to call for the immediate and unconditional release of Nobel Prize Winner Daw Aung San Suu Kyi.

Mr. LANTOS. Madam 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. LANTOS) that the House suspend the

rules and agree to the concurrent resolution, H. Con. Res. 200, 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. LANTOS. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

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DEVELOPING A COMPREHENSIVE STRATEGY IN IRAQ

Mr. SKELTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3087) to require the President, in coordination with the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of United States Armed Forces in Iraq, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3087

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243), enacted into law on October 16, 2002, authorized the President to use the Armed Forces as the President determined necessary and appropriate in order to defend the national security of the United States against the continuing threat posed by the Government of Iraq at that time.

(2) The Government of Iraq which was in power at the time the Authorization for Use of Military Force Against Iraq Resolution of 2002 was enacted into law has been removed from power and its leader indicted, tried, convicted, and executed by the new freely-elected democratic Government of Iraq.

(3) The current Government of Iraq does not pose a threat to the United States or its interests.

(4) After more than four years of valiant efforts by members of the Armed Forces and United States civilians, the Government of Iraq must now be responsible for Iraq's future course.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) nothing in this Act shall be construed as a recommendation by Congress that any particular contingency plan be exercised;

(2) it is necessary and prudent for the Department of Defense to undertake robust and comprehensive contingency planning;

(3) contingency planning for a redeployment of the Armed Forces from Iraq should address—

(A) ensuring appropriate protection for the Armed Forces in Iraq;

(B) providing appropriate protection in Iraq for United States civilians, contractors, third party nationals, and Iraqi nationals who have assisted the United States mission in Iraq;

(C) maintaining and enhancing the ability of the United States Government to eliminate and disrupt Al Qaeda and affiliated terrorist organizations; and

(D) preserving military equipment necessary to defend the national security interests of the United States; and

(4) contingency planning for a redeployment of the Armed Forces from Iraq should—

(A) describe a range of possible scenarios for such redeployment;

(B) outline multiple possible timetables for such redeployment; and

(C) describe the possible missions, and the associated projected number of members, of the Armed Forces which would remain in Iraq, including to—

(i) conduct United States military operations to protect vital United States national security interests;

(ii) conduct counterterrorism operations against Al Qaeda in Iraq and affiliated terrorist organizations;

(iii) protect the Armed Forces, United States diplomatic and military facilities, and United States civilians; and

(iv) support and equip Iraqi forces to take full responsibility for their own security.

SEC. 3. REPORTS AND CONGRESSIONAL BRIEFINGS ON THE STATUS OF PLANNING FOR THE REDEPLOYMENT OF THE ARMED FORCES FROM IRAQ.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the status of planning for the redeployment of the Armed Forces from Iraq. The initial report and each subsequent report required by this subsection shall be submitted in unclassified form, to the maximum extent possible, but may contain a classified annex, if necessary.

(b) CONGRESSIONAL BRIEFINGS REQUIRED.—Not later than 14 days after the submission of the initial report under subsection (a), the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall meet with the congressional defense committees to brief such committees on the matters contained in the report. Not later than 14 days after the submission of each subsequent report under subsection (a), appropriate senior officials of the Department of Defense shall meet with the congressional defense committees to brief such committees on the matters contained in the report.

(c) TERMINATION OF REPORTING AND BRIEFING REQUIREMENTS.—The requirement to submit reports under subsection (a) and the requirement to provide congressional briefings under subsection (b) shall terminate on the date on which the Secretary of Defense submits to the congressional defense committees a certification in writing that the Armed Forces are no longer primarily engaged in a combat mission in Iraq.

(d) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term ''congressional defense committees'' has the meaning given the term in section 101 of title 10, United States Code.

SEC. 4. ARMED FORCES DEFINED.

In this Act, the term ''Armed Forces'' has the meaning given the term in section 101 of title 10, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. SKELTON) and the gentleman from Ohio (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. SKELTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

I rise in strong support of H.R. 3087, a bill to require the Secretary of Defense to report to Congress on the status of planning for the redeployment of the Armed Forces from Iraq.

This bill is the rarest of creatures, a bipartisan compromise on one of the most significant issues facing our country today, the war in Iraq. This bill was marked up in the Armed Services Committee with the support of our ranking member, DUNCAN HUNTER of California. The committee took the excellent work of Representative NEIL ABERCROMBIE and Representative JOHN TANNER and built on it.

The committee adopted a comprehensive amendment developed by Mr. ABERCROMBIE and Representative MIKE TURNER, two of our leaders on our committee on the advancement of national defense. The bill, as amended, passed our committee 55–2.

I am proud of the work of our committee. I am glad it has been brought to the floor. The bill seeks to accomplish two primary goals. First, it affirms the critical need for comprehensive, well-thought-out planning for a redeployment of troops from Iraq, the kind of planning that, frankly, was not done for the post-war period in Iraq, the so-called phase 4 of the war before we invaded.

This will help Congress fulfill its duties to ensure that such a mistake is not repeated.

Second, it requires that the planning the Pentagon is doing for deployment from Iraq be shared with Congress, as it should. It lays out a clear statement on the need for appropriate, detailed contingency planning for our redeployment of troops from that country, including consideration of force protection for our military and civilian personnel, and the need to continue to protect our vital national security interests.

It requires by statute that the Secretary of Defense and the Chairman of the Joint Chiefs of Staff provide us with a report and briefing on redeployment planning from Iraq within 60 days of enactment, and that updated reports and briefings from senior Department of Defense officials continue to be provided on a quarterly basis thereafter. It will allow the Armed Services Committee to perform the oversight function, which is central to our purpose.

Time is not on our side. In my view, it's time to begin responsible redeployment of forces and a change of mission in Iraq. Members are on different places on Iraq, but we can agree that we must be engaged in serious planning for the redeployment of American forces.

Madam Speaker, I reserve the balance of my time.

Mr. TURNER. Madam Speaker, today Iraq remains the most important issue facing our Nation. The American people want congressional action in a bipartisan fashion. The rhetoric of the last 6 months has left the American people saddened that the work on this

House floor has been focused upon partisan division. The most important action this House of Representatives could take today is to support our troops by coming together in a bipartisan effort.

I want to thank Chairman SKELTON, and I also want to thank subcommittee Chairman ABERCROMBIE for his leadership on H.R. 3087, which gives us an opportunity for a bipartisan step in the Iraq debate.

I am a cosponsor of this bill, which was reported out of the Armed Services Committee by an overwhelming bipartisan vote of 55–2.

H.R. 3087, as amended, supports our troops, our national interests, and our counterterrorism operations against al Qaeda in Iraq.

The bill requires our Department of Defense to undertake robust and comprehensive contingency planning for a redeployment of the Armed Forces from Iraq. The bill recognizes that the role and mission of our Armed Forces in Iraq will change and properly acknowledges that the Government of Iraq must be responsible for Iraq's future.

As America's responsibilities shift, our focus must include planning to protect our vital national interests and our troops.

In a letter I sent to our Speaker, Speaker PELOSI, on August 1, 2007, I elaborated saying that, for example, this bill states the contingency planning element should include ensuring appropriate protection for the Armed Forces in Iraq, providing appropriate protection in Iraq for United States civilians, contractors and third-party nationals, and Iraqi nationals who have assisted the United States mission in Iraq, maintaining and enhancing the ability of the United States Government to eliminate and disrupt al Qaeda, and affiliated terrorist organizations and preserving military equipment necessary to defend the national security interests of the United States.

I want to thank Chairman ABERCROMBIE for his leadership on this bill and for his insistence that this bill come to the House floor for a vote. I urge all of my colleagues in the House to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. SKELTON. I yield 1 minute to my colleague, my friend, the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Madam Speaker, I rise in strong support of this bill and especially in strong support of our distinguished chairman, who has done so much to continue the steady progress, the steady march towards the safe, secure redeployment of our troops.

This body is well served by the legislation introduced by Mr. ABERCROMBIE and Mr. TANNER, inasmuch as it provides intelligent and meaningful legislation that will lead to the safe, speedy and responsible redeployment of our troops and once again returns accountability, as this committee has insisted on, to its proper venue within the Armed Services Committee to do the kind of oversight that will be necessitated by this bill.

I commend the chairman and all of the staff for their hard work on this.

Mr. TURNER. Madam Speaker, I yield 3 minutes to the gentlelady from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding his time.

Madam Speaker, I rise today in very strong, strong support of this resolution.

You know, it has been said that no battle plan survives first contact with the enemy, and I believe that that is true. That's why our military must constantly plan for every eventuality in warfare, because failure to do so can cost lives.

The situation in Iraq is no different. We must prepare for every contingency. The day is coming when our brave men and women in uniform will leave Iraq, hopefully very, very soon. In fact, General Petraeus in his testimony last month spoke of the possibility that some of our troops will leave Iraq very soon, perhaps within weeks.

In order to facilitate a very safe and orderly withdrawal, it is important that our military leaders plan appropriately, and they must also consult with the Congress so that we can provide the needed support to ensure that our troops are safe and that our vital national interests are protected.

Prudent planning leads to success and provides the ability to react quickly to events on the ground. I believe that this resolution encourages such prudent planning. That's why I supported it when it came before the House Armed Services Committee, when it was debated then, and why I would urge the entire House to support it today. As was just mentioned by the chairman, it was a bipartisan vote and it passed 55–2.

The issue of our troop presence in Iraq has caused great debate across our country, has polarized this Congress, and I believe that this resolution is a demonstration that a bipartisan way forward can be achieved, that it can happen. In fact, it must happen for our Nation to move forward.

I certainly want to express my appreciation to the sponsors of this bill. I want to express my appreciation and deep regard and respect for the chairman of the House Armed Services Committee, Mr. SKELTON, as well as our ranking member, DUNCAN HUNTER, great American patriots, all of them.

Let us hope that the day is coming soon when our troops will come home with honor, with honor, our brave men and women who so proudly and bravely have protected and exported liberty and freedom, democracy.

Mr. SKELTON. Madam Speaker, I yield 3 minutes to my friend, my colleague, the gentleman from Hawaii (Mr. ABERCROMBIE), who is the chairman of the Air and Land Forces Subcommittee of the Armed Services Committee and is also an original cosponsor of this legislation along with Mr. TANNER from Tennessee.

Mr. ABERCROMBIE. Madam Speaker, I would at this point like to thank Mr. Mike Turner for working with us and the committee, right from the getgo, and also Mr. Phil English as well, to demonstrate what we have been saying here that Republicans alone, Democrats alone cannot bring this to an end. It requires us all to work together.

Now, there are some, I am sorry to say, on both ends of the spectrum of the parties who want to diminish what the bill is all about and what its intent is all about. Someone went so far yesterday as to say, well, this bill is like naming post offices.

Well, yesterday, we named two post offices for marines that were killed in Iraq. I don't suppose the author of that kind of commentary would like to speak with the family of the marines who have been killed about why these post offices were named.

I think it's pretty important that we concentrate on those who are bearing the brunt of the policies that we approve of in this body. That's what this is all about. We want to end the party sniping. We want to end the commentary about advantages being taken from one party or another.

Cover has been mentioned, about whether it would be given to one party or another. The only cover that we are interested in is the cover that has to be obtained by our fighting men and women in the field, because they are engaged in battle as a result of the policies that we either approve or disapprove of.

It's time for the Congress to take back its responsibility.

Madam Speaker, I would like to enter into the RECORD a commentary from the Government Accountability Office as of the end of July of this year.

Issues that DOD needs to consider in planning and executing the draw down and redeployment of forces from Iraq:

DRAW DOWN SCOPE, COSTS, TIMETABLE, AND CAPACITY ISSUES

What forces will be drawn down, and over what period of time? (i.e. the process for determining the order in which specific forces will draw down, the timetable for the draw down, and planning for the consolidation and relocation of forces and related force protection issues).

How will DOD estimate, budget, and report costs associated with the draw down? (i.e. the use of baseline budgets versus GWOT-specific funding requests for related costs, and the determination of which cost elements will be directly associated with draw down and redeployment operations).

What will be DOD's responsibilities for transporting, protecting, housing, and supporting other government civilian personnel and contractors during the draw down and for those forces that will remain behind? (i.e. civilian personnel from the Department of Defense, State Department, USAID, and defense contractors).

What forces will stay in theater after the draw down, and what will the footprint be for forces remaining in Iraq and Kuwait? (i.e.

stabilization forces in Iraq, forces to protect and maintain prepositioned equipment sites in Iraq and Kuwait, and forces to protect the U.S. Embassy in Iraq).

How much equipment and supplies will be redeployed from Iraq and Kuwait, and over what period of time? (i.e. types of equipment and supplies, numbers and sizes of the pieces of equipment and supplies, tonnage, and amounts and types of shipping vessels that will be needed).

To what extent does DOD have the capacity in Iraq, Kuwait, and CONUS to support the draw down? (i.e. personnel, facilities, storage, and transportation).

What equipment will stay in Iraq and Kuwait, and how will this equipment be protected and maintained after the draw down? (i.e. equipment transfers to the ISF and Iraqi forces, prepositioned equipment sites in Iraq and Kuwait, and numbers of maintenance contractors or service members needed to maintain equipment in Iraq and Kuwait).

LOGISTICS ISSUES

What are the logistics elements that DOD will need to consider in the redeployment of troops and other personnel from Iraq and Kuwait? (i.e. personnel security, housing and food, medical support, and airlift requirements).

What are the logistics elements that DOD will need in the United States to accept and process troops and personnel re-entering the United States? (i.e. determining where the troops and personnel will be sent, demobilization requirements, housing and food, medical and dental support, and veteran affairs issues).

What are the logistics elements that DOD will need to consider in the redeployment of equipment and supplies from Iraq and Kuwait? (i.e. transportation requirements, security and protection of in-transit assets, storage and handling requirements, port operations and facilities, and requirements for shipping containers and vessels).

How will DOD maintain accountability and visibility over in-transit assets? (i.e. establishing accountability over assets in theater before redeployment, and maintaining accountability and visibility throughout the redeployment process).

What are the logistics elements that DOD will need in the United States to accept and process equipment and supplies re-entering the United States? (i.e. port operations and facilities, transportation requirements, storage and handling requirements, maintenance requirements, equipment reset requirements, and depot capability and capacity issues).

REBUILDING UNIT CAPACITY AND MAINTAINING STABILITY IN THE REGION DURING AND AFTER THE DRAWN DOWN

How will DOD plan for rebuilding unit capacity and resetting the forces, including establishing goals for readiness levels and investment priorities? (i.e. personnel re-training and re-manning).

What will be DOD's and other federal agencies' roles and responsibilities regarding Iraqi refugees? (i.e. security, shelter and food, and medical support).

How will DOD coordinate with coalition forces on the draw down and redeployment processes, and what will be the roles and responsibilities of the coalition forces during and after the draw down? (i.e. coalition forces that will remain in Iraq after the draw down, and force protection issues during the draw down).

What agreements will DOD need to make with other neighboring countries in the Middle East to facilitate the draw down and redeployment? (i.e. airspace rights, logistics support during redeployment, and roles of other countries in the region in maintaining regional stability).

What issues will the Department of Defense consider in the planning and executing of the draw-down and redeployment of forces from Iraq? It includes the draw-down, scope, the costs, the timetable, the capacity issues, logistics issues. These are the serious and sober subjects of what will be presented to us by these redeployment plans.

You cannot have a redeployment by wish fulfillment alone. You have to have the practical realities in front of you in order to accomplish it. That's what we are seeking to do. That's what the Armed Services Committee on a bipartisan basis sought to accomplish with this bill. This is serious and sober business.

Section two of the measure states the strategy required ''shall include planning to achieve the following.'' That's what we mean by the status of the planning. Status of the planning will include the transition of combat forces from policing civil strife or sectarian violence in Iraq.

It has to include a projection in the number of members the Armed Forces required for the missions described in the redeployment. The details of what these redeployment plans will encompass are included in the bill, and so the preamble that is there that says the original resolution has now been accomplished takes us to this final conclusion that we reach today, the redeployment of our troops in a responsible way and a bipartisan manner.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING

Mr. SKELTON. Madam Speaker, I ask unanimous consent that, during further proceedings today in the House, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8, rule XX.

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

There was no objection.

Mr. TURNER. Madam Speaker, I want to commend the committee chairman, NEIL ABERCROMBIE, for his leadership in bringing this bill to the floor.

Madam Speaker, I yield 3 minutes to Mr. CASTLE from Delaware.

□ 1600

Mr. CASTLE. I thank the distinguished gentleman from Ohio for yielding and for his work on this legislation.

Madam Speaker, I rise in strong support of H.R. 3087, legislation requiring the administration to work closely with Congress and our military leaders in communicating a comprehensive post-surge strategy for Iraq.

Since 2003, over 3,800 American military personnel have been killed in Operation Iraqi Freedom, and more than 27,000 have been injured. These are very difficult times, and it is our duty to do everything possible to support those who have risked so much in service to their Nation.

To this point, however, the U.S. Congress has been consumed by partisan infighting, which has resulted in gridlock and has prevented debate on substantive proposals like the Iraq Study Group Recommendations Implementation Act.

The American people deserve a straightforward understanding of our involvement and long-term objectives in the Middle East. The legislation before us today, of which I am a proud cosponsor, takes an important step forward by requiring the Secretary of Defense to submit regular reports to Congress regarding the status of post-surge planning.

Clearly, the U.S. Congress should not be acting without considering the advice of our military commanders in Iraq, and this legislation will ensure that Secretary Gates, General Petraeus and other senior officials are capable of communicating developments with Members of Congress and the administration.

This information will also provide a greater understanding of progress made on General Petraeus' proposal for the redeployment of U.S. troops, and it will assist Congress in budgeting for the possible missions that may continue in Iraq, such as efforts to disrupt terrorist organizations and train Iraqi security forces.

H.R. 3087 is the first of what I hope will be a substantive, bipartisan effort in Congress to work with our military and foreign policy leaders to achieve stability in Iraq and bring our soldiers home to their families.

Last week, 14 Democrats and 14 Republicans endorsed such an approach by signing the Bipartisan Compact on Iraq Debate. Like Mr. TANNER's proposal, the importance of developing a clearly defined and measurable mission in Iraq is one of eight central principles agreed to in the Bipartisan Compact.

Mr. Speaker, I am hopeful that by finally agreeing to consider H.R. 3087, Members from both parties will signal a willingness to set aside the partisan tactics that have crippled our efforts over the last several months.

The Iraq war provokes intense and genuine feelings from individuals at all points of the political spectrum. However, politics as usual in Washington, D.C. should not be allowed to consume our efforts in lieu of progress.

Bridging this critical political divide in Washington is our only hope for transitioning responsibility to the Iraqi Government and bringing about real substantive change in Iraq.

Let us all join together to support H.R. 3087.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to my colleague and my friend from Tennessee (Mr. TANNER) who is an original sponsor of the bill together with Mr. ABERCROMBIE.

Mr. TANNER. Mr. Speaker, I'd like to also add my thanks to Mr. ABERCROMBIE and Mr. ENGLISH and Mr. CASTLE, Ms. SCHWARTZ, and particularly to

you, Mr. Chairman. The point of this is that our soldiers, sailors, airmen, guardsmen, marines, are not dying in the name of the Republican Conference or the Democratic Caucus. They're dying in the name of the United States of America. We owe them a unified Congress to help them. This bill is a unifying factor here that starts us on the road to behaving as Americans first and political partisans second. Their sacrifice demands nothing less than that.

I have a sense of urgency about this that I'm afraid did not come through in the hearing, particularly from Ambassador Crocker. Not that I'm criticizing him. I think he's doing a fine job. And I have no higher regard for anybody in uniform, past, present or future, than General Petraeus. But the sense of urgency I have is to bring us together so that we can move in a meaningful, constructive way, as Congress, to play a role in the civilian leadership aspects and management of this conflict.

As has been noted previously, it requires the Pentagon to, in some way, bring Congress in in a meaningful way really on the strategy of the war for the first time.

As I said earlier today, the strategy of waiting for the Shia and Sunni in Iraq to try to work, sit down and work something out in a central government in Baghdad is a less than viable option when our men and young men and women are patrolling the streets of Baghdad dying every day and we're asking the taxpayers of this country to spend $3 billion a week for people who half the time boycott their sessions. And to say that we're going to do this until maybe they can get together is not, in my judgment, something that we can endorse.

And so, Mr. Speaker, the original authorization, which provided basically two things, one is to remove the threat posed by the then-Government of Iraq, Saddam Hussein, who has been captured, tried, convicted and executed, and to enforce the U.S. resolutions with respect to the weapons of mass destruction having been accomplished, it's not the war that we haven't won; it's the peace that we're having trouble with. And I want us to get together as a Congress to move forward to win the peace. That's what our mission is now.

And the strategic mission that the administration had been following, the civilian leadership is not working out too well; 4½ years later, one can't leave the Green Zone without getting one's head shot off. I think we need the Congress to engage in a constructive, meaningful way. I think this vehicle will allow that to happen. And therefore, Mr. Chairman, I want to thank you and all of those people who had anything whatsoever to do with it. A big bipartisan vote today, I think, will begin this unification process we so desperately need in this country.

Mr. TURNER. Mr. Speaker, I yield 3 minutes to Representative ENGLISH of Pennsylvania, who worked with the original bipartisan legislation with Representative TANNER.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise today in strong support of H.R. 3087, the Tanner-Abercrombie-English Iraq planning bill. And I want to thank my two colleagues at the front end of that title, particularly, for their extraordinary efforts to move this bill forward.

Mr. Speaker, it is important that Congress speak with a clear voice on Iraq. The American people need to know that their representatives are trying to seek out the best policy to protect American interests overseas and reduce our footprint in that troubled country.

The Iraqi Government needs to know that the U.S. Congress is not prepared for our Nation to carry the burden of defending Iraq's security indefinitely and that that must become an Iraqi undertaking.

Our allies need to know that we remain committed to the war on terror, and that although Congress may be deeply divided on the means to pursuing our goal, that ultimately, politics ends at the water's edge.

This bill sends important signals. It sends a signal to our troops that their deployment is purposeful and that we're prepared to respond to changing conditions.

It sends a strong bipartisan message that Congress is ready to respond to changing circumstances on the ground and recognizing the coming and necessary transition of our role in Iraq from combat operations to strategic support.

Secretary Gates has already acknowledged that DOD would have little difficulty complying with the terms of this bill, so this legislation simply calls on the administration to make transparent the planning processes that prudent military leaders would undertake normally as a matter of course.

Our legislation is a very simple bill, but it is still significant. H.R. 3087 has gained support from a broad spectrum of Members of this body, Republicans and Democrats, liberals and conservatives. It cleared the Armed Services Committee with overwhelming bipartisan support.

I encourage my colleagues to use this important bill as a launching pad for a new debate in the House on how we may find a new way forward in Iraq, while keeping faith with our troops, with our constituents, with our allies, with the Iraq nation and with all who stand for order and democracy in the face of the creeping menace of terrorism.

The message we send today will be heard in our hometowns, on the battlefields of Iraq, and all around the world. That message is that we in this Chamber are prepared to stand together to do what it takes to forge a strong, sustainable and bipartisan U.S. policy in Iraq.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to my colleague, the gentlelady from California (Ms. LORETTA SANCHEZ) who, by the way, is a member of the House Armed Services Committee.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of H.R. 3087, and I thank my colleagues, all of you, for getting it here to the floor. I voted for this bill in the Armed Services Committee with bipartisan support. It passed 55–2, and I think this is the beginning of the way. I'm happy that we're trying to find a way to move in Iraq.

We are here today because after more than 4 years of the President's war, it has become painfully clear that the administration didn't adequately plan for this war. Plan. Planning. And this is what this bill is about. And that the administration really didn't understand the substantial investment that it was going to take for American troops beyond the initial invasion. In fact, when the President declared ''Mission Accomplished'' on May 1, 2003, we had only lost 139 of our troops in Iraq; however, since then, 3,660 of our troops have been lost. So the American people have called for a redeploying of our troops from Iraq, and we need to start doing it, and we need a plan to do that redeployment.

So today, with this legislation, Congress is mandating that proper planning be done, so that whenever the redeployment begins, our troops will be brought home safely to their families.

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

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlelady from Pennsylvania (Ms. SCHWARTZ) who is a cosponsor of this legislation.

Ms. SCHWARTZ. Mr. Speaker, after all the loss of life, personal sacrifice and billions of taxpayer dollars, the President still does not have a plan for securing the peace in Iraq and bringing our troops home.

After the continued failure of the Iraqi Government to make progress on political, social and economic benchmarks, the President chooses to stay the course in Iraq. After nearly 4½ years, Iraq remains politically unstable and tragically violent.

Instead of changing course and offering a viable plan to conclude America's military involvement, the President calls for an open-ended commitment to keeping our troops in Iraq for years to come. It is time to demand a new direction for Iraq, to focus our military on combating and defeating terrorism, to insist on a comprehensive diplomatic strategy to move the Iraqi Government toward national reconciliation, and to bring our troops home.

This Congress stands by our troops. They've performed with great honor and they've accomplished all that we have asked them to do. It is time to bring them home.

Vote ''yes'' to demand a redeployment plan. Vote ''yes'' to demand accountability from this President to bring our troops home from Iraq safely and responsibly.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlelady from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, Mr. TANNER is right. It is not the war we haven't won; it is the peace. And I want to encourage my friends on the other side of the aisle, join me in a bipartisan stand to bring our troops home now.

I didn't support this bill originally, but I support it now because I understand that we make steps one by one. But I don't want to be chastised about bipartisanship because I want us all to work in a bipartisan way to, one, bring our troops home, and to recognize that it is not only the military power but it is the diplomatic power.

This legislation is the right direction. It commands an intervention by the Congress, a 60-day report, how are we going to redeploy, and a 90-day update.

But, Mr. Speaker, I am looking forward to our troops coming home as heroes, and I'm working every day for them to come home with their families, a proclamation of their military success, a welcome home party in every single hamlet and village, and all the flowers that they can tolerate. That's what I call a declaration of the end of this tragedy.

But this is a good step today because we are in the mix. We're fighting to get them home. We are demanding that they come home. We are getting a report. We are forcing the Pentagon to think, and that is what we need to do.

But I look forward to my colleagues joining us and having a bipartisan vote on a time certain for these troops to come home.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

□ 1615

Mr. DOGGETT. Mr. Speaker, this resolution has rightly earned a place on this uncontested Suspension Calendar. So long as it is not misinterpreted as suggesting that Congress supports a long-term troop presence in Iraq, it merely generates another report that does no harm and not any significant good.

We know that, in addition to the blood of the brave, President Bush is hemorrhaging money as fast as he can get it, $3 billion every single month, building toward a price tag of $1 to $2 trillion on this tragedy.

The Senate version of Senators KERRY and CLINTON has a better approach in demanding cost estimates on each alternative redeployment and in asking that one of these redeployments occur by the end of next year.

Our problem in Iraq is not a lack of reports, but a lack of the collective will in this Congress to initiate the change in course that President Bush will never undertake on his own. And I hope we have the courage of our troops, the courage to take that action as soon as possible.

Mr. TURNER. Mr. Speaker, I yield 3 minutes to Mr. SHAYS from Connecticut.

Mr. SHAYS of Connecticut. Mr. Speaker, I thank the gentleman for yielding.

I consider this an extraordinarily important moment. And, Chairman SKELTON, I just want to share my tremendous respect for you in marshalling out a bipartisan beginning to something that can lead to more. That is what I think we all think that this is the beginning. So the Tanner-English-Abercrombie bill, congratulations to all three of you, becoming the Abercrombie-Turner bill in committee. It is a bipartisan, effort that says we can agree on something and build on the little and then have it be more significant.

It makes sense to ask the Secretary of Defense to submit a plan to Congress that tells us specifically how they intend to fight this war and the factors involved in their anticipation of what can happen in the future. It makes sense to let them have 60 days to do this, because they already know right now what they intend to do, and it should not be all that difficult to describe it and then explain it to Congress.

It makes sense for every 3 months, every 90 days, for this plan to be updated and for individuals in Congress to understand whether we are ahead of schedule or behind schedule.

We went into Iraq on a bipartisan basis, two-thirds of the House, including Mr. SKELTON and Mr. LANTOS, who lead the two most important committees dealing with this issue; and the Senate, three-quarters of the Senate voted to go into Iraq. We need to leave Iraq on a bipartisan basis. It's called ''compromise.'' It's what our Founding Fathers practiced when they created the Constitution of the United States. Compromise is not a bad thing. Bipartisanship is not a bad thing. Our troops are hungry for their leaders in Washington to work together.

It is my hope that we will have a time line, a time line that is sensible, a time line that tells the Iraqis we are not going to stay forever and a time line that tells Iraqis we are not going to pull the rug out from under them and leave tomorrow. We need a sensible time line, it seems to me; and I hope this becomes part of that ultimate report.

So I will just conclude by saying something I have already said. Congratulations to Members on both sides of the aisle. Congratulations again to Mr. SKELTON for beginning on that side of the aisle to preach and work for a bipartisan approach. And I thank Mr. TURNER for his work and Mr. CASTLE and Mr. GILCHREST and Mr. ISRAEL for what they have done.

This is the beginning, I think, and our troops should be very hopeful it will lead to a lot of good for them and for the Iraqi people.

Mr. SKELTON. Mr. Speaker, I yield at this time 2 minutes to my friend and colleague, the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I ask unanimous consent to have no more than 4 minutes to address the House.

The SPEAKER pro tempore (Mr. CAPUANO). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HINCHEY. Thank you very much, Mr. Speaker.

I think all of us know by now that the military occupation in Iraq, which is referred to as a war but is really a military occupation, is an increasing disaster. We all know that now more than 4,000 military personnel have lost their lives, tens of thousands have been injured. We ought to be taking decisive action to put an end to that illegal, disastrous military occupation.

This bill is presented as a means of attempting to do so. But it is a false presentation. It does nothing to that effect. This bill, if it is passed and signed into law, would simply require a plan to be developed within 60 days after that signing and then another 90 days an additional plan, another 90 days an additional plan. So what we are likely to see, unless this Congress is able to take more decisive, more progressive, more positive action, is four, five, maybe even six plans coming out of this administration and no responsible action taken with regard to the disastrous circumstances that occur on the basis of this illegal military occupation.

This legislation does nothing productive to deal with this very difficult, dangerous, and disastrous situation. The circumstances for the security of this country have worsened as a result of this illegal invasion and the subsequent military occupation, and that worsening continues.

One of the other things in this legislation is also, frankly, very interesting. Congress finds, it says, the following: that the President has the ability to use the Armed Forces as the President determined necessary and appropriate in order to defend the national security of the United States against the continuing threat posed by the Government of Iraq at that time, at the time that that resolution was passed back in October of 2002, which a number of us voted against.

What this suggests is that that was the proper thing to do at that time. It was not the proper thing to do in October of 2002. It would have been much more proper if this Congress realized at that time what I believe most of us realize now: that the alleged justification for the illicit, illegal invasion of Iraq, the idea that there was a connection between Iraq and the attack of September 11, that Iraq had so-called weapons of mass destruction, that there was an alleged nuclear weapons

development program in Iraq, and that there was some connection between Iraq and al Qaeda, all of which was false. Now, many did not realize that at that time and subsequently they voted for it. Many of us did realize it and voted against it.

We should not have anything asserting in any legislation that comes before this House anything that suggests that what was presented at that time to justify that resolution authorizing this administration to engage in this illegal invasion and the subsequent disastrous occupation of that sovereign country was true when it was all falsified, intentionally and purposefully falsified.

So I could appreciate what some people may think they are doing here, and I certainly have a great deal of respect and affection for the Members who are the sponsors of this legislation. But I tell you, you look at this and you will say to yourself if this legislation passes, what it will authorize is a continuing falsified plan, much of which can be classified, coming from this administration, plan after plan, and the remaining military forces will be in that country until sometime after January of 2009.

This doesn't do what we are supposed to do. We shouldn't be passing it.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to my friend, our leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the chairman for yielding. I thank the committee for bringing this bill to the floor. I appreciate what my very close and dear friend and one of the best Members of this Congress, in my opinion, MAURICE HINCHEY, has just said. Like many Americans, he thinks and many Americans think this doesn't go far enough. From the perspectives of perhaps everybody in the Chamber, it doesn't go far enough towards the position they would like to take. It is not a perfect resolution, but then again none are.

What it does do, however, is try to say that if we are going to make decisions in the House of Representatives on an issue so critically important to our country and to the welfare of our troops that are in harm's way that we have the advice or at least the opinion of the administration as to how actions ought to be taken. Therefore, if there are those of us who believe, as I know my friend from New York does and some others, that we ought to redeploy, change course, redirect our efforts, the best advice and counsel that we could get on how to do that ought to be from our military leaders.

And what this resolution simply says is, and I agree with my friend from Connecticut that we can say, hopefully, with a somewhat unified voice, perhaps not unanimous but somewhat unified voice, if we were to take the position that the gentleman and I shared when we voted for redeployment within a timeframe, tell us how that would be done. Tell us how it would be done consistent with the safety of our troops. Tell us how it would be done consistent with trying to leave behind as stable a government or community as possible in Iraq. Tell us how it could be done to enhance the possibility of political reconciliation in Iraq.

The surge has not accomplished that. If the surge was intended to bring political reconciliation, General Petraeus said it had not. Ambassador Crocker said it had not.

So I congratulate and thank the gentleman from Tennessee (Mr. TANNER), the gentleman from Hawaii (Mr. ABERCROMBIE), and others who have joined in this effort to try to come to a step that will be a positive step. I think this is one of those steps.

And I would urge my colleagues on both sides of the aisle, whatever your particular position is, that we ought to have in front of us a considered, considerate plan of how we would accomplish an objective if this House, hopefully, could summon the votes to seek that objective and mandate that objective.

So I thank Mr. SKELTON for bringing this to the floor. I thank him for his leadership on this issue, and I would urge all of my colleagues, understanding full well the concerns that have been expressed so ably by the gentleman from New York, my friend (Mr. HINCHEY), that this legislation will send a strong message to many, including the administration, that we want to have the information that we need to make the best decisions that we can make. We may differ on what those decisions ought to be.

But, hopefully, what we will not differ on is that if we can have the best information and advice as to how to obtain an objective, then the legislation we pass will be better, will provide for the safety of our troops and provide, hopefully, for the success of a redeployment within a timeframe that many of us believe is absolutely essential.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I too want to thank Mr. TANNER, Mr. ABERCROMBIE, and Mr. SKELTON and our Republican colleagues for coming together.

Mr. Speaker, this is what I refer to as a soaring golden moment in this Congress because this is the beginning. This is a beginning of effective planning for bringing conclusion in a very responsible way to what the American people truly want.

And why is this a golden moment? This is a golden moment in this House because the only way that we are going to bring this Iraqi situation to a positive conclusion is with Democrats working with Republicans.

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Democrats cannot do it by ourselves, Republicans cannot do it by themselves.

The other point why this is a golden moment, Mr. Speaker, is because this shows, and the process of this legislation and the reporting and the involvement of the Congress shows, that we are not going to make the same mistake ending our involvement in Iraq that we made in going in; and that was poor planning, bad information, and ineffective intelligence. That's why I commend this.

It's very important for the American people to see us finally, as Democrats and Republicans, working together in this start to take this great step. And let us dare not lose this golden moment of bipartisan cooperation.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to my friend and colleague, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you, Mr. SKELTON, Mr. ABERCROMBIE and Mr. TANNER, for bringing this forward. It's important not just for what you're doing, but for what this represents, to be able to get the debate going here on the floor and to expand it.

This resolution represents the lowest common denominator, I think, but it's important for us to expand it, to deal with budget accountability. I personally don't want to have one more dime for waging war but, rather, move it forward in terms of securing the peace.

I want to stop the open-ended commitment, hopefully revisiting the terms of the authority, move legislation to deal with the poor souls who are trapped in Iraq, refugees who relied on the United States and we've turned our back on them. Let's have some added accountability for the outsourcing of the war through private contractors, and certainly stop the drumbeat of war for Iran. I hope this will be the first of many debates on specifics every week, hopefully every day.

I appreciate, Mr. SKELTON, what you have done. There is no one who cares more deeply about our troops. There is nobody who has tried to sound the alarm about these disastrous policies. I hope we can work with you to expand this debate, to increase the accountability so that ultimately we achieve peace in Iraq.

Mr. SKELTON. May I inquire of the Chair how much time is remaining.

The SPEAKER pro tempore. The gentleman from Missouri has 3 minutes; the gentleman from Ohio has 6½ minutes.

Mr. SKELTON. I yield myself such time as I may consume.

Some will knock, Mr. Speaker, the importance of this legislation. It is a bill to require the Secretary of Defense to submit to us here in Congress reports on the status of planning for the redeployment of the Armed Forces from Iraq. Further, it requires the Secretary to meet with Congress to brief us on the matters contained in those reports.

Under the Constitution, Mr. Speaker, we are charged here in Congress with raising and maintaining the military. It's important for us to be able to look

around the corner to unseen challenges that are out there. The last 30 years we've had 12 military engagements, most of which were a surprise to us. So consequently, it's important for us in Congress to understand the progress and the status of planning for the redeployment of our Armed Forces from Iraq, because there may be those contingencies out there. We hope it doesn't come to pass, but if the future is anything like the past, our forces will be necessary.

So let us understand what this bill does. I think it's a step in the right direction. I am absolutely pleased with the bipartisanship we have had, both in the Armed Services Committee and here on the floor. And special thanks to my friend, my colleague from Ohio (Mr. TURNER) for his work and his amendment on this legislation.

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

Mr. TURNER. Mr. Speaker, I want to thank the Chair again for his leadership for this bipartisan legislation, where this body will be able to come together for the important statement on the war in Iraq and for the important planning that needs to ensue.

Mr. BOYD of Florida. Mr. Speaker, I rise today in support of H.R. 3087.

This bill requires the administration to develop a new, redefined mission regarding our involvement and long term interests in Iraq.

This body has taken many votes this year on the issue of Iraq, but this is the first bill to address this issue that has come to the Floor with overwhelming bipartisan support.

A bipartisan approach is critical to put an end to the political infighting that has thus far stymied congressional debate on Iraq.

As a member of the Appropriations Subcommittee on Defense and a Vietnam veteran myself, it is my utmost concern to see that our troops are receiving the resources that they need, but I will continue to assert that our military has done all that we have asked it to do and now it is time for the Iraqi Government to take responsibility for the country's future.

Given that, our Commander in Chief owes this Congress and the American people a plan for a redefined mission that reflects this reality.

I have always believed that bipartisanship equals progress and in no other situation is the need more immediate. In fact, I hope that my colleagues know me as a person who puts these words into action. In the near future, I will be leading a bipartisan congressional delegation to visit our men and women stationed in Iraq.

It is my sincere hope that our upcoming bipartisan trip and this vote today begin a new era where Members continue to join together on areas in which we find agreement in order to make progress for the good of the American people and our great country.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of H.R. 3087, legislation that will require the administration to develop and share with Congress a comprehensive strategy for the redeployment of U.S. forces from Iraq.

Our Nation recognizes that we cannot remain in Iraq indefinitely. Just last week, General George Casey, the Army Chief of Staff, testified before the House Armed Services Committee that ongoing operations in Iraq were having a detrimental impact on our military readiness, endangering our ability to deal with other contingencies or problems. Our troops have done a superb job in a difficult mission, but they were not sent to Iraq to referee a civil war, and we need to bring them home. The violence in Iraq does not have a U.S. military solution; the answer lies in the Iraqi political reconciliation, which we must support with different methods.

The legislation before us today demonstrates Congress's commitment to ending our military presence in Iraq by mandating that the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, report on the status of planning for redeployment of U.S. forces from Iraq and to provide periodic updates about their implementation. This information is vital for congressional oversight so that we ensure our policies are informed by sound judgment and reflect the complex logistical considerations involved with an undertaking of such magnitude. The administration's poor planning for the post-invasion period led to widespread problems in reconstruction and created the environment of instability that reigns to this day. We must avoid making that mistake again so that our withdrawal from Iraq does not exacerbate existing problems or create new ones.

I will continue to work with my colleagues to demand a swift and safe withdrawal of our U.S. forces from Iraq, and I encourage all of my colleagues to support this measure.

Mr. BACA. Mr. Speaker, I ask for unanimous consent to revise and extend my remarks.

I'd like to thank my colleagues, Congressman TANNER and Congressman ABERCROMBIE, for their hard work on this issue and their dedication to a new direction forward in Iraq.

I rise today in strong support of H.R. 3087.

Mr. Speaker, a change of course in Iraq is long overdue.

The cost of this war is already too high. America has spent over $455 billion and lost more than 3,700 lives in Iraq.

This responsible legislation would require the President and senior administration officials to develop and submit a comprehensive redeployment strategy to Congress within 60 days, and every 90 days thereafter.

Additionally, this bill recognizes that the U.S. Armed Forces and U.S. civilians have worked valiantly, and that it is time for Iraq to manage its future.

The bill also notes that when Congress authorized military force in 2002, it was concerned about an Iraqi government that has since been removed from power.

The brave men and women of America's armed forces have served their country valiantly and will continue to do so.

But it is time to bring them home from Iraq.

We must refocus our mission on the global threat of terrorism.

As a veteran, I voted against this war in 2002 because no one could convince me why we needed to be there.

Now, after five years of the President's failed policies, Congress must take action.

I urge my colleagues to cast a vote for a new direction in Iraq and for the future security of America, and support H.R. 3087.

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of H.R. 3087, a bill that I voted for—along with 54 of my colleagues—when the Armed Services Committee considered it in July.

As amended in committee, H.R. 3087 requires the Secretary of Defense to submit a comprehensive redeployment strategy for U.S. troops in Iraq and requires that the Secretary and the Chairman of the Joint Chiefs of Staff brief the House and Senate Defense Committees on its contents within 60 days, and every 90 days thereafter.

This legislation underscores the importance of contingency planning—something I called for earlier this year when I introduced H.R. 1183, the Iraq Contingency Planning Act. It also underscores the importance of requiring the Defense Department to share its planning with Congress. The sharing can be done in a classified way, but Congress needs to be informed about these plans if we are to be prepared to respond to what these plans may call for.

We remember that in 2003, President Bush launched a war in Iraq without a plan for what would come after initial military sucess. We all know where that has led us, and so as a member of the Armed Services Committee, I want assurances that this administration is thinking about and planning for the withdrawal of U.S. troops from Iraq—whether it happens tomorrow or next month or next year.

Madam Speaker, this legislation isn't intended to solve the larger problem of Iraq. To do that, we need a policy aimed at escalating diplomatic and political efforts and lightening the U.S. footprint in Iraq. But although there is widespread support for redeploying our troops, there is not yet sufficient support in Congress to override a Presidential veto on any major change in our Iraq policy.

That's another reason this bill is important. So long as we lack a sufficient majority to override his veto, we Democrats can't force the President to change course without Republican support. Only Democrats and Republicans working together can find the path out of Iraq. This bill is a small step forward in building that bipartisan support, so I will vote for it again today, while I continue to work with colleagues on both sides of the aisle on further steps we can take to change our broader Iraq policy.

Mr. STARK. Mr. Speaker, I rise in opposition to a resolution that does nothing to end the war in Iraq.

Does H.R. 3087 call for our troops to immediately be brought home? No, it does not.

Does it at least call for redeployment over several months, or even years?

No, it does not.

Or at the very minimum, does it demand that the Pentagon actually develop and outline to a Congress a strategy on how redeployment might occur? No, it does not. As introduced, the bill would have done so. But in committee, this weak bill became even weaker.

There's no there there, if there ever was.

All the bill does is require the Department of Defense to report to Congress on the status of planning for redeployment.

Let's not kid ourselves about what the result of today's resolution will be. Every 3 months, President Bush's Secretary of Defense would tell Congress that the administration has not and will not develop a plan for the withdrawal of all our brave men and women in uniform.

That much I already know. I don't need a Bush lackey to repeat the bad news on a quarterly basis.

The only plan President Bush has is to keep our troops in harm's way for years if not decades. He wants to continue wasting tens of billions of dollars abroad while domestic needs go unmet at home.

I urge all my colleagues to vote against H.R. 3087 and instead support an immediate end to the war in Iraq.

Mr. MARKEY. Mr. Speaker, I rise today to speak in favor of H.R. 3087.

H.R. 3087 requires the Secretary of Defense to report to the Congress within 60 days, and every 90 days thereafter, ''on the status of planning for the redeployment of the Armed Forces from Iraq.'' This bill specifies that the Pentagon is to describe a range of different possible scenarios for withdrawal, and create multiple timelines for completion of withdrawal. These reports will be valuable to the Congress as it carries out its oversight responsibilities and considers future legislation regarding Iraq. While it is necessary to require the Department of Defense to draft plans for withdrawal for Iraq, it is not sufficient. President Bush must finally implement these withdrawal plans so that our brave men and women can return home to their families having served honorably under extremely difficult conditions.

It is clear that President Bush is content to allow the next President to clean up his mess in Iraq, and that is a travesty. The bill that we are considering today will at least make that job slightly easier for the next President, as the Pentagon will have already drawn up detailed plans for our withdrawal from Iraq. As we know only too well today, responsible planning and foresight was one of the earliest casualties of President Bush's war in Iraq. If the Congress must force such planning to be done, so be it.

Mr. Speaker, while I support H.R. 3087 and encourage all members to vote for its passage today, it is tragic that due to opposition from Republican leaders in the Congress and veto threats by the President, we have not yet been able to make further progress on withdrawing our troops from Iraq. There was no connection between the 9/11 attacks and Saddam Hussein and no nuclear weapons in the sands of Iraq, yet the President seems to have no intention of bringing this mistaken and ill-conceived war to an end. It is a war that has made the United States less secure, yet the President refuses to even begin thinking about a new strategy. It is long past time for the United States to hand over security in Iraq to the Iraqis, and I hope that this bill will move us closer to that goal.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in support of H.R. 3087, which requires the President, in coordination with the Departments of State and Defense, to transmit to the Congress a strategy for the redeployment of U.S. forces from Iraq. The bill also requires the Secretary of Defense, not later than 60 days after the enactment of this act, and every 90 days thereafter, to submit to congressional defense committees a report on the status of this planning. In addition, the bill requires the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to brief these same congressional committees on the matters contained in the report. Furthermore, the legislation contains ''sense of Congress'' language that the contingency planning should: address the protection of Iraqi forces, Iraqi nationals, third party nationals and U.S. civilians who have assisted the U.S. mission, enhance the ability of the United States to fight Al-Qaeda and affiliated terrorist organizations, and preserve military equipment necessary to defend the national security interests of the United States. Additional provisions in the bill include supporting and equipping Iraqi armed forces to take full responsibility for their own security.

This resolution is an important component of Congress's oversight of the Iraq war, and compels the administration to engage with Congress on the planning for responsible redeployment of our combat troops. The President's Iraq policy of putting our brave men and women in the Armed Forces in the position of policing the streets of Baghdad and other Iraqi cities in the midst of a sectarian war is the wrong strategy and one that continually puts them in harms way. I will continue to advocate for an immediate start to the responsible redeployment of our combat troops from Iraq, but in the meantime, it is important to garner as many votes as possible within the Congress to send a strong message to the administration that it must begin to plan for a comprehensive redeployment of our forces to provide for the best possible protection of our brave men and women in uniform.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 3087, which requires the President, in coordination with the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of the armed forces in Iraq. I am in favor of requiring the President to develop a comprehensive strategy for the redeployment of American forces out of Iraq. A good plan is a good thing. A bad plan is a bad thing. But worst of all, is having no plan at all, which has been the sad state of affairs in Iraq for the past four years. So H.R. 3087 represents a small step in the right direction. However, there is more to be done, much more.

While I am not opposed to this legislation requiring the administration to develop and transmit to the Congress a comprehensive strategy for redeploying our troops out of Iraq, I believe I speak for most Americans when I say that what we really want is to have the 160,000 brave men and women wearing the uniform in the service of their country reunited with their families and friends and contributing to their communities back here in America.

I am working toward the day when our soldiers, marines, sailors, and airmen can leave Iraq and return to the United States where they can receive the heroes welcome they deserve. I am working toward the day when the President of the United States issues a proclamation calling upon the people of the United States to observe a national day of celebration commemorating military success in Iraq. I can foresee the day when our troops who have known heat and hardship and horror in Iraq are again returned to their own land where they can be with family and friends and enjoy freedom and faith and fun. If H.R. 3087 hastens that day by just 24 hours, I can support it. But I will never be satisfied until our troops have been delivered out of Iraq and back to their loved ones.

Mr. Speaker, the administration has consistently placed far too great an emphasis on military objectives and solutions, and has consequently not allowed diplomacy the role it was intended to play in our global system. The administration stated, ''In the coming months, the United States will continue to operate along four lines of operation—security, political, economic, and diplomatic—to advance our objectives.'' In our war on terror, diplomacy cannot be used as a last resort. A war on terrorism is, as the Bush Administration has stated, a war for the ''hearts and minds,'' which simply cannot be won through military action.

Mr. Speaker, our troops in Iraq did everything we asked them to do. We sent them overseas to fight an army; they are now caught in the midst of an insurgent civil war and political upheaval. I have, for some time now, argued the importance of the Congress going on record acknowledging for all the world to know the success of the America's armed forces in Iraq. Our brave troops have completed the task we set for them; it is time now to bring them home. Our next steps should not be a continuing escalation of military involvement, but instead a diplomatic surge.

As the former chairman and vice chairman of the 9/11 Commission, Thomas H. Kean and Lee H. Hamilton, recently stated, ''Military power is essential to our security, but if the only tool is a hammer, pretty soon every problem looks like a nail. We must use all the tools of U.S. power—including foreign aid, educational assistance and vigorous public diplomacy that emphasizes scholarship, libraries and exchange programs—to shape a Middle East and a Muslim world that are less hostile to our interests and values. America's long-term security relies on being viewed not as a threat but as a source of opportunity and hope.''

Despite the multitude of mistakes committed by President Bush and former Defense Secretary Rumsfeld, our troops have achieved a military success in ousting Saddam Hussein and assisting the Iraqis in administering a democratic election and electing a democratic government. However, only the Iraqi Government can secure a lasting peace. Time and time again, the Iraqi Government has demonstrated an inability to deliver on the political benchmarks that they themselves agreed were essential to achieving national reconciliation. Continuing to put the lives of our soldiers and our national treasury in the hands of what by most informed accounts, even by members of the Bush administration, is an ineffective central Iraqi government is irresponsible and contrary to the wishes of the overwhelming majority of the American people.

Last month, the House Foreign Affairs Committee, of which I am a member, heard testimony on the Government Accountability Office report on Iraqi progress toward the 18 legislative, economic, and security benchmarks. The Comptroller General of the GAO informed members that only three of these benchmarks have been met by the Maliki government. Despite the surge, despite increasing U.S. military involvement, the Iraqi government has not made substantial progress toward stabilizing their country. The more than 3,750 U.S. casualties and the $3,816 per second we are spending in Iraq have not bought peace or security.

We are not here today to debate whether there has been some decrease in violence in Baghdad. The United States military is a skilled and highly proficient organization, and where there are large numbers of U.S. troops,

it is unsurprising that we see fewer incidents of violence. However, it is our responsibility to take a longer-term view. The United States will not and should not permanently prop up the Iraqi government and military. U.S. military involvement in Iraq will come to an end, and, when U.S. forces leave, the responsibility for securing their nation will fall to Iraqis themselves. And so far, we have not seen a demonstrated commitment by the Iraqi government.

Mr. Speaker, President Bush stated in June 2005, ''Our strategy can be summed up this way: As the Iraqis stand up, we will stand down.'' Instead of concentrating on building local capacity and applying pressure to the Maliki government to force them to take responsibility for the destiny of their nation, the Administration has chosen to pursue policies, namely the Baghdad security plan, that focus on continued combat by U.S. forces, rather than transferring responsibilities to Iraqis. As a result, Iraqi security forces, ISF remain entirely dependent upon U.S. troops; the August 2007 National Intelligence Estimate reports that the ISF ''have not improved enough to conduct major combat operations independent of the Coalition'' and ''remain reliant on the Coalition for important aspects of logistics and combat support.'' With the New Way Forward strategy, American troops continue to shoulder the majority of the war effort.

How will we know when the American forces are no longer needed? In testimony before a Joint Foreign Affairs-Armed Services Committees hearing last week, both General Petraeus and Ambassador Crocker painted an optimistic picture of the situation in Iraq, making frequent reference to the progress and success in the Anbar province. However, Iraqi Parliament member and leading Shi'a cleric, Jamal Al-Din, said in a Congressional Briefing the following day that he did not recognize the country they described as the Iraq he represents, an Iraq that continues to be riddles with factionalism, extremism, and domestic strife. Even the administration's report projects a daunting list of challenges that face American troops on Iraq as well as Iraqis. These include: communal struggle for power between Shi'a majority and Sunni Kurd and other minorities; Al-Qaeda extremists in Iraq acting as accelerants for ethno-sectarian violence; Iranian lethal support to Shi'a militants; and foreign support to extremists in Iraq. And while General Petraeus and the Bush administration have been stressing the progress made in the region and the need for more time, they failed to note that sizeable increase in ethno-sectarian deaths in July and August and the fact that ethno-sectarian violence presents a substantial challenge to stability in the region, particularly in rural areas where security presence is light.

And while the situation in Iraq presents an open-ended military challenge to our forces abroad, our presence in the region may be hindering the security of our Nation. Evidence suggests that not only is increased U.S. military presence in Iraq not making that nation more secure, it may also be threatening our national security by damaging our ability to respond to real threats to our own homeland. The recently released video by Osama bin Laden serves to illustrate that President Bush has not caught this international outlaw, nor brought him to justice. Instead, he has diverted us from the real war on terror to the war of his choice in Iraq.

Recently, the former chairman and vice chairman of the 9/11 commission, Thomas H. Kean and Lee H. Hamilton, published an op-ed in the Washington Post examining the question of whether our nation is safer today, six years after 9/11. Kean and Hamilton concluded, ''We still lack a sense of urgency in the face of grave danger.'' The persistence of this threat is attributed to ''a mixed record of reform, a lack of focus, and a resilient foe,'' and the authors note that our own actions have contributed to a rise of radicalization and rage in the Muslim world. Kean and Hamilton write that ''no conflict drains more time, attention, blood, treasure, and support from our worldwide counterterrorism efforts than the war in Iraq. It has become a powerful recruiting and training tool for al-Qaeda.''

Mr. Speaker, Iraq faces a severe crisis. With a factionalist government in which parties are based on religion, a qualification that is strictly forbidden within the Iraqi constitution, religious, tribal, and ethnic tensions remain high and mere subsistence has become a challenge to the average citizen. The UNHCR has recently said that more than two million Iraqi's have claimed refugee status abroad since the invasion, while an additional 60,000 people flee their homes each month. In a recent statement, Ambassador Crocker the admission of refugees was ''bogged down by major bottlenecks.''

The Administration has spent so much time and money on its military strategy that it is ill-equipped to handle the human rights atrocities that are occurring. And while the United States delays admission of refugees based on a myriad of bureaucratic security checks, Ambassador Crocker states, ''refugees who have fled Iraq continue to be a vulnerable population while living in Jordan and Syria.''

Finally, Mr. Speaker, I would like to draw attention to the lack of adequate oversight of the American war effort. Given the enormous amount of resources involved, coupled with the catastrophic costs in human lives, we would certainly expect adequate management of U.S. funds and military supplies. We would expect clear records of exactly where those $10 billion a month is going, and to whom it is being given. And yet, the GAO reports that the Pentagon has lost track of over 190,000 weapons, given to Iraqis, particularly in 2004 and 2005. The report states that the U.S. military does not know what happened to 30 percent of the weapons the United States distributed to Iraqi forces from 2004 through early this year as part of an effort to train and equip the troops. These weapons could be used to kill our American troops.

In addition, only yesterday, the Iraqi government stated that it would review the status of all private security firms operating in the country. This announcement came after a controversial gunfight on Sunday, involving the U.S.-based firm Blackwater USA, left eight civilians dead. Mr. Speaker, reports indicate that there are currently at least 28 private security companies operating in Iraq, employing thousands of security guards. This incident suggests the need for superior oversight and accountability for contractors in Iraq.

Mr. Speaker, the real tragedy of this war has been the deaths of so many of our American sons and daughters. At current count, the Department of Defense had confirmed a total of 3,808 U.S. casualties. In addition, more than 28,009 have been wounded in the Iraq war since it began in March 2003. June, July, and August have marked the bloodiest months yet in the conflict, and U.S. casualties in Iraq are 62 percent higher this year than at this time in 2006. This misguided, mismanaged, and misrepresented war has claimed too many lives of our brave servicemen; its depth, breadth, and scope are without precedent in American history.

Before I close, Mr. Speaker, I would like to discuss briefly an important legislative proposal that I will soon introduce. This legislation, the ''Military Success in Iraq Commemoration Act of 2007,'' recognizes the extraordinary performance of the Armed Forces in achieving the military objectives of the United States in Iraq, encourages the President to issue a proclamation calling upon the people of the United States to observe a national day of celebration commemorating the military success of American troops in Iraq, and provides other affirmative and tangible expressions of appreciation from a grateful nation to all veterans of the war in Iraq.

There are many interesting and important legislative proposals relating to the war in Iraq. Most of them, however, are contentious and divisive making it difficult for them to attract broad support across the aisle. In this respect my legislation is different. That is because it involves an issue over which there should be widespread and broad-based consensus. We should all be able to agree that one good and sufficient reason to redeploy U.S. troops out of Iraq is because they have achieved their mission objectives. They have been victorious in every battle and have won the military victory they were sent to win in March 2003. They are victors and heroes who have never been defeated on the battlefield.

Blaming the current chaos in Iraq on our military is like blaming the Continental Army for the outbreak of the Civil War. In each case, the armed forces did their jobs—they won the war they were sent to fight; in each case, it was the civilian leadership that failed to win or maintain the peace.

The Armed Forces of the United States are not to be used to respond to 911 calls from governments like Iraq's that have done all they can to take responsibility for the security of their country and safety of their own people. The United States cannot do for Iraq what Iraqis are not willing to do for themselves.

When our heroic young men and women willingly sacrifice life or limb on the battlefield, the nation has a moral obligation to ensure that they are treated with respect and dignity. One reason we are the greatest nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful nation cares about them.

Outside of my office there is a poster-board with the names and faces of those heroes from Houston, Texas who have lost their lives wearing the uniform of our country. I think to myself how lucky I am to live in a nation where so many brave young men and women volunteer to the ultimate sacrifice so that their countrymen can enjoy the blessings of liberty. Now is the time to remind our heroes they have not been forgotten. More importantly, America has not forgotten them.

My legislation, the Military Success in Iraq Commemoration Act of 2007, pays fitting tribute to the valor, devotion, and heroism of

those who fought in Iraq in the following ways. First, my bill provides an express finding by the Congress that the objectives for which the AUMF resolution of 2002 authorized the use of force in Iraq were achieved by the Armed Forces of the United States.

Second, my bill authorizes the President to issue a proclamation calling upon the American people to observe a national day of celebration commemorating the Armed Forces' military success in Iraq. This will help ensure that the Iraq War does not suffer the fate of other open-ended engagements like the Korean War, which is often called the ''Forgotten War.''

Third, my bill authorizes funds to be appropriated and awarded by the Secretary of Defense to state and local governments to assist in defraying the costs of conducting suitable ''Success in Iraq'' homecoming and commemoration activities and in creating appropriate memorials honoring those who lost their lives in the war. Many of the casualties in the Iraq War come from small towns and villages in rural or economically depressed areas. The local governments are already facing substantial fiscal pressures and need help coming up with the necessary funds.

Finally, my bill creates a program and authorizes funds to be appropriated pursuant to which the Secretary of Veterans Affairs shall award to each veteran of the Operations Iraqi Freedom and Enduring Freedom a grant of $5,000 to facilitate the transition to civilian life. We don't want veterans to end up homeless or unemployed or unable to take their kids on a vacation or start a business. This $5,000 bonus is but a small token of the affection the people of the United States have for those who risked their lives so that we may continue to live in freedom.

Mr. Speaker, perhaps no issue will more define this Congress than how we conclude this misguided conflict. I am proud to be a part of a Congress that is listening to the clearly expressed will of the American people, and I remain, as ever, committed to ending this truly tragic conflict.

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

Mr. SKELTON. 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 Missouri (Mr. SKELTON) that the House suspend the rules and pass the bill, H.R. 3087.

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. SKELTON. 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, this 15-minute vote on suspending the rules and passing H.R. 3087 will be followed by 2-minute votes on motions to suspend the rules with regard to:

House Resolution 635,

House Concurrent Resolution 203,

H.R. 2828, and

House Concurrent Resolution 200.

The vote was taken by electronic device, and there were—yeas 377, nays 46, not voting 10, as follows:

[Roll No. 927]

YEAS—377

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Israel
Issa
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Ortiz
Pascrell
Pastor
Paul
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
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
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—46

Baird
Baldwin
Barrett (SC)
Barton (TX)
Brady (TX)
Burton (IN)
Buyer
Cannon
Capuano
Carter
Cleaver
Conyers
Davis (IL)
DeGette
Flake
Frank (MA)
Franks (AZ)
Grijalva
Hall (NY)
Hinchey
Holt
Inslee
Jackson (IL)
Johnson, Sam
King (IA)
Kucinich
Lamborn
Lewis (GA)
McCotter
McDermott
McNerney
Moore (WI)
Moran (VA)
Olver
Pallone
Payne
Pence
Rothman
Serrano
Shimkus
Stark
Tancredo
Velázquez
Waters
Watson
Woolsey

NOT VOTING—10

Carson
Cubin
Davis, Jo Ann
Hastert
Higgins
Jindal
Kilpatrick
Lee
Maloney (NY)
Perlmutter

□ 1701

Ms. DEGETTE, Ms. WATSON, Ms. VELÁZQUEZ and Messrs. ROTHMAN, FRANK of Massachusetts, CANNON, BURTON of Indiana, DAVIS of Illinois, CONYERS and LAMBORN changed their vote from ''yea'' to ''nay.''

Messrs. BROUN of Georgia, RADANOVICH and WESTMORELAND changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to require the Secretary of Defense to submit to Congress reports on the status of planning for the redeployment of the Armed Forces from Iraq and to require the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and appropriate senior officials of the Department of Defense to meet with Congress to brief Congress on the matters contained in the reports.''.

A motion to reconsider was laid on the table.

RECOGNIZING COMMENCEMENT OF RAMADAN AND COMMENDING MUSLIMS FOR THEIR FAITH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 635, as amended, 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 California (Mr. SHERMAN) that the House suspend the rules and agree to the resolution, H. Res. 635, as amended.

This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 376, nays 0, answered ''present'' 42, not voting 14, as follows:

[Roll No. 928]

YEAS—376

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
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
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth

ANSWERED ''PRESENT''—42

Aderholt
Akin
Barrett (SC)
Bonner
Bono
Broun (GA)
Brown-Waite, Ginny
Burgess
Buyer
Carter
Conaway
Deal (GA)
Everett
Fallin
Forbes
Franks (AZ)
Garrett (NJ)
Gohmert
Goode
Granger
Hayes
Johnson, Sam
Jordan
King (IA)
Lamborn
Marchant
McIntyre
Miller (FL)
Neugebauer
Pence
Price (GA)
Rogers (AL)
Souder
Tancredo
Thornberry
Tiahrt
Walberg
Wamp
Weldon (FL)
Westmoreland
Young (AK)
Young (FL)

NOT VOTING—14

Bachus
Carson
Cubin
Davis, David
Davis, Jo Ann
Gingrey
Hastert
Higgins
Hunter
Jindal
Kilpatrick
Lee
Maloney (NY)
Perlmutter

□ 1706

Mr. BARRETT of South Carolina and Mr. MARCHANT changed their vote from ''yea'' to ''present.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A resolution recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and expressing respect to Muslims in the United States and throughout the world on this occasion, and for other purposes.''.

A motion to reconsider was laid on the table.

CONDEMNING THE PERSECUTION OF LABOR RIGHTS ADVOCATES IN IRAN

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 203, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

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. 203, as amended.

This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 1, answered ''present'' 1, not voting 12, as follows:

[Roll No. 929]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger

Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
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
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
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
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—1

Kucinich

NOT VOTING—12

Carson
Cubin
Davis, Jo Ann
Hastert
Higgins
Jindal
Kilpatrick
Lee
Maloney (NY)
Perlmutter
Rangel
Rush

□ 1711

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FOREIGN SERVICE VICTIMS OF TERRORISM ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2828, 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 Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, H.R. 2828, as amended.

This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 12, not voting 11, as follows:

[Roll No. 930]

YEAS—409

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
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
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
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
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
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)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—12

Broun (GA)
Cantor
Deal (GA)
Flake
Goode
LaTourette
Paul
Shuster
Simpson
Tancredo
Terry
Young (FL)

NOT VOTING—11

Abercrombie
Carson
Cubin
Davis, Jo Ann
Hastert
Higgins
Jindal
Kilpatrick
Lee
Maloney (NY)
Perlmutter

□ 1716

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.

SPUTNIK ON DISPLAY

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

Mr. SHAYS. Members of the House, 50 years ago on Thursday, the Russians launched a tiny moon into space called Sputnik. They built seven satellites, one they launched which burned up as it came back to Earth. One of them is right outside the main entrance on the way to Statuary Hall.

I would invite Members to take a look at what shook the world 50 years ago and got us to wake up. Sputnik is right on the way to Statuary Hall.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 2-minute voting will continue.

There was no objection.

EXPRESSING SENSE OF CONGRESS REGARDING THE IMMEDIATE AND UNCONDITIONAL RELEASE OF DAW AUNG SAN SUU KYI

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 200, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LANTOS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 200, as amended.

This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 2, not voting 17, as follows:

[Roll No. 931]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
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
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
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
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
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)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—2

Paul
Terry

NOT VOTING—17

Carson
Cubin
Davis, Jo Ann
Gohmert
Green, Gene
Hastert
Higgins
Hobson
Honda
Jindal
Kilpatrick
Lee
Maloney (NY)
Miller, George
Perlmutter
Tancredo
Wolf

□ 1722

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''Concurrent resolution condemning the violent suppression of Buddhist monks and other peaceful demonstrators in Burma and calling for the immediate and unconditional release of Daw Aung San Suu Kyi.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PERLMUTTER. Mr. Speaker, due to a family emergency I missed the following votes on Tuesday, October 2, 2007. I would have voted as follows:

H.R. 3087—To require the President, in coordination with the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of United States Armed Forces in Iraq—''yea;'' H. Res. 635—Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith—''yea;'' H. Con. Res. 203—Condemning the persecution of labor rights advocates in Iran—''yea;'' H.R. 2828—To provide compensation to relatives of United States citizens who were killed as a result of the bombings of United States Embassies in East Africa on August 7, 1998—''yea;'' and H. Con. Res. 200—Condemning the violent suppression of Buddhist Monks and other peaceful demonstrators in Burma and calling for the immediate and unconditional release of Daw Aung San Suu Kyi—''yea.''

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 13th Congressional District of Michigan, I was unable to attend to several votes. Had I been present, I would have voted ''yea'' on final passage of H.R. 3087, to require the President, in coordination with the

Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of United States Armed Forces in Iraq; ''yea'' on final passage of H. Res. 635, recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith; ''yea'' on final passage of H. Con. Res. 203, condemning the persecution of labor rights advocates in Iran; ''yea'' on final passage of H.R. 2828, to provide compensation to relatives of United States citizens who were killed as a result of the bombings of United States Embassies in East Africa on August 7, 1998; and ''yea'' on final passage of H. Con. Res. 200, condemning the violent suppression of Buddhist Monks and other peaceful demonstrators in Burma and calling for the immediate and unconditional release of Daw Aung San Suu Kyi.

COMMUNICATION FROM THE HONORABLE MAXINE WATERS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable MAXINE WATERS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 2, 2007.

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

DEAR MADAM SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have been served with a trial subpoena for testimony in a criminal case issued by the Superior Court for the District of Columbia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

MAXINE WATERS,
Member of Congress.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1506

Mr. BUTTERFIELD. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1506.

The SPEAKER pro tempore (Mrs. BOYDA of Kansas). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 106

Mr. CARNAHAN. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H. Res. 106.

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

There was no objection.

CONGRATULATIONS, CHIEF BRISCOE

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

Mr. MCHENRY. Madam Speaker, we are often told safety doesn't happen by accident. And it is no accident that Caldwell County has been kept safe under the careful watch of Lenoir Fire Chief Ken Briscoe, who has been fighting fires for more than 30 years.

Chief Briscoe wrote the book on firefighting, literally. He developed extensive training curricula while working with the State fire marshal's office, sharing his wisdom and experience with more than 1,400 North Carolina fire departments.

Chief Briscoe then returned to the front lines of firefighting, taking the helm of the Lenoir Fire Department, and we have been fortunate to have him. The Lenoir Fire Department is a top-notch organization. And because of his leadership there, Chief Briscoe has recently been named North Carolina's top firefighter by the North Carolina State Firemen's Association.

In the words of one of his lieutenants, ''Chief Briscoe is a firefighter's fireman.'' I am honored to know such a public servant and call him a friend.

Congratulations, Chief Briscoe. We are very proud of you. You have earned this award, and you have kept the people of western North Carolina safe. Thank you for your service.

FLORIDA STANDS AGAINST TERRORIST REGIMES

(Mr. MARIO DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, on September 19, the State of Florida took a very principled stand against terrorist regimes by divesting roughly $1.3 billion of public employee retirement funds from companies that invest in Iran and Sudan. Iran is actively developing nuclear weapons despite protests from the international community and has repeatedly threatened to wipe the State of Israel off the map.

Sudan continues to engage in genocide against its citizens, resulting in more than 400,000 deaths and more than 2 million people forced to seek refuge in neighboring countries. The American people's hard-earned money should not go towards helping state sponsors of terror or enhancing illegal nuclear programs.

Madam Speaker, I am extremely proud of Florida and its leadership for taking this remarkable step on this issue, and I hope other States will join in this effort.

Obviously, more can always be done to stop funding and to take funding away from state sponsors of terrorism, but this is an important step that the State of Florida has taken. For that, I commend the State of Florida and the State elected officials.

WELCOMING NATIONAL FRANCHISEE ASSOCIATION

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

Mr. GINGREY. Madam Speaker, throughout the course of our Nation's history, the prosperity of America and its citizens has invariably been linked with the success of our economy. Our country should be proud of its entrepreneurs who are the key components of that success.

I would like to recognize and thank the National Franchisee Association for providing the support and resources necessary to maintain its membership which consists of Burger King franchisees.

The NFA was founded with a mission: ''To improve, preserve and ensure the economic well-being for all of its members.'' For nearly 20 years, the National Franchisee Association has delivered this promise by expanding its services and adapting to the ever-changing economic and technological landscape.

Today, the NFA's membership is comprised of approximately 1,200 franchisees from across the country, representing every district in every State.

NFA members employ thousands of citizens and provide individuals, especially our Nation's youth, with an opportunity to learn traditional American values, including hard work, cooperation and responsibility.

Madam Speaker, I encourage my colleagues to welcome the NFA's membership to our Nation's Capital, and I thank them for their continuous positive contribution to the fabric of our society.

□ 1730

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the 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.)

YOUTH PRESIDENTIAL FORUM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. KELLER) is recognized for 5 minutes.

Mr. KELLER. Madam Speaker, what are the most important issues facing today's high school and college students? Being able to afford college? Access to health care? The Iraq war? Who are their favorite Democratic candidates? Obama? Clinton? Edwards?

Who are their favorite Republican candidates? Giuliani? McCain? Romney?

Well, thanks to the first ever National Youth Presidential Forum on November 14, 2007, up to 10 million young people will have the opportunity to hear from the Presidential candidates from both parties and then cast their votes.

As the Congressman from central Florida, I'm very proud that the Lou Frey Institute of Politics and Government at the University of Central Florida is playing a key role in putting together this unprecedented event.

They've joined together with the EWN Foundation, The Presidential Classroom, and the United States Association of Former Members of Congress to sponsor a 3-hour forum online, which brings together Presidential candidates and America's young people for the first time in a unique Webcast.

This is how it will work. Presidential classroom scholars will create questions which will then be sent to the Presidential candidates who can respond via videotape prior to the event or live the day of the event. Then, thanks to the event sponsors, the Webcast will be provided free to each of the participating high schools and colleges across the United States.

All of the students will then be able to vote for up to 36 hours after hearing from each of the candidates on the issues most important to them.

I urge my colleagues to go to www.rocktheweb.org for more information on this great project. It provides a valuable civics lesson for our students and important feedback to our Presidential candidates on the key issues facing America's young people.

I would encourage all of the Presidential candidates, high schools and colleges to participate in this worthwhile educational opportunity.

CAMEL NO. 9 CIGARETTES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Madam Speaker, I rise to discuss an important public health issue, particularly for young women and girls.

As a mother, grandmother and a former school nurse, I know all about the annual back-to-school shopping ritual. Each fall, kids and parents hit the stores to stock up on school supplies and new clothes. Unfortunately, this fall there's a new must-have item being advertised, and believe it or not, it's Camel No. 9 cigarettes.

It's being brought to our daughters, granddaughters and nieces by the folks at R.J. Reynolds, the same company that thought cartoon character Joe Camel was a responsible product spokesman.

Camel No. 9 cigarettes are just the pink version of Joe Camel, or as one Oregon newspaper put it, ''Barbie Camel.'' And R.J. Reynolds' tobacco marketing strategy is complete with fashionable giveaways to young women that include berry lip balm and mini hot pink purses.

The tag line for Camel No. 9 is ''light and luscious,'' which sounds more like a tasty treat than a cancer-causing cigarette. Now there's even a Camel No. 9 stiletto line which evokes images of the sexy shoes.

Well, I'd like to remind R.J. Reynolds that there's nothing sexy about emphysema or dying prematurely from cancer. No amount of pretty pink packaging can obscure the fact that lung cancer is the number one cancer killer among American women, a truth that underscores big tobacco's desperate search for new smokers.

While we expect this kind of sleazy marketing from tobacco companies, I've been terribly disappointed that they've found a new and unexpected ally in women's fashion magazines. These magazines set the styles and trends for the country. They have historically served as legitimate sources for information on women's health and fitness, and they've sold out the well-being of their readers to help big tobacco in their search for new victims.

So back in June, 40 of my colleagues joined me in writing to the publishers of 11 leading women's magazines. We asked them to voluntarily stop accepting misleading advertising for deadly cigarettes, particularly for Camel No. 9. When not one of these magazines bothered to formally respond to our first letter, we wrote again.

This time seven of them did respond, but none have committed to drop the ads. Several defended themselves by pointing to their editorials on the dangers of smoking, but how can a young impressionable reader possibly take that seriously when they can flip the page and find an advertisement for cigarettes that make them look as sexy and sophisticated as perfume?

Just look at this ad printed in the October edition of ''Glamour.'' This ''Dressed to the 9s'' piece encourages the ''fashion forward'' woman to embrace a vintage look and more closely resembles the magazine's regular editorial content on the latest fashions. The ad also helpfully recommends starting a vintage makeover with a little black dress.

Quite frankly, it would be more appropriate to exhibit how it would look with black lungs and yellowed teeth readers would have after a life of smoking.

This sort of deceptive advertising is brilliant in the eyes of marketers but shameful in the eyes of anyone who cares about public health. These ads are obviously targeted to appeal to young women and girls.

And although this magazine may claim that girls and teens are only a small fraction of their readership, I think that everyone can relate to the familiar scene of a young girl in line at the grocery store with her mom, flipping through the magazines that the cool older girls are reading. This is exactly what they would see in this issue of ''Glamour.'' There's two more pages I don't have time to flip through myself.

Newsweek columnist Anna Quindlen recently wrote on Camel No. 9 cigarettes and this deliberate effort to appeal to young women and girls. In her piece she noted that her own 18-year-old daughter had tried Camel No. 9, describing its taste and smell with words like perfume, caramel, and chai tea.

So R.J. Reynolds and leading women's fashion magazines are pushing pink stiletto cigarettes that smell like perfume, taste like chai on ad pages that are virtually indistinguishable from the regular fashion content of the magazine. Yet, they continue to insist that this ad blitz, timed perfectly to coincide with the start of school, is in no way targeting our children? It would be laughable if it wasn't so serious.

Tomorrow, we're going to be having a hearing on H.R. 1108, introduced by my colleague HENRY WAXMAN, which would give FDA the authority to regulate tobacco, including advertising, and I hope that the magazines that are printing these ads don't wait until Congress passes a law in order to do the right thing.

If the Camel No. 9 advertising blitz that greeted our students at the start of the school year is any indication of their intentions, I shudder to think of the tricks and treats R.J. Reynolds and its new friends in the magazine business have in store for our young women and girls this Halloween.

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.)

LET'S GET SERIOUS ABOUT OUR FISCAL OUTLOOK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Madam Speaker, last Tuesday Congressman JIM COOPER and I reintroduced the SAFE Commission Act, and I'm hopeful that by joining efforts our colleagues in the House and the Senate will embrace this bipartisan commission that could put our country on sound financial footing.

U.S. Comptroller General David Walker, the Heritage Foundation, the Brookings Institution, the Concord Coalition and the Committee for a Responsible Federal Budget all support the Cooper-Wolf SAFE Commission Act.

These groups also have joined on what they call ''The Fiscal Wake-Up Tour,'' which has been traveling across

America from San Francisco to Cincinnati laying out the facts about the future financial condition of our country, discussing possible options and preparing the way for tough choices that those of us in Congress are going to have to make.

When you look at this tour, you see groups who usually disagree more than they agree on policy issues. That makes it even more extraordinary that they all agree that we need to sit down and work together to make sure our country doesn't fall into a financial canyon that we can never climb out of.

That's the message that is resonating with folks who hear them: the need to come together and work to find bipartisan answers to ensure a secure financial future for America.

What the tour has told us, too, is that we shouldn't underestimate the willingness and ability of the American people to hear the truth and support the decisions necessary to change our financial course, and that's encouraging.

Many of you may recall the Simon and Garfunkel song, ''The Boxer,'' with the refrain, ''Man hears what he wants to hear and disregards the rest.'' The Fiscal Wake-Up Tour offers hope that with education Americans may be more ready than we think to accept the fact that Federal spending cannot continue to balloon without consequences. It is time that we tell the American people what they need to hear and not just what they want to hear. ''The Boxer'' song, ''Man hears what he wants to hear and disregards the rest.''

Thirty years from now we won't be arguing in Congress over discretionary spending anymore because there will be no funding left in that category.

I'm not an expert in economics, but simple math tells us that little money will be left to ensure that our highways and bridges are safe, that there will be no money for cancer research and to solve the riddles of Parkinson's and Alzheimer's, that there won't be money to care for veterans.

Resources will be scarce to ensure our schools are the best in the world so that our children and grandchildren can get the necessary tools, particularly in math and science, to compete in the world marketplace.

We owe it to our young people to start the process today. Reining in spending is both an economic and it is a moral issue.

We cannot continue to avoid our responsibility to future generations of Americans by passing on a broken system in the form of unfunded Social Security and Medicare obligations and unsustainable spending.

We cannot continue to borrow and mortgage our future to countries like China, which has a terrible human rights record and has plundered Tibet, and has Catholic bishops in jail and Protestant pastors in jail and others in jail, or the Saudi Arabia that is funding Wahabism around the world, that they carry obscene amounts of our debt.

But I'm going to be candid. Congress, on its own, unfortunately can't get it done in this politically charged atmosphere of Washington today. The Congress today is dysfunctional. The latest public opinion polls perhaps validate my assessment.

The American people expect us to put our partisan differences aside and to work together to get things done. We must move beyond the politics and come to grips with the fact that the financial future of our country is an American issue. It's not a red issue or blue issue. It's a red, white and blue issue. It's an issue that, as Americans, we should be working together to deal with.

Under the SAFE Commission process, Congress is the ultimate decision-maker obviously, but it will be the SAFE Commission, after holding hearings across the country, listening to the American people and putting everything on the table for discussion, entitlements and tax policies, which will send its recommendations to Congress for a mandatory up-or-down vote, similar to what we do on the base closing commission.

Congress will be the major part in the SAFE process. It will be at the table. We even hold out hope that Congress could find its way and act on its own.

First, at least four of the 14 congressionally appointed commission members must be sitting Members of Congress.

Second, if Congress enacts significant legislation aimed at addressing this looming crisis, the SAFE commission would terminate and cease to exist.

We hope this happens, but, quite frankly, I don't think it will. Abraham Lincoln once said: ''You cannot escape the responsibility of tomorrow by evading it today.''

I believe there is a moral component to this issue that goes to the heart of who we are as Americans. By that I mean have we lost a national will to make the tough decisions.

The SAFE Commission offers us the opportunity to find a way forward to protect our future. Is it right for one generation to live very well knowing that its debts will be left to be paid for by their children and their grandchildren? No, it is not right, but it is immoral.

I'm challenging our colleagues today to come together—to know that while you served in Congress you did everything in your power to provide the kind of security and way of life for your children and grandchildren that your parents and grandparents worked so hard to provide for you.

The challenge, too, goes out to the leadership in Congress and the Administration to make this a truly bipartisan effort and put the SAFE Commission on the fast track to enactment.

How can we lack leadership on such a fundamental issue?

Leadership by definition requires taking initiative—to act before others, to develop fresh approaches.

This issue is timely and critical.

I urge you to review the bipartisan Cooper-Wolf legislation.

□ 1745

IMPROPER OVERSIGHT OF BLACKWATER AND THE PASSAGE OF H.R. 3087 IS A STEP IN THE RIGHT DIRECTION TO RESPONSIBLY REDEPLOY OUR TROOPS FROM IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Madam Speaker, today in the House Oversight and Government Reform Committee, my colleagues and I questioned the CEO of Blackwater and lead figures in the Department of State regarding private security contracting in Iraq and Afghanistan.

During the course of this hearing, I was absolutely alarmed and shocked by the stark reality that private contractors such as Blackwater have possibly created a shadow military of mercenary troops that are not accountable to the United States Government or to anyone else.

With 180,000 Americans, Iraqis and nationals from other countries who operate under an array of Federal contracts provide everything from security and intelligence gathering to infrastructure building and transporting supplies to a country nearly the size of California.

Even more alarming is the fact that Blackwater and similar private contractors make up the largest security force in Iraq. There are currently over 20,000 more contractors than the total U.S. military forces.

With these numbers, one may suspect the contractors are being utilized, in part, to mask the true extent of our involvement in Iraq. I am also concerned with the fact that many contractors such as those working for Blackwater are simply held to a different standard, where circumventing criminal law, rules of engagement and even the Geneva Conventions have become far too commonplace.

There have been 195 escalation of force incidents from Blackwater alone since 2005, including several previously unreported killings of Iraqi civilians. In 80 percent of these instances, Blackwater fired first. This ''shoot now and ask questions later'' attitude has resulted in further distrust amongst Iraqis for American military forces and the Iraqi Interior Ministry demanding that Blackwater cease its operations in Iraq, all during a time when winning the cooperation of Iraqi civilians and government is critical for our success for our mission.

Due to these and other incidents, Blackwater has undermined our strategic mission in Iraq and possibly stifled our already sensitive relationship with Iraq's neighboring states, those

same countries where garnering multilateral and bilateral support is critical to solidifying political reconciliation in Iraq.

The President has consistently stated that he wants to win the hearts and the minds of Iraqis. However, the ongoing use of Blackwater contractors that are consistently beyond legal reach is not the way to achieve that goal. Blackwater is clearly the realization of former Secretary of Defense Donald Rumsfeld's vision of a ''hollow military,'' where everything that can be privatized and outsourced will be.

Blackwater appears to be held above the law, as the State Department continues to make little effort to hold it accountable, while continuing to award contracts amounting to over $1 billion since 2000, $300 million of which were awarded as no-bid contracts. Clearly it is time for a new direction beyond the failed policy in Iraq, which has been further deteriorated by the administration's use of inept privatized security contractors.

That new direction begins with outlining a clear statement on appropriate and detailed contingency plans for a reasonable redeployment of troops from Iraq, including consideration of force protection for military and civilian personnel and a need to continue to protect our vital national security interests as mandated in Representatives ABERCROMBIE, TANNER and TURNER's bill, H.R. 3087.

As such, the passage of H.R. 3087 is a clear step in the right direction, that our men and women in uniform not sacrifice another 3,800 lives without a clear strategy for redeploying our troops. We recognize that, since the planning of the redeployment of our troops from Iraq is a complex status, we must plan accordingly as to not repeat the mistakes made in the original planning for the Iraq invasion and post-war occupation.

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 gentleman from New York (Mr. HALL) is recognized for 5 minutes.

(Mr. HALL of New York addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING OWSLEY BROWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

Mr. YARMUTH. Madam Speaker, it is my distinct honor to rise today in recognition of my good friend and a great citizen of my hometown of Louisville, Kentucky, Owsley Brown II, as we mark the end of his 46-year career at Brown-Forman.

In Louisville, Owsley is well known for his success in business. He worked his way up to the top of his family business, and his leadership turned it into a giant in the wine and spirits industry. That fact is all the more astounding, considering that among the top companies in the industry 50 years ago, only his Brown-Forman remains a leader in the field.

The global expansion has taken the company to heights only dreamed of back then, and the branding under his watch was absolutely unprecedented. Jack Daniel's, a tiny acquisition of a half century ago, has practically superseded the term whisky itself. But in Kentucky, of course, we take the most pride in Brown-Forman's home-grown bourbons: Early Times, Old Forester and Woodford Reserve.

Owsley Brown's reputation in business comes not only from making money, but from creating an environment in which people want to work. Owsley himself takes great pride in the fact that the average tenure at Brown-Forman, 14 years, is three times the average for a Fortune 500 Company. The reason for this is simple. For many of these employees, Owsley Brown gave them more than a job; he gave them a home.

But Owsley's place in our community only begins with what happens in the walls and barrels at Brown-Forman Corporation. Through the philanthropy of Brown-Forman, Owsley set the standard for what it means to be a good corporate citizen. His commitment to social responsibility can be seen throughout his work for the Century Council, of which Brown-Forman is a founding member, and in every facet of Louisville life.

His dedication to the arts has been critical to Louisville's developing a scene in which music, theater, independent film and visual arts of every stripe have thrived, helping to forge our community's unique and exciting character. His philanthropic devotion to health care has helped make Louisville home to some of the best facilities, doctors, and medical innovation in the world.

What's more, as Owsley helped to make Louisville a vibrant 21st-century city, he never lost sight of the need to preserve Kentucky's natural beauty. In fact, he has served as a powerful force in protecting land from overdevelopment, particularly along Louisville's scenic riverfront. Long before conservation hit the mainstream, Brown-Forman began implementing policies to reduce the company's environmental footprint and enhance the environment around us.

So as Owsley took Brown-Forman to new heights worldwide, our community reaped the rewards. We are fortunate in Louisville, for even as a corporation sees its leader pass the torch into other capable hands, Mr. BROWN remains one of our most generous and responsible citizens. His triumph and business exceeds the success of the bottom line. The true achievement he oversaw and engineered was creating a company of fine character and impeccable integrity, just like the man himself.

I urge my colleagues to join me in honoring my good friend, Owsley Brown, thanking him for all he has done and wishing him luck as he enters this next chapter of life.

Owsley, you and Christy now have time to see the world, and I have no doubt that you will use that time to change it.

COSTA RICA CAFTA REFERENDUM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. MICHAUD) is recognized for 5 minutes.

Mr. MICHAUD. Madam Speaker, I rise tonight in strong opposition to the lies being told to the good people of Costa Rica about the importance of the CAFTA referendum they are about to vote on.

I went to Costa Rica last night to share some basic truths. The pro-CAFTA government is now telling the people of Costa Rica how wonderful passage of CAFTA will be for them.

Remember when the Mexican Government said exactly the same thing to the people of Mexico during a debate on NAFTA in 1993? What happened with the passage of NAFTA, 1.3 million Mexican farmers have been displaced.

The country's growth rate has stagnated. Wages have actually declined, and the country's environmental policies have been successfully challenged and chilled throughout NAFTA's outrageous corporate regime.

NAFTA and CAFTA have actually increased protectionism by restricting free commerce in lifesaving medicine. One hundred priests in Costa Rica have come out against the flawed trade model; and just this past weekend, hundreds of thousands of good Costa Rican citizens protested this referendum. Out of a country of 4 million people, that shows how strong opposition is, and it should be.

Voters are being told by the United States Government that we will retaliate if they do not vote in favor of this referendum. The people of Costa Rica can rest assured that the U.S. Government will not retaliate. In fact, let me quote a letter last week sent from our Senate majority leader, HARRY REID, and the Speaker of the House to the Ambassador of Costa Rica: ''The decision as to whether or not Costa Rica joins CAFTA and votes yes or no on their referendum on October 7 is the decision of the people of Costa Rica.''

The letter goes on to say: ''We understand that it has been asserted by some that there is a link between the referendum vote and Costa Rica's continued participation in the Caribbean Basin Initiative. We are not aware of

any connection between the two. Participation in CBI is not conditioned on a country's decision to approve or reject a free trade agreement with the United States.''

As someone who has supported trade preference for Latin American countries like I have, the most recent the Andean countries, I can confirm that there will be absolutely no retaliation against the country or voters no matter what the outcome of the referendum. The people must look beyond the scare tactics being waged in this campaign.

How will CAFTA affect Costa Rica? Voters, all they have to do is look to Mexico to see what CAFTA has done to them. Since the passage of NAFTA, poverty in Mexico has increased. The middle class has declined. Many Mexicans are fleeing to America in hopes of finding a better wage and a life for their families.

Who benefits under NAFTA and CAFTA agreements? The multinational corporations, not the people. We have seen that corporations and their friends in the government will employ dirty tricks, election fraud, and tell outright lies to ensure that they continue to be able to exploit workers and ruin the environment.

This is a historic and important vote for the people of Costa Rica. I believe it is time for the United States and Costa Rica to go back to the drawing board and develop a new trade agreement that all sides can be proud of. The United States renegotiated Peru, Colombia, Panama and South Korea. We should do the same thing with the agreement with Costa Rica. It is time to develop an agreement that benefits our workers and communities.

The SPEAKER pro tempore (Mr. WALZ of Minnesota). Under a previous order of the House, the gentleman from Delaware (Mr. CASTLE) is recognized for 5 minutes.

(Mr. CASTLE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 928, IMPROVING GOVERNMENT ACCOUNTABILITY ACT

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–358) on the resolution (H. Res. 701) providing for consideration of the bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2740, MEJA EXPANSION AND ENFORCEMENT ACT OF 2007

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–359) on the resolution (H. Res. 702) providing for consideration of the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3648, MORTGAGE FORGIVENESS DEBT RELIEF ACT OF 2007

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–360) on the resolution (H. Res. 703) providing for consideration of the bill (H.R. 3648) to amend the Internal Revenue Code of 1986 to exclude discharges of indebtedness on principal residences from gross income, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3246, REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ACT OF 2007

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–361) on the resolution (H. Res. 704) providing for consideration of the bill (H.R. 3246) to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation, which was referred to the House Calendar and ordered to be printed.

□ 1800

DRUMBEATS OF WAR ARE COMING AGAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, out of a sense of duty and a growing fear, I rise to say that I hear the drumbeats of war coming again from this administration. This time, Iran is in the crosshairs.

It's ironic that the alarm has sounded today, the birth date of Mahatma Gandhi, and the United Nation's first World Nonviolence Day in honor of Gandhi's commitment to peace.

Perhaps the contrast between the man of peace and an administration of war will underscore the need and the urgency for Congress to act before the President orders a military strike.

I listened and sounded the alarm in 2002 regarding Iraq. But the President and the Vice President had already set in motion their invasion plan, and those who got in the way were called unpatriotic and uncaring or worse. Back then, too many in the media, the Congress and across the Nation were willing to accept a war without justification or justice. Now, at least the American people overwhelmingly recognize the tragic consequences of the Iraq war and the occupation.

At least one development in 2008 may make this time different than 2002. The Internet has grown exponentially. Today, credible and factual information is readily available. The blogosphere is on fire sounding alarm, and we will have no one to blame except ourselves if we let this administration take us to war in Iran. Go to your computer and Google ''Iran war.'' The search yields 74 million hits. Let me read a few of the top search results:

Day One: ''The War with Iran.''

''Iran: The next war,'' in the Rolling Stone.

''America's hidden war with Iran,'' Newsweek.

''Is U.S.-Iran war inevitable?'' Time magazine.

''The Iran plans,'' the New Yorker.

And ''The U.S. trains gulf Air Forces for war against Iran.''

Some see the same signs as I do, and they are writing across a broad spectrum of the media, trying to be heard above the beats of war. However, the President and Vice President are using friendly fire from the right-wing media to lull the Americans to sleep, while they lay the groundwork and shop for a Gulf of Tonkin-like provocation to launch a military strike.

Journalist Tim Shipman of the Telegraph in London writes ''American diplomats have been ordered to compile a dossier detailing Iran's violations of international law. Some U.S. diplomats believe the exercise will boost calls for military action by neoconservatives inside and outside the administration.''

In the New Yorker, renowned journalist Seymour Hirsh says, ''The revised bombing plan for a possible attack, with its tightened focus on counterterrorism, is gathering support among generals and admirals in the Pentagon.

Hirsch adds, ''A Pentagon consultant on counterterrorism told me that, if the bombing campaign took place, it would be accompanied by a series of what are called short, sharp incursions by American special forces into suspected Iranian training camps. Cheney is devoted to this, no question.''

Now, does that sound like a diplomatic solution to you?

For at least a year we've been lulled into believing that the administration cannot fool the American people again. But I say this is just the kind of wishful thinking this administration is hoping for. It gives them time to spin the rhetoric and plot the missile tracks into Iran.

We stand on the brink of a conflagration in the Middle East, spreading from Iraq to Iran, to Pakistan and Afghanistan and the entire region. The legacy of this administration could be wars without ends and wars without borders.

Waiting for the next election may be too late; 475 days is a long time.

As a medical doctor, I was trained to listen to the patient. I've been listening to this President, and he's telling us that Iran is his next military target. Congress is all that stands in the way of this President carrying out a bombing strike of how many sources, how many sites we don't know. And I urge the House to act before it is too late.

We need a resolution that requires the President to come back to the Congress before any act of war is taken against Iran.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. SHAYS) is recognized for 5 minutes.

(Mr. SHAYS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE MEASURE OF SUCCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the military announced yesterday that the number of monthly U.S. combat deaths fell to the lowest point in a year. Military and administration officials touted this as a success.

Is this the way we're measuring success in Iraq these days? Sixty-four brave members of our military forces were killed in September. And that is a success? That is something to brag about?

Tell that to the 64 families who will have to celebrate the holidays without their loved ones this year. Tell that to the children who lost a parent. Tell that to the mother who prayed every single day for the safe return of her child.

That is not a success, Mr. Speaker. That is a tragic loss of life. We have lost over 3,800 brave men and women in uniform in the occupation of Iraq. At least 28,000 have been wounded. How many is too many before the administration sees the errors of its ways? I can't begin to guess.

And what about the Iraqi families? Press reports indicate that nearly 1,000 Iraqis were killed during the month of September. Tens of thousands were displaced from their homes in September.

Is this another success of the administration? Tell that to the children who can't go to school, to the hospitals trying to treat patients without a consistent supply of electricity, to the families who just want to live a normal life.

The international community, the so-called coalition of the willing, sees the writing on the wall. In fact, British Prime Minister Gordon Brown just announced that 1,000 British troops will leave by the end of the year.

And speaking of milestones, Mr. Speaker, the number of coalition partner deaths recently reached 4,000. Enough is enough.

This Congress must, we must take bold steps to bring our troops home and to help the Iraqi people return to their lives. Only when the United States military presence, troops and contractors leave Iraq will the real healing and national rebuilding begin.

We don't need any more reports. What we need is action. We need the Commander in Chief to support the troops. We need him to bring our troops home, not in a year, not in 10, now. And we have seen that this administration will not redeploy the troops unless Congress forces its hand.

Eighty-four Members of the House have sent a letter to the President saying that we will only support spending bills that fully fund the safe, orderly and responsible redeployment of our troops and our military contractors. No more, no less.

Join us in our resolve. Support our troops. Bring them home.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

(Ms. LINDA T. SÁNCHEZ of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

NAFTA EXPANSION TO PERU

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the proposed Bush NAFTA expansion to Peru provides no path to job growth in the United States or to correcting the growing U.S. trade deficit with Peru. The Bush proposal will yield the same result: more outsourced U.S. jobs, growing trade deficits, more landless Peruvian farmers, rising coca production, more illegal immigration, continued decline in the quality of life on both continents, and enrichment for a narrow band of political and multinational elites.

The proposed Peru agreement keeps intact some of the most offensive NAFTA–CAFTA provisions, such as prohibiting Congress from passing legislation to promote ''buy American'' or to prevent the offshoring of more of our jobs. We keep asking ourselves: If you keep getting the same bad result, why keep enacting more of the same kinds of laws?

The agreement even amplifies the CAFTA provisions regarding foreign investors being able to procure government contracts and settle disputes outside of U.S. courts. I find it unacceptable that the agreement handcuffs this Congress as it attempts to protect the interests of the people who send us to represent them. That's supposed to be our job.

On a number of fronts, the Peru Free Trade Agreement stands to cause more harm than good. Take worker rights. The agreement merely commits Peru to hortatory, nonbinding language in the preamble to the ILO convention, and it does nothing to assure enforcement through the actual body of the conventions that provide the real protection for workers. There are no worker protections in this draft.

In addition, the environmental provisions are equally inferior. All of the major environmental groups oppose the agreement, but for a couple who receive heavy corporate contributions. Would this have anything to do with the fact that the Andalusian pipeline that will bring more oil and gas out of Latin America might have something to do with this agreement?

Importantly, in agriculture, as Oxfam points out, ''the agreement will harm many thousands of Peru's farmers,'' just as in Mexico millions of farmers have been harmed who then flock to the United States to find any kind of sustenance. Though some American farmers think they will stand to benefit from the zeroed-out tariffs, many don't understand that the MERCOSUR customs agreement between Peru and its neighbors will allow pork to flow in there from Argentinean and Brazilian imports. So I would think that our pork producers should be very skeptical that they're going to claim the largest share of that market.

Now, where are these displaced Peruvian farmers supposed to turn? Perhaps, in their desperation for a profitable crop, they will help Peru reclaim its title as the world's number one coca producer. Or perhaps they will follow the same path as Mexico's abandoned corn and bean farmers and migrate to the overcrowded cities of the United States, legally or not.

President Bush's Peru deal continues the bad trade policies that leave our consumers vulnerable to food safety catastrophes. Peru places second to China in its fisheries, and plenty of Peruvian seafood imports to our country are rejected due to filth, salmonella and equally disturbing criteria. Indeed, 27 percent, a third of all Peruvian antibiotic lines imported to this country already are found to be tainted and rejected. Why would we want more?

Until now, Democrats have stood united against President Bush's plan to privatize Social Security in the United States; yet the proposed Peruvian agreement effectively endorses and solidifies Peru's privileged and privatized and severely flawed system. Giant multinational banks such as Citibank that invest in these private investor accounts would, under the Peru agreement, be entitled to compensation if privatization were reversed.

Despite all of these concerns, instead of holding a formal hearing on such far-reaching legislation for a country

of 28.7 million people, half of whom live below the severe poverty line, the Ways and Means Committee instead held what's called a mock markup session last week. There were no recorded votes. It was a mock session. No recorded votes. No Member outside of the committee was invited to testify or comment, and they kept the old fast track procedure where they're going to bring it up here and not allow any amendments. It's another inside deal, because if you really had a full deal, a square deal, a fair deal, the majority of Members of this Congress would not vote for it, so they have to put handcuffs on everybody in order to try to maneuver it through here.

Had I been allowed to submit testimony on the record at the hearing, I would have voiced my strong opposition to this NAFTA-style agreement that is destined to further exploit the struggling working classes in Peru and the United States. Unless it results in new jobs for our country and growing trade balances, rather than more deficits, no Member should support it. Any trade agreement that passes here should have mutually beneficial approaches which yield trade balances and jobs in our country.

I'd ask my colleagues to defeat this exploitative NAFTA expansion model for Peru.

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.)

□ 1815

ANITA HILL AND SEXUAL HARASSMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, sometimes you come to the floor in a moment of personal privilege and you come because you feel compelled to speak to those and for those whose voices cannot be heard in this forum. And today I do such a task, and the task involves more than a decade-old allegation that now has been reignited, given new life through the memoirs of Supreme Court Justice Clarence Thomas.

Everyone has a right to defend themselves and to express the concerns that they may have regarding their reputation. All of us do. But I think it is important to take issue with the broad media coverage that Justice Thomas has secured over these days with an intent, it seems, to malign, if you will, the words, the testimony, and the truth told by Anita Hill.

Though over four decades have passed since title VII of the Civil Rights Act of 1964 prohibited employment discrimination based on race, sex, color, national origin, or religion, a glance at today's New York Times reminds us that workforce harassment is, unfortunately, still raising its ugly head.

I am, frankly, offended by the attempt by Justice Thomas to suggest that Ms. Hill was not telling the truth. I do so because, of course, in the forum that he utilizes, Ms. Hill is not able to answer her accuser.

In listening to an interview that Ms. Hill did, she emphasizes that she was telling the truth, that there was, in her opinion and others who were witnesses, the same. But I really wonder why we would have to condemn the idea that sexual harassment does not occur and why, in trying to suggest that it doesn't occur, we would have to malign a person's actions or personality with such phrase as: Well, what was she like? Well, she could defend herself. The sentence was not finished. Defend herself against what? Suggesting that she was not the demure, religious, conservative person, I guess, that maybe she was alleged to have portrayed during those hearings before the Senate.

I didn't see any of that. I saw a young, energetic, but yet quiet, frightened, and intending-to-tell-the-truth young woman. I saw a young woman with courage who refused to back down in spite of the lights of all the world.

Mr. Speaker, sexual harassment is alive and well. You can ask some of my constituents at Ellington Air Force Base in Houston, TX. You can ask individuals who have called my office who have indicated that that is what is occurring to them in the workplace.

Ms. Hill's actions during that time were brave. To bring them up and drag her through the mud again in 2007 with little opportunity for her, a professor in Oklahoma, to have the same kind of hearing is unfair and does a great disservice to the work that women have done, that the National Organization of Women has done, and that so many Members of Congress have done, who have tried to bring equality to women.

The controversy raised national awareness about sexual harassment in the workplace, with the number of sexual harassment complaints received by the Equal Employment Opportunity Commission spiking from 6,127 in 1991 to 15,342 in 1996. Why? Because women felt that at last someone had broken the glass ceiling and they could speak up.

The American Association of University Women reported that, according to a 2002 study of eighth to 11th grade students, 83 percent of girls and 78 percent of boys have been sexually harassed. So it crosses gender.

I believe a Supreme Court Justice should not have taken the opportunity in a public forum to give disdain to that which we are now trying to overcome. So I want to put into the RECORD, Mr. Speaker, the New York Times op-ed by Anita Hill, ''The Smear This Time,'' and I would simply ask, Mr. Speaker, that we would recognize that sexual harassment is alive and well and that Anita Hill should not be the scapegoat for someone else trying to repair their reputation.

Mr. Speaker, I rise tonight to discuss an issue that continues to plague our society: sexual harassment. Though over four decades have passed since Title VII of the Civil Rights Act of 1964 prohibited employment discrimination based on race, sex, color, national origin, or religion, a glance at today's New York Times reminds us that workplace harassment is, unfortunately, still rearing its ugly head in our society. I am extremely concerned about sexual harassment, which statistics indicate remains pervasive in the United States, as well as the rest of the world.

Mr. Speaker, though the phrase ''sexual harassment'' was coined in the 1970s, it came to the forefront of our national conscience in 1991, with the confirmation hearings for Clarence Thomas's nomination to the Supreme Court. Anita Hill, then a law professor at the University of Oklahoma, alleged that Thomas sexually harassed her during her tenure as his assistant at the U.S. Department of Education and then on his legal staff at the U.S. Equal Employment Opportunity Commission. Despite her testimony before the Senate, Thomas was eventually confirmed by a narrow 52–48 margin.

As Ms. Hill writes in today's New York Times, ''The question of whether Clarence Thomas belongs on the Supreme Court is no longer on the table—it was settled by the Senate back in 1991.'' And yet, Mr. Thomas has chosen to use his prestige and his position to once again launch an attack against Ms. Hill, again blaming the victim of his alleged harassment. In his recently published book ''My Grandfather's Son'', for which Thomas has received a reported $1.5 million, Thomas smears Ms. Hill's name, not only calling her testimony lies, but also personally attacking her, describing her as ''touchy and apt to overact,'' and her job performance as ''mediocre.'' In recent interviews surrounding the publication of his book, Thomas has gone even farther, questioning her political views as well as her religious convictions, stating on the TV show ''60 Minutes'', ''She was not the demure, religious, conservative person that they portrayed.''

Mr. Speaker, I am appalled that Justice Thomas has once again victimized Ms. Hill, now a professor of social policy, law and women's studies at Brandeis University and a visiting scholar at the Newhouse Center for the Humanities at Wellesley College. Not only is this yet another case of blaming the victim of abuse, it sets a dangerous precedent of reversing the substantial progress toward combating sexual harassment that we have made since 1991. As Ms. Hill eloquently writes, ''Our legal system will suffer if a sitting justice's vitriolic pursuit of personal vindication discourages others from standing up for their rights.'' Mr. Speaker, sexual harassment is already grossly underreported, and this underreporting will only worsen if the women and men who are victimized are made afraid of decades of retribution, such as Ms. Hill continues to face, should they speak up about the abuse.

Ms. Hill's bravery in standing up before the Senate and the country in 1991 and sharing her experiences has led to a number of positive repercussions. The controversy raised national awareness about sexual harassment in

the workplace, with the number of sexual harassment complaints received by the Equal Employment Opportunity Commission (EEOC) spiking from 6,127 in 1991 to 15,342 in 1996. Recent years have seen the number of sexual harassment cases hovering around 15,000, and in FY 2006 the EEOC reported 12,025 charges of sexual harassment.

However, these numbers cannot even begin to illustrate the reality of sexual harassment. According to a 2004 study, 35 percent of women and 17 percent of men surveyed reported being sexually harassed. Sexual harassment is pervasive in our educational system, with the American Association of University Women reporting that, according to a 2002 study of 8th–11th grade students, 83 percent of girls and 78 percent of boys have been sexually harassed. The same organization also conducted a study of university students in 2006, finding that 62 percent of college women and 61 percent of college men report harassment, while 31 percent of university students admit to sexually harassing someone else. Despite progress toward addressing this serious issue, our children remain extremely vulnerable to harassment.

Sexual harassment also remains distressingly prevalent in our military. Women have become an integral part of our Nation's armed services, and they now fill 15 percent of military ranks worldwide. After a series of sex scandals in the 1990s, the United States military has made a conscientious effort to address this ongoing problem. The military now holds regular workshops on preventing sexual harassment, and each battalion has a designated Equal Opportunity representative trained to respond to any complaints.

However, with unprecedented numbers of women deployed to Iraq and Afghanistan, recent complaints by female veterans of these conflicts have indicated that a great deal more must be done. To date, over 160,000 female soldiers have been deployed to Iraq and Afghanistan, as compared with the 7,500 who served in Vietnam and the 41,000 who were dispatched to the gulf war in the early '90s One of every 10 U.S. soldiers in Iraq is female. According to Army studies, female solders in Iraq suffer from post traumatic stress disorder at twice the rate of their male counterparts, with 16 percent of female soldiers meeting the criteria for PTSD, as opposed to 8 percent of male soldiers. Women returning from conflict must not only deal with the psychological remnants of the conflict, many also have experienced harassment by their male counterparts.

Mr. Speaker, the courageous recent testimony of several female Iraq veterans indicates that the military's new measures have not been successful in eliminating sexual harassment. A study funded by the Veterans' Administration after the first gulf war suggested that the rates of both sexual harassment and assault rise during wartime. Unfortunately, a number of female Iraq veterans interviewed earlier this year by the New York Times spoke of a pervasive sense that reporting sexual crimes was not worthwhile. This is confirmed by Department of Defense statistics, which indicate that while 3,038 investigations of military sexual assault were completed in 2004 and 2005, only 329, or about one-tenth, of these cases resulted in a court-martial.

Sexual harassment is not confined to our Armed Forces. Though Ms. Hill's courageous testimony served as a flash point to illuminate the serious problem of sexual harassment in the workplace, the over 12,000 complaints that the Equal Employment Opportunity Commission heard last year clearly indicate that this problem has not been adequately addressed. Though the provision in title VII of the Civil Rights Act of 1964 that prohibits employment discrimination based on gender was originally written to protect women, I believe it is extremely important to highlight the fact that men too are victims of sexual harassment. In fact, recent years have shown a rapid increase in the number of men reporting sexual harassment, from 9 percent of the cases received by the equal Employment Opportunity Commission in 1992 to 15.4 percent in 2006. This is not just the case in the United States; a 2006 study by the government of the United Kingdom indicated that two-fifths of all sexual harassment victims are male. If we are to adequately address this ongoing problem in our society, I believe it is extremely important that we recognize that sexual harassment is perpetrated by both men and women, and victimizes individuals of both genders.

Mr. Speaker, much has changed since 1991. After the controversy surrounding Justice Thomas's confirmation was decided by a Senate that was 98 percent male, 1992 saw the election of a record number of female candidates to public office, including a number of women to the Senate. Subsequently dubbed the "Year of the Woman," the 1992 elections were, according to many commentators, a direct reaction to Justice Thomas's nomination and confirmation. Women have since continued to become increasingly involved in politics.

Mr. Speaker, I do believe that we are on the right track. The Equal Employment Opportunity Commission reports that the number of sexual harassment cases has doubled in recent years, and of the 12,025 cases the commission received in fiscal year 2006, 11,936 were resolved, and victims were awarded $48.8 million in monetary benefits. This is an enormous increase from total awards of $7.7 million in 1991 and $27.8 million in 1996.

If this progress is to continue, the women, and men as well, who are victims of sexual harassment must be encouraged to come forward. What Anita Hill did in 1991 was incredibly brave; she stood in the face of the powerful to tell the truth about abuses she faced. I am appalled to see Justice Thomas use his prestige and his recent book to lash out, once again, at Ms. Hill. Though over 15 years have passed, and Justice Thomas's position in the Supreme Court is not under threat, he continues to use his pulpit to the detriment of efforts to end sexual harassment.

Mr. Speaker, sexual harassment is real, it remains an unfortunate part of our society, and we must do far more to combat it. Anita Hill concludes her article by stating, "questions remain about how we will resolve the kinds of issues my testimony exposed. My belief is that in the past 16 years we have come closer to making the resolution of these issues an honest search for the truth, which, after all, is at the core of all legal inquiry. My hope is that Justice Thomas's latest fusillade will not divert us from that path." I sincerely share Ms. Hill's hope.

THE SMEAR THIS TIME

(By Anita Hill)

WALTHAM, MASS. On Oct. 11, 1991, I testified about my experience as an employee of Clarence Thomas's at the Equal Employment Opportunity Commission.

I stand by my testimony.

Justice Thomas has every right to present himself as he wishes in his new memoir, "My Grandfather's Son." He may even be entitled to feel abused by the confirmation process that led to his appointment to the Supreme Court.

But I will not stand by silently and allow him, in his anger, to reinvent me.

In the portion of his book that addresses my role in the Senate hearings into his nomination, Justice Thomas offers a litany of unsubstantiated representations and outright smears that Republican senators made about me when I testified before the Judiciary Committee—that I was a "combative left-winger" who was "touchy" and prone to overreacting to "slights." A number of independent authors have shown those attacks to be baseless. What's more, their reports draw on the experiences of others who were familiar with Mr. Thomas's behavior, and who came forward after the hearings. It's no longer my word against his.

Justice Thomas's characterization of me is also hobbled by blatant inconsistencies. He claims, for instance, that I was a mediocre employee who had a job in the federal government only because he had "given it" to me. He ignores the reality: I was fully qualified to work in the government, having graduated from Yale Law School (his alma mater, which he calls one of the finest in the country), and passed the District of Columbia Bar exam, one of the toughest in the nation.

In 1981, when Mr. Thomas approached me about working for him, I was an associate in good standing at a Washington law firm. In 1991, the partner in charge of associate development informed Mr. Thomas's mentor, Senator John Danforth of Missouri, that any assertions to the contrary were untrue. Yet, Mr. Thomas insists that I was "asked to leave" the firm.

It's worth noting, too, that Mr. Thomas hired me not once, but twice while he was in the Reagan administration—first at the Department of Education and then at the Equal Employment Opportunity Commission. After two years of working directly for him, I left Washington and returned home to Oklahoma to begin my teaching career.

In a particularly nasty blow, Justice Thomas attacked my religious conviction, telling "60 Minutes" this weekend, "She was not the demure, religious, conservative person that they portrayed." Perhaps he conveniently forgot that he wrote a letter of recommendation for me to work at the law school at Oral Roberts University, in Tulsa. I remained at that evangelical Christian university for three years, until the law school was sold to Liberty University, in Lynchburg, Va., another Christian college. Along with other faculty members, I was asked to consider a position there, but I decided to remain near my family in Oklahoma.

Regrettably, since 1991, I have repeatedly seen this kind of character attack on women and men who complain of harassment and discrimination in the workplace. In efforts to assail their accusers' credibility, detractors routinely diminish people's professional contributions. Often the accused is a supervisor, in a position to describe the complaining employee's work as "mediocre" or the employee as incompetent. Those accused of inappropriate behavior also often portray the individuals who complain as bizarre caricatures of themselves—oversensitive, even fanatical, and often immoral—even though they enjoy good and productive working relationships with their colleagues.

Finally, when attacks on the accusers' credibility fail, those accused of workplace

improprieties downgrade the level of harm that may have occurred. When sensing that others will believe their accusers' versions of events, individuals confronted with their own bad behavior try to reduce legitimate concerns to the level of mere words or ''slights'' that should be dismissed without discussion.

Fortunately, we have made progress since 1991. Today, when employees complain of abuse in the workplace, investigators and judges are more likely to examine all the evidence and less likely to simply accept as true the word of those in power. But that could change. Our legal system will suffer if a sitting justice's vitriolic pursuit of personal vindication discourages others from standing up for their rights.

The question of whether Clarence Thomas belongs on the Supreme Court is no longer on the table—it was settled by the Senate back in 1991. But questions remain about how we will resolve the kinds of issues my testimony exposed. My belief is that in the past 16 years we have come closer to making the resolution of these issues an honest search for the truth, which, after all, is at the core of all legal inquiry. My hope is that Justice Thomas's latest fusillade will not divert us from that path.

THE HOUSE COMMITTEE ON RULES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the minority leader.

Mr. DREIER. Mr. Speaker, I think this is the first time in the 110th Congress that I have stood here taking out a 1-hour Special Order, and I don't do this very lightly and obviously I don't do it terribly often. But, Mr. Speaker, I am here to address an issue that, frankly, doesn't get a great deal of attention either in this House or among the American people.

Last week my very distinguished colleagues, with whom I am pleased to serve on the House Rules Committee on the minority side, the gentleman from Miami, FL, LINCOLN DIAZ-BALART; the gentleman from Pasco, WA, DOC HASTINGS; and the gentleman from Dallas, TX, PETE SESSIONS; and I came together. And we, after a great deal of research, have compiled a report and unveiled this.

This report, Mr. Speaker, is entitled ''Out of Order,'' and I would commend it to all of my colleagues. It is relatively short, about 10 or 11 pages, has got a number of graphs, and it is available for any one of our colleagues who would like to see this report. You can get it on the Web right now if you'd like, Mr. Speaker, at rules-republicans.house.gov. And I will repeat that again. It's rules-republicans.house.gov.

And what we are going to do, Mr. Speaker, over the next hour is we are going to hear about this report, and a number of our very distinguished colleagues who have, for lack of a better term, been victimized by the actions of this Rules Committee are going to share with our colleagues some of the experiences that they have had.

Now, one might say that we are here whining or complaining about our mistreatment. Mr. Speaker, nothing could be further from the truth. Nothing could be further from the truth. We are here because the American people, Democrats, Republicans, and independents alike, were promised something much different than what they have gotten. We are not here to whine. We are not here to complain. We are here to fight on behalf of the American people's right to be heard, the right to ensure that our deliberative democracy is, in fact, that; that our process of representative democracy is able to flourish. And, tragically, if one looks at this report, over the last 9 months we have found that that has not, in fact, been the case.

Now, many might argue these guys want to just talk about process. Mr. Speaker, I say to my colleagues process is substance. It has been through this horrendous process that we have seen, in the farm bill, a massive tax increase that was written into place by the Rules Committee. We have found, through this Rules Committee, that they have prevented us from having the opportunity to bring gasoline prices down, and we all know that gasoline prices are incredibly high. How did they do that? By denying an opportunity for us to have an amendment that would have done what virtually everyone says is essential in our quest to reduce gasoline prices, and that is to increase refinery capacity. Unfortunately, the permitting process is so onerous that it has been literally decades since we have seen a new oil refinery put online.

What happened? Right upstairs, just one floor above where we are now, Mr. Speaker, we saw that process utilized to prevent us from having the ability to even have a vote on whether or not we would create the potential to increase refinery capacity.

And then in the dead of night, in the very dead of night on the so-called SCHIP bill, which virtually every single one of us want to make sure that poor kids are able to have access to health care, we want to do that, but we don't want us to proceed with something that was done in the dead of night at 1 o'clock in the morning by the Rules Committee, and that is take the Medicare Advantage program and basically throw that out the window, undermining the ability for senior citizens to have access to quality health care.

And so this notion of our, as some have liked to say, whining about process is not the case. We are here fighting on behalf of the American people so that we can have some success with the process of representing them as effectively as possible.

Now, we know that throughout the last couple of years and, in fact, at the beginning of this year, we, as Members of the United States House of Representatives, were promised an awful lot. And, Mr. Speaker, I know that often the other side will simply raise criticism about how we as Republicans managed this institution. And I have admitted that we have made mistakes. I admitted that we didn't do it perfectly. And I know we have three present members of the Rules Committee and one former member of the Rules Committee here, and I have acknowledged to them that we didn't do everything perfectly.

But I will say this, Mr. Speaker: our discussion here is not about what we did. It is about what Members of the new majority promised they were going to do.

I would like to share a couple of quotes, and we have got some charts here. I don't often use charts, Mr. Speaker, but I think it is important to point to some of the things that were said.

Here is a quote from STENY HOYER, the majority leader. Let's look at this, Mr. Speaker. In testimony that he gave before the Rules Committee on June 23 of 2003, he said: ''Mr. Chairman,'' I guess he was addressing me at that point. He said: ''The lack of a free and fair debate on such important matters is an embarrassment to the Members who are privileged to serve here. It demeans this House. It cheats the American people, and it offends our democratic traditions.''

So we were promised that there would be a new day, a new day when they became the majority. Let me just take a moment to look at the track record, and then I want to begin yielding to some of my colleagues.

In the last 9 months, this Rules Committee has issued more than double, in fact, many more than double the number of closed rules than our Republican majority Rules Committee did. Now, Mr. Speaker, for those of our colleagues who may not have been following this all that closely, it means no amendments and very limited debate. So we were promised this new open process that was denied in the past, and yet they have come forward with more than twice as many completely closed rules, shutting out any opportunity for amendment.

This Rules Committee has rejected more minority-sponsored amendments than the Rules Committee of the past did.

□ 1830

And Mr. Speaker, this Rules Committee has, unfortunately, reduced by a full day the amount of time that Members and their staff have to review the bills and to submit their amendments. So they promised that all this great deliberation was going to take place, and they've actually cut nearly in half the amount of time the Members have to review and look at and offer amendments to measures.

One of the most outrageous things of all, Mr. Speaker, one of the most outrageous policies to come forward is one which is a slap in the face at any American who has their Representative here trying to offer an amendment for them. For management purposes, if the

Rules Committee obviously establishes that they are going to have some kind of structured rule, we have a deadline for filing, and that deadline is stated, for example, at 5 p.m. on a certain date. And we have instance after instance where Members have literally arrived at the door 1 or 2 or 3 or 4 or 5 minutes after 5 p.m. and they've been told that their amendment can't even be considered, can't even be submitted for the Rules Committee to consider. Now, I will say that this is something that has never been done in the 220-year history of this institution.

The Rules Committee was established, Mr. Speaker, on the 2nd of April, 1789, which was the second day of the first Congress. Since that period of time, we have never had this kind of treatment of Members. And that's a new policy that has been put into place under this so-called enhancement of deliberativeness, openness, transparency, disclosure and accountability, and all of those words that we've continued to hear from so many in the past who have touted all the changes that need to be made.

So let's see what we've got. Okay. We've got a quote from the very distinguished chairwoman, the gentlewoman from Rochester, New York (Ms. SLAUGHTER). Now, this was on the 20th of April in 2005. And in this quote, she was describing the job of ranking minority member of the Rules Committee in a press release that was put out. It is the job that I now hold as ranking minority member. And in this press release she stated, ''My job on the Rules Committee is to serve as the guardian of the democratic process in the House. That process and the democratic values of everyday Americans are under attack by an out-of-control majority. Someone has to step up to the plate and ensure that the business of this House is conducted in an ethical manner, without corruption and without arrogance. I didn't ask for that job, but I humbly accept the responsibility.'' Now, that's a statement that was made by the very distinguished present chairman of the Committee on Rules.

Mr. Speaker, I have to say that when we look at this record over the past 9 months, it is, to me, a very, very sad commentary that every single American has had their rights undermined on dealing with substantive public policy issues.

Just upstairs about 2 hours ago in the Rules Committee, we, unfortunately, reported out a rule dealing with a very important issue that we're going to be considering this week, and there were some questions that were raised. The minority was promised last August 2, 2 months ago today, that that issue would be resolved. And unfortunately, the gentleman from Virginia (Mr. FORBES), who serves as the ranking member of a subcommittee of the Judiciary Committee on the issue in question, which is one that we want to address, it's one that's getting a great deal of attention now, but what happened? The issue and the concerns that were raised in a bipartisan way were completely ignored; so, no opportunity whatsoever to address that.

We offered two amendments upstairs to try and address those and, unfortunately, by a partisan vote we saw the American people, through their Representatives on the Rules Committee, denied that chance to have this issue dealt with in a bipartisan way, as had been promised in the past.

There are a number of issues that I would like to get into to discuss. We know probably the one that has gotten the most attention within the last week had to do with the aftermath of the unveiling of our very important out-of-order report, which again I would say to my colleagues, I encourage them to look at this report. It's available at rules-republicans.house.gov. And any of our colleagues can go online right now and get a copy of this. And Mr. Speaker, I would encourage them to do that.

After we unveiled this plan last week, Mr. Speaker, in which we talked about this problem, the Rules Committee took action which I find to be absolutely reprehensible, and there was bipartisan concern voiced over the action that was taken. We were considering a critical issue. In the aftermath of Hurricane Katrina and the other natural disasters that we faced in this country, the issue of flood insurance is one which clearly is not partisan at all. I mean, Republicans, Democrats, independents have tragically been victimized by these natural disasters. They've hit primarily the Gulf Coast, and my friend from Florida certainly has been often victimized by hurricanes in south Florida, and others have dealt with this very serious challenge. Well, there were a number of amendments that had been proposed. Our friend from Georgia (Mr. PRICE) is here, and he is going to talk about one.

When the Committee on Financial Services went through its markup process, there was an indication provided, and I will let him expand on this, that the process of dealing with flood insurance would be addressed going through the process and that there would be opportunity for amendments to be considered. In fact, the chairman of the Committee on Financial Services came before the committee on Rules and asked that a number of Republican amendments be made in order.

Mr. Speaker, we couldn't believe what happened. There were 13 amendments made in order on that bill; not one single Republican amendment was made in order on that bill. And what happened? We saw bipartisan outrage. There were people, including the chairman of the Committee on Financial Services, who could not support that rule. And that was unprecedented. I've been here 27 years and I've never seen a circumstance like that. And so what this shows, Mr. Speaker, is the Rules Committee is being used very arrogantly to undermine the rights of the American people to deal with an issue as critical as flood insurance reform.

And so it saddens me that we've had to take this time out, it truly does, because I know that I would very much like to be able to work in a bipartisan way on all of these issues. I've continued to try and do that in the past, and I will continue, as all of my colleagues will, to strive for bipartisanship on behalf of the American people in the future.

Let me say that I am very privileged again to be joined by my distinguished colleagues on the Rules Committee, and we now have two former members of the Rules Committee who have come to the floor as well. And I begin by recognizing my very good friend, the gentleman from Miami, Florida (Mr. LINCOLN DIAZ-BALART). I'm happy to yield to my friend.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my dear friend for yielding.

Mr. Speaker, it's sad to have to take the floor to discuss the issue that we are discussing this evening. We recognize we are in the minority, and in this great representative democracy, as in all representative democracies, the majority gets to rule. We recognize that. But as indispensable and a key ingredient of representative democracy as the rule of the majority is respect for the minority.

So what we are speaking about this evening, Mr. Speaker, first, I would say it's the great contrast, the extraordinary contrast between the promises made by the new majority they would institute fairness and transparency as they ran and when they ran the House of Representatives. The contrast between those promises and the performance of almost now the entire first year of this Congress, first session of this 110th Congress, the contrast between the promise and the performance is really extraordinary.

I would like to read a quote by the now distinguished chairman of the Rules Committee last December. She stated, ''We are going to give people an honest and contemplative body that they can be proud of once more. We are going to have a much more open process.''

Mr. DREIER, our ranking member, stated how the number of closed rules in this first year of the rule of the new majority, closed rules being rules that bring bills to the floor to this great body that do not permit amendments by any and all Members of this body. Rules that permit amendment by any Member of this great body are called open rules. Closed rules, obviously, are the opposite. The number of closed rules, of exclusivist rules, rules that close out debate by this body on bills, have more than doubled, more than doubled in this first year by—they have more than doubled during this first year of rule by the new majority that promised to go in the other direction, in other words, to increase the amount

of transparency and openness. So it's sad, it's sad, Mr. Speaker, to have to point out that extraordinary contrast between their promise and their performance.

Mr. DREIER. If I could reclaim my time, I would just like to ask my friend to repeat that again. We've got this chart here that shows this, that if you juxtapose the 109th and the 110th Congress, you can see that if you look at the number of closed rules, we have had a dramatic increase in the number of closed rules. I think it's even more than this chart has shown, more than double. And again, today, we just, in the last couple of hours, had more closed rules.

And I'm happy to further yield.

Mr. LINCOLN DIAZ-BALART of Florida. I think the ranking member is pointing to a very important point, and that is that as the time approached and when we issued our report, and I think it's important to point out that that report was put online last week. I think other distinguished members of the Rules Committee are going to point out the problems that we had with regard to even getting authority to have a Web page.

Mr. DREIER. Now, is this the report that our colleagues can actually get by going to rules-republicans.house.gov? Is that the same report?

Mr. LINCOLN DIAZ-BALART of Florida. Yes. And I would, Mr. Speaker, highly recommend to our colleagues that they read this report. Because as I'm sure will be explained, it was difficult for the minority even to get the report posted because we couldn't have a Web page until last week.

What the ranking member has been pointing to is that that posting of the report, making public of our report with regard to the great contrast between the promise and the performance, the promise of open transparency and the promise, the reality of further closing the process and making it even more unfair, as the date approached when we were going to make public that report, the number of closed rules increased. And we've seen, the ranking member pointed out, that the day, that same day, Mr. Speaker, that we made public that report explaining the reality of closed rules and the excessively exclusivist process during this entire year, the first year of the new majority's rule, that day, when we made the report public, as the ranking member pointed out, not one amendment by the minority, not one Republican amendment was allowed in legislation that was nonpartisan. Even the chairman, the ranking member said that in his 27 years he has never seen something like that. In my 15 years I've never seen something like that. The chairman of the committee stated that it was unfair, that it was unjustified. He is a very eloquent Member of this Congress. So I'm not going to quote him. I don't aspire to remember word for word what he said, but I do remember that the chairman said that it was unfair for the rule to have closed out every single Republican amendment. And he didn't vote for the rule. That's something I've never experienced in my 15 years here. I've never seen that. That was so dramatic.

□ 1845

So I just want to point out, Mr. Speaker, two examples. We have distinguished colleagues waiting to speak. One I have never seen in my 15 years here. I was appointed to the Rules Committee in December of 1994. During the entire time that I served in majority in the Rules Committee, I never saw anything like this. A Member came to introduce an amendment. Now, obviously, Mr. Speaker, as you can see, there are many chairs here. This is a House of 435. The reason that on that second day of the first Congress the Rules Committee was established, even though the House was not as large in membership, it still was a large body even then, on the second day of the Congress of the United States, the first Congress, the Rules Committee was created so that this body could function. It is understood by every Member of this House that if every Member on every bill, on every piece of legislation could debate an amendment or two, that would, in effect, constitute a filibuster, because 435 Members, obviously, even though they had only one amendment per bill, would take up days and days of this body. So the Rules Committee was devised. It was created on that second day of the first Congress to manage this House.

Now, most of the time, at least much of the time, it is understood by the membership that you are not going to be able to have your amendment debated here on the floor of this great test, Congress, in the world. But you have somewhere where you can go when you've worked hard and you have an idea to improve legislation.

When you have an amendment, there's somewhere you can go. It is right above here. We are on the second floor. It is on the third floor right over there. You can go to the Rules Committee with your idea, with the product of your work and study, your idea to improve a bill in the form of an amendment. Your colleagues there, the majority and the minority, they have to listen to you, hopefully with respect, listen to your idea, listen to your amendment, and really pass judgment on it in the sense, in the process of managing this House, either making in order or not making in order your amendment. But there is that place where you can go, and that is the Rules Committee.

When I saw that one of our colleagues this year, a distinguished colleague, TODD AKIN, was, because he was a few minutes late and he got to the Rules Committee with the product of his hard work and dedication to improve legislation, it was somewhat technical, Mr. Speaker, it was called a second-degree amendment, in other words an amendment to an amendment. Obviously, he could not draft that amendment to an amendment until he had seen the amendments. So he didn't have time to get there before the deadline. Well, as the ranking member said, and we don't espouse to have been perfect, but one thing I never saw, and never thought I would see, is that Mr. AKIN, when he arrived with the product of his hard work and dedication, because he was literally a few minutes late, he wasn't even allowed to enter the committee room to file the amendment. That is something that is very sad.

So I will say, Mr. Speaker, this may seem technical and overly procedural to some of our colleagues perhaps who may be listening to the debate, or others, the American people, perhaps, it may seem like a technical debate. But it is important for the following reason: When Mr. AKIN is not allowed to enter the committee room to present, to introduce his amendment because he is a few minutes late, that affects policy. That is profoundly unfair. As I said before, it is just as important to democracy, to representative democracy, for there to be rule of the majority, as it is for there to be respect of the minority.

One final example, just last week, before us came legislation that the distinguished ranking member referred to as ''consensus'' legislation. We all support, or almost all, certainly in this body, support the health insurance program for children of economically disadvantaged families. It is called SCHIP, the State Children's Health Insurance Program. There is a consensus here of support, bipartisan support for that program.

Unfortunately, the Democrats have come with a massive increase in the program, and we were debating that, the ranking member pointed out, the first time we debated it was late at night or early in the morning, and we sought to have input for debate. I was most disappointed in the last version that, in my view, excessively and unreasonably increases taxes, and while massively expanding that program, did not include something that I thought was elementally responsible to include, and appropriate to include in a massive increase of the program, and that is legal immigrant children.

I pointed that out, how disappointed I was. I had an amendment so that the House could debate that issue. Well, the amendment was not made in order. But in addition to that, in something that I think was very unfair, the ranking member, the lead Republican in the Energy and Commerce Committee, he had been shut out from the discussions, it is called conference committee, the final discussions on formulation of the bill, of the legislation. And he pointed out, because, when I said how sad and unfortunate it is that in this massive expansion of this program, you are not including legal, I repeat, legal immigrant children and pregnant women,

and friends on the other side of the aisle pointed out, well, the Senate in conference didn't want that, so it is not in the bill.

Well, the lead Republican minority member from the House Energy and Commerce Committee, Mr. BARTON, said, you know, if I would have been called into the room to the conference meeting, I would have pushed the Senate. Did you say the Senate Republicans didn't want that? Well, the House Republican leadership, I, Mr. BARTON, said this, in the Rules Committee, when we met, would have been pushing that issue because we separate the issue of illegal and legal immigration. While there is opposition to illegal immigrants receiving benefits, Mr. BARTON said, with regard to legal immigrant children and pregnant mothers, pregnant women, I would have been there, Mr. BARTON said.

Mr. DREIER. If I can reclaim my time, I would say parenthetically it is very interesting to note that this program that has passed, which has now been sent down to the President's desk, which he will veto tomorrow, is a program that actually does include an opportunity for benefits for people that are in this country illegally, which is incredible.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. BARTON pointed out with regard to the issue of legal immigrant children and pregnant women, he would have been there in the conference room had he been allowed to be in the conference advocating for the position.

In summary, as I yield back to the distinguished ranking member, Mr. Speaker, I would say that an excessively restrictive process is not only technical; it leads to bad policy in addition to being most unfair. What is truly sad is that this majority promised time and again to be the most fair, the most open, and the most transparent majority as it ran, in the way in which it ran this House in history, and in effect, it has been exactly the opposite.

Mr. DREIER. Mr. Speaker, I thank my friend for his very thoughtful remarks.

We have 25 minutes left, and we have a lot of our colleagues who need to be heard on this issue. I think the gentleman from Miami makes the point very, very clearly, the fact that this is not simply a technical issue. This is about the American people's rights being undermined by this new leadership here in the House of Representatives. It is very unfortunate.

I thank the gentleman for his fine service on the Rules Committee and again for his thoughtful remarks.

I am happy to yield to my very good friend from Pasco, WA, who labors long and hard on the Rules Committee, as well.

Mr. HASTINGS of Washington. I thank the gentleman for yielding. I appreciate your getting this time. I appreciate my colleagues that are going to speak later.

Mr. Speaker, this issue is about promises, because we live in the greatest country in the world where people make their decisions on who will govern them by the promises that they made. I would really like to emphasize the point that has been made several times by the distinguished ranking member and the gentleman from Florida, that process has consequences, because ultimately process turns into substance, it turns into laws, and, of course, that is what governs us.

Mr. DREIER. If I could point out, let me just point to the statement that was made by the new Speaker of the House of Representatives, since my friend mentioned the word ''promise.'' I will point to this one first. It says: ''We promise the American people that we would have the most honest and open government and we will.'' I am happy to further yield to my friend.

Mr. HASTINGS of Washington. I appreciate the gentleman saying that. I note that that statement was made after the election. Presumably, there was a decision made that the campaign was about change, and so this statement was made after the election.

The statement that I have up here by the distinguished chairman now of the Rules Committee, LOUISE SLAUGHTER, was also made after the election. It says: ''It is our goal to use rules responsibly, opening up the workings of the House and using it to usher in the most honest and ethical Congress in history. An open process will mean that more commonsense legislation written in the national interest will get to the House floor and be voted on.''

Mr. DREIER. If I could just interject, I would like to make this point one more time. ''An open process will mean that more commonsense legislation written in the national interest will get to the House floor and be voted on,'' and here we are with twice the number of closed rules, shutting out any opportunity for amendment, limiting debate, preventing Members from having an opportunity to even submit their amendments to the Rules Committee, and that is what we were promised?

Mr. HASTINGS of Washington. We were promised this after the election, I remind my friend from California, this was after the election.

The reason for this is very obvious. The role of the Rules Committee is to funnel legislation so that every Member could have a possibility to be heard. We have 19 standing committees. Because we have two vacancies, there are 433 Members of the House today. We simply couldn't control this unless we had the standing committees doing their work.

Yet, Mr. Speaker, the Rules Committee this year is on track to rewrite more bills in the Rules Committee than we ever did during the 12 years that we were in control of Congress. They have done it with troops in Iraq. They did it with lobby reform. They did it with the farm bill legislation.

Mr. Speaker, I want to talk a bit about the farm bill. I come from rural America. I was very much involved in that process as we are going forward. I recall very, very specifically that when the farm bill came out of committee, it came out of committee with strong bipartisan support. Yet, when we went to the Rules Committee the next day to report out a rule, there was a massive tax increase that was put on that farm bill.

I remember the distinguished ranking member, last year's chairman, of the Agriculture Committee, BOB GOODLATTE from Virginia, came to the Rules Committee and testified. He said, I felt betrayed by what went on, because he was not a part of that process. I know, I can speak to the bipartisan nature of how this farm bill was put together as it relates to the farm because there was a hearing in my district. There were four Republicans and four Democrats that showed up to this hearing last June, so this was a process in the making. Yet, at the last minute, all that process was thrown aside, and it was a broken deal.

It is bad because of what is happening. The policies that we have in place have potential detrimental effects to the farmers. The farm bill, I might add, expired at the end of September.

□ 1900

We put a 2-week extension on that. I suspect we will probably have to have another 2-week extension on that. It is not right, in a body of this size, to rewrite bills in the Rules Committee.

I want to follow up on my friend from Florida who talked about the SCHIP bill. That bill was enacted on a bipartisan basis in 1997. I supported that. It was part of a larger bill. That was probably the most egregious rewrite. We met at 1:00 in the morning, only had about an hour to look at what was in the bill, and there was a lot of rumors going around, but we met at 1:00 in the morning, a 500-page bill.

I got a heads-up from a clinic in my district that is physician owned that they would be out of business if this bill were signed into law.

Mr. DREIER. If the gentleman would yield, they said they would be out of business if this were to pass?

Mr. HASTINGS of Washington. They said they would be out of a business because of a provision that related to the Medicare part that they added to the SCHIP bill as related to physician-owned facilities. This facility was put in place in 1940, 67 years ago, and yet the provision within this bill said that you could not have physician-owned hospitals.

I might add, Mr. Speaker, that this clinic in Wenatchee, Washington, covers an area the size of the State of Maryland. Now, if the idea is to expand health care, why would you potentially shut down a facility that covers the geographic size of the State of Maryland?

We went around and around with those that were testifying in favor of

this particular bill, and they first started out and said no, you're mistaken, that is not in the bill. But after discussions going on with my friend from Texas (Mr. SESSIONS) and me going back and forth, they admitted at nearly 3:00 in the morning that yes, that provision was in there, and it was intended to be in there.

Mr. DREIER. If I can reclaim my time, they said, and I do remember this very well, but I think it's important for my colleague to repeat this, they said that they intended it to be here because they didn't want any physicians to have even the slightest interest in hospitals, so for that reason they were going to deny the opportunity for a health facility for a quarter of a million people in an area that is geographically the size of the entire State of Maryland in eastern Washington?

Mr. HASTINGS of Washington. That is exactly right. It was done purposely. They first said we must be mistaken. But after probing and asking questions, they were essentially saying that you could not get any Medicare reimbursement if you were a physician-owned facility.

Now, I just don't understand what the motivation is behind that. But the point is, and we are obviously working on this because we don't want this to happen, but this is what happens when the process gets all messed up and you start rewriting bills in the middle of the night.

Mr. Speaker, I wanted to point out those two examples. I think it's contrary to the promises that were made by the new majority and what they have carried out. I think that is something that needs to be talked about.

I want to thank the ranking member for putting this Special Order together so we can discuss these issues in an open manner.

Mr. DREIER. I thank my friend for his dedication, his hard work, and thank God President Bush is going to veto that SCHIP bill tomorrow, because if we end up with that legislation potentially jeopardizing a quarter of a million Washingtonians' access to health care at that health facility, it is something that we all would find frightening, and clearly no one wants to see that happen. And yet they said, I mean none of us want to see it happen, but they said they intended to close down this facility.

Mr. HASTINGS of Washington. They said they intended to. And let's look at this from a little different perspective. This facility has been in business for 67 years. Clearly, clearly they have a following in that community, or they wouldn't have survived in that competitive atmosphere unless there were people that wanted to go to that facility.

Mr. DREIER. Is that in Pasco?

Mr. HASTINGS of Washington. It's in Wenatchee, Washington, the Wenatchee Valley Health Clinic. So it's an egregious abuse of the rules, in my view. I don't want to take all the time. I yield back to my friend.

Mr. DREIER. I thank my friend for his very thoughtful statement and his hard work and dedication to his constituents in the American people.

Mr. Speaker, we have a load of Members here who have been victimized, for lack of a better term, by the Rules Committee. I would first like to yield to my very good friend, the gentleman from Marietta, Georgia (Mr. GINGREY), who served long and hard on the Rules Committee in the majority, and he now sees what has happened, and it's very unfortunate. We miss him in the Rules Committee, I will say, Mr. Speaker. But we are very happy he is taking time from his busy schedule to join us here this evening. I am happy to yield to my friend.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from California, the distinguished ranking member and former chairman of the Rules Committee, my colleague, for yielding a little time. I know we have got other Members, Mr. Speaker, who want to address this issue.

I do thank the ranking member and all my former colleagues on the Rules Committee for the work they have done in regard to this issue. I look forward and I encourage all my colleagues and anybody who's got a computer that is interested not just in process, Mr. Speaker, because bad process leads to bad policy, but I would encourage anybody to go to this address.

Mr. DREIER. I have got the address right here.

Mr. GINGREY. I was just going to say: rules-republicans.house.gov. That is exactly right. The ranking member is correct.

Mr. Speaker, my colleague from Miami on the Rules Committee, my former colleague on the Rules Committee, he is still there, LINCOLN DIAZ-BALART, brought up that point about the second-degree amendments in reference to the gentleman from Missouri, Mr. AKIN.

Mr. Speaker, I had the same situation. As a former immediate past member of the Rules Committee who enjoyed, I thought, pretty good collegiality with both sides during the two years that I was privileged to serve on the Rules Committee, I had the same situation, a second-degree amendment, and I couldn't really get it filed until a first-degree amendment was actually brought in under the deadline.

There was no way. Mr. DIAZ-BALART pointed that out. A second-degree amendment, by its very nature, is going to be a late amendment. They absolutely shut the door; they, the new majority. I was just absolutely astounded that that happened to a former member and colleague on the Rules Committee.

The whole point is, as the gentleman from California points out, this whole process where they promised to bring reform and openness has absolutely been a farce, a fiasco. They have closed down the process. They have done nothing of which they promised. I am glad to be here tonight to weigh in just a little bit.

Mr. Speaker, I want to yield back because other Members want to speak. I thank the gentleman from California.

Mr. DREIER. Mr. Speaker, I will say again we very much miss the gentleman from Georgia's active participation on the Committee on Rules. He was very, very helpful to us time and time again. It saddens me greatly that his constituents, the American people, are denied an opportunity to have thoughtful proposals even considered whatsoever by the Rules Committee, not even a chance to be denied for consideration here on the House floor.

I know that I want to recognize my friend Mr. SESSIONS, who's here, but we also want to recognize another very distinguished former member of the Rules Committee. I again am saddened that he is not able to serve with us on the Rules Committee any longer. That's what happens when you go under the minority. We look forward to one day, I hope in the very, very, very near future, to his return for that.

Mr. Speaker, I am happy to yield to my friend from Utah.

Mr. BISHOP of Utah. Mr. Speaker, I thank the ranking member. I realize when we talk about procedure, it is boring. People's eyes start to glaze over.

Mr. DREIER. Mr. Speaker, I am fascinated by it, I will tell you. It absolutely intrigues me when my friends talk about process here.

Mr. BISHOP of Utah. You are 1 out of 435. But one of the current senior Democrat chairmen 20 years ago wrote that if I let you write substance and you let me write procedure, I will win every time. Actually, he didn't use quite those words, but I don't think the actual verbiage can be used with the rules of our House. But it is the same sentiment that has to be there.

Poor procedure has been said creates poor policy. And the ranking member has already said there have been more closed rules, fewer minority Members' rules allowed this year than ever before.

I was in the Education Committee when Representative EHLERS made his amendment, accepted by the chairman on a voice vote; and yet, when the bill came out of the Rules Committee, the amendment had magically disappeared, a bill that affected my State in redistricting.

Mr. GOHMERT from Texas had made an excellent amendment in the Judiciary Committee, but when that bill came out of the Rules Committee, once again that amendment had basically simply disappeared.

I realize the Rules Committee is a political type of committee, but it is coming to the point right now when someone says, ''Well, you better go make your case before the Rules Committee,'' you simply abandoned all hope. It is like being on the *Titanic* and being told that the ship coming to rescue you is the *Lusitania*.

I have been on the Rules Committee, as has been said. I have been chairman of a rules committee in Utah. And I realize that more than just simply moving legislation, the committee should try and find bipartisan solutions; should make sure that we spend time in debate on the floor vetting issues that were not covered in committee, especially when so many bills are being written by the Rules Committee.

Mr. DREIER. To reclaim my time, I will tell you we had a perfect example of that, as I alluded to earlier, and my Rules Committee colleagues know this very well.

We were trying to deal with this military justice issue. The ranking member of the subcommittee said he was promised an opportunity to address these concerns that were there, and neither the committee nor the Rules Committee allowed that kind of free-flowing discussion to which my friend refers.

I am happy to further yield.

Mr. BISHOP of Utah. Mr. Speaker, I thank the gentleman. The amendments I have actually brought to the Rules Committee were, in my estimation, trying to produce a bipartisan approach, or in dealing especially with one that impacted my State of Utah, an amendment that we were trying to talk about a bill that had been changed significantly in the Rules Committee from what had been discussed in the committee, but trying to do amendments that would have saved my State millions of dollars and allowed us to have the flexibility of creating the process that we wanted to have. Both Mr. CANNON and I presented those in Rules. All of them were totally shut down.

The Rules, there is a little bit more to that. Allow me to quote once again from an issue that happened about 20 years ago when a Speaker of the House was forced to resign in a very partisan atmosphere. He said, all year, partisanship had fed on itself, frustrating each side, driven each side apart. The majority at that time, the Democrats, were looking at the majority. The majority group contemptuous of it, the minority, more determined to govern in spite of it, more arbitrary and faced with increasing arbitrariness of the majority, the minority grew more irresponsible and more destructive of the institution.

The Rules Committee has a function more than just establishing the parameters of what amendments will be discussed and the debate. They have a responsibility to establish an atmosphere, indeed, a tone, on the floor. And they can either fan the flames of partisanship or they can build a process that encourages bipartisanship and encourages discussion of issues, issues that have not been vetted before on the floor. That is what the Rules Committee should be doing, and I am sad to say it has not been in evidence so far this year on the floor.

Mr. DREIER. Absolutely. Mr. Speaker, let me just say how much I appreciate, and, again, after having heard him, miss my friend from my Utah's very, very thoughtful and incisive insight on the Rules Committee.

I mentioned earlier the fact, Mr. Speaker, that we have dealt with this flood insurance bill. It should have been very bipartisan. We have two Members who were victimized by that right here, the gentleman from Georgia and the gentleman from New Jersey, and I am happy to yield to them. We just have a few minutes left. Obviously we could go on and on and on because there are so many Members.

I am happy to yield first to my friend from Georgia.

Mr. PRICE of Georgia. Mr. Speaker, I thank my good friend and the ranking member, my good friend from California for yielding and for your leadership on this issue and on so many others that come to our House.

You mentioned, and folks have mentioned, that we have been victimized. Well, Mr. Speaker, we haven't been victimized; the American people have been victimized. Because we were promised, we in the House of Representatives were promised, but the American people were promised, an open process. They were promised a fair process. And, as you mentioned, the stories are too numerous to stipulate each individually.

But the story that I bring is one of the flood insurance bill, the Flood Insurance Reform and Modernization Act that came just last week. We had an amendment that we were essentially assured would be made in order through the assurances of the Chair of that committee, that we would have an open and deliberative process.

Mr. DREIER. In fact, as I recall, the chairman testified and said he supported the notion of making the gentleman's motion in order.

Mr. PRICE of Georgia. You are absolutely correct. The amendment to file with the Rules Committee was 5 p.m., an arbitrary deadline, but that is all right. It is a deadline, 5 p.m.

My office submitted our amendment electronically to the Rules Committee, as we do all the time, 8 minutes before 5 o'clock, 4:52 p.m. In the process of bringing that hard piece of paper over to the Rules Committee, we got that there at 5:03 p.m., 3 minutes after 5:00.

Mr. DREIER. So they had already the amendment electronic submitted before the 5 o'clock deadline; am I correct in saying that?

Mr. PRICE of GEORGIA. You are absolutely right. The amendment was within the purview at that point of the Rules Committee. They had notice.

Now, again, it is not that we were denied the amendment. It is that the American people were denied the opportunity to have a substantive amendment debated on the floor of the House. In fact, Mr. Speaker, I believe that the President is going to veto that piece of legislation, and I believe he is going to do so because our amendment was not allowed to be acted upon by the House, because he supported the amendment that we would have offered, which was a very substantive amendment, a significant change in the flood insurance reform bill.

□ 1915

As my friend from California mentioned, there were 13 amendments made in order to that bill, 13 Democrat amendments, no Republican amendments. I suggest, Mr. Speaker, that is all politics, that is all politics. Again, it doesn't harm us personally. What it does is disenfranchise nearly half of the American people, and that is why this matters. What it means is that nearly half of this body is not given the opportunity and the right that they were given in winning their election.

We all represent essentially the same number of people. When the majority does not allow a certain Member or Members to offer amendments or to offer their best ideas, what they do is disenfranchise nearly half of the American people.

I can only think of three reasons why that would be done. One, it is a broken promise. We have seen the promises. Two, it is for political expediency. Or, three, it is what de Tocqueville called the tyranny of the majority. That is what I believe we have, a tyranny of the majority that is running this House right now. It doesn't hurt me personally, but it hurts the institution, it hurts our democracy, and it disenfranchises nearly half of the American people.

Mr. DREIER. I thank my friend very much, and I yield to the gentleman from New Jersey (Mr. GARRETT) who was also victimized by this process.

Mr. GARRETT of New Jersey. You spoke about the flood bill and the problem we had here. Anytime we stifle debate, and that is what occurred when the Democrats did this, they alter substance.

What we were trying to do with an amendment that went through committee and we worked on with the chairman's staff, an amendment that the chairman said withdraw the amendment from committee and he will make sure that it gets through Rules and to the floor, our amendment simply said we should no longer have the rich and the wealthy who live in these great mansions on the coast and what have you, have them be subsidized by the poor widow in the house right across the street. We thought that was absurd. This amendment would have fixed that situation. The chairman was on board with us. He went to the committee and testified in favor of it as well.

Mr. DREIER. And what happened?

Mr. GARRETT of New Jersey. What happened was the Rules Committee decided to not allow the amendment to come to the floor. So at the end of the day, we have a bill where the rich are still being subsidized by the poor. Substance was altered by the stifling of debate.

I will commend the chairman of the committee for all he did and by not voting ''yes'' on the rule because even he, a Democrat chairman, saw the error of their ways in what they did.

Mr. DREIER. He was quoted as saying he believed it wrong that they were denied. Tragically, this was done in the aftermath of the unveiling of this report that we put forward simply stating the facts of what has taken place in the last 9 months.

Mr. GARRETT of New Jersey. I would just conclude by concurring with the gentleman from Georgia on this. Although we are in the minority here, this is not an issue for the minority; this is for half of America. And it doesn't matter whether the Americans watching tonight are Democrat or Republicans. Their voices are being silenced because they cannot have their voices heard through us in the Rules Committee and have their important issues made part of the process.

Mr. DREIER. Mr. Speaker, I thank the gentleman and now yield to the gentleman from Texas (Mr. SESSIONS), a hardworking member of the Rules Committee.

Mr. SESSIONS. I thank the ranking member from California for not only putting together this Special Order tonight, but also talking about the Rules Committee which I think is so important. I have had an opportunity to serve on the Rules Committee for 9 years. For 9 years previous to this, I have seen the Rules Committee as being part of the process to make sure that the agenda of policy is done properly by the Speaker of the House through this committee. I would like to note to the gentleman from California, as he remembers that, Republicans utilized this committee to make sure that we balanced the budget, to make sure that we had responsibility and the opportunity to make sure that the American people benefited from that which we did here in Washington, D.C. by cutting taxes.

Republicans balanced the budget when they said it was not possible in 1997, 1998, 1999, 2000, and 2001. We went in and we balanced the budget. We utilized the Rules Committee to make sure that we had responsible government.

I have now seen during the last 10 months that we have been in the minority that it is also true that the new Democrat majority utilizes the Rules Committee to do things that I don't think that the American people can completely understand, and that is that they want to raise taxes, they want to raise spending, and they want to make sure that what happens is that loopholes are there in place for them to do earmarks despite the debate that has taken place on this floor.

So I am pleased to join the gentleman from California tonight in summarizing that the Rules Committee is a very difficult place for all Members. It is a difficult place whether you are in the majority or the minority, but it is still the place where the political work gets done, and nothing has changed. The Democrat Party is still here to raise taxes and raise spending and to take away from the American people that which they earn, and that is called their hard-earned money.

Mr. DREIER. Mr. Speaker, I thank my colleague from Dallas for his very thoughtful remarks and hard work.

I recommend to my colleagues going to rules-republicans.house.gov to see a copy of this very, very important report that we have just unveiled, because it is on behalf of the American people, not any bipartisanship, the American people, that we are fighting on behalf of their rights.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that Members be able to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

BLUE DOG COALITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROSS. Mr. Speaker, what we have just witnessed on the House floor is an example of why the American people are sick and tired of all of the partisan bickering that goes on up in Washington.

Mr. Speaker, there are 47 of us who are fiscally conservative Democrats who want to put an end to the partisan bickering. We are a group of conservative Democrats who quite frankly don't care if it is a Democratic idea or a Republican idea. We want to know if it is a commonsense idea and does it make sense for the people that send us here to be their voice.

Mr. Speaker, there are 47 Members of the fiscally conservative Democratic Blue Dog Coalition. As you walk the Halls of Congress, it is easy to identify which Members are members of the fiscally conservative Blue Dog Coalition because you will see this poster as you walk the hallways of the Cannon House Office Building, the Longworth House Office Building and the Rayburn House Office Building.

This poster not only serves as a doormat to Blue Dog Coalition Members of Congress, but also as a daily reminder to Members of Congress on both sides of the aisle and to the American people that our Nation is in debt.

Today, the U.S. national debt is $9,010,742,245,690. If you divide that enormous number and put it in perspective by every man, woman and child in America, every one of us, our share of the national debt is $29,735. It is what we have coined the phrase ''debt tax,'' and that is one tax that cannot be cut and that is one amount that is not going to fund America's priorities but rather is going to simply pay interest on the national debt and to pay down the national debt.

I had a constituent from back home in Arkansas in my office today. She said she was in my office a couple of years ago, and everybody's share of the national debt was some $27,000. Again, today it is $29,735. Under this Republican administration, we have seen the largest debt ever in our Nation's history. We have seen the largest deficit ever in our Nation's history.

Contrast that with the past administration, the Clinton administration. President Clinton was the first Democrat or Republican in 40 years to give us a balanced budget; and yet here we are 7 years later with the largest debt ever in our Nation's history, and as members of the Blue Dog Coalition, we want to restore fiscal discipline and commonsense to our Nation's government.

That is why there was a lot of talk about the first 100 hours on the House floor in this new Democratic majority, and we accomplished more in the first 100 hours I would dare say than the previous Congress did all together. In fact, I believe we have done more on the floor of the U.S. House of Representatives in the past 9 months than the previous Republican Congresses have done in 9 years.

Unfortunately, these bills are then sent to the Senate where too many of them remain. But I am proud of the work that we are doing in the House under this new majority. And, Mr. Speaker, we are doing it with fiscal discipline. We are passing these bills, a new vision for America, putting America's priorities where they ought to be, and that is putting our families and children first again. But we are doing it in a sensible and responsible way, a way in which we pay for it.

One of the first things to happen on the floor in this new Congress was to reinstitute the PAYGO rules. PAYGO is an acronym for ''pay as you go.'' It is what we do at the Ross home in Prescott, Arkansas. It is what most American families do.

Mr. Speaker, for the past 6 years, a Republican-led Congress and a Republican President gave us the largest debt ever in our Nation's history, the largest deficit year after year. To put it in perspective, to put it in perspective, this President has borrowed more money from foreigners in the past 6 years than the previous 42 Presidents combined.

We are going to put an end to that, and we did so when we reinstituted the PAYGO rules on the floor of the House of Representatives. Every bill that comes to the floor of the House in this new Democratic Congress must be paid for. Now, some of the Republicans say, oh, that's a disguise to raise taxes. The Republicans now believe that the only

way to create new revenue, the only way to pay for a program is to raise taxes. Not so. As conservative Democrats, we know the way you pay for programs is to cut wasteful spending. There are a lot of examples of wasteful spending.

I have got 8,000 brand-new, fully furnished mobile homes sitting in a cow pasture in Hope, Arkansas, mobile homes purchased by FEMA destined for Hurricane Katrina victims that never quite found their way to the gulf coast. Now FEMA, our government, is spending a quarter of a million dollars a month to warehouse these mobile homes which have created another bureaucracy in and of itself back home in Hope, Arkansas. And they are not doing anyone any good.

You want to talk about accountability, I had a tornado a few months ago hit Dumas, Arkansas. They needed 30, that's right, 30 of these mobile homes, while 8,000 of them sat in a cow pasture 2½ hours away in Hope, Arkansas. I called the director of FEMA. He came up with every excuse in the book why he couldn't help these 30 homeless people. He said it wasn't worthy of a declaration for a Federal disaster.

This tornado devastated this small delta town of 5,000 people. There were 150 homes destroyed or heavily damaged. Over 25 businesses were destroyed. The electrical grid system for the town was destroyed. They went 5 days without electricity. Lots of people were injured. Thank God no one died. And we needed 30 of those mobile homes sent 2½ hours down the road to help these folks. And, instead, the response I got was they weren't worthy of a Federal disaster declaration.

It took me going on CNN, and, finally, 30 minutes after I was on ''NBC Evening News'' talking about this tragedy, FEMA had a change of heart and decided to let the people of Dumas have these 30 mobile homes to house the homeless who were victims of this tornado.

This is an example of wasteful spending and this is a symbol of why people are fed up with our government, and it is an example of why we need to restore accountability, accountability to our Nation's government.

So when I say we are going to pay for our programs in the future, it doesn't mean raise taxes. It means cut wasteful spending, eliminate the programs that do not work so we can fund the programs that do.

□ 1930

From 1789 to 2000, our national debt rose to $5.67 trillion, but by 2010, the total national debt will have increased to $10.88 trillion. This is a doubling of the 211-year debt in just a decade, in just 10 years.

Interest payments on this debt are one of the fastest growing parts of the Federal budget, and again, the debt tax, D-E-B-T, is one that cannot be repealed, and every man, woman and child in America, your share, our share, my share, your share, Mr. Speaker, of the national debt is $29,735.

Current national debt, again $9,010,742,245,690 and some change. Some say why do deficits matter; can't y'all just print more money? It doesn't work that way, and besides deficits reduce economic growth.

Think of the economic good times we had in the 1990s when President Clinton gave us the first balanced budget in 40 years, and look at the economy today. We propped up the economy through much of the last few years through low interest rates and allowing folks to purchase homes that maybe couldn't quite afford it, and now that's coming back to haunt this administration.

Deficits reduce economic growth. It's time to restore fiscal discipline to our national government. It is time to reduce our debt and deficit so that we can create new jobs and economic opportunities for working families.

Why do deficits matter? I would argue they burden our children and grandchildren with these last liabilities. For the last 6 years, this Republican Congress and Republican administration has spent money like you wouldn't believe. They have spent money and haven't paid for their spending. They have left it for our children and for our grandchildren. That is simply wrong.

Growing up at Midway United Methodist Church outside of Prescott, Arkansas, I heard a lot of sermons about being a good steward, and the American people have elected us as Members of Congress to make the weekly trip to our Nation's Capital and be good stewards of their tax money. And that's why I'm proud to help lead and cochair the Blue Dog Coalition, because we're doing our best to demand accountability, to demand fiscal responsibility and to give this Congress a good dose of common sense.

Why do deficits matter? Because they increase our reliance on foreign lenders. Foreign lenders now own 40 percent of this debt. Much of the rest of it's been borrowed from the Social Security Trust Fund, with absolutely no provision made on how or when it's going to be paid back. That's why, Mr. Speaker, the first bill I filed as a Member of Congress was a bill to tell the politicians in Washington to keep their hands off the Social Security Trust Fund.

The U.S. is becoming increasingly dependent on foreign lenders. Foreign lenders currently hold a total of about $2.199 trillion of our public debt, and I believe this is every bit as much critical to our national security as anything else. Compare this to only $623.3 billion in foreign holdings back in 1993. So who are these countries? Who are these foreign investors that are funding our government, that for the past 6 years funded tax cuts for folks in this country earning over $400,000 a year, while the rest of us were pretty much left to fend for ourselves?

Topping off the list, Japan. The United States of America has borrowed $637.4 billion from Japan.

Number two, China. The United States of America has borrowed $346.5 billion from Communist China.

The United Kingdom. The United States of America has borrowed $223.5 billion from the UK.

OPEC, and we wonder why gasoline is so high. The United States of America has borrowed $97.1 billion from OPEC.

Korea. $67.7 billion is the amount of debt that the United States of America has accumulated with Korea.

Taiwan, $63.2 billion. The United States of America has borrowed $63.2 billion from Taiwan.

One of the founders of the Blue Dogs, JOHN TANNER from Tennessee, put it best when he said, if China decides to invade Taiwan, we'll have to borrow more money from China to defend Taiwan. That's crazy.

It is crazy that we borrowed and continue to borrow all this money from foreigners. And as members of the Democratic Blue Dog Coalition and this new Democratic Congress, we're saying enough is enough, and we're trying to restore fiscal discipline, common sense through the passage of the PAYGO rules, pay-as-you-go.

If a Member of Congress has an idea and it's worthy of being funded, that's fine and dandy, but don't borrow the money from Taiwan or China or OPEC. Show us how you're going to pay for it. That's the new rules of the House of Representatives, and those are the rules that were in place back in the late 1990s when we saw the first balanced budget in this Nation in 40 years, a balanced budget that continued from 1998 through 2000.

The Caribbean Banking Centers. The United States of America has borrowed $63.6 billion from the Caribbean Banking Centers.

Hong Kong. The United States of America has borrowed $51 billion from Hong Kong.

Germany, $52.1 billion. The United States of America has borrowed $52.1 billion from Germany.

And rounding out the top 10 list of foreigners that the United States of America under this Republican administration has borrowed money from to fund our government and tax cuts for those earning over $400,000 a year, and this one will surprise a lot of people, Mexico. Yes, the United States of America has borrowed $38.2 billion from Mexico to help fund this debt which, as of today, is $9,010,742,245,690 and some change.

That's what the Blue Dog Coalition is all about. We're about trying to restore fiscal discipline and common sense to our national government, and I'm proud of our Blue Dog members. We're 47 members strong. There's 47 of us that are not afraid to come to Washington and take a stand for common sense, for fiscal discipline and to restore accountability to our government.

Well, we talk about the debt and the deficit. Another thing that's important to point out, Mr. Speaker, is our Nation's been borrowing about a billion dollars a day, but before we borrow a billion dollars today, we're going to spend a half a billion, with a B, a half a billion dollars of your tax money paying interest on the debt we've already got, and until we get our fiscal house in order, we will not be able to meet America's priorities.

What do I mean by that? Interest payments on debt dwarf other priority. 2008 budget authority in billions. The red indicates the amount of money we're spending of your tax money paying interest on the national debt. And until we get our fiscal house in order, we can't stop those interest payments, which means many of America's priorities are going unmet because so much of our tax money, Mr. Speaker, is going to pay interest on the national debt.

The red indicates the amount of money in the fiscal year 2008 budget as presented by the President that's going to pay interest on the national debt. Now, we say we love our children. We say that we want them to have a world-class education. We say that we want our children to be competitive in this 21st century global economy. We say one thing; we do another. Look at the light blue. That's how much we spend educating our children compared to the red, which is the amount of money we spend paying interest on the national debt.

Veterans, and we're creating a new generation of veterans in Iraq and Afghanistan tonight, and it's time that our country did right by our veterans. It's time that our Nation, the United States of America, honored our veterans and kept our promises to them, and yet in the President's budget for 2008, the green, that's how much we're investing in veterans health care and veterans programs. And again, contrast that to the red. Look at the amount of money we're spending paying interest on the national debt. Contrast that to the green box, the amount of money we're spending taking care of our veterans.

And homeland security, ''homeland security,'' a new word, a new buzzword since 9/11. Oh, we feel safe. We go through the airports and we take off our shoes and we do all that stuff to then board a plane where half the belly of the plane is filled oftentimes with freight that remains totally unchecked. All the containers entering our ports, very few are checked. ''Homeland security'' is a nice buzzword, but look at the amount of money we're investing in homeland security and protecting the citizens of this country and keeping America safe. Look at the amount of money in the President's budget for homeland security contrasted with the red box. Purple box, homeland security; red box, the amount of money the President proposed that we spend simply paying interest on the national debt.

This does not reflect my priorities, Mr. Speaker, and I can assure you that the President's budget does not reflect the priorities of this new Democratic Congress. It is time that we put families and children first again. We do that by investing in our children, ensuring they receive a world-class education. We do that by honoring our veterans, including a new generation of veterans coming home from Iraq and Afghanistan, and we do that by protecting our homeland. We do that by protecting our homeland.

Mr. Speaker, there's a lot of talk about Iraq and what we should or should not do. I voted to go to Iraq. Most Members of this Chamber, both Democrat and Republican, did, and we went there, we were told, because of weapons of mass destruction. They no longer have weapons of mass destruction. We'll save that debate for another evening, Mr. Speaker, about whether they ever did or not, but we were told that they had weapons of mass destruction and they were never found, which, at best, our intelligence in this country failed us.

And I can assure you, Mr. Speaker, there's not a more difficult decision that Members of Congress are forced to make than whether or not to send our men and women in uniform into harm's way, and when we're asked to make these decisions, we've got to know our intelligence is right. Our intelligence failed us in the decisions we had to make leading up to this war in Iraq.

I've got a brother-in-law. He's been in the Iraq region several times. He's in his, I don't know, 19th year in the United States Air Force. My first cousin is an officer in Iraq. He was in Iraq when his wife gave birth to their first child. He's back in Iraq. He's there for a year and a half, and he will be there when his wife gives birth to their third child. He's not complaining. He's proud to serve his country. He does whatever's asked of him. That's what our men and women in uniform do.

But this war has not only affected my family. It's affected everybody's family. Just in the last month, I've had to make three telephone calls to wives and mothers in my district who have lost a loved one in Iraq, including one just an hour or so ago before coming to the House floor. We can never do enough for those families. We can never do enough to honor and remember those who have served our Nation in Iraq and Afghanistan and all over this world.

But at some point we've got to ask ourselves, I mean, we went there because of weapons of mass destruction. We said that we would stay until Saddam was overthrown; we did. Then we were told we would stay until he was captured; he was. Then we were told that we would stay until he was tried and executed; we did. And then we were told we needed to stay until the new Iraqi Government was in place and they had open and free elections; and they did.

Mr. Speaker, we continue to move the goal post on our troops. We continue to redefine what our ultimate victory is. And I'm here to tell you, Mr. Speaker, if our ultimate victory is convincing the folks of Iraq to live like we do, we will be there for the rest of my life.

It's time for a new direction in Iraq, and I bring this up because we're spending some $16 million an hour of your tax money, Mr. Speaker, $16 million an hour in Iraq.

□ 1945

I think we should demand accountability for how that money is being spent, and I think we should demand a new direction. I think we owe that to our men and women in uniform.

Well, I am very delighted to be joined this evening by some of my Blue Dog colleagues as we discuss the Blue Dogs. I have kind of set the stage, by explaining the debt, why it matters, how we have gotten into the mess we are in and what we are trying to do as conservative Democrats to fix it. We are not just talking about it; we have legislation to accomplish it. In the Iraq war, we have H.R. 97, the demand accountability on how your tax money is being spent in Iraq. We talked about that on the floor of the House many times.

Tonight, some of the things I want to talk about is the Blue Dog fiscal accountability package, taking the next steps to restore fiscal accountability to our Nation's government. We have the Fiscal Honesty and Accountability Act, we have the balanced budget amendment, and we have a resolution strengthening the budget process; and we will talk about these in more detail as the evening goes on.

But at this moment, I would like to yield to my friend from Tennessee, fellow Blue Dog member, LINCOLN DAVIS.

Mr. LINCOLN DAVIS of Tennessee. To the gentleman from Arkansas, thanks very much for your leadership on many of the issues that our Blue Dog Coalition championed here in the House. We championed them for many years, about 1994, 1995, when the Blue Dogs were established.

Basically, this group of individuals initially offered both sides, both caucuses, the opportunity to participate in the Blue Dogs, Republican and Democrats alike.

I have always continued to feel very confident that in America today we need American Democrats and American Republicans more than ever. What I mean by that is that we need Americans first and political parties next. Certainly those two political parties have done a tremendous job in driving many of the debates on many of the important issues important in America.

It has also given America a history as being the country in the world that championed civil rights, individual rights, and civil liberties; and we continue to do that. In many cases, as we

have engaged in battlefields throughout history, it has been to bring about democracy and freedom.

But as we talk about this, I want to digress just a moment and talk about a particular situation that is being considered today, which will be what's called combat training for our airmen. In many cases we put our soldiers who are in the Air Force in the battlefield, the battle zones, in places like Afghanistan and Iraq, in my opinion, without proper training for EMS, in the event there is something that happens that they are in the battlefield, they may be injured. I don't think they are properly trained, and, in many cases, we need to do that. So we are actually talking now about locating CBAT, which will be combat training for airmen in different areas.

I want to read a comment that I have prepared for the potential location of this particular facility.

From the Manhattan Project to TVA to the Apollo project to the Spallation Neutron Source and so much more, the Tennessee Valley Corridor and its key institutions, communities, businesses, and congressional leaders have always exemplified the phrase, ''National Leadership through Regional Cooperation.''

Key leaders in our region continue to support our Nation by working to enhance and advance the corridor's key science technology and national security assets.

With that, one of the big challenges in warfare is adequate training for our combat troops. Afghanistan and Iraq have placed a new demand on the airmen of our Air Force for needed combat air support. These increased demands include prison guard duty, combat convoy support, and significant expanded security force duty.

With these additional responsibilities, the Air Force has acknowledged its airmen are lacking the ground combat skills necessary to meet today's demands. To address these needs, the Air Force has proposed, as former Air Force Secretary Roche has described it, a new program to ''bring together our battlefield airmen under a common training and organization structure to strengthen the combat power they bring to the fight.''

Weapons training, tactical field cooperation operations and land navigation training, basic combat skills, physical fitness training and basic medical training will be a part of the core curriculum provided by new Common Battlefield Airman Training (CBAT) program.

The proposed location for this new Common Battlefield Airman Training program has now been narrowed down to three potential sites, one of which is in my district, Arnold Engineering Development Center in Arnold Air Force Base near Tullahoma, Tennessee.

Key leaders in the Tennessee Valley Corridor and I are convinced that establishing CBAT at Arnold Air Force Base would be the best course of action, an exceptional investment for the Air Force and the Nation. Arnold Air Force Base and the Arnold Engineering Development Center are already home to the world's premier flight simulations testing facility and continue to be vital national resources in the development of many of the Nation's top priority aerospace and national defense programs.

Arnold, with its history of extensive combat training during World War II, had abundant land available for CBAT training, with a dedicated 200-acre campus, small arms firing range and 9,000 acres for additional required training. In short, middle Tennessee and the Tennessee Valley Corridor have a world-class facility ready and willing to house this important new training operation.

The Coffee County community, the middle Tennessee/north Alabama region and, indeed, the entire Tennessee Valley Corridor strongly support our Nation's Armed Forces and their training needs as they continue to serve and defend our Nation. A better trained corps of airmen will not only give them the ability to operate more effectively in a combat zone and a better chance of survival, but will also help them better defend the United States in our post-9/11 world.

I strongly support and encourage all others to support Arnold Air Force Base's pursuit of this new CBAT program.

As we continue to train our soldiers who are on the battlefields throughout the world, certainly in the two hot spots today, perhaps we should say three, which would also include the area around the Balkans, we need to adequately train them. It's not right; it's not American to send someone into the battlefield without being properly trained.

I know we have others who want to speak here tonight; but I would like, if I could, before I yield to the gentleman from Arkansas, I would like to read an editorial that I sent to one of our local papers, and it deals with PAYGO, as we will address our deficits here in Congress:

''At a time when the White House is attempting to position the Republican Party as fiscally responsible, former Federal Reserve Chairman Alan Greenspan bluntly said in his new book 'The Age of Turbulence: Adventures in a New World' that his party over the past several years put politics over fiscal discipline and lower government spending.'' At least one honest Republican.

''During the past several years while we were witnessing the largest growth of government since the 1960s and a ballooning deficit, Mr. Greenspan was correct in advocating for a return to pay-as-you-go rules. These rules, re-enacted earlier this year after they helped restore fiscal discipline in Washington during the 1990s, require Congress to offset the cost of new spending or tax cuts with savings elsewhere.

''The Blue Dog Coalition, a growing band of deficit hawk Democrats with a deep commitment to the financial stability and national security of the United States, has been pushing to reimplement PAYGO for several years. Their bark was finally heard earlier this year when they pushed the new congressional leadership to enforce the policy.

''When PAYGO was in place in the 1990s, spending as a percentage of gross domestic product (GDP) declined from 22.1 percent to 18.5 percent by 2001. As a result, huge budget deficits became a budget surplus. Shortly after President Bush took office, the Congress unwisely let PAYGO expire, causing an explosion in government spending and yearly budget deficits. Our national debt grew by $3 trillion over this period, and by 2005, spending had clawed its way back to 20.1 percent of GDP.''

Let's think about that a moment: $3 trillion increase since this President has been in office. What does that mean?

We roughly spend $450 billion a year today on interest alone. That's $1.2 billion a day. But let's just take the last 5 years since 2001, or 6 years since 2001, and look at how that $3 trillion is impacting our budget.

For instance, today, if we had continued down the path and just had a balanced budget, not necessarily a surplus but just a balanced budget, we wouldn't be spending $150 billion-plus extra in interest. Think of what that would do. We are spending today over 125, $130 billion in Iraq, supposedly, in Iraq, probably more than that. But, in essence, what we have done in the last 6½ years, or last 6 years and 9 months of this administration, under control of the Republican White House and under the control of the Republican leadership on the other side of the aisle, we have increased just our portion of the interest, not retiring the debt, by over $150 billion a year. That in itself, that figure itself, alone, is over six times what the entire budget of the State of Tennessee is in one year.

So I think it's time that we again reclaim for this Nation fiscal responsibility and continue to be the strong defense hawks that our caucus, our Blue Dogs, has been.

Mr. ROSS. I thank the gentleman from Tennessee for his commitment to our men and women in uniform. I especially appreciate it as the Arkansas 39th Brigade, our Arkansas National Guard, they have only been home for about 33 months from a year on the ground in Iraq. They have been called up and are now training at National Guard armories all across Arkansas. They will be doing that through the end of the year. They will be going to Mississippi in January and February and then sometime in March headed back to Iraq for another year of duty.

We owe it to them and their families to ensure that they are properly trained and to ensure that we are investing in them the very best equipment and technology to give them a

fighting chance, coming back, returning to their families safely.

If you have got any comments or concerns, you can e-mail us at BlueDog@mail.house.gov. If you have any comments, questions or concerns, you can e-mail us at BlueDog@mail.house.gov.

Again, the Blue Dog Coalition is a group of 47 fiscally conservative Democrats that, quite frankly, feel like we have been choked blue by the extremes of both parties, and we are just simply trying to restore common sense and fiscal discipline to our Nation's government. We are in the middle, and that's what we believe America is.

I want to thank the gentleman from Tennessee for his commitment to our troops, for his commitment to fiscal discipline and for sharing with us the piece that he recently submitted to a newspaper in his district. Thank you, LINCOLN DAVIS.

I mentioned the Blue Dogs have three bills that we believe can go a long way toward fixing this mess, cleaning up the mess here in Washington. One of the bills to do that is the Fiscal Honesty and Accountability Act. It strengthens our commitment to fiscal responsibility and accountability, and reinstitutes statutory PAYGO rules.

It implements multiyear discretionary spending caps. It closes a loophole in the law that has been used to add billions of dollars in routine spending, and it requires the Congressional Budget Office, commonly referred to as the CBO, to estimate interest costs produced by spending in any bill. We will go over this and explain what all this means.

I am pleased to introduce and to yield to a fellow Blue Dog from the State of Indiana, who is the author of this commonsense piece of legislation that has been embraced by my fellow colleagues, conservative Democrats in the Blue Dog Coalition, and that's BARON HILL.

Mr. HILL. I thank the gentleman from Arkansas for yielding his time. I also thank him for his great leadership with the Blue Dog Coalition and making sure that our message of fiscal discipline does get out.

I would like at this time to take a little history lesson about how we have gotten to the point where we are right now with a $9 trillion deficit. That figure is hard to believe, $9 trillion, our Nation's government is in debt.

Back during the 1980s, there was a Republican President who came up with an idea called supply-side economics. During the campaign of the 1980s, that candidate was criticized for this economic policy. It was claimed to be very risky.

As a matter of fact, one of the candidates that was running on the Republican side called it voodoo economics. Basically, what it was in the 1980s was a policy that would dramatically cut taxes with the idea that if we cut taxes dramatically, there would be more money that would come to the coffers of the United States Government and deficits would no longer be around.

The trouble with that is that it did not work in the 1980s. I have to say that the Democrats who were in the majority in the House and the Senate that time endorsed this concept and passed this piece of legislation into law.

So taxes were dramatically decreased, military spending went dramatically up, and deficits went dramatically up during the 1980s.

□ 2000

During the 1990s, this policy was rejected under a Democratic President who was elected. He was of the opinion that we needed to get our fiscal house in order. And so during the 1990s, the supply side economics theory was rejected and PAYGO rules were put into effect in the 1990s.

What happened? Those PAYGO rules worked, and around 2000 and 2001 our government, for the first time in a very long period of time, actually produced surpluses. And it was projected that these surpluses would amount to trillions of dollars, projected out in the 21st century.

Then we had another election, and the old policies of the 1980s were reinstated again, those policies in the 1980s called supply side economics that caused huge deficits. PAYGO rules were thrown out the window again, not reinstated.

And here we are again, as Mr. DAVIS from Tennessee has already indicated, during that time period where PAYGOs were thrown out the window and supply side economics were reinstated, we've increased our deficit by $3 trillion, and now we're facing a $9 trillion deficit. The second largest expenditure in our Nation's budget is the interest that we pay on that deficit. This has got to stop. The gentleman from Arkansas earlier said, this is crazy, and it is crazy. When the Chinese Government is buying our debt, buying our paper, loaning us their money, affecting our foreign policy, we have to get our fiscal house in order.

And I'm so proud that I'm a member of Blue Dog Democrats. I joined the Blue Dog Democrats back in 1998 when I first got elected. I served three terms, and then the good people from southern Indiana decided I needed a little bit of a rest, and I took that rest for 2 years, got reelected 2 years later, and immediately joined the fiscally responsible group called the Blue Dog Democrats, and I'm glad that I am.

Now, Blue Dogs just don't bark. They also put into place policy. And one of the things that we have done is introduce the Fiscal Honesty and Accountability Act. What does the Fiscal Accountability Act do? It reinstates statutorily the PAYGO rules that have led us out of this debt in the past and into surpluses. They were instrumental in producing the surpluses that we enjoyed in the late 1990s and the early 2000s.

This bill also closes a loophole in current law that allows almost any spending to be designated as emergency spending.

Now, for those who are listening on C–SPAN, what does that mean? You know, we can pay PAYGO rules in the House, and all PAYGO rules means is if we're going to spend extra money or we're going to reduce taxes, you've got to figure out a way to pay for it. It's pretty pure and simple, but it requires discipline.

One of the ways that Congress gets around the PAYGO rules is by enacting spending measures. For example, we may have an emergency spending measure on the war in Iraq.

Well, Members of Congress from both parties use that spending measure to insert other nonrelated emergency spending measures into the emergency spending in order to get around the PAYGO rules. The Fiscal Honesty and Accountability Act will stop that practice; and it's the Blue Dogs who are leading the charge and making sure that we stop playing games with our Nation's budget, because we really do have to get serious here now about doing something about our Nation's budget. It's swirling out of control. I think most people are shocked when they learn that the Chinese Government is buying a lot of our debt in this country, affecting our foreign policy. This kind of practice needs to stop. And the Blue Dogs are leading the charge in making sure that it does get stopped by passing the Fiscal Accountability and Honesty Act.

Now, other things that we are doing, we're offering a balanced budget amendment and we're trying to pass a resolution strengthening the budget process. When I talk about the Blue Dogs are not just about bark but about policy as well, I mean it. We're putting our actions where our words are, and we're here tonight to talk about that and to ask the Congress to pass the Fiscal Honesty and Accountability Act, which implements PAYGO rules and stops the clowning around with emergency spending measures.

So, Mr. Speaker, I am delighted to have this opportunity to join my fellow Blue Dogs to talk about fiscal responsibility. I applaud the leadership of the Blue Dogs on this particular issue. We're going to keep on barking. We're going to keep on implementing policy. I thank the gentleman from Arkansas for yielding me this time, and I yield back my time to him.

Mr. ROSS. I thank the gentleman from Indiana's Ninth Congressional District, Mr. HILL, for his sponsorship and for authoring this very important legislation, the Fiscal Honesty and Accountability Act of 2007, one of three key pieces of legislation that we believe can go a long way toward restoring common sense, fiscal discipline and accountability to our national government.

Another one of those is a resolution strengthening the budget process.

We're going to talk more about that. I yield to the gentleman at this time, though, from Tennessee, LINCOLN DAVIS.

Mr. LINCOLN DAVIS of Tennessee. My friend from Arkansas, in the presentation earlier I had intended to discuss the 12 individuals that lived in counties that I represent before they lost their lives in Iraq. Four of those actually were not in my district, but there are 12 individuals that either live in the county I represent or in the district I represent.

I made a commitment some time ago that each day that when I said my prayers for those in special prayer need, that these families would always be a part of my prayer list. And I keep a list of those in my wallet, of those individuals. I hope I don't have to add a new name. Occasionally I'll have to take this out and redo it and add a name to it. I hope I don't have to add another name until we're able to settle and resolve and bring our soldiers home from Iraq and from Afghanistan.

These individuals have honored us and our Nation, and I think that we, as Americans, need to be sure that we honor their name and their families, and that we keep them in our hearts and constantly in our minds so that we don't ever forget the commitment that they gave, and they gave all for this Nation.

Mr. ROSS. I thank the gentleman from Tennessee for those thoughts, and he is absolutely correct. We must keep all the soldiers who have died in service to our country, those who have been injured in service to our country in our hearts and in our prayers. And on this evening I hope we'll especially remember Sergeant James Doster from Jefferson County, Arkansas, the latest casualty from Arkansas' Fourth Congressional District.

The gentleman from Tennessee mentioned those who've died in service to our country, and we've talked a little bit about the Iraq war. And I want to deviate for a moment and let you know, Mr. Speaker, that Mr. DAVIS and I are part of a group outside of the Blue Dog Coalition, but a group of Democrats and Republicans that have come together, 14 Democrats, 14 Republicans that have created this bipartisan compact on Iraq debate because the fact is, Mr. Speaker, I voted three times to bring our troops home in a responsible and in a manner that would be responsible. But the reality is this: That the reason I voted three times is because we don't have a veto-proof majority in the House of Representatives. And we can continue to have those votes, but the reality is the President will veto those actions and so we really, at the end of the day, haven't been successful in a new direction in Iraq.

Finally, you know, if there's one issue that shouldn't be a Democrat or Republican issue but should put us all in the context of being Americans first, it should be how we move forward on this Iraq debate. And there are 28 of us, 14 Democrats, 14 Republicans that have come together to create this bipartisan compact on Iraq debate. And I welcome, as I go through these points, I would welcome the gentleman from Tennessee (Mr. DAVIS), any comments or thoughts he might want to interject. But basically, here's the compact.

We agree, 14 Democrats, 14 Republicans, we agree that the U.S. Congress must end the political infighting over the conflict in Iraq and commit immediately to a truly bipartisan dialogue on the issues we are facing.

I would yield to the gentleman from Tennessee.

Mr. LINCOLN DAVIS of Tennessee. How can anyone in this Chamber or any American let politics, partisan politics, have a play in the decision-making as we talk about our young men and women who are willing to give their life and those who've given their lives on the battlefields in Iraq and Afghanistan?

I think that it's time. I travel my district and I tell folks that bipartisanship seems to have escaped us here in Washington. I talked to some of the folks who were here years ago and people who visited Washington saying that Democrats and Republicans would get together after a debate, whether they disagreed on certain issues, but that they would get together after that debate and spend time in the evening as friends or families would spend time together. That needs, we need to recapture that here in the U.S. House.

I read a book recently, or a quote in a book recently that was made by that great fellow from Britain, Mr. Churchill. He'd been speaking at Fulton, Missouri in 1951, where he gave his Iron Curtain Speech. And he and two or three other individuals were still on the train and still awake. Mr. Truman, the President, and a bunch of his cabinet and staff had retired for the evening. And they were talking about how the circumstances of our life and circumstances of our birth influenced our success or failures in the world that we lived in. And what Churchill said is that: If I were to be born again, I'd want to be born in America. We need to change America to where people like Churchill and others will be saying again: I'd like to be an American if I was born someplace today.

I don't think that's happening today in the world. We've got to change that, and I think the partisan rancor that we have here on the floor is prohibiting us from projecting to the rest of the world and to the American citizens the best of America. And I hope that this compact will help lead us all into being less partisan and more bipartisan on this floor and in America.

Mr. ROSS. There are eight points that we make in this bipartisan compact on Iraq debate on how we move forward. The second one, we agree that efforts to eliminate funding for U.S. forces engaged in combat and in harm's way in Iraq would put at risk the safety and security of our servicemembers. In other words, as long as we've got troops in harm's way, we're going to support them.

We agree that there must be a clearly defined and measurable mission for our continued military involvement in Iraq. Again, stop redefining victory. Stop moving the goal post. This mission must be further and continually defined so that the military and the country are aware of the end goal of our mission in Iraq and what progress toward that goal is being achieved.

We agree that the Government of Iraq must now be responsible for Iraq's future course. The government must continue to make progress on the legislative benchmarks outlined in section 1314 of the recent Supplemental Appropriations Act, public law 110–28. Demand accountability from the Iraqis.

Mr. LINCOLN DAVIS of Tennessee. If the gentleman would yield, what that means is we're asking the Iraqis to occupy their own nation instead of our American soldiers. That, in fact, is what we're asking. We're asking the Iraqis to be their own policemen instead of the policemen on the beat being the American soldier. I think that should be expected by everyone, regardless of politics.

Mr. ROSS. We agree that it is critical for members of the U.S. Armed Forces, including members of the reserve components, to have adequate rest and recuperation periods between deployments.

We agree that a safe and responsible redeployment of U.S. Armed Forces from Iraq, based on recommendations from our military and foreign policy leaders, is necessary to transition the combat mission over to the Iraqi forces.

We agree that the continued military mission of U.S. combat forces must lead to a timely transition to conducting counterterrorism operations, protecting the U.S. Armed Forces, supporting and equipping Iraqi forces to take full responsibility for their own security, assisting refugees, and preventing genocide.

□ 2015

We agree that U.S. diplomatic efforts should continue to be improved and that the U.S. State Department must engage in robust diplomacy with Iraq's neighbors in the Middle East to address the Iraq conflict.

We had a military surge, and we now know that didn't work. That is what President Bush wanted, and that's what he got. What we are saying here, among these eight components, and don't get me wrong, it is only one of the eight components, one of the eight components is it's time for a diplomatic surge in the Middle East. Fourteen Democrats and fourteen Republicans have signed on to this, and I believe it is time for a new direction in Iraq. It is time for a bipartisan direction. It is time for us to all come together as Americans first.

I yield to the gentleman from Tennessee.

Mr. LINCOLN DAVIS of Tennessee. In essence what that component says is that in a bipartisan way we want to be sure that the Iraqis have a surge in leadership for their own country, take over the control of their own country; that the Iraqis develop the military that they need to occupy their own country themselves. And, secondly, that they become the policemen in the field, on the roads, riding the Humvees, and not our soldiers. I thank my friend from Arkansas for each week that you bring to the American public the views, the ideas of the fiscal conservative Blue Dog Democrats, deficit hawks and defense hawks here on the House floor.

Mr. ROSS. Again, these views on Iraq are not necessarily those of the Blue Dog Coalition. We require a two-thirds vote for an endorsed position. These are our views, those of us that believe we need a new direction and how we think we can get there in a bipartisan way.

Another one of the bills being put forth by the Blue Dogs, and this one was written by Heath Shuler from North Carolina, Charlie Melancon from Louisiana, and Charlie Wilson from Ohio, and it's called a Resolution Strengthening the Budget Process. It strengthens and increases transparency of the budget process. It ensures that Members have a sufficient amount of time to properly examine legislation and determine its actual cost. No more of being forced to vote on these 300- and 400-page bills after seeing them for 15 minutes and knowing the cost of what we are voting on. PAYGO rules now require that.

It requires that a full Congressional Budget Office, CBO, cost estimate accompany any bill or conference report that comes to the House floor and ensures that lawmakers have at least 3 days to review the final text of any bill before casting their votes.

We can't make Members of Congress read the bills they are voting on; but if you give them 3 days from the final text to the day of the vote, it gives them the opportunity to read them. Right now, and many times under the Republican-led Congress in the past 6 years, there wasn't an opportunity to read the bills because they would let us see the bills 15 minutes or an hour before we were voting on them, sometimes 300- and 400-page bills.

Commonsense ideas that we are putting into legislation.

Another integral part of the Blue Dog fiscal accountability package is this, and I have done my best to go through it and explain to you what it is that we are trying to do there. It's a resolution aimed at strengthening and increasing the transparency of the budget process. All too often Members of Congress are forced to vote on legislation without knowing its true cost implications. This measure will ensure that Members have a sufficient amount of time to properly examine legislation and determine its actual cost.

And then, finally, the balanced budget amendment. And I want to thank the Blue Dog leader Kirsten Gillibrand from New York for authoring the balanced budget amendment, which would provide for a constitutional amendment requiring Congress to balance the Federal budget every year. Forty-nine States do it. Most American families do it. And it is time that the United States Congress did it. It allows for flexibility during times of war, natural disaster, or an economic downturn, and it prohibits cuts in Social Security benefits from ever being used in order to balance the budget.

Mr. Speaker, these are just three pieces of legislation that have been endorsed by the Blue Dog Coalition, authored by the members of the Blue Dog Coalition, that we believe can put us on a path toward restoring common sense, fiscal discipline, and accountability to our Nation's government.

THE STATE OF HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I am coming to the floor tonight to talk, as I often do, about health care, the state of health care in America, some of the things that we face as a country, as a Congress. And, Mr. Speaker, we have reached a point where it is kind of a unique time, and it occurs from time to time in our Nation's history in political cycles that we have the political reality of unfettered election-year politics meeting head on with the perennial challenge of redefining or reforming America's health care system.

Mr. Speaker, the history of health care in America over, say, the past 60-plus years going back to the 1940s is that of a very highly structured, highly ordered scientific process coupled with a variety of governmental policies, policies each aimed at achieving a specific objective; but rarely do we get the opportunity to reexamine the policies and what follows on from those policies and how they continue to affect things years and decades into the future.

Mr. Speaker, if we go back to that time in the middle 1940s, the time of the Second World War, some significant scientific advances occurred. In 1928, for example, Sir Alexander Fleming rediscovered penicillin. It actually had been discovered in the late 1800s, but Sir Alexander Fleming in England discovered that the growth of a bacteria called staphylococcus could be inhibited by the growth of a certain type of mold on the auger plate. Well, it took some additional research. It took some additional input from other scientists who actually came to this country and developed the process of fermentation that allowed for the large-scale production of that compound that we now know as penicillin, a compound that when it was first discovered was priceless. You couldn't get it at any cost and by 1946 had come down to about 55 cents a dose, all because of American ingenuity coming into play in the mid-1940s. In fact, soldiers injured during the invasion of Normandy on D–Day were oftentimes treated for their wartime-acquired wounds that became infected with penicillin.

Another individual, an individual we have honored on the floor of this House during the last Congress, Dr. Percy Julian, an African American scientist or, actually, an organic chemist, who didn't discover cortisone. Cortisone had been discovered earlier. But the extraction of cortisone from the adrenal glands of oxen was a laborious time-intensive process, and as a consequence, cortisone was only available as a curiosity, as an oddity. But Dr. Julian perfected a methodology for building cortisone out of precursor molecules that were present in soybeans and, as a consequence, ushered in the age of the commercial production of cortisone.

So there in the 1940s, we had the development of two processes that allowed for the commercial application of an antibiotic, an anti-infective agent, that previously was unavailable on the scale that it was made available after the Second World War, and an anti-inflammatory, cortisone, for treating things like rheumatoid arthritis, Addison's disease. Cortisone now on a commercially available basis. These changes profoundly affected the practice of American medicine starting at about the time of the Second World War.

But what about on the policy arena? Did anything significant happen during the Second World War? Well, you bet it did. What happened during the Second World War is President Roosevelt said in order to keep down trouble from inflation, he was going to enact some very strict wage and price controls on American workers. And he felt it was necessary to do that because, after all, the country was at war.

Well, employers were looking for ways to keep their workers involved and keep them on the job, and they came up with the idea, well, maybe we could offer benefits. Maybe we could offer health insurance, retirement plans. It was somewhat controversial as to whether or not these could, in fact, be offered at a time of such strict wage and price controls, controversial as to whether or not these added-on benefits would be taxed at regular earnings rates. Well, the Supreme Court ruled that they could, indeed, be offered; that they did not violate the spirit of the wage and price controls, and, in fact, they could be awarded as a pretax expense.

Fast forward another 20 years to the mid-1960s, and now the administration and the Congress are locked in the discussion and the debates that ultimately led to the passage of the amendment to the Social Security Act that we now know as the Medicare program. Suddenly we have a situation where the body of scientific evidence,

the body of scientific knowledge is expanding at an ever-increasing rate. We have got some fundamentally different ways of paying for health care, some in the private sector and now some in the public sector, all leading to what is happening currently at the present time.

Now, again, going back to the Second World War, most health care was paid for at the time of service, and that was a cash exchange between the patient and the physician or the patient and the hospital. Now, with the advent of employer-derived health insurance and with the interposition of now this large government program, most health care is now administered through some type of third-party arrangement.

Now, this is useful. It protects the individual who is covered from large cash outlays. But there is a trade-off, and this covered individual is generally unaware of the cost of the care that is rendered, as well as the provider who is quite happy to remain insensitive as to the cost of the care that is ordered. This arrangement has created an environment that permits rapid growth in all health care sector costs.

We have a hybrid system. America's challenge then becomes evident. How do we improve upon the model of the current hybrid system, which involves both public and private payment for health care and which anesthetizes most parties involved as to the true cost of this care? It's also wise to consider that any truly useful attempt to modernize the system, any attempt to modernize the system, the primary goal has to be, first off, protect the people instead of protecting the status quo.

Now, we must also ask ourselves if the goal is to protect a system of third-party payment or provide Americans with a reasonable way to obtain health care and allow physicians a reasonable way to provide care for their patients. Remember that the fundamental unit of production is the interaction that takes place between the medical professional, the physician, and the patient in the treatment room. That fundamental interaction is the widget that is produced by this large health care machine, and sometimes that concept gets absolutely lost in translation.

Now, the current situation subsidizes and makes payment to those indirectly involved in the delivery of that widget, and ultimately that drives up the cost. Now, currently in the United States, we spend, depending upon what you read, 15, 16, and 17 percent of the gross domestic product on health care, amounting to about $1.6 trillion a year. Within that total amount of spending, the government accounts for approximately half. When you add together the expenditure of the Medicare, the Medicaid system, the Federal prison system, VA system, Indian health service, all of those things together equal about 50 cents out of every health care dollar that is spent in this country.

The other half is made up by commercial insurance, self-pay, and I would include health savings accounts in that grouping of self-pay. Certainly some percentage is made up by services that are just simply donated or never reimbursed. We might call it charity care.

A lot of money is spent in health care, but only a fraction on direct patient care and oftentimes too much on an inefficient system.

□ 2030

Now, the test before us, the test before this Congress, the test before this country is to protect the people instead of providing protection to special interests. Define that which ought to be determined by market forces, market principles, and that which of necessity must being left in the realm of a government or public provider; that balance between the public and private sectors, and how in all of this process we preserve the individual self-direction instead of establishing supremacy of the State.

Additionally, we must challenge those things that result in the extortion of market forces in health care and acknowledge that some of that extortion is endemic, some of it's built into the system, some of it's hidden and not readily changed, and some of it is, in fact, easily amenable to change. And we need to know the difference, and we need to know what is worthwhile to try to effect change.

Now, the key here is how to maximize value at the production level; again, where that widget is produced, the doctor-patient interaction in the treatment room. How do we place a patient who exists on a continuum between health and disease, how do we shift that balance more in the favor of a state of continued health, which is obviously less expensive than paying for disease? Do we allow physicians a return on the investment, which opens up a host of questions relating to future physician workforce issues, and I am going to touch on those in more detail in just a minute.

How do we keep the employer, if the employer is involved, how do we get them to see value in a system, things like a quicker return of an ill employee to work, increased productivity, better maintenance of a healthy and more satisfied workforce? In regards to health insurance, how to provide a predictable and manage risk environment, remembering that insurance companies are, of necessity, they tend to seek a state of a natural monopoly; and if left unchecked, they will, indeed, seek that condition.

And finally, how do we balance the needs of hospitals, ambulatory surgery centers, long-term care facilities and the needs of the community, as well as the needs of doctors, nurses and administrators?

Now, Mr. Speaker, some legislation has already been introduced to try to effect some of these changes. I want to make reference at this point to a publication that's produced by my home State organization, the Texas Medical Association. Last March, this was the cover of their publication, Texas Medicine. It referenced that the United States may, in fact, be running out of doctors.

So I've introduced three pieces of legislation geared toward the physician workforce and how do we keep the workforce involved and engaged. Alan Greenspan, talking to a group of us right before he retired as chairman of the Federal Reserve, came in and talked to a group of us one morning and was asked the question: How in the world are we ever going to pay for Medicare going into the future? And he thought about it for a moment and he said, if I recall correctly he said, ''Well, I'm not sure. But I think when the time comes, you will do what is necessary to preserve the system.'' And I believe he is right. But he went on to say, ''What concerns me more is will there be anyone there to provide the services that you require.''

Well, Mr. Speaker, in an effort to be certain that there are the people there to provide the services that we require, I introduced legislation such as 2583. This establishes low-interest loans for hospitals seeking to establish residencies in high-need specialties, primary care, general surgery, OB/GYN, gerontology in medically underserved areas. It turns out one of the thrusts of this article is that doctors tend to have a lot of inertia, they tend to go into practice close to where they had trained. So if we can establish residency programs where none currently exist in communities of moderate to small size and allow those physicians to undergo their training in those community hospitals, they're very likely to settle in or very close to those communities, thereby driving the equation in favor of supplying physicians in high-need specialties in medically underserved areas.

Another piece of legislation, H.R. 2584, is more geared at the medical student or perhaps even the student in college, the student who's considering a career in health professions. And this expands the old health professions scholarships, provides the availability of scholarships, provides the availability of low-interest loans, provides the availability of favorable tax treatment if an individual is willing to go into practice in a medically underserved area in a high-need specialty.

And then finally, the third piece of legislation, 2585, deals with more of what I would describe as the mature physician, that physician who has been in practice. But one of the problems of our publicly financed side of health care, one of the problems in the Medicare side is that reimbursement rates for doctors are decreased year over year as an effort to control costs in the overall program, but the result is it tends to drive doctors away from practice. So this bill would have at its heart the repeal of a payment formula that is referred to as the ''sustainable

growth rate,'' or SGR formula, which I believe is critical. I believe we have to repeal that formula if indeed we're going to keep physicians involved in the process.

Mr. Speaker, another component of this bill, 2585, does allow for some voluntary compensation if a physician or group wishes to participate in a system to upgrade health information technology. And I put this slide up here, Mr. Speaker, because this is the records room at Charity Hospital in New Orleans taken in October of 2005. You can see that, although the records themselves were not disturbed by the wind of that particular storm, that records room is in the basement and it was completely under water for several days. And you can see there, this is 2 months after the storm, probably a month after the water was removed from the downtown area of New Orleans and removed from the basement, you can see the destruction evident on those paper records. And clearly, that's a situation that has to be addressed. If we are going to move America forward into the 21st century, that's a condition that has to be addressed. And I have attempted to do that in H.R. 2585, as it deals with the medical workforce; it also deals with some bonus payments to allow physicians who wish to voluntarily participate in an upgrade of health information technology, allows them the freedom to do that.

Other legislation that is out there, H.R. 3509. H.R. 3509 is a medical liability bill. And this bill was crafted after legislation that was passed in my home State of Texas in September of 2003. This was legislation that was crafted, it was styled after the Medical Injury Compensation Reform Act of 1975 passed by the State of California and then modernized for the 21st century. And what this bill does is provide a cap on noneconomic damages. It is a cap that is shared between physicians, hospitals, a second hospital or a nursing home, if one is involved. Each entity is capped at a $250,000 payment for noneconomic damages, or an aggregate cap of $750,000.

Now, the reason I bring this up, the reason I introduced this legislation that is similar to the Texas-passed legislation in the House of Representatives, is, after all, our Founding Fathers said that the States should function as laboratories for the country. So here we have the State of Texas functioning as a laboratory for meaningful liability reform in the health care sector. And the results are in and the results are clear; 4 years after this legislation was passed we have held rates down for premiums for medical liability insurance for physicians. More importantly, a State that was losing insurers at a rapid rate, we had gone from 17 insurers down to two by the end of 2002, which was my last year of active practice, and now we're back up to numbers in the twenties or thirties. And these liability insurance carriers have come back to the State without an increase in premiums. In fact, the Texas Medical Liability Trust, my old insurer of record, has lowered rates by about 22 percent at the time of my last calculation.

This is critical for getting the young individual who is in high school or college interested in a career in the health profession. The crisis in medical liability that exists in many areas of the country serves as a deterrent, a repellant that keeps young people from even thinking about a career in health care. And that is, in fact, one that we do desperately need to change.

Let me, just for a moment, go back to the Texas Medical Association hypothesis, ''are we running out of doctors,'' and the comments of Chairman Greenspan as he spoke to our group early that morning, now probably some 18 months ago. Will we run out of doctors? No. The answer is we probably won't. I guess we should ask ourselves: If we make the climate too inhospitable, if we make the climate too difficult, what will the doctors of the 21st century look like? Well, I don't know. But from time to time I allow myself some internal speculation as to what the medical workforce of the future might resemble, and sometimes I come across this young individual, kind of a health care entrepreneur from a famous American sitcom that is seen on the Fox Network. I don't know. But it's not worth running the risk of running out of physicians and not attracting the best and brightest into the practice of medicine.

Now, that brings me to what I would describe as a set of principles that for any health care legislation that I endorse, that I embrace, that I put out there myself or that I cosponsor, what are the principles that I need to see? Well, certainly, first and foremost, you have to have freedom of choice. American patients, they want to see who they want to see, they want to see them when they want to see them, and if hospitalization is required, no one objects to an incentive. But freedom of choice must remain central to any system, whether it is private or public, in this country.

Ownership. We hear a lot about the ownership society, things both good and bad. But I will tell you something, from having myself had a medical savings account starting back in 1997, when they first became available, until the time I left private practice in 2002. The whole concept of having a health savings account or, if you will, a medical individual retirement account, a medical IRA, and being allowed to accumulate savings in that account to offset future medical expenses, that's a fundamental desire of many people in this country. And many Americans in this country feel the same way, and, in fact, I'm of the opinion that that should be encouraged. The dollars accumulated in those accounts, and this is the great thing about them, even if you no longer have the account, which I no longer am insured through an HSA because when I came to Congress they weren't generally available. Now they are and I haven't switched back, but that money is still there. It still grows month by month at the regular savings rates. Right now I think it's about 4.5 percent, so a reasonable rate of return on that investment. But that money is there for me and my family to use in the future should any medical expenses arise that maybe aren't covered by other insurance.

Well, what happens if I get to the end of a long and happy life and I've never had to tap into those savings, what happens to them then? They stay in my family. They're available to my heirs and assigns for the coverage of their care going into the future, and all the while continuing to grow in value, tax deferred because that's the way the law was written back in 1997 when I first opened that account.

These dollars are dedicated to health care, they're owned by the individual, and they don't, by default, go to some governmental entity upon the death of the individual who's covered.

Now, another principle that I think is just critical to any discussion of health care is independence. There has to be preservation of autonomy. The patient or the patient's designee should ultimately be responsible for their care and the ability to accept or decline medical intervention.

High standards, one of the things that we pride ourselves on in this country, one of the underpinnings of the American medical system has always been high standards of excellence, and nothing in any future change should undermine that. And, in fact, pathways to facilitate future growth in excellence really ought to be encouraged.

Mr. Speaker, we have to preserve innovative approaches. American medicine has always been characterized as embracing innovation, developing new technologies and treatments. Clearly innovation must be preserved in any process going forward.

Another key is timeliness. Access to a waiting list does not equate to access to care; so spoke the Canadian Supreme Court to its medical system in 2005. We must diligently seek not to duplicate the most sinister type of rationing, which is a waiting list. And that can be, unfortunately, involved with any large health care system, whether it be a nationalized single payer system or, indeed, a very, very large private system.

□ 2045

We have to keep it market based and not administrative. Pricing should always be based on what is actually indicated by market conditions and not what is assumed by administrators. Remember, in general, mandates lead to a restriction of services. State mandates cause more harm than good, impede competition and choice, drive up the cost of care and can actually limit the availability of health insurance. Another type of mandate, we heard a lot

about it in 1993 when health care reform was discussed last decade, employer mandates and individual mandates are likewise restrictive. A discussion of mandates should include an accounting of cost and whether the mandates limit the availability of insurance for those who may operate a small business, for example, for those who may be self-employed or self-insured.

Mr. Speaker, it is worth remembering that Medicare part D in its first year of existence, the year 2006, achieved a 90 percent enrollment rate. They didn't do that with mandates. How did they do it? With education, incentives, competition, but certainly not mandates. Well, what about premium support? That is something you hear about from time to time. In fact, premium support was a big part of when President Bill Clinton talked about how to modernize the Medicare system. Bill Thomas who recently was chairman of the Ways and Means Committee, Bill Frist who was Senate majority leader, BOBBY JINDAL who serves as a Member of this House currently, these individuals were on a task force appointed by President Clinton to try to improve the Medicare system. One of the concepts they came up with was premium support to help someone who doesn't make quite enough money to pay a health insurance premium, help them, support them in purchasing that premium or buy down the cost of that premium. A subsidy, yes, but I prefer to think of it in terms of support.

Now, people also talk about tax credits. It is a similar rationale for helping an individual who can't quite afford the premiums on their health insurance. Mr. Speaker, I just submit that our Tax Code is currently complicated enough. We don't need to do anything that further complicates the Tax Code. That is why I move in the direction of premium support as opposed to tax credits or other incentives. One of the things we ought to do, though, when we do talk about mandates, and certainly that has been one of the stories coming out of Massachusetts, the plan that Governor Romney talked about when he came and addressed our House Policy Committee a couple of years ago when that program was first established, one of the mechanisms they had at their disposal was the ability to, because they have a State income tax, the ability to help someone understand the validity of buying insurance. I don't know. Maybe we ought to look at that when we provide money to individuals through the earned income tax credit. Perhaps a portion of that money ought to be earmarked for at least a catastrophic policy or a high deductible policy, those that can be had generally at lower expense. Maybe it is time to think outside the box in that regard and provide those individuals an earmark, if you will, of that tax credit so that they, in fact, do purchase health insurance if they are going to be covered under the earned income tax credit.

Then finally, and this is a terribly difficult concept and a lot of people just tune me out when I talk about it, but we have to balance the way we handle our anti-trust laws. We have to balance anti-trust enforcement, and we have to prohibit overly aggressive anti-trust treatment under the law. Exemption or enhanced enforcement is only likely to further distort the market. It means the desired results are never obtained because we are always providing this market distorting influence by either protecting one side or one group and potentially punishing another side. Creating winners and losers via our anti-trust law erodes the viability of our American health care system. Again, I think we would do well to pay some attention to that and prevent that from being part of our lexicon in the future.

Now, as far as the specific policies for health care within the public sector model, the transformation after the experience with Medicare part D has, in fact, been instructive. Six protected classes of medication were required of all companies who wish to compete within the system. That allowed for greater acceptance by the covered population and certainly greater medical flexibility as far as the physicians were concerned when treating patients. At the same time, the competitive influences brought to bear in that part of the program, in fact, managed to bring down cost.

In fact, the projection of $130 billion over the 10-year budget window less than was originally outlined was a success story. That is solely the result of competition. I feel certain that, in the future, we are going to get benefits for more efficient treatment, timely treatment of disease. I think there are additional successes out there to be had, but certainly competition within the first year or two of the existence of part D program certainly showed where competition can pay off.

Now, one of the most important points of lessons learned in the Medicare part D program is that coverage can be significant without the use of mandates. Ninety percent of seniors now have some type of prescription drug coverage. That was achieved by creating plans that people actually wanted. It was achieved by providing the means and incentives to sign up in a timely fashion. This emphasized that personal involvement and responsibility was there, was important to maintain, and it was important to maintain credible coverage. There was, in fact, a premium to pay if someone signed up after the initial enrollment cycle.

Mr. Speaker, employer-derived insurance will continue to be a significant player in the American health care scene. It adds value. It adds value to the contract between the employer and the employee. It rewards loyal employees and builds commitments within the organization. Businesses can spread risk and help drive down cost. A feature of the proposed association health plans have been, in fact, proposed in this House in every Congress that I have been a Member of since the beginning of 2003. In fact, the first time I heard about the concept of association health plans, Mr. Speaker, was when it was actually delivered from the rostrum here in this House of Representatives. The concept was delivered by President William Jefferson Clinton in September of 1993. It is a concept that I believe we ought to explore. We ought to be able to discuss it rationally without impugning each other's character, because after all, it was brought to this Chamber by a Democratic President. It has been endorsed and supported by Republican Congresses in the past.

Again, the concept of association health plans is one that I think going forward could provide a great deal of utility as far as preventing the inexorable increase in health insurance premiums that are faced by small businesses and individual employees. These are people who don't get the benefits of spreading out the risk through a large insurance market.

Now, Mr. Speaker, regardless of whether the system is public or private, vast changes in information technology are going to occur. They are going to need to be facilitated. We are coming up to a time of rapid learning. Because of improvements in health care technology, the ability to manage databases and retrieving data in a timely fashion are going to be critical for the delivery of health care and for the protection of patients.

Mr. Speaker, let me share this picture with the House of Representatives. This is Master Sergeant Blades. I met the master sergeant at building 18 at Walter Reed Hospital last January. Of course, everyone remembers The Washington Post story about building 18 and how there was great concern that some of our soldiers were not being properly cared for, individuals who were on medical hold at Walter Reed and awaiting a ruling on their request for going back in with their unit or their request to have a disability claim evaluated.

Those individuals on medical hold became the subject of a good deal of discussion in the press here in Washington, D.C. Well, like many Members of Congress, I decided to go see for myself. I went out to Walter Reed. I went through building 18. The paper was right: it was crummy. But Master Sergeant Blades drew to my attention something that he said was, in fact, more significant and more important and, in fact, more of a frustration for him and his men who were there on medical hold. And that is the fact that there was no interoperability between medical records contained within the Department of Defense and that of the Veterans Administration.

You see here the master sergeant is preparing his medical record. It may not show up that well, but here is a medical record that he is going

through with a yellow highlighter. He is making his case for, again, either going back and joining his unit or making his case for perhaps a future disability claim. What he told me that day is that he can go through a medical record that may be the size of several stacked phonebooks on top of each other, go through and painstakingly pull out the bits of data that he thinks will be important to his case. This paper record will then go to someone's desk. It might sit there for a week, two or three, before it is opened. And then at some point it gets lost, and he has to start all over again, or his men have to start all over again.

So his admonition to his men who are under his command there at the medical hold unit at Walter Reed was to prepare several copies of your medical record. Don't leave your future, whatever it might hold, don't leave your future in the hands of a single medical record and at the discretion of someone who might be cleaning off a desk one night, think they are doing everyone a great favor by moving some charts or papers off to the side or some other location, where, in fact, they become lost and not retrievable. Again, I bring this up to just point to some of the problems that are out there.

We are in the 21st century. Rapid learning and rapid turnaround of data is something that is just expected. We go into an ATM in a foreign country. We swipe our card. We punch the number in. If it takes more than 12 seconds for the money to come out at the other end, we wonder what the problem is. We need to be moving to that same type of system within our medical information system because it is truly to the point where it is untenable. We saw that as, again, Master Sergeant Blade so eloquently pointed out to me that day at the Walter Reed Hospital. But we see it over and over again replicated in tests that have to be duplicated. Someone goes into a hospital emergency room late at night. They have had a CT scan earlier in the week in the physician's office, but it is not available to the emergency room doctor who then orders another test and, oh, by the way, there is another $1,000 spent by some insurance company, government or perhaps even the hospital itself if that patient is uninsured.

Another thing that I think really is something that we are going to have to really concentrate on in the future is introduced legislation, H.R. 1046, to modernize some of the quality reporting systems that are present in this country. I think quality reporting is going to be part and parcel of medical care going forward. I think it should be voluntary at this point. I think while we are in the mode of gathering data, a physician or group who wishes to voluntarily associate themselves with some type of quality reporting scheme, I think that should be rewarded at this point. I don't know that we have developed enough of the systems to require that. Now, State Quality Improvement Organizations, QIOs, were actually developed back in the '80s and early '90s across the country. They were developed to primarily deal with quality issues within the Medicare program itself.

But there is no need to reinvent the wheel here. These organizations are already out there. They exist. They do a credible job. If they need to be modernized for the 21st century, then so be it. But H.R. 1046 is an effort to bring those Quality Improvement Organizations into the 21st century and allow concepts like a medical home and allow concepts like the accumulation and utilization of data so it can be for the benefit of all of the physicians who attend the patient and of course the patient themselves.

Now, this approach was a component of the Medicare physician payment update proposal by then-chairman JOE BARTON on my Energy and Commerce Committee when he offered it right at the end of 2006. I thought it was a good proposal then. I think it is one that certainly bears further exploration.

Mr. Speaker, within the individual market, and that is going to include for the purpose of my discussion both individuals who are paying their freight themselves out of pocket and those individuals who own a health savings account, introduced legislation, H.R. 1666, to provide for increased price transparency within the medical pricing system.

□ 2100

Information is going to evolve rapidly. It's going to evolve rapidly for individuals who are paying cash for their procedures, as was certainly the majority of cases back before the 1940s. But, again, we may see a growing, increasing segment of the population who hold medical savings accounts and will be the primary dispensers of their health care dollars, so those dollars will be spent much the same as a self-pay individual would handle their medical affairs. But it's going to require that the adequacy of reports and the detail of information that is available to patients on things like cost, price and quality, and, yes, there is a difference between what a procedure costs and what its price is, and quality information is going to be increasingly important for health care consumers to make best decisions about the health care of their families and how they wisely spend their health care dollars. This information needs to also be linked to data detailing perhaps complications and other issues, like perhaps infection rates, so that families and individuals are able to make the best decisions.

Now there are some Web-based programs that are out there right now. Again, in my home State of Texas on the Internet there's something called texaspricepoint.org, except it is abbreviated to txpricepoint.org. The individual who lives in the State of Texas can go to that Web site and, after the obligatory legal disclaimers that you have got to scroll through to ensure that you understand the data that you're about to call up, you can get some significant data on the difference in cost and price between hospitals in a given county, different hospitals that perhaps are offering the same procedures, something as simple as a fractured leg without complications. You can click on the appropriate button, scroll through the appropriate number of screens and get a cost comparison between all of the hospitals that exist within a given county and what the difference in cost is at each of those facilities.

Now someone who is truly on a third-party payment such as Medicare, Medicaid, SCHIP, they are not going to be perhaps so interested in that, but they might be from just a quality perspective. If one hospital is a lot more expensive than the others, that may be a quality issue that is driving that increased expense.

So I can see that that information would be useful to individuals who aren't in fact even the target population who's paying out-of-pocket for their own care. But certainly the individual in a family who's paying out-of-pocket, they're financing their health care out of cash flow, or the owner of a medical savings account, that individual is likely to be very interested in what that information on cost, price and quality is as it becomes available. I think we are going to see increasing utility of programs such as these going forward.

As we have talked about crafting a readily affordable basic package of insurance benefits, it's something that this Congress really ought to set itself seriously to do. Now we have had discussions in the 109th Congress. Sometimes those discussions got kind of rough. Let's remember, we, Congress at one time has agreed upon what exactly is a basic package of benefits that ought to be available to an individual who subscribes to a program, and that program is the program under the Federally Qualified Health Center statute. The statute is probably about 35 years old and it details at a significant level of detail what benefits ought to be available to the individual who goes in for their care at what is known as an FQHC, or Federally Qualified Health Center.

What if we were to get together and decide that same basic package of benefits ought to be available to an individual, but they wouldn't necessarily have to go into the Federally Qualified Health Center? Maybe it's embedded in a card that they take into a clinic or provider's office within their community who agrees to participate in the program. Clearly, there is some out-of-the-box thinking that can go on here in trying to provide a meaningful, affordable product for individuals who are currently lacking health insurance.

One of the things, again, that drives the cost up is all of the mandates that

we put on insurance companies. But maybe if we agreed on what should be the basic package of benefits, Republican and Democrat alike, sit down and agree on what should be that basic package of benefits and allow individuals to access that type of care within their own communities.

One of the problems with Federally Qualified Health Centers, and I am a believer in the concept, in fact, I am trying mightily to get a second such facility in my part of Tarrant County. I'd like to see one in Denton County, another county that I represent that doesn't have such a facility available. What has happened is we have picked winners and losers across my State, across the country. Some areas are replete with Federally Qualified Health Centers; other areas are seriously lacking in that type of care.

Maybe we need to take that thinking to the next level. Maybe we ought to, instead of building the bricks and mortar of a Federally Qualified Health Center, simply provide the patient with, ''Here's the card, here's the list of individuals that participate in the program in your community, and they will accept the card at any one of these facilities that you see.''

That would also have the advantage of perhaps separating out, once again, some of that special interest stuff that tends to keep things as they are, to keep things from moving forward, to keep any meaningful progress from coming into any of the arenas and delivery of health care to low-income individuals, but particularly in this particular arena.

The other thing is I will tell you, as a practitioner of medicine, you look at some of the rules under which these facilities have to be set up, and it becomes very, very difficult to construct a business model that will actually be able to stay afloat, given some of the restrictions and regulations that are placed on these facilities. Again, if we would allow perhaps a little bit more of that hybrid-type system that you could have coexistence between a private facility and a government-paid program, providing each side was willing to behave by some mutually agreeable guidelines.

Well, providing truly affordable basic coverage to individuals in this country I think is a concept that insurance companies, I think is something they would want. I can't believe that an insurance company doesn't look at a figure like 47 million people who are uninsured and not say, ''that is a lot of market share I could have,'' if we would only allow them the ability to construct a policy that is affordable to the individuals who fall into that group.

Another concept, Mr. Speaker, and this is one that I have held for a long time, a lot of clinics, a lot of doctors, a lot of medical practices, a lot of hospitals simply donate their time and their efforts. Their actions are truly charitable. Well, maybe we could organize and provide a tax credit for those services that are truly charitable and donated. We could provide perhaps additional protection under the Federal Tort Claims Act, maybe a safe harbor from lawsuits, wherein good faith, charitable care is provided, and allow other providers to participate and fill the vacuum for indigent care.

Another area where this might be extremely useful is in times of national emergency, national crisis. Maybe if we had some type of emergency credentialing facility, and I know the CDC is looking into that, but if there were a way for a practitioner to precredential if there were a national emergency in their area, or they traveled to an area where the next Katrina hits so that they could be immediately credentialed within that area and begin to help provide that care. Again, also allow them some relief from liability under the Federal Tort Claims Act.

This could help fill the vacuum that exists sometimes in care. We don't want people to stay away from where actual help is needed in time of a national emergency. We don't want doctors and nurses to stay away from those areas for fear that, number one, they will be sent away because they are not credentialed, or, number two, out of fear that they might bring on some condition of liability that they would then have to defend for months, years, decades after.

The admonition of Ronald Reagan, ''trust but verify.'' Trust the market to make the correct decisions, but to the extent that some distortions are there, acknowledge that they are there. Sometimes there are going to have to be some protections that can only be provided by the Federal level. Some guidance for market principles will always be required, whether the system is public, private, or is a hybrid system.

Finally, as part of this discussion, there needs to be a rational breakdown. We always talk about the number of uninsured. As near as I can tell, this is a formulaic number that simply goes up by the addition of 2 million people every year.

I don't know that any of us really knows what is the makeup of this number. It is pretty hard to craft public policy to deal with the number of 45, 46 or 47 million uninsured when you don't know what makes up that population. Are some of these young individuals who are simply between college and their first job and haven't yet found it a wise investment or necessary to get insurance? Are part of these individuals who have serious long-term medical conditions who find medical coverage unavailable to them at any level, at any place?

Obviously, those are two very different populations. You can't craft a policy to help one that is not terribly distorted by the time it is applied to the other. We need to know what the makeup of that number is. So agencies like the Census Bureau need to do a better job for us as far as detailing and delineating what exists within the parameters of that large number that simply gets added to every year, and a lot of times you wonder if it is not just added to for political reasons. But, nevertheless, we need accurate data on who is encompassed within that population.

Finally, I will just leave this segment with a point of contrast. There are some people in this House who think it is a good idea to expand the culture of dependence, dependence on the State. There are other individuals in this Chamber who want to expand the number of individuals who can actually participate, direct and own their own health care.

Mr. Speaker, I don't have to tell you what side of that question I come down on.

Finally, Mr. Speaker, I want to talk just a little bit about, again, I said I was going to talk about health care in America. I have talked a lot about health care. Let's talk a little bit about America. Let's talk about American exceptionalism.

Mr. Speaker, the American health care system has no shortage of critics, here in this House, across the country, and certainly in foreign countries. But, Mr. Speaker, I would emphasize, it is the American system that stands at the forefront of innovation and new technology, precisely the types of systemwide changes that are going to be necessary to efficiently and effectively provide care for Americans for today and into the future.

Now, Mr. Speaker, I don't normally read the New York Times, so please don't tell anyone in my district that I did. But last year, in fact just about a year ago, October 5, 2006, Tyler Cowen wrote, ''When it comes to medical innovation, the United States is the world's leader. In the past 10 years, for instance, 12 Nobel Prizes in medicine have gone to American-born scientists working in the United States, three have gone to foreign-born scientists working within the United States, and seven have gone to researchers outside of this country.''

Remember, Mr. Speaker, when I first started this discussion I talked about the contributions of Sir Alexander Fleming, albeit an Englishman, but it was a lab in Peoria, Illinois, that developed the ability to mass-produce penicillin, and it was that ability that allowed the clinical trials to go forward. It was that ability that allowed penicillin to become part of our modern lexicon.

Percy Julian, again, an African American biochemist honored in this House during the last Congress. Remember, it was Percy Julian, he didn't invent cortisol, he wasn't the first to identify the compound, but he was the first to delineate a formula by which this compound could be mass-produced and available to much, much greater numbers of patients than would have ever been possible with the old animal

extraction method that had preceded it. All developed within and because of the United States.

Tyler Cowen goes on to point out that five of the six most important medical innovations of the past 25 years have been developed within and because of the American system.

Mr. Speaker, comparisons with other countries may, from time to time, be useful. It is important to remember that the American system is always reinventing itself and seeking improvement. But it is precisely because of the tension inherent in a hybrid system that creates this impetus for change. It drives the change.

A system that is fully funded by a payroll tax or some other policy has no reason to seek improvement, and, as a consequence, faces stagnation. Indeed, in such a system, if there becomes a need to control costs, that frequently is going to come at the expense of who? The provider. Precisely the person you need to stay involved in the system.

Mr. Speaker, I have got one final slide, and I ask your indulgence to let me put this up here.

This just shows the Medicare comparative payment updates for physicians, Medicare HMOs, hospitals and nursing homes. The years are delineated there in separate colors.

The year 2007, when the slide was developed, was in fact an estimate for physicians. The reality is this number actually came back to zero because of some changes we made right at the end of last year.

□ 2115

Under physicians, you don't see a number for 2006 again because that number in fact was zero for 2006. You stop and think about that, this reduction was planned but never happened, but physicians were held to a zero percent update for the past 2 years.

Mr. Speaker, what do you suppose the cost of delivering that care in a doctor's office, what do you suppose has happened to that over the last 2 years? Well, their electricity prices probably went down because they went down all over the country. Cost for gasoline to go to the office every morning probably went down because the cost of gasoline went down everywhere across the country. I don't think so.

The Medicare system is designated to reimburse at about 65 percent of cost under ideal conditions, but the reality is there has been significant erosion of that. This is important because hospitals, nursing homes, and to some degree the Medicare HMOs, their prices are adjusted every year based on essentially what is called the Medicare economic index. That is a cost-of-living formula. Only this group, the physicians, is under a separate formula that is somehow tied to changes in the gross domestic product.

The sustainable growth rate formula penalizes physicians and has the perverse incentive of driving doctors out of the practice of medicine. As was detailed to us by Alan Greenspan many months ago, there is only so long that can go on before ultimately you reach a place where it is going to be very, very difficult for the people who need the care to get the care.

Mr. Speaker, the United States is not Europe. American patients are accustomed to wide choices when it comes to hospitals, physicians and pharmaceuticals. It is precisely because our experience is unique and different from other countries, and this difference should be acknowledged and embraced, particularly when reform is contemplated in either the public or private health insurance programs in this country.

Mr. Speaker, one final point illustrated in a recent news story covered by a Canadian television broadcaster. It was about a Canadian member of Parliament who sought treatment for cancer in the United States. The story itself is not particularly unique, but the online comments that followed the story, I thought, were instructive. To be sure, a number of respondents felt it was unfair to draw any conclusion because, after all, this was an individual who was ill and seeking treatment and therefore deserving of our compassion, and I wouldn't argue that.

But one writer summed it up: ''She joins a lengthy list of Canadians who go to the United States to get treated. Unfortunately, the mythology that the state-run medicine is superior to that of the private sector takes precedent over the health of individual Canadians.''

The comments of another individual: ''The story here isn't about who gets treatment in the United States. It is about a liberal politician that is part of a political party that espouses the Canadian public system and vowed to ensure that no private health care was ever going to usurp the current system. She is a member of Parliament for the party that has relentlessly attacked the conservatives for their 'hidden agenda' to privatize health care. The irony and hypocrisy is that position supports the notion that the rich get health care and the rest of us wait in line, all because of liberal fear-mongering that does not allow for any real debate on the state of health care within the country of Canada.''

One final note from the online postings: ''It has been sort of alluded to, but I hope everyone reading this story realizes we do have a two-tiered health care system. We have public care in Canada and for those with lots of cash, we have private care in the United States which is quicker and better.''

Mr. Speaker, this is a discussion that will likely consume the better part of the next two years of public dialogue, certainly through the next Presidential election. The United States is at a crossroads. It is incumbent upon every one of us who believes that the involvement of both the public and the private sector is best for the delivery of health care in the United States of America. And it is incumbent upon us to stay educated and involved and committed.

Mr. Speaker, we have all got to be at the top of our game every single day. This is one of those rare instances where it is necessary to be prepared to win the debate, even though those of us on my side may lose when it is taken to a vote here in the House of Representatives. But if we adhere to principles, we may ultimately post a win for the health of the American people, and not just the American people today, but for generations to come.

FOCUSING ON MOVING FORWARD

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). Under the Speaker's announced policy of January 18, 2007, the gentleman from New York (Mr. ISRAEL) is recognized for 60 minutes.

Mr. ISRAEL. Mr. Speaker, tonight we do something different, something out of the ordinary. The American people are accustomed to tuning into C–SPAN and watching Democrats yelling at Republicans and Republicans yelling at Democrats. There is a Democratic Special Order and there is a Republican Special Order. C–SPAN has become a channel that requires a parental advisory before kids are able to watch. It has become unsafe because of all the screaming and yelling.

Tonight we do something different. Tonight we have a bipartisan Special Order. Tonight Democrats and Republicans will spend some time not focusing on our disagreements, not fighting with one another, not talking about the left and the right, although this is a place where there should be discussion about left and right, but focusing on moving forward, focusing on specific solutions and ideas with respect to Iraq that will move us forward.

The plain fact is that Democrats and Republicans are are going to disagree on some fundamental issues. Maybe we are going to disagree on 60 or 70 percent of the issues, but we do agree on the 30 to 40 percent that is left. The problem is that we have allowed ourselves to be paralyzed on our agreements because we are so busy disagreeing with one another.

Well, 2 years ago we found the Center Aisle Caucus, a bipartisan group of 50 Democrats and Republicans who meet routinely not to talk about our disagreements, we know where we are going to disagree, but to see if we can carve out areas of agreement. To talk not about the left or the right, but to talk about the way forward.

We have convened a series of meetings specifically pertaining to Iraq. Tonight I am joined by the gentleman from Maryland (Mr. GILCHREST), a Marine veteran who has been involved in those meetings and talked about bipartisanship and finding common ground and important solutions.

I am joined by the gentleman from Texas (Mr. LAMPSON) who has become very active, a leader in the Center

Aisle Caucus, who also understands the importance of engaging one another and talking about moving forward rather than left and right.

We will be joined by other colleagues. The gentleman from Pennsylvania (Mr. DENT) who has been proposing with the gentleman from Connecticut (Mr. SHAYS) that we integrate the recommendations of the Iraq Study Group into policy as we move forward.

I will be talking about two bipartisan solutions that I have been submitting. One, directing that the President submit a status of forces agreement to the Government of Iraq as a signal that we are not in Iraq to stay, to occupy, but that Iraq is a sovereign government responsible for its security. I believe that status of forces agreement, which we have in almost every country where we have a military presence, would be a very important signal to the Iraqi people and to our own forces.

Secondly, I will be talking about bipartisan legislation that I have introduced with the gentleman from Virginia (Mr. WOLF) to expedite the process of bringing a variety of Iraqi refugees to the United States, those refugees who have served coalition forces as interpreters, as translators, who have risked their lives and now have to go through a bureaucratic nightmare to leave Iraq and come here. We will talk about that as well.

The final point I want to make before I yield to the gentleman from Texas (Mr. LAMPSON) is this: yesterday I visited the Walter Reed Army Hospital. I visited with about seven soldiers who have sustained some very serious wounds in Iraq. I visited with one of my constituents who had his foot amputated. I visited with another Long Islander who found it very difficult to talk, very difficult to breathe. I visited with a soldier who was being discharged yesterday afternoon and will now begin outpatient treatment.

Ultimately, I believe and the Members who will join me this evening believe that our obligation is to them. It is not to the left or to the right. It is to them. They do not want the United States Congress to be engaged in partisan paralysis and bickering. That will not end the war. They want us to try and find common ground. I am under no illusions that whatever we discuss tonight, and the gentleman from Maryland and the gentleman from Texas and the other Members and myself, will end the war tomorrow. I wish we could end the war tomorrow.

The fact of the matter is that for as long as we are here together on the floor of the House, we have an obligation to try and work with one another on areas where we can agree. We can fight honorably, we can disagree respectfully on all matters of policy; but we have an obligation to move forward on areas where there is agreement. That is what the Center Aisle Caucus was formed to do.

One of our members from Texas served for many years in this distinguished Chamber and has returned to the Congress after a 2-year hiatus. He is somebody who personifies bipartisanship, who has been a leader in this body, whose constituents also expect him to be working hard to move forward rather than left or right, and I yield to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, it is a pleasure to join Mr. ISRAEL and all of my colleagues tonight for something that is special. I want to first start out by telling our colleagues and the Speaker and others that even though there is a tradition that typically a Democrat will speak from one side of the well, and the Republicans the other, tonight is not about where we will sit or stand in this room. It is more about where we will sit or stand in relation to the needs of the people of the United States of America.

The Center Aisle Caucus is an organization of Members of Congress who are indeed going to look for ways to move issues forward that can make a difference for our families, our communities, and our States and Nation.

My involvement with this began actually on a trip, I guess, with Mr. GILCHREST some years back; and then when I returned to Congress after what I found to be some very difficult times where camaraderie broke down and it was very difficult for us to feel comfortable working with each other and discussing difficult issues, where oftentimes it did break down into the partisan bickering and the screaming and shouting and little getting resolved, to the point where we gathered some of our colleagues to sit down and have coffee and ask: What can we do and do differently? What can we do to begin to get our friends to come and sit down with each other and talk about these issues respectfully, talk about them in the depth that I believe our constituents all expect us to be talking about, and find the acceptable solutions to the very difficult, difficult issues that face us in this Nation, and they are.

You said it, Mr. ISRAEL. Politics are suffocating the debate on Iraq in nearly every issue that we have faced in this Congress. If we can't come together and work honestly to find compromise on a critical issue like Iraq, what can we expect for other issues that are facing us?

We can't allow for progress to be stymied by partisan politics and vitriol. We must not let any political organization or campaign detract for the purpose we are all here for, which is to work on behalf of our constituents for the good of our country. What is needed now is thoughtful debate that considers Republican and Democratic ideas. We are getting there. That is what tonight is going to be the beginning of, I believe, and I look forward to a wonderful relationship with all of the friends that we are going to make in carrying all of this forward.

We owe it to our troops abroad, to our children in need of health care, to our students, the hardworking taxpayers and the people that we represent to work together to provide a new direction for America. I believe that the Center Aisle Caucus is an organization within our Congress that is going to be able to help pull that together.

It is wrong for any party to think that they are solely right or wrong, and I am proud to be able to join those of our colleagues who have been willing to step forward, come to the middle and begin this debate.

I will yield back, but I would like very much to speak again in another few minutes as we go through this process this evening.

□ 2130

Mr. ISRAEL. Mr. Speaker, I thank the gentleman and I can assure him that he will have ample time this evening to elaborate on his views.

We have been joined by the gentleman from Pennsylvania (Mr. DENT) who I know is going to speak on some of his priorities and his efforts to bridge the gap between both parties.

I would like to yield to one of the most distinguished Members of this House, as I said before, a veteran, someone who I've come to know only recently. I've served in this House for nearly 8 years, and the gentleman from Maryland and I got to know each other only recently with respect to trying to reduce the polarization of this debate. We've had dinner. We met in my office some 2 weeks ago, and I want to commend him for his leadership and his bipartisanship and his desire also to find a way forward rather than right or left, and with that, I yield to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank Mr. ISRAEL for yielding, and this evening we are here as Members of Congress. Mr. ISRAEL from New York, Mr. LAMPSON from Texas, Mr. DENT from Pennsylvania, myself from Maryland and other Members will be here shortly from the various corners of this country, and we're here because we know that tonight a young American soldier may be on patrol somewhere in Iraq and there may be a landmine that he will run over. There will be Iraqi children that may get caught in the terrible crossfire. There may be Iraqi students on their way to a school or university that may be caught in a horrific explosion from a suicide bomber. Those kinds of things are unfolding in Afghanistan and, to some extent, those kinds of things are unfolding throughout the very difficult places in the world.

This institution, the House of Representatives, has a history of integrity. This Nation is based on the philosophy of integrity, and American citizens, the broad breadth of humans across the globe have, for centuries, had an assumption that this institution was competent, informed and rested on that philosophy of integrity that buttressed the concept of freedom and justice and dignity.

This cannot happen with a partisan divide. This cannot happen with people talking about the Democrats or the Republicans. We are not Democrats. We're not Republicans. We are Members of Congress representing constituencies that assume or, at least up until recently, they assumed that we were here for that philosophy of integrity. We were here to work hard, to work together, to integrate that integrity amongst the vast areas of this country, not just to be a Republican and find some mythical icon Republican that you are supposed to obey or some mythical icon Democrat that you were supposed to obey.

But Americans need more than that. Americans deserve more than that. That young soldier in that armored vehicle riding down the road in Iraq right now deserves more than that, and each of us, not only should, we must have a sense of urgency to fulfill our obligation and responsibility.

Mr. ISRAEL and Mr. LAMPSON and Mr. DENT will talk about that we have come together here fairly recently in the Halls of Congress to represent the sense that this institution is going to have an impact in a very positive way on this world that's laying out before us, and as we progress this evening as each of us discusses these issues, we will talk specifically about Iraq. But I want to make sure, Mr. Speaker, that as we speak about Iraq and this war, this is not our grandfather's war of World War I. This is not our grandfather's war of World War II, where you had a million Russian soldiers moving toward Berlin, you had a million American and Canadian and British soldiers moving toward Berlin, where the public could follow it on little wiggly lines in the newspaper every day to see how they were advancing. This is a war of insurgents where there are no cities to firebomb. There are no million troops to deal with this particular issue.

This is a war of insurgency. And how have these wars gone on in the past? They are wars that are complex and need the initiative, the ingenuity, the utmost intellect and courage of this institution to bring it to a successful conclusion.

I would agree with many Members who have talked about this, that we can't have 535 Secretaries of Defense. That's true. We should not have 535 Secretaries of State, and that's true. But this is not our grandfather's war. This is a war where Members of Congress need to know their counterparts in Iraq, in Afghanistan, in Israel, in Jordan and Syria and Saudi Arabia, in Iran. This is a war where the integration of integrity of people from across the world need to understand each other in an ongoing deep and abiding dialogue.

This is so important for Members of Congress to be involved in this kind of conflict because it's not a million-man army against a million-man army. This is a war that involves culture, ancient cultures. This is a war that involves politics. It's a war that involves economics. It's a war that involves geography. It's essentially a war where there's very little understanding. There's almost complete misunderstanding.

So an institution like the House of Representatives, working together can resolve this conflict. This conflict cannot be resolved, there is no reconciliation, without a dialogue of integrity across these great divides.

I want to thank Mr. ISRAEL and the other gentlemen that are here tonight to bring this dialogue, raise this discussion, this debate about this war to a new and higher and much-needed level.

Mr. ISRAEL. Mr. Speaker, I thank my friend from Maryland and I want to underscore the point that he's making.

The center aisle is right here, right here in front of me. Those on my side of the center aisle can scream at those on the other side and those on the other side can scream at my side. That's not going to end the war. Again, this is a place, this is a House where we encourage debate and even dissent and disagreement, but the screaming and the vitriol and the partisan attacks will not bring this war to an end.

Those of us who are here this evening would prefer to spend our time engaging with one another, disagreeing respectfully on some issues but trying to find that common ground, trying to build that consensus that will bring the war to an end.

One of our colleagues who's here, the gentleman from Pennsylvania (Mr. DENT), has been working very, very hard on a proposal to integrate the recommendations of the bipartisan Iraq Study Group into current policy. That was a perfect example of an advanced and high plane of bipartisan dialogue. Members from both parties, experts from around the country, convened in that Iraq Study Group, made recommendations to the administration and to Congress. Many of those recommendations received widespread praise and support but have not been implemented, and the gentleman from Pennsylvania has been working to attempt to take those recommendations and move them forward, take them off the shelf and move them forward in our policy.

I yield to my good friend from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I thank Mr. ISRAEL for helping organize this Special Order this evening, and I do want to commend you for what you've been doing to help try to change the tone of this institution. You're absolutely right when you talk about the level of noise, the partisan vitriol.

I think we all realize that many of our constituents come to us from time to time, and they see partisanship for the sake of partisanship. They don't always see the philosophical differences that may underlie those partisan debates. They get annoyed with it, and they see carping and whining. They hear Republicans criticizing Democrats over their policies, Democrats criticizing Republicans. And I think at times they would just like us to turn the temperature down, improve the tone and try to find solutions to the problems that face us, especially on issues of war and peace.

It was after the Second World War in the late 1940s and right up until the demise of the former Soviet Union, this Nation seemed to have a bipartisan policy to carry us through the cold war. It was called the policy of containment, and that doesn't mean that everybody in Congress felt universally that containment was a great policy, and they might have disagreed with certain aspects of that policy. But nevertheless, containment was the policy and it was able to survive from one administration to the next. Whether that be a Democrat or Republican administration, the policy survived, and each administration may have had a different spin on it and tweaked that policy, but it was the policy of this country.

And I think that our enemies understood that. We all understood that there was a Soviet threat, and we as Americans came together during that Cold War and eventually were successful. We outlasted the Soviet Union, and here we are in Iraq.

I think the American people have reached a point where they'd like us to develop that same kind of bipartisan consensus as we deal with the threats that face us today, the threats from violent extremists, people who are represented by al Qaeda we know who want to do great damage to us, who have made statements to the effect that they want to kill 4 million Americans, 2 million children.

So the American people expect us to work together, and Iraq certainly is part of this whole debate because, of course, al Qaeda has a significant presence in that country. And I do want to thank you once again for helping to facilitate this dialogue. Because of your efforts and many others, we were able to talk about the Iraq Study Group and the recommendations presented there.

Also, we may hear from some of our other colleagues later tonight, people like Congressmen TANNER and CASTLE, TANNER a Democrat from Tennessee and CASTLE a Republican from Delaware, who have talked at great length about the need for a bipartisan compact on Iraq. And they really set forth several principles that they thought that we could all agree to as we move forward.

And one of those first principles they talked about was that we could agree in Congress that we need to end the political infighting over the conflict in Iraq and commit immediately to a truly bipartisan dialogue on these issues that we're facing, and that was I think really their first main point. And many of us have signed on to that compact, an even number of Republicans and Democrats, and I think that's very important.

And we came to an agreement on many of those issues, and I won't elaborate them all right now because I think some others may want to talk about them, but I think it is absolutely critical. Those points of interest of policy in this bipartisan compact on Iraq are entirely consistent, in my view, with the recommendations of the Iraq Study Group, another very significant initiative headed by former Secretary of State James Baker and former distinguished Congressman Lee Hamilton that talked about a lot of things I think many of us agree on.

For example, we all agree that there shouldn't be permanent bases in Iraq, and you came up with the idea of a status of forces agreement in lieu of permanent bases, just a status of forces agreement just like our Nation has with other countries where we have a military presence, whether that be in Germany or Korea, like we had in the Philippines at one time, where our country enters into agreements with those governments to really state the nature of our presence and what the presence would be. And it's also certainly important to the government that we'll be dealing with, whether it be in Iraq or elsewhere, to help give them legitimacy.

So that was an idea that you came up with, and again, I think it's an issue that we can all agree to on a very broad bipartisan basis.

There are other issues, too, but I won't belabor them all tonight, but I think something you said to me a few weeks ago I think is worth repeating, and it's this: That as our constituents from time to time watch C–SPAN and they hear the noise, they hear the rancor and they sometimes get a little frustrated and throw up their hands about what's happening in Congress, and I think you said it was one of your constituents who pointed out after the last time we did one of these bipartisan Special Orders, they said that we were making C–SPAN safe for children once again, and for that, I want to give you a lot of credit, but there's a lot of truth to that.

Hopefully, because of these types of activities that we are conducting here tonight, more people will be likely to turn on C–SPAN and listen to I hope what will be a very thoughtful and constructive dialogue on one of the preeminent issues that's facing this country.

□ 2145

Mr. ISRAEL. I yield time to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. I certainly agree with everything that Mr. DENT has said and that Mr. GILCHREST has said and that you, Mr. ISRAEL, have said. I think it's worth repeating some of it. I think it's worth emphasizing the importance of this being a first step and really trying to change the attitude of our body to achieve what the Founding Fathers of this Nation attempted when they designed this body, which is supposed to be deliberative. It's supposed to be able to come together with tolerance.

I was looking at the words that are embedded in this desk here before us that we should listen with respect to each other, and words that Mr. DENT just gave us as far as where we can go, what we can be doing to begin to craft a direction for us.

Just this past weekend, I was at a ceremony with many Gold Star Mothers, parents who had lost their sons or daughters in either Afghanistan or in Iraq. I guess all of us have friends or parents or grandparents or someone that has lost someone there, pastors in our districts, perhaps, who are mourning the loss of some of our best and bravest that America has to offer.

The best way that we can honor these soldiers, I guess, as Mr. GILCHREST was referring to a few moments ago, the best way that we can do things to honor them and family is to work together as our Founders and Framers envisioned to answer the difficult questions that are facing us.

I think that it's tremendous that the Center Aisle Caucus has taken the step. I wanted to congratulate you and the other members who have started to ask Members of our Congress to join us. I hope that other colleagues will grow this into a large body.

I would like to hear some of the things that you are proposing at this time to move us forward on the issue of Iraq.

Mr. ISRAEL. I thank the gentleman.

Let me focus on just one very specific bipartisan solution that the Center Aisle Caucus has proposed. The gentleman from Pennsylvania alluded to it. It's a status of forces agreement.

At the end of the cold war, the United States had permanent status of forces agreements with about 40 countries. Today the number has grown to more than 90, which means that the United States Government has status of forces agreements with nearly half of the countries comprising the world community. Now, what is a status of forces agreement?

A status of forces agreement is essentially a negotiated document between the United States Government and a host government where we have a military presence that governs the relationship between the military and that government. It governs our criminal justice issues. It governs a variety of diplomatic and protocol issues.

Now, I have been told on my visits to Iraq and in my conversations with Iraqi officials here at home and with American officials that one of the concerns that the population of Iraq has is that we are going to be there forever, that we want to occupy Iraq forever.

We don't want to occupy Iraq forever. We don't want to be there one day longer than we need to be. If I had my way, we would be out tomorrow. The fact of the matter is that if the Iraqi people believe that we are there running the place and that they are not a sovereign government, they will never have the capability to stand up their own ministries, to take care of their own security.

I have proposed on a bipartisan basis a resolution that asks the President to begin negotiating a status of forces agreement with the sovereign Iraqi Government. You can't expect a government to have a capability if we can't even negotiate an agreement between that government and our government with respect to the presence of military forces.

Iraq is a sovereign entity. One of the very important signals that we can send to the Iraqi people and to our population at home is the negotiation of the status of forces agreement.

Now, one of the great levels of frustration that I have is that whenever I raise this issue, I am told that we are pushing up against an open door. I am told that mostly everybody agrees that we should have a status of forces agreement in Iraq.

In fact, the Jones Commission, which was constituted as a group of highly expert military people assessing the condition of Iraqi security, when they made their recommendations, the number two recommendation in the Jones Commission report was, in fact, the submission of, and I will read directly from the report: ''The second recommendation the Commission wishes to offer is that consideration be given to pursuing an agreement akin to a status of forces agreement with the Government of Iraq. Appropriately drawn, it would have the effect of codifying our relationship with the host nation, reinforcing its sovereignty and independence, and would be consistent with other such agreements we enjoy with many nations where we have a military presence.''

So here you have yet another bipartisan commission recommending yet another idea that everybody can agree on, the Iraqis can agree to it, we can agree to it, Republicans and Democrats can agree to it, except that nobody is making it happen.

So I have proposed, as I said before, a resolution, a bipartisan resolution, that simply tells the President to submit a status of forces agreement to negotiation with the Iraqi Government. It begins this process. It signals the Iraqi people that we have no intention of owning Iraq. We are guests there, and they are the host government.

This is just one simple move in the right direction, a bipartisan move in the right direction; and I am hoping that the administration will listen to it and vigorously negotiate a status of forces agreement with Iraq.

I want to thank my friend from Pennsylvania, who has been active with me on that resolution, for his assistance, and would yield to him if he wants to comment further on it.

Mr. DENT. Again, I applaud you for your leadership on this issue. You are absolutely right, the Jones Commission really did give your legislation, without saying it, a very strong endorsement.

I think you pointed out another issue that I think we can all agree on about this issue of permanent bases. We have voted before against permanent bases, and your status of forces agreement, I think, really does provide the right answer to the question of permanent bases.

I would also point out too that should not be an open-ended commit in Iraq as has been reported and stated in the Iraq Study Group report.

Finally, I think there is another area where most of us degree in this Chamber, that what we want in this country is we want to make sure that we pursue our national interest as it relates to Iraq.

I think most of us realize that we cannot allow al Qaeda to have a base from which to operate in Iraq. I think that's something on which Republicans and Democrats can agree. I think we also agree that we cannot allow Iraq to become a failed state, that is, it becomes a threat to itself and to the region.

The third point I want to make on this, I think it's a very significant point, and perhaps we don't state it enough, and I think you will get a sense of this issue, if you have ever attended the funeral of someone who was killed in Iraq, as I know we all have, and I have families in my district, and Paris and Rush that have lost family members in recent months, and the issue really deals with honoring the service and sacrifice of our people who have invested so much or in some cases, as Abraham Lincoln said, gave that last full measure of devotion.

I have had numerous conversations, for example, with Secretary of Defense Bob Gates, and I know some of you have as well. We talk about these types of issues that, regardless of how one feels about the run up to this war, or how it has been executed, and the mistakes have been made along the way, critics of this administration, for example, have said they do not listen to many of the generals going into Iraq.

But I think it's very important that we do listen to generals as we transition down and go out of Iraq. I think that's critically important that we do this, and as we transition, that we remember the service and the sacrifice, remember our national interest, which is making sure al Qaeda has no base from which to operate and that we do not leave a failed state in our wake.

I just wanted to share those thoughts with you and, again, applaud you. I hope that your bill is one of those bipartisan bills that we will be able to bring to this floor for consideration, just as we did with the Tanner-Abercrombie-English bill today, which was a good start. I think we saw a broad consensus in this House that supported that legislation, and I think that's good for all of us.

Again, I would just applaud you for your work on the status of forces agreement.

Mr. ISRAEL. I would like to raise another very specific solution, bipartisan solution that the Center Aisle Caucus has with respect to Iraq.

Last week, and I know my colleagues may be shocked to hear this, or perhaps they won't be shocked, perhaps they have had the same experience I have, but last week I met with an Iraqi refugee and his family. This individual was a translator for coalition forces, risked his life as a translator.

The work that he was doing was saving the lives of our forces, of our military people. He has a wife, a son and a disabled daughter. He decided that Iraq was no longer a safe place for his family. Why? Not just because of the war, but because of the service that he performed for the American military. So he applied for a special immigrant visa, and this is what he was told:

First you have to find a general to sign the form. He said, well, I don't know many generals who can sign this form.

Can I find someone else? He was told, no, the regulation is that you have to find a general. Well, he found a general who signed, who vouched for his credibility.

Then he was told, well, you can't apply for a special immigrant visa here in Iraq. You actually have to leave Iraq, go to another country and apply.

Well, that's just mind-boggling. Again, this is somebody who risked his life translating for American forces, and they have saved their lives, when they have translated what the bad guys were saying and what they were planning, and he was told, you have to leave Iraq to submit your visa application. So he found his way with his family to Amman, Jordan.

Then he was told, by the way, when you apply for this special immigrant visa, you have got to pay fees, hundreds and hundreds of dollars. This young man didn't have that kind of money. Can you imagine, he was, again, interpreting for our military and then told to leave the country and perhaps save his life; he had to pay a fee for himself, his wife, his son, his disabled daughter. Guess what, he came up with the money. Then he sat for a year in Jordan and waited for them to process the application.

I want to make sure that you understand the point that I am making. We are not saying we should open the doors for every single refugee, let them in without being properly vetted, without the proper security checks, without the background checks; but certainly someone who is providing services to the United States military, who had already been vetted by the military, who was saving lives, deserves better than, you have got to leave the country, you have got to find a general to sign the form, you have to pay hundreds of dollars for the form, you have to wait for a year, and then we will see if we can let you in.

To top it off, when he finally arrived here, this individual, who has critical military skills, the ability to read and understand what our enemies may be saying about us, was told, well, you have got to find a job somewhere, maybe you can drive a taxi. I think the State Department and Department of Defense ought to be rolling out the red carpet for this individual.

One of the most glaring deficiencies we have in our military right now is an inability to translate documents, to hear what our enemies are saying about us. We ought to be hiring these people at whatever salary we can afford to pay them.

Then to add insult to injury, when he came here, he asked, well, how do I get various documents? There was no one area to give him some information, nothing.

So FRANK WOLF, who was the ranking Republican of the State and Foreign Operations Subcommittee on which I now serve, and I have introduced legislation that would make this system a little easier for people who have already established that they can help the United States.

Number one, we would allow our Ambassador in Iraq to have more authority so that he can vouch for the credibility of those who assisted U.S. efforts.

Number two, we allow those people to apply for visas at the U.S. Embassy or U.S. Consulate in Iraq. We don't force them to go to another country, Jordan or elsewhere.

Number three, we waive fees for those who have demonstrated their support for U.S. forces, their assistance, who have been properly vetted. We help find translators find work in the United States in the military and State Department, and we broaden relocation benefits.

Now, who can be against somebody who helped our Armed Forces by translating for them? I can't think of a single person who would say, no, they risked their lives, but we have to make them stay there. We have to make it harder for them and suggest this is another area of bipartisan agreement that we can agree on.

I am hopeful that the Israel-Wolf resolution will be passed by the House, passed by the Senate, and signed by the President.

I don't know whether any of my colleagues would like to comment on that particular legislation or share some of their thoughts, but I would be happy to yield to the gentleman from Maryland.

□ 2200

Mr. GILCHREST. I'd like to thank the gentleman from New York. And what you're describing, Mr. ISRAEL, is exactly the right thing that Members of Congress can do, certainly in a bipartisan fashion, to help facilitate the conflict in Iraq.

The military is doing a stunningly competent job at what they do. But this is war that is multidimensional. It's myriad complexities does not lend itself to, for example, that million-man Russian Army, that million-man Allied Army heading toward Berlin. This is a

multidimensional complex insurgency, a difficult cultural conflict, a geopolitical conflict, an economic conflict. And it takes a united institution like the House and the Senate, to deal with the many different levels, for example, besides the Status of Force Agreement that we've been talking about here tonight that will give the Iraqi community, the Iraqi country, some dignity, about dealing with the issues of the day on a level playing field. The issue of an Iraqi interpreter trying to get to the United States can be effectively dealt with by the legislation that Mr. ISRAEL described. The Sunnis, the Shiites and the Kurds in Iraq have very different views, perspectives on how to govern their country. Each of them comes to this conflict, this political reconciliation debate from very different perspectives.

This past August, August 26, there was a Unity Accord Agreement signed between these three factions in Iraq. But that Unity Accord Agreement has not been carried through yet. What is the status of that?

Now, it's very difficult for that political process to be understood and then pursued by our military. It is something that Members of Congress can do.

What about the oil law, the hydrocarbon law, how to share the oil in Iraq? That is a political question. It's a question that we, in this House, can deal with much more effectively than the military can because it's a political process. We cannot deal with that in a political way if we're divided in a partisan way.

But the integration of our understanding that we represent America, as Members of Congress, not as political parties which, by the way, are not mentioned in the Constitution, that can effectively deal with this issue.

The British are leaving Basra. They are basically going to turn Basra over in a short period of time to the Iraqi Army. This is a predominantly Shiite region of Iraq. What is the relationship of the various Shiite groups in and around Basra with Iran?

Now, General Petraeus is responsible for the military activities inside Iraq. Who is responsible for the intergovernmental relations of various countries around the world, especially in the Middle East, and especially between Iran and southern Iraq where the Shiites are dominant?

It's a political process. We, as Members of Congress, must understand how we can individually continue to probe to have a dialogue with Iran.

The issue of the surge bringing greater security, has it brought greater security? What does greater security mean when you have security forces on the ground if you're going to go beyond that? It's a political process, a greater political process than I think we have understood.

General Petraeus cannot call for Dayton negotiations where you bring the warring factions, like we did in the former Yugoslavia, to the United States to Dayton, Ohio. The political process of reconciling those vast differences is a political process of this institution.

This institution doesn't represent 535 Secretaries of Defense or Secretaries of State. We represent the philosophy of integrity where dialogue is way more important, under these circumstances, than continued violence.

What about the refugees in Jordan and Syria, 2 million refugees, not to count the displaced persons in Iraq? Do we just ignore that? Do we say, well, that's the administration's problem, that's a military problem? No. We get together with dialogue with Assad and Syria, with the King of Jordan. We talk to people in the Middle East that have resources that can effectively deal with those people who may be starving to death.

Another thing, just to add to the complexity of it, one of the military strategies in the war in Vietnam by this country, a military strategy to achieve victory in Southeast Asia, was attrition. Is attrition a part of the military strategy in Iraq with the vast array of complex insurgencies? Some al Qaeda, some Sunni, some Shia, some from various other sects coming from Saudi Arabia or Iran or Jordan or Hezbollah? Attrition cannot be a strategy now. Attrition doesn't work. It didn't work in Vietnam.

How do we reconcile American military strategy? We do it in a debate on this House floor. The difficulties of an insurgency, the difficulties of culture, primitive, ancient cultures sometimes that we're dealing with, the economics, the resources, the religious differences, this is a political solution that General Petraeus has said many, many times. And where does that political reconciliation, the resolution of those vast myriad of problems begin? It begins here on the House floor. It begins with Members of Congress that we see here tonight, Mr. ISRAEL, Mr. LAMPSON, Mr. DENT, myself and many other Members, there's quite a few. I think Mr. ISRAEL and I talked about the potential for 70 Members in a bipartisan working group that can bring, through dialogue, through ingenuity, through information, through intellect. Somebody once said that history is a vast early warning system. We should not complain about having hindsight. We have hindsight. If we have a dialogue, we understand history and we're going to make this work. This group here tonight can certainly lead the way.

I yield back to Mr. ISRAEL. Thank you very much.

Mr. ISRAEL. I thank the gentleman.

Madam Speaker, I want to follow up on one point that the gentleman made, and then I'm going to yield to the gentleman from Texas and the gentleman from Pennsylvania.

Madam Speaker, the gentleman talked about the importance of having a dialogue here on the floor of the House, and I agree. I don't know how we can expect Sunni and Shia and Kurd to reconcile their differences when we seem to be incapable of reconciling our differences. I think we should lead by example.

But in addition to engaging one another on the floor of the House, I believe that leadership also involves bringing communities together. And one of the unique things that the Center Aisle Caucus will be doing under the leadership of the gentleman from Alabama (Mr. CRAMER) and the gentlewoman from Missouri (Mrs. EMERSON) is to have town hall meetings in each others' districts on Iraq so that we can listen together to the broad range of opinions that are in our districts and bring that back in a bipartisan fashion.

And I'm very pleased, Madam Speaker, to have learned that our first bipartisan town hall meeting will be in the district of the gentleman from Maryland. Mr. CRAMER from Alabama, Mrs. EMERSON from Missouri and I will be traveling to the gentleman's district in Maryland to have a bipartisan town hall that he is convening, and I'm very much looking forward to engaging in that dialogue, and hoping that the gentleman will be educated by what my constituents believe, and that I will be educated by what his constituents believe.

With that, I will yield to the gentleman from Texas.

Mr. LAMPSON. Let me just raise another point. I thank the gentleman for yielding.

Mr. GILCHREST spoke of the amount of time that many of our forces served without break. We saw just recently a proposal made in the Senate that I would like for us to add to the list of things that you have already delineated and that we will be discussing, a way that we can assure that our troops get at least the amount of time off that their last deployment involved before being sent back into the war activity. That is a proposal that, in the Senate, drew significant bipartisan support. It came very, very close to passage, and it's one that, again, finds something that hardly anyone will disagree with. It is a change in the policy that we have to make, obviously, to the way that our military operates, and again, is to be debated on this floor. But if I may put that issue on the table for us to discuss some during the evening, I would appreciate that as well.

And I yield back.

Mr. ISRAEL. I thank the gentleman. I yield to the gentleman from Pennsylvania.

Mr. GILCHREST. Could I just very quickly, one second on the point that Mr. LAMPSON made. That's one thing that's critical for this debate.

In World War II, 25 percent of the soldiers had what was called shell shock. That's 25 percent. In the Vietnam War era it was the same. In this war, it is the same. Of the hundreds of thousands of young men and women that travel through Iraq, not on one tour or two tours, sometimes three and four tours, the kind of traumatic stress that they

experience is horrendous. It's not only the psychological stress; it's the number of young men and women coming back with concussions. And that debate needs to take place. That resolution to that problem cannot happen with the military alone. It has to happen with a dialogue here about how we send our forces into harm's way and how much time they need for that break back home.

And the other issue with the problem of traumatic stress, when you're in combat and you experience that, it can expose itself in the individual with serious depression. And are our soldiers in Iraq being treated when they have those symptoms of depression? Are they given medication? These are a lot of questions that need to be answered that haven't been, I think, addressed clearly enough from, I use the term, because of the partisan cacophony of chaos that has happened here for such a long period of time.

Mr. LAMPSON. If the gentleman would yield. It's precisely the point of supporting our troops. This is the way to support our troops, to make sure that there is order in the manner in which they are deployed into combat and order in which they are called up and allowed to serve in certain different capacities, to make sure that we are debating the issues providing the resources, making sure that they have the equipment that's necessary as well as the moral support to make sure that their mission and their efforts are successful.

I yield back.

Mr. ISRAEL. And before I yield to the gentleman, I do want to point out that one of the proudest achievements that I believe this Congress has had is that we passed the largest single increase in veterans health care in the 77-year history of the VA. We did that several months ago. I think that's another shining example of bipartisan cooperation that puts the interests of our troops first and subjugates any partisan interests that sometimes occur here.

And with that, I yield to the gentleman from Pennsylvania.

Mr. DENT. I'd like to thank the gentleman from New York for yielding.

And Madam Speaker, there's one issue that I always recall very much, having visited Iraq in the summer of 2005 with at least one gentleman in this room tonight. And it dealt with the issue of reconciliation, although we really didn't talk as much as about it back then, but that's what the exercise was in.

You've mentioned this, as we talked about reconciliation in Iraq, you were very good enough to organize a meeting among the Center Aisle Caucus not so long ago where a prominent Iraqi in the diplomatic corps addressed us, and he talked about the need for reconciliation in our country. And we referred to the tribalism in Iraq that we saw that was frustrating to us and difficult for us to comprehend, and he sort of noticed the tribalism in our country, as he referred to it, I believe, as in Republicans and Democrats and very hard for him to understand the type of chatter that was going on here. So the point is there's reconciliation needed here in America as well as in Iraq.

But one issue of reconciliation that I learned about in Iraq, Madam Speaker, was in August of 2005 when I met a fellow named Albert Chowanski, Jr., who was from a town about 45 miles from my hometown of Allentown, Pennsylvania. He lives in Frackville, Pennsylvania; been in the Middle East for about 30 years. He was working for a contractor, the Siemens Corporation, and was building a power plant, helping to construct a power plant in the Taza area near Kirkuk. And he told me the challenges of building a power plant while people are shooting mortars at you, and how difficult that was. And I asked him, ''Well, how did you deal with the situation?'' He said, ''Well, the mortar attacks weren't very effective, to be perfectly candid, but nevertheless it was troublesome and made life difficult for us.'' And so he said the way he dealt with it, he went out and he met with each of the tribal leaders, and that's a multiethnic area near Kirkuk. You have ethnic Turks or Turkmen, and you have Kurds and Sunni Arabs and Shia Arabs. And so he went out and he met with all the tribal leaders, and he gave jobs to members of each tribe. And he said, ''You know, they all work together just fine, and everything went pretty quiet.''

And my point is that here's a fellow who seemed to be an engineer of some sort. I think he was an electrical engineer, and he was out there trying to solve a problem from a very practical level. And we've seen a bit of that in Iraq, I think, in recent months. You've seen it in the Sunni areas that have been much talked about, the tribal leaders turning on al Qaeda, which is all very encouraging. But sometimes we talk about benchmarks and we talk about things that we expect the Iraqis to do, and we are frustrated with the pace of or lack of progress in that country from the higher levels.

□ 2215

But then we see some of these more local efforts at reconciliation that do bring a certain amount of encouragement and hope.

But I just wanted to share that with you tonight as something that we ought to think more about as we talk about this policy of how we deal with Iraq and as we try to deal with the issue from 60,000 feet in the air here. And as many of us have visited that country and we talk to a lot of folks who are in charge, sometimes life brings us unexpected events, and sometimes those events are positive, and I think we can learn from people who are on the ground.

Mr. ISRAEL. I thank my friend.

Madam Speaker, our time is drawing to a close; so I would like to summarize some of the points that we have made and some of the very specific solutions that the Center Aisle Caucus is pursuing.

Number one, we have a bipartisan resolution that would direct the President to submit and negotiate a status of forces agreement with the sovereign government of Iraq.

Number two, we believe that if you are a refugee who was providing a critical lifesaving service for U.S. forces as a translator, as an interpreter, or some related position and that you have received death threats and that you want to get your family out of harm's way that we shouldn't make it almost impossible for you to do so, that a compassionate nation would reward you rather than building roadblocks. So we have proposed legislation cosponsored by Mr. WOLF from Virginia and me that would make it a little bit easier for those who have provided a service to the United States military to seek special immigrant status here.

Number three, we believe that the recommendations of the Iraq Study Group report ought to be incorporated into policy and not just sit on a shelf, the recommendations for a diplomatic surge and all the other recommendations. Now, we may not agree on every single one of these elements, and we may not agree on every single one of the bills that the Center Aisle Caucus has put forward, but we are trying to build that critical mass and develop consensus on some clear directions.

Next, the Center Aisle Caucus will be visiting one another's districts to hold bipartisan town hall meetings because we may not have all of the ideas here. Our jobs are Members of Congress, but we are representatives. We are supposed to represent the views that we hear. So we will be going out on a bipartisan basis to one another's districts to hear those views.

One other thing that I didn't have an opportunity to mention and we will mention it in the future is that our colleagues from Tennessee (Mr. COOPER) and from Pennsylvania (Mr. ENGLISH) are working on a bipartisan Center Aisle assessment of the War Powers Act. As our colleague from Tennessee (Mr. COOPER) said at one of our dinners, ''I fear that one day we as Members of Congress will wake up and find out that we have just launched World War Three and we are reading about it in the newspaper.'' He is very concerned, as is Mr. ENGLISH, that the War Powers Act needs to be assessed. We want to make sure that we are exercising our constitutional oversight responsibility and that we don't find ourselves in a war without that proper congressional authority and oversight. So they will be convening an assessment of the War Powers Act and making some legislative recommendations.

I want to conclude by reiterating something that I said when we opened up, Madam Speaker. We are not going to end the war tomorrow through the Center Aisle Caucus. None of these resolutions will end the war tomorrow as

much as many of us would like to end the war tomorrow and may vote to end the war tomorrow. But we have had enough screaming at one another from both sides of the aisle, and that has not ended the war up to now. We have an obligation to the people that I saw yesterday, that my colleagues Mr. DENT and Mr. LAMPSON and Mr. GILCHREST have been visiting at our military hospitals and at funerals. They don't want us to harp on left and right. They want us to figure out a way forward. They want us to put aside disagreements that have paralyzed us and move forward on what we can agree to. That is exactly what we intend to continue focusing on.

I thank my colleagues for spending time on this very late evening, and I hope, Madam Speaker, that the American people understand the importance of this engagement, this reconciliation, this dialogue to move not left or right but forward.

Did the gentleman want to close?

Mr. DENT. If I may, Madam Speaker, I just hope that our exercise tonight has done just what you want us to do to make C–SPAN safe for children again, and I hope this exercise has accomplished that goal.

Mr. ISRAEL. Madam Speaker, we will never be the Disney Channel, but it is a good start.

THE DEMOCRATIC AGENDA, WRONG FOR THE NATION

The SPEAKER pro tempore (Ms. WASSERMAN SCHULTZ). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, as always, I very much appreciate the privilege to address you here on the floor of the House of Representatives.

There are a number of issues that are before us this evening that have accumulated over the last week or two that I believe are worthy of our consideration and our discussion here, and among them are a couple of debates that we had today. And perhaps the first of which was a fairly intense debate that we had on a bill that addressed the Iraq war, and that would be H.R. 3087, and this is a piece of legislation that came out what seems like a weekly effort to weaken the resolve of our troops, make their job harder in Iraq, seeking to answer to MoveOn.org and energizing the anti-war liberal left in America and energizing our enemies across the world, including and I mean specifically al Qaeda.

And, Madam Speaker, many times I have come to the floor and spoken to this issue and reminded Americans that we are at war. And when a Nation is successful in a difficult war, they pull together and bind together in the same will. There was an address made here on the floor talking about World War I, World War II, and other conflicts we have been in as well as the Iraq war that we are in right now. I would take us back to World War II as the central example of the time when the Nation pulled together. And there were rations here in the United States. Most everybody found a way to contribute to the war effort. My father went to the South Pacific for 2½ years. My mother tied parachutes in a parachute factory. The unemployment rate was down to 1.2 percent, and as far as I know, that is the lowest unemployment rate that this country has had. And that was at the same time that many of the women went to work that traditionally had not.

This Nation pulled together, put 16 million Americans in uniform to defend ourselves on two major fronts, the war in Europe and the war in the Pacific, and mobilized an entire Nation, an entire people.

The movies were about patriotism and defending the American way of life. We had pride in our culture and who we were. And the legacy that flows from that is that the United States, ultimately after we walked our way through the Cold War, we emerged as the unchallenged only superpower and the greatest Nation on Earth. That is the legacy of the selfless sacrifice and the single will of a people when they came together when they saw that they were attacked from without, threatened from without, and they saw that the world was in danger of being consumed by totalitarian powers.

And after that Second World War, we went through the Cold War. Again the world was in danger of being consumed by totalitarian powers. But the will of the American people during the Second World War was unquestioned. They understood that our job was to defeat the will of our enemies, and that meant that we had to apply military might in both directions, to the east and to the west, break down their ability to conduct war; but in the end destroying their ability to tactically attack our military was just a means to an end. The end was to defeat the will of the German people and defeat the will of the Japanese people, which the bombs in Hiroshima and Nagasaki did finally defeat the will of the Japanese people.

Now here we are engaged in this war against al Qaeda, against radical extremist jihadists, people who have committed themselves and say they have a religious belief that their path to salvation is in killing us. It is our way of life that threatens them. And they have come across the oceans and attacked us here on our soil. And they have global plots that weekly there's some kind of information that emerges about sometimes second and third generation immigrants who come into the Western European countries and determine that they might be sent back to Pakistan or one of the other countries over in the Middle East to be trained to be a terrorist and they come back into the Western society and plot and sometimes successfully attack people from Great Britain and in other countries in Europe. And we have been fortunate in this country not to have an effective attack against us since September 11, 2001.

But the enemy that we are against, the enemy we are fighting across the world, this global terrorist army out there that are rooted in al Qaeda in that philosophy and their affiliates, and it is a loose affiliation even within al Qaeda itself, the principle enemy in our battlefield that is Iraq is al Qaeda in Iraq. That has been clearly brought to this Congress, and it has been a message that has been delivered to us by General Petraeus, Ambassador Crocker, and others. Who is our enemy? Al Qaeda in Iraq. The number one enemy. There are a number of other enemies there, and there is a struggle going on for power.

But we are in the business of defeating the will of our enemy. Our brave troops have put their lives on the line, and many of them have given their lives in that effort to project freedom to that part of the world, protect our freedom here, and defeat the will of the enemy. They lost their lives, sanctified the soil in Iraq with their blood to defeat the will of our enemy in Iraq.

And yet here on the floor of the House of Representatives, since the gavel in and the passing of the gavel in this new 110th Congress, there has been almost weekly, with only two or three exceptions that I can think of, at least one resolution or a bill or a piece of legislation here on the floor of the House of Representatives that serves to do what? It serves to encourage our enemies, to encourage the will of our enemies, and weaken the will of the American people.

So if this war is not to be won, and I believe it will be won and I believe that the indications that are coming from Iraq since the beginning of the surge, information such as the lowest monthly loss of American lives was in this past month of September, the lowest month in the last 14 months, this at a time when we have upped the troop numbers over there by at least 30,000 and engaged them in an aggressive posture of searching and destroying our enemy and hunting them out in the neighborhoods and our troops that are actually living in the neighborhoods rather than in their compounds, that kind of information is coming to us.

And I have been to Iraq five times. The last time was towards the end of July. The things that I saw there gave me a preliminary view of the report that General Petraeus would give us here in this Congress in just this past month, a couple of weeks ago. The news has been encouraging. And, of course, no one can declare victory there, but one can certainly see that we have made significant progress. It's moving in the right direction. All of this, Madam Speaker, in spite of, not because of but in spite of, these demoralizing resolutions that have come to the floor of this Congress.

And this one that was out here today is another demoralizing resolution,

this H.R. 3087 that has been delivered here and supported by a larger number of my colleagues than I have seen in the past. And I wonder what the motive is, what they hope to gain, what the upside would be to bring a resolution such as this.

This resolution has in its findings the statement that the authorization for use of military force against Iraq resolution of 2002, where this Congress voted to authorize the President to have the authority to engage in military action in Iraq that was enacted into law in October 2002, and it says here ''authorize the President to use the Armed Forces as the President determined necessary and appropriate in order to defend the national security of the United States.'' I agree with that statement. I think it's consistent with the use of the military force resolution.

However, the findings of this resolution that passed off the floor of this House tonight have a false statement in them. It states: ''the continuing threat posed by the Government of Iraq at that time'' was the reason that we passed the use of military force resolution here that went into law in 2002. I will state again, and this is right off the resolution: ''the national security of the United States against the continuing threat posed by the Government of Iraq at that time.''

As I have read through this entire resolution that did pass, current law that did pass, and I looked for the reference to the reason being our opposition to the Government of Iraq, and it's capitalized, Government of Iraq at the time, and going through these references in here in this resolution over and over again, there is a multiple number of references to Iraq, and I have read every one of those references to Iraq. I have them here highlighted, and there is not a single reference to the Government of Iraq or the Government of Iraq at that time.

□ 2230

They're all references about Iraq itself. And I could go through this, the Government of Iraq, destroy Iraq's weapons, declared Iraq to be, on and on and on; no reference to the Government of Iraq.

And yet, this resolution that passed the floor identifies the use of military force resolution as the reason that they brought this one forward and makes a statement that because the resolution from 2002 identified a threat posed by the Government of Iraq, and then it goes on further to say that, the Government of Iraq, which was in power at the time of the authorization for use of military force, was enacted into law, but that because the leader has been removed from power, he has been indicted, he's been tried, he's been executed by the new and freely elected Government of Iraq; therefore, the current Government of Iraq does not pose a threat.

Now, this rationale of, we went to war in Iraq, we gave the President the authority to use military force in Iraq, this resolution today that says it was because it was against the Government of Iraq, and because the government has changed and no longer poses a threat, we have no reason to be in Iraq is that it is an irrational rationale that is founded upon a falsehood. And this entire resolution then is based upon a falsehood that is supported by a flawed premise.

So, to get here with a resolution, then, that requires the President to present to this Congress a contingency plan for a redeployment of the Armed Forces from Iraq that would include a range of possible scenarios, multiple possible timetables to require the President to, and I understand this resolution actually says the director of the department, the Secretary of Defense and the Secretary of State and a list of the cabinet members, it really means the President, Madam Speaker, it will require the Commander in Chief to have his cabinet then present to this Congress, describe the possible missions they might have of redeployment, project the number of members of the Armed Forces which would remain in Iraq in order to do a number of things; protect vital U.S. interests and national security, conduct counterterrorism operations to protect the Armed Forces, the United States Diplomatic Corps, and support, equip and train Iraqi forces, these things that we would need military forces for. And it says ''provide a range of possible scenarios.''

And so this resolution, if signed into law, and I would hope that the President would veto such a thing, would require the Commander in Chief then to present a series of different alternatives and means to deploy our troops out of Iraq, put those in public before this Congress, who we know can't keep a secret, show our enemies a whole list of contingency plans.

Now, part of successful warfare is to have a few things in your pocket that you don't tell the enemy about. It's essential that we be able to have some surprise tactics, and so far I think the enemy is slightly surprised that the President has resisted the push of the Speaker and the majority leader in the United States Senate and taken a clear constitutional and principled and patriot stand that we are going to follow through on our commitment in Iraq. And as we see them make progress over there, we're watching resolutions come to this floor, Madam Speaker, that undermine our troops and their mission, as resolute as they are, as stoic as they are, as committed as they are. It doesn't recognize either the fact that everyone serving in Iraq from this United States military is a volunteer, a volunteer for the branch of the military that they're in. They weren't drafted; they signed up voluntarily. They knew that they had very good odds of being deployed to Iraq, and many of them are on their second tour, some on their third tour and even some on their forth tour of duty in Iraq, selflessly carrying out their duty and asking us, let us finish our mission, we're making progress here.

This, Madam Speaker, is a disgraceful thing to bring to the floor of the House of Representatives. It serves no useful purpose unless one wanted to serve a purpose to encourage our enemies and demoralize the will of the American people, which seems to be one of the goals that I have seen come out of this Congress on a weekly basis. And I and a good number of others voted ''no.'' I know some voted ''no'' because they didn't think it went far enough. They don't seem to recognize that in their constitutional oath, they swore to uphold the Constitution. And from the perspective of the Constitution, we don't have any authority to micromanage a war.

One of the previous speakers in the previous hour said that we don't need 535 generals, or words to that effect, and we don't. It's not that we don't need them; our founders understood, when they drafted the Constitution, we couldn't have 535 generals, that we couldn't have wars micromanaged by Congress. They knew what it was like to have a Continental Congress and a Continental Army and try to get the confederation of States that we had at the time of the Revolutionary War to go together and voluntarily provide funds to fund the military. And what was going to be the command and control structure? They knew you had to have a strong central government to have a strong military. And they knew you couldn't fight wars by committee; you had to hand that over to a Commander in Chief. That's why, when they drafted the Constitution, they clearly established in the Constitution that the President of the United States would be the Commander in Chief of our Armed Forces. That's one of the things that's constitutional that we all need to recognize when we take our oath to the Constitution.

And another is the constitutional authority that this Congress does have. We have the authority to raise an Army and a Navy, and by implication an Air Force. And we have the authority, and I say a duty and obligation, to fund it. But we do not have the authority to micromanage it. We don't have the authority to be calling shots in a war. That's got to be one person, not a committee, not a mercurial switchback from one side to the other or a never-ending chain of resolutions that has no strategic purpose, no logical purpose in law, only a purpose to try to encourage the people in this country that are in the business of trying to encourage our enemy, and the ultimate effect is to demoralize the people in the middle who are really the ones that are subject to this debate.

The people on the left that show up here to demonstrate in this city against this military effort are never going to change their mind, Madam Speaker. That's not going to happen. There is no amount of logic or rationale, no human experience that can flip

them over the other way. They are dug in. And there are some folks on the other side that are going to stand with our President and with our Army, Navy, Air Force and Marines, and they are going to stand with our dear departed who have sacrificed, and they're going to stand with our wounded, they're going to stand with our military families and they're going to stand with the mission and the people that have been asked to carry it out. They're going to support the troops and the mission.

There are some people on the other side, on the left side of the aisle, that will say ''I support the troops but not their mission.'' They don't seem to recognize the dichotomy of that position. You can't ask someone, ''You can put your life on the line for me, I support you, but it's not a good thing you're doing. I don't agree with your mission.'' You cannot do that to people. If you support the troops, you have to support the mission.

And so, Madam Speaker, we are where we are today, as irrational as it is, as demoralizing as it is, as debilitating as it is, another debate on this floor that has no purpose in law, just tries to make an argument to those people in the middle that might be swayed to go over to the side of the pacifists on the left. That's been our debate here on the floor.

And I believe I will tack on to that another resolution today that I think was an unnecessary resolution, and that's a resolution that drew a good size number of votes that were votes for ''present,'' and that's the resolution that took up the issue of Ramadan. And I think the language in that was excessive, so did a good number of Members of this Congress; all didn't have the will to put up a ''present'' vote, and no one had the will to put up a ''no'' vote. But I would point out that Ramadan has been the bloodiest month throughout this global war on terror, and so if that is the holy month, I would like to see Ramadan lifted up to be the bloodless month if it's going to be a peaceful religion.

And now, Madam Speaker, I would like to take the subject matter off of these depressing things and on to another subject matter that is not particularly thrilling either, and that, Madam Speaker, is the subject of SCHIP, the Children's Health Insurance Plan.

This legislation that passed out of this Congress in the 1990s that I will say emerged from the Clinton administration and was intensely debated in the State legislature where I was at the time, where we adopted a bill off of that that we called ''Hawkeye.'' And that's just the Iowa version, and it wouldn't apply unless there happens to be a Buckeye in Ohio. But the SCHIP program was an intense debate here and it continues to be debated across the country. The President is poised to veto the SCHIP bill, and I think he has very sound reasons to do so, Madam Speaker.

First of all, the idea that we would increase the health insurance coverage for families that are making three or four times the rate of poverty defeats the very concept of the idea of SCHIP. And that is that we wanted to provide, and it was Congress' intent to provide, health insurance for those children in families that were not so well to do, that didn't quite qualify for Medicaid coverage. And so from the Medicaid side of this, it wasn't quite enough to reach up into those lower-income families, and so SCHIP was created. And as it was created and it came to the States, we adopted in my State an SCHIP program that covered 200 percent of poverty, trying to reach those kids that weren't insured.

So, here are the levels that were produced by the Congressional Budget Office just this year. If you cover between 100 and 200 percent of poverty, half of the children will have private health care anyway, about half of them within that range. The legislation that first passed off of the floor of this Congress, this Pelosi-led Congress that was then modified by the Senate is way over on the right. That's 400 percent of poverty. That shows that when you offer subsidized health insurance to that level at 400 percent of poverty, you're going to get 95 percent of the kids that were insured that will roll off of that health insurance and onto the government program. The various stops in between, 300–400 percent of poverty, 89 percent, well, that's nine out of 10 kids that are already covered, you're going to get them off and onto the government program; 200–300 percent at 77 percent.

So what was our mission here? What were we seeking to do? One is the SCHIP program needed to be reauthorized, it was expiring and needed to be reauthorized. And so it needed to be brought before this Congress, and we needed to make a decision on how it was going to be shaped and what the parameters of SCHIP would be. And I would have liked to have seen it extended to 200 percent of poverty. And I would like to have seen some of those 25-year-olds that were collecting SCHIP insurance be taken off of those rolls and roll this thing down to where it be kids, not young adults that should be taking care of their own health insurance. But instead, the leadership in this Congress saw fit to bring legislation to this floor and roll over the top of an intensely opposed minority at 400 percent of the poverty level.

Now, to give you an example of what that is, the poverty level is fairly consistent across the country, but in Iowa, if that SCHIP plan that was first offered by this Pelosi Congress that was passed off this floor over to the Senate were enacted into law in a State like Iowa, a family of four, a mom and dad and two kids, would qualify for SCHIP coverage even if they're making $103,249 a year. Now, I call that pretty well off. If you're making six figures, you've got two kids in the family, four mouths to feed, you should be able to find a way to take care of your own health insurance. Likely, that's going to be available in the workplace; at least 75 percent of those jobs do provide health insurance for the employees. But the Senate has modified this language and kicked it back over here at 300 percent of poverty. So in a State like Iowa, under this 300 percent of poverty, they would be offering SCHIP health insurance subsidy up to $77,437 a year for a family of four.

Now, I can take these numbers up to families of eight and on and they go way off into the stratosphere. But a family of four has been our standard across this country. Currently, if you're in Iowa and you're a family of four and you're making less than $51,625 a year, you qualify for subsidized health insurance premiums, $51,625. We call that middle class where I come from.

And so this policy that first passed off the floor, the 400 percent of poverty, went so far that 70,000 families in America that would qualify for SCHIP funding would also be compelled to pay the Alternative Minimum Tax, that tax that was designed to make sure that the rich didn't slip by without paying their fair share. That was a special tax for the rich, the Alternative Minimum Tax. 70,000 families in America are making so much money that they would have to pay the Alternative Minimum Tax and we would have to subsidize their health insurance premiums for their kids, presumably because in order to pay that extra tax on the rich, the Alternative Minimum Tax, presumably we have to subsidize their health insurance so they've got the money to pay the extra tax.

□ 2245

That is bizarre, Madam Speaker. It is bizarre if you believe in a free market system, if you believe we are ever going to have a health care program in the United States that actually rewards those that take responsibility, one that allows people to have a choice and one that allows people to make decisions for their own health care.

But that is not where this is going. This debate has a couple of contradictions within it that the discerning ear will hear. One of them is on the part of the left, the Pelosis, Harry Reids and Hillary Clintons and all the Democratic candidates for President, Madam Speaker, very loosely interchange the term, and this is as near as my ears picked up, very loosely interchange the term ''health insurance'' with ''health care.''

For example, my Governor came to this Hill. And sitting in a congressional delegation meeting with the Senators and the Representatives, all Members of Congress, sitting in the room, said that there are 40,000 kids in Iowa that don't have health care. I am not aware of a single kid in Iowa that doesn't have health care, at least access to health care. If they are poor, they get

Medicaid. If they are at low-income, they get SCHIP or hawk-i. If they go to the emergency room, they will all get care regardless of whether they are qualified, whether their parents take the trouble of getting them health insurance. So there are no kids that I am aware of in Iowa that don't have health care.

It may be true that 40,000 don't have health insurance. It might be that there are a number of those kids that are covered under Medicaid that don't make enough money to be in that threshold level for SCHIP. But it is not true that 40,000 don't have health care. That is the sloppiness of the exchange between those two terms. ''Health care'' and ''health insurance'' have become kind of an easy slip into the utilization of the terms. In the same fashion that some people say ''immigrant'' when they mean ''illegal immigrant,'' some people say ''health care'' where when they say ''no health care for kids'' they really mean ''kids that currently don't have health insurance for one reason or another.'' But they are not alleging, at least, that there are kids in this country that don't have access to health care. That is one of the problems that we have in our communications. It is not that they don't have access to health care.

Another one is the complete flat-out denial on many of them on the left that this SCHIP plan is the cornerstone for a socialized medicine program. Now, you can argue about what kind of shape it takes, but if you listen to Hillary Clinton or John Edwards or Barack Obama, they are all for some kind of a national health care plan. A national health care plan, once adopted, becomes a single-payer national plan where everything is merged together. They want to negotiate for the cost of Medicare as a group, and they will want to negotiate for the cost of all services with the leverage of the Federal Government. They will want to do that with the cost of pharmaceuticals. This takes away the competition that comes from within that drives the research and development, that provides for the highest quality medical care in the world. If you adopt the Hillary plan from 1993, eventually it merges into a single-payer Canadian plan.

Now, I took the trouble today to read through, Madam Speaker, William Clinton's speech before the floor of this Congress that he brought here in, this is September 22, 1993, when he came to give a speech before a joint session of Congress. This is about an hour speech, 13½ pages, single-spaced, where Bill Clinton laid out Hillary's health care plan. It is very adeptly done. It was quite interesting to read through this health care plan.

Some of the comments that he made were kind of astute. One was that he thought we needed Medicare prescription drug coverage. We did do that. That's a piece of that plan. We got that accomplished here in this Congress, Madam Speaker. Some of the other arguments, we are drowning in paperwork, we must produce savings. He goes into how you produce savings. Well, that is going to be some form of limiting. He said he doesn't want to limit prices, but he would limit the increase in prices, which by now we know would be price limitations. Mountains of unnecessary procedures. It is quite interesting that President Clinton is opposed to mountains of unnecessary procedures. But we know that because of the high cost of the litigation, the lawsuits against medical providers and the medical malpractice insurance premiums that are necessary because of the intensive litigation against the practitioners of health care, we know that that is a reason why a lot of these tests are done.

We can argue that they are not necessary one at a time. But every doctor has to make the decision on whether he is going to be defending that decision in court, because the Monday morning quarter backs, the after-the-fact ambulance-chasing lawyers will raise those issues up for litigation. If they see a deep pocket, they will go for it. The deep pocket has been the medical industry.

So the mountains of unnecessary procedures ties into the unnecessary litigation that is part of this. However, there is nothing in the Clinton plan that addresses the high cost of litigation. That is a big reason why we have the high cost of health care here in the United States. We have tried to limit that in this Congress. We have tried to limit it in the last Congress and tried to cap the malpractice to $250,000 in noneconomic damages while still letting everyone who has been a victim of malpractice get themselves whole. We couldn't get it past the trial lawyers, the trial lawyers in the Senate in particular. But the Clinton plan gives full deference to the trial lawyers' interests here and doesn't approach that expensive component of health care at all.

He addresses fraud and abuse. I agree there is some of that. He calls it, though, under our broken health care system that power is slipping away from Americans. Then, let me see, an interesting component here on about page 9 or 10, we will impose new taxes on tobacco, directly out of SCHIP is right off of this page, new taxes on tobacco, Federal taxes at a dollar a pack. Some of the States, including my own, have raised taxes. That turns into, and I am not a smoker, Madam Speaker, I think it would be a wonderful thing if no one smoked. But it is a legal activity. The marketing of tobacco is done as prescribed by the Federal Government. So this tax, a higher percentage of poorer people smoke than people that are better off. So this tax becomes a very regressive tax on the people that do smoke.

It does advocate here, though, that we should be able to deduct from our taxes 100 percent of our premiums if we are a small business. I do support that. There were some components in here that were good. It was an interesting read on what was delivered to the floor of this Congress in 1993, the things that have transpired since then and the effort that is coming out today.

I would note that nothing in this speech of these multiple pages here in this roughly an hour-long speech of Bill Clinton from September of 1993, all on health care, and really all packaged up on the Hillary plan, nothing in this addresses health savings accounts. Yet we passed health savings accounts here off the floor of this Congress. They are the opportunity that we have to continue to provide the private market health care here in the United States and to give people choices and let them have control over their own plans. I think that was the strongest reason to vote for the Medicare prescription drug component piece of the bill.

The health savings accounts were the most important component. It allowed, in the beginning, young couples to put $5,150 in a tax free, into a health savings account. I would like to see that expanded and accelerated so that young people would get to the age of retirement with six figures times X of money in their health savings account, enough money that they could purchase a paid-up, lifetime health insurance plan. If we could do that, then they could roll the money that is left over out of that and put that back into their savings account, their estate, whatever they choose to do with it. That is a good thing to build on, health savings account, and rewarding those providers that provide high-quality care for a low price, that is the best combination. That is something also we should do, Madam Speaker.

We have made some progress here. We have made some progress under this Republican Congress in past years. But this year, this SCHIP plan goes too far. The people that advocate this were the same people that advocated 400 percent of poverty. I haven't heard a peep of fiscal responsibility come out of the other side. So where would they draw the line? I have drawn it, Madam Speaker, at 200 percent of poverty. I put that vote up in the late '90s. That's a matter of record. I have been here on this floor, and I support the SCHIP program to a limit. That limit is 200 percent of poverty. I would ask those advocates that came to this floor and voted for 400 percent of poverty, what is their limit? Where do they draw the line? They wouldn't draw it at 400 percent of poverty when there is hardly anybody left on any private insurance, hardly any kids left. Ninety-five percent of the kids are gone and pushed into the government-funded program. Their choices are really substantially limited.

How many million kids would be talked off of private health insurance by this bill as it came off the floor of the House the other day and that essentially it does concur with the Senate? I can tell you that number. That

number is produced by the Congressional Budget Office; 2.1 million kids in the United States would be leveraged off of or talked off of and given an incentive, their parents would be given an incentive to take them off of their own insurance plan so the government can pay the insurance that the families are already paying.

Is this that consistent with the motive here that we are trying to get health insurance to kids who don't have it when 2.5 million of them who do have it will be taken from their own self-sustaining, family-funded health insurance plan, often funded by the employer who will see the opportunity to cut down on their costs and push their employees' kids over on to an SCHIP plan? 2.1 million kids moved off. How many kids in the future, if this bill becomes law, how many will never see a private health insurance plan? For how many of them will it become automatic, employers will make the shift, they will write new policies, they will offer to their employees?

As they do that, the employees won't know there is another choice. I can easily see an employer sitting there in the HR office, the manager saying to a prospective employee, Here is our plan. We will pay for your health insurance and we will pay for your wife's health insurance. We have a good plan, but your kids will go on SCHIP. We have a way to facilitate that for you so we make that real easy.

While they are doing that, they will be saving some dollars in the premium. But it will end up being private insurance for mom and dad, government insurance for the kids to 95 percent or more. When it is 95 percent, who is left? Just a few people who stubbornly want to be self-reliant and stand on their own two feet. Just a few people, Madam Speaker, will be all that will be left if this thing goes all the way to 400 percent.

Even at 300 percent, you are looking at 89 percent of those kids are gone. Then, year after year as employers change their plans to taking advantage of now another government handout, and as they hire new employees, and as this thing shifts and evolves, there will be fewer and fewer kids on private health insurance, but millions and millions of them that never go on.

This isn't just the numbers of 2.1 million that go off within the next year if this bill becomes law. And that is at the 300 percent, 2.1 million. It is not just that. It is the tens of millions and ultimately the hundreds of millions that will never see a private health insurance plan until they become the age of adulthood, which by then the proponents of SCHIP would like to have a plan in place for those people, for those kids, as they become adults.

Bill Clinton promised us that when Hillarycare came crashing down, when it collapsed in the weight of the opposition of the American people that wanted to keep their freedom and didn't want a Canadian-style plan and understood there was no place for them to go to get their health care if the United States was going to be shut into a Canadian-style, rationed, long-lines health insurance premium, when the American people brought that crashing down, when Senator GRAHAM said, This passes over my cold, dead political body, when that happened, then Bill Clinton came before the American people and said, Well, this is more than the American people can absorb all at one time. So we will get this done a piece at a time. We are going to feed this to the American people a piece at a time. When we do that, we will get them the SCHIP. Then we will also go for the 55 to 65 year olds.

Now, Madam Speaker, do you get the picture, the 55 to 65 years olds? First, we will bring the kids in. Who can say ''no'' to the kids? Who can say ''no'' to 300 percent? In fact, a whole bunch couldn't say ''no'' to 400 percent of poverty. We know 400 percent of poverty is 95 percent of the kids. So if you get to 500 or 600 or 800 percent of poverty, you are going to get, statistically, we say today, virtually all of them. So at some point, we just say that all kids qualify because there are hardly any kids that are not on there.

Then, if we follow this path that is advocated by Bill Clinton back in the mid-1990s, lower the age of Medicare eligibility down to 55, now your window, we have got people that are 25 years old qualified for SCHIP today on SCHIP in the States, and we have people there at 400 percent of poverty. If you lower the Medicare age down to 55, 25 to 55 is only that 30-year window. Well, that is the most productive years. Those are the people that will be paying the taxes.

□ 2300

They will be the ones that feel the pain the most, and they will say, why do I pay for all this health insurance and health care for the seniors that are 55 years old that have a lot of years and vigor left in them, and the kids that are now kids up to age 25? Why don't you just give me mine, too, under the same version, because, after all, I am paying for it anyway. I am paying for my own at work because it's part of the wages I earn, and I am paying for all the kids up to age 25, well, at least a lot of the kids up to age 25, and the adults from age, as Clinton advocated, 55 on up.

Does anybody believe that HILLARY CLINTON disagrees with Bill on this one-hour long speech? I would submit that she wrote a lot of it; in fact, may have written all of it. This policy that she's advocating today reflects much of it. I can't quite find contradictions in it.

So we need to understand, Madam Speaker, that this debate is not about trying to provide health insurance to kids that don't have it. Many say it's providing health care to kids that don't have it. But we know this: Every kid in America has access to health care. Most kids have health insurance. At 200 percent of poverty, you're looking at 77 percent of those kids that have insurance. Maybe that number is a big number of kids that don't have health insurance, but they all have access to health care.

This debate isn't about the health of the kids. We didn't hear examples in any significant statistical number of kids that are suffering because they don't have access to health care. We heard a socialized medicine debate here on this floor, Madam Speaker. And that is what is going on in America.

This is where the landing zone is being prepared for the presidential candidates who are advocating for a single-payer Canadian-style or nationally-mandated socialized medicine program. They think it's their ticket to the White House. They think the American people want to become even more dependent yet on the nanny-state of government.

Well, Madam Speaker, I oppose that kind of a philosophy. Myself and many millions of Americans oppose that kind of philosophy. We are still out there, Harry and Louise; we are out there, Phil Graham. We are still going to stand here and we are going to oppose a Federally-mandated, single-payer, Canadian-style socialized medicine health care system in this country, and we are going to oppose the expansion of current SCHIP law that goes beyond the 200 percent of poverty, up to the 300 percent and more, and allowing, by the way, the States to discount the income so that that 200 percent, now 300 percent of poverty, goes higher than that yet.

We are going to oppose all of that, because what we are really talking about here is the Pelosi Congress laying the cornerstone to the next generation of socialized medicine. SCHIP is the cornerstone of the next generation of socialized medicine, Madam Speaker, and I oppose it primarily for that reason.

I want to point out that this country has the best health care system in the world. Yes, it's expensive. Yes, it consumes perhaps 17 percent of our GDP. That is a lot. We pay for it because health care is worth it to us. If it were not, we would say, I'm not going to do that. I'm not going to pay the premium. Give me my money in my wages. I don't want that to go off to my health insurance. I think I am going to take some risks with my health. I don't want that test. See if you can keep my premiums a little cheaper, because you're spending a little too much time. No.

Madam Speaker, we are for high quality health care, and when it comes to our health, as people in this Nation, and our lives, no cost is too high for us. Because of that, it has driven research and development and driven the educational institutions and the research hospitals. The system that we have out there that produces new doctors and nurses and inventors and the infrastructure of our hospitals and clinics

and a delivery system and the medical equipment that has been developed over the last generation or two is an amazing thing to understand in its broader scope. All of those things are rooted in a belief that we need to provide ever better health care for our people. It has extended our lives and it has extended the quality of our lives. We have been willing to pay for that.

Now, I think there are many things we can do to keep the costs down and provide more efficiency. One of those would be a digital recordkeeping system that would allow for a Web page for all the prescriptions of a patient to go on there, and have a firewall for security, and allow a doctor to put in a patient's records and instantly be able to read the entire file from anywhere in the country, anywhere in the world. I think we will get there.

Those are some things we can work with as to having an integrated medical records system. It will save lives and it will save money. It will avoid duplicate prescriptions and avoid duplicate tests and duplicate x-rays, list after list of things that can be more efficient. That is not something you produce and drive here by saying we need to go to a single-payer plan or socialized medicine plan. That is something government can help facilitate, and I think we should.

I want to have my choices. And I think we also need to grow these HSAs and increase the amount of deductible that goes into the HSAs and allow the insurance company and encourage them to produce plans that adjust the premiums, so if people have healthy lifestyles, that is reflected in a cheaper premium. And if that can be reflected in a cheaper premium, they can roll more dollars into an HSA, and if they have control of management of that from the standpoint of if they live healthy lifestyles and they go in and get regular checkups, they will see cheaper premiums, which allows them to grow their HSA. And if that happens, when there is enough money in their HSA, they can raise the amount of their deductible and lower their premium, which will take less dollars out of their paycheck, and as that transition goes on, they might want to have a larger copayment as their HSA becomes larger and larger.

Meanwhile, insurance becomes more what it is about. It doesn't need to be about covering every medical treatment, the loose-change medical treatment. It needs to be for the catastrophic, those that would knock us down economically and cause us to have to rebuild ourselves again.

We can structure this system so there is more responsibility in it, less litigation it. We can limit the medical malpractice, and we need to do that. I don't expect this Pelosi Congress will do this, Madam Speaker, but I do expect the American people are going to understand where their costs are and want to elect a Congress that will follow through on the medical malpractice and will grow the HSAs and will give us back even more of our freedom when it comes to health care and health insurance, not less.

SCHIP is the cornerstone of socialized medicine, and it is wrong to advance ourselves down that path. It also results in a 156 percent increase in taxes, that is the tobacco tax that I mentioned, and it has no fiscal responsibility. It also has a cliff in the funding.

The funding of this system that is here, even under the 300 percent version that was the last version passed off of this House, the funding is set up so it will require there be an additional 22.4 million smokers recruited to go on the smoking rolls in order to fund this SCHIP. So if you increase the cost of a pack of cigarettes and you presume that there will be 22.4 million more smokers, when taxes in the Federal are a buck a pack and a lot the States have very high taxes as well, would one have to conclude there will be fewer smokers instead of more, and those that are fewer will also smoke less because of the cost?

This inverse ratio then result in the Heritage Foundation's estimate of 22.4 million new smokers to fund this over the next 10 years. Then this funding that is set up is a gimmick funding that produces a cliff, a cliff that happens in the funding, the acceleration of the funding, which will be the collection of increased tobacco taxes until the year 2011. At the year 2011, it hits the spot where there is the drop off in revenue. There is no provision to continue the revenue, and as things stop, you there will be a drop in revenue of 75 percent. No provisions for how to fund the increase in costs that are sailing off into the stratosphere. Instead, there is a 75 percent cut in the revenue. The revenue drops off of a cliff.

What we know then is they will come to this Congress and say, well, you can't say no to all these kids, these 89 or 95 percent of the kids in America that have been talked off of their private health insurance and talked on to a government-funded health insurance. You can't say no to them. So in order to fund them, you are going to have to raise taxes or increase the national debt.

That is what is in store for us with this SCHIP program that we are dealing with today, Madam Speaker.

Then, not the least of which, but among it, is the lowering of the standards on requirements for qualification. We have State agencies that have been requiring birth certificates, passports and other verifiable documents that demonstrate lawful presence in the United States, that demonstrate citizenship, so that we are not providing these kind of benefits to people who are otherwise, actually in fact at the time, deportable.

I mean, to give taxpayer dollars off to people who are deportable is a deplorable thing to do, and it is beneath the standards that have been set by the previous Congresses. And so this SCHIP legislation that is there allows the States to waive a passport requirement, waive a birth certificate, citizenship-proving requirement, and allows them to simply accept a Social Security number.

Now, some will argue that there is a line in the bill that says that these funds can't go to illegals. But, Madam Speaker, the legislation in the bill doesn't require the States to verify citizenship or lawful presence. It doesn't require them to ask for a passport or a birth certificate. In fact, it stipulates that they can accept a Social Security number. And it may actually be a valid Social Security number, but the Social Security Administration themselves have said there is no way to verify that that number actually represents the person that you have before you.

We know that from our immigration debates, and we also know that there are thousands, in fact millions of illegals in America who are working in this country under a false Social Security number. That is the same standard by which we would grant SCHIP benefits to illegals that are here, who otherwise are deportable in the United States.

This SCHIP legislation weakens the standards. It wasn't content to stay with the standards that we had. I didn't hear complaints about the standards that we had. We asked for verification of lawful presence in the United States. No, just produce a Social Security number. So if you can beg, borrow or steal someone's Social Security number and you present that, that can be accepted by the States as adequate proof of lawful presence in the United States.

So this law, this SCHIP legislation, opens the door up for more benefits to go to illegals. And when I say that, I mean people that are deportable, those who, if adjudicated, will be sent to their home country.

That shows one of the things that is wrong with this government, this permissiveness. The Federal Government has enforced our immigration laws less and less over the last 20 years, and this is another piece of it. This same party that brings this permissiveness, this subsidy for deportables, was the same party that advocates for border security. Now, that, Madam Speaker is another dichotomy that I find to be a bit ironic.

So I stand on the rule of law. I think that our laws should be enforced. I think if people violate those laws, you have to enforce it and you have to adjudicate them, and you have to sometimes make an example so the rest of the public recognizes that this is a nation of laws.

But this SCHIP law undermines our national security, it encourages the subsidy of illegals, and it will require another 22.4 million new smokers. It will cost my State of Iowa a net of $226

million. That is the figure that is produced by the Center for Disease Control, that shows that when you add the new taxes into my State and all the money that gets added up on the taxes that would be collected in Iowa, and then you subtract from it the extra grants that would go into Iowa to take care of raising the SCHIP from 200 of poverty to 300 percent of poverty, from $51,625 for a family of four, up to $77,430 for a family of four, you do that math, extra taxes taken out of the State, grants for SCHIP coming back in, the net, not a net gain for Iowa, Governor Culver, I hate to tell you this, it is a net loss of $226 million. So, it isn't even fiscally prudent for Iowans to engage in this.

There are other states that have a net loss as well, according to the Center for Disease Control. The title of this is SCHIP Expansions, Winners and Losers, Net Impact on States New Grants.

This is, Madam Speaker, the look of the map that is produced here, and this is the data that has been delivered by the Center For Disease Control. The map is produced by one of our Members of Congress, I believe.

But, at any rate, Iowa loses $226 million. Our neighbors in Wisconsin, $330 million. Missouri, our neighbors to the south, $496 million. Florida loses $703 million, Madam Speaker. That might be of particular interest to you. $703 million. South Carolina, $239 million. North Carolina, $536 million. This list goes on and on. Kentucky, $602 million. Indiana, minus $517 million. Ohio, minus $426 million.

□ 2315

So there are winners and losers. There is a transfer of tax dollars and a transfer of wealth that takes place with this SCHIP legislation. The transfer of wealth just shows what an economic boondoggle it is for some States. It shows also that some States, their leadership is clamoring for this SCHIP increase. I haven't noticed Republican Governors clamoring for SCHIP increase. I haven't noticed Republican candidates for the Presidency clamoring for an SCHIP increase. They recognize that this increase to 300 percent of poverty, that the attempt to take it to 400 percent of poverty, this attempt to talk kids off of private health insurance, is the cornerstone for Hillarycare, for socialized medicine and lays a foundation for the Presidential debates that will be unfolding from this point until November 2008.

It sets it as the central issue for the Presidency in the event that MoveOn.org and the get out of Iraq at any cost pacifists can't make that issue stick. If they lose that debate, as said by the Democrat whip, that is a big problem for Democrats if there is a good report from General Petraeus.

Well, the report he delivered to us was honest and objective. It was delivered by a patriot. It was delivered by a man who I believe knows more about Iraq and our military operations as well as the political and economic operations there than anybody in the world. It was objective. It was delivered prudently, carefully and factually. And yet, as John Adams said, facts are stubborn things.

Whatever we might choose to do, we can't escape the result of the facts. The facts support a continuing improvement in Iraq. The facts indicate that this debate that is going down this path on SCHIP is not a debate about getting health insurance to kids. This is a debate about laying the cornerstone for socialized health care in the United States.

I think it is utterly wrong and undermines our free market economy. I think it takes away the freedom of the American people. If you take away the freedom of any people, you undermine their productivity and you take away their spirit. If you are a Nation that provides, if you become the nanny state and you provide everything that people want, and FDR created those freedoms, some of these are constitutional, two of them were extra-constitutional, freedom from want and freedom from fear.

This SCHIP plan fits into that idea that people should be free of want and free of fear. They shouldn't fear not having health insurance for their children, and they shouldn't want for anything. This has gotten so bizarre in this Pelosi Congress that we have a farm bill that came to this floor and is passed over to the Senate now that has increased the food stamps, the nutrition component of the bill, by 46 percent. Even though the proponents of that bill could not find a statistical argument that there were components of Americans that were suffering from hunger or malnutrition, in fact they had to admit that people were getting their past meals and they knew where their next meals were coming from, but they stated that people had food insecurity, I'll call it food anxiety. And so because sometimes they weren't sure that some of those meals down the line might not be there, they ate more.

Madam Speaker, I think it is an appropriate thing to get me down to this closing here because it is ironic to quote from the testimony that came before the Agriculture Committee. This would be testimony by Janet Murguia, March 13, 2007, representing LaRaza testifying on food stamps about food insecurity. This is a quote: ''There is also mounting evidence that the overweight and obesity trends in the United States are due in part to high levels of food insecurity.''

In other words, food anxiety, food insecurity cause people to overeat. They become overweight and if we give them more food from the taxpayers' dollar, then they would eat less and be more healthy and slender and all would be wonderful.

Yes, I guess if you are committed that tax increases and more government responsibility and less personal responsibility are the solution to everything, you can even include the idea that if you give them more food stamps, they would eat less as part of your rationale. It is no more rational here to take SCHIP and take it up to 300 or even 400 percent of poverty. The only rationale I see here is socialized medicine. Lay the cornerstone for socialized medicine, lay the cornerstone for the Hillary campaign for the Presidency.

Pick up this speech from September of 2003, ''Move Ahead Into Socialism.''

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. HOYER) for today after noon 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. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mrs. CAPPS, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. HALL of New York, for 5 minutes, today.

Mr. YARMUTH, for 5 minutes, today.

Mr. MICHAUD, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. KELLER of Florida) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, October 9.

Mr. MCCOTTER, for 5 minutes, October 3.

Mr. JONES of North Carolina, for 5 minutes, October 9.

Mr. WOLF, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, October 4.

Mr. BARRETT of South Carolina, for 5 minutes, October 3.

Mr. KELLER of Florida, for 5 minutes, today.

Mr. CASTLE, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 3, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3534. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 06-09, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

3535. A letter from the Deputy Secretary, Department of Transportation, transmitting a report of a violation of the Antideficiency Act by the Federal Aviation Administration's Grants-In-Aid for Airports Account (69X8106), pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3536. A letter from the Secretary of the Air Force, Department of Defense, transmitting a report detailing a Average Procurement Unit Cost and a Program Acquisition Unit Cost breach in the C-5 Reliability Enhancement and Re-engining Program (RERP), pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

3537. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to conduct a standard competition of the Vehicle Operations and Maintenance function at Travis Air Force Base, CA, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

3538. A letter from the Assistant Secretary of the Navy for Installations and Environment, Department of Defense, transmitting notification of the Department's decision to conduct a streamlined competition of intermediate level ship maintenance support functions performed by military personnel; to the Committee on Armed Services.

3539. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to initiate a multi-function standard competition of the Transportation and Supply functions at Hanscom Air Force Base, MA; to the Committee on Armed Services.

3540. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to initiate a single function standard competition of the Environmental function at Robins Air Force Base, GA; to the Committee on Armed Services.

3541. A letter from the Chief, Programs and Legislative Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to initiate a single function standard competition of the Precision Measurement Equipment Laboratory (PMEL) functions at Kirkland Air Force Base, New Mexico; to the Committee on Armed Services.

3542. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to initiate a single function standard competition of the of the Test Tract Instrument functions at Holloman Air Force Base, New Mexico; to the Committee on Armed Services.

3543. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3544. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3545. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Saudi Arabia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3546. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 3 of the Arms Export Control Act, as amended, detailing possible misuses of defense articles; to the Committee on Foreign Affairs.

3547. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3548. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3549. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's annual report for fiscal year 2006, in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

3550. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, ''Actions Taken on Office of Inspector General Recommendations'' for the period ending March 31, 2007; to the Committee on Oversight and Government Reform.

3551. A letter from the Acting Regulations Officer, Federal Highway Administration, DOT, Department of Transportation, transmitting the Department's final rule — Design-Build Contracting [FHWA Docket No. FHWA-2006-22477] (RIN: 2125-AF12) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3552. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eclipse Aviation Corporation Model EA500 Airplanes [Docket No. FAA-2007-28432; Directorate Identifier 2007-CE-056-AD; Amendment 39-15115; AD 2007-13-11] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3553. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes; and Airbus Model A300-600 Series Airplanes [Docket No. FAA-2007-27361; Directorate Identifier 2006-NM-237-AD; Amendment 39-15097; AD 2007-12-19] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3554. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Falcon 2000EX and Falcon 900EX Airplanes [Docket No. FAA-2007-27849; Directorate Identifier 2006-NM-249-AD; Amendment 39-15094; AD 2007-12-16] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3555. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42 and ATR72 Airplanes [Docket No. FAA-2007-27358; Directorate Identifier 2006-NM-270-AD; Amendment 39-15098; AD 2007-12-20] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3556. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2005-21434; Directorate Identifier 2004-NM-75-AD; Amendment 39-15092; AD 2007-12-14] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3557. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes [Docket No. FAA-2007-27753; Directorate Identifier 2007-NM-022-AD; Amendment 39-15096; AD 2007-12-18] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3558. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; REIMS AVIATION S.A. Model F406 Airplanes [Docket No. FAA-2006-26692; Directorate Identifier 2006-CE-89-AD; Amendment 39-15043; AD 2007-10-02] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3559. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; APEX Aircraft Model CAP 10 B Airplanes [Docket No. FAA-2007-27530 Directorate Identifier 2007-CE-019-AD; Amendment 39-15118; AD 2007-13-14] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3560. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA — Groupe Aerospatiale Models TB9, TB10, and TB200 Airplanes [Docket No. FAA-2007-27432 Directorate Identifier 2007-CE-017-AD; Amendment 39-15122; AD 2007-13-18] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3561. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-602, AT-802, and AT-802A Airplanes [Docket No. FAA-2007-27212; Directorate Identifier 2007-CE-011-AD; Amendment 39-15121; AD 2007-13-17] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3562. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alpha Aviation Design Limited (Type Certificate No. A48EU previously held by APEX Aircraft and AVIONS PIERRE ROBIN) Model R2160 Airplanes [Docket No. FAA-2006-26494 Directorate Identifier 2006-CE-079-AD; Amendment 39-15119; AD 2007-13-15] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3563. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Diamond Aircraft Industries GmbH Model DA 42 Airplanes [Docket No. FAA-2007-27610 Directorate Identifier 2007-CE-023-AD; Amendment 39-15120; AD 2007-13-16] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3564. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification to the Norton Sound Low, Woody Island Low, Control 1234L, and control 1487L Offshore Airspace Areas; AK [Docket No. FAA-2006-25852; Airspace Docket No. 06-AAL-29] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3565. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Vero Beach, FL [Docket No. FAA-2007-28101; Airspace Docket No. 07-ASO-9] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3566. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment, Modification and Revocation of VOR Federal Airways; East Central United States. [Docket No. FAA-2006-24926; Airspace Docket No. 06-ASW-1] (RIN: 2120-AA66) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3567. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Red Dog, AK [Docket No. FAA-2007-27439; Airspace Docket No. 07-AAL-04] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3568. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Valdosta, Moody AFB, GA [Docket No. FAA-2007-28298; Airspace Docket No. 07-ASO-10] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3569. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Low Altitude Area Navigation Routes (T-Routes); Los Angeles, CA [Docket No. FAA-2007-27332; Airspace Docket No. 07-AWP-2] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3570. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Restricted Areas 3601A and 3601B; Brookville, KS [Docket No. FAA-2004-17774; Airspace Docket No. 04-ACE-32] (RIN: 2120-AA66) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3571. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Dean Memorial Airport, NH [Docket No. FAA 2007-28010, Airspace Docket No. 07-ANE-91] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3572. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Front Royal-Warren County, VA [Docket No. FAA 2007-27512, Airspace Docket No. 07-AEA-01] received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3573. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Area Navigation Route Q-22; South Central United States [Docket No. FAA-2007-28477; Airspace Docket No. 07-ASW-4] (RIN: 2120-AA66) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3574. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification to the Norton Sound Low, Woody Island Low, Control 1234L and Control 1487L Offshore Airspace Areas; Alaska [Docket No. FAA-2006-25852; Airspace Docket No. 06-AAL-29] (RIN: 2120-AA66) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 1680. A bill to authorize the Secretary of Homeland Security to regulate the sale of ammonium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists; with amendments (Rept. 110–357). Referred to the Committee of the Whole House on the State of the Union.

Ms. SUTTON: Committee on Rules. House Resolution 701. Resolution providing for consideration of the bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes (Rept. 110–358). Referred to the House Calendar.

Ms. SUTTON: Committee on Rules. House Resolution 702. Resolution providing for consideration of the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes (Rept. 110–359). Referred to the House Calendar.

Mr. CARDOZA: Committee on Rules. House Resolution 703. Resolution providing for consideration of the bill (H.R. 3648) to amend the Internal Revenue Code of 1986 to exclude discharges of indebtedness on principal residences from gross income, and for other purposes (Rept. 110–360). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 704. Resolution providing for consideration of the bill (H.R. 3246) to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation (Rept. 110–361). Referred to the House Calendar.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 2895. A bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families; with an amendment (Rept. 110–362). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 3002. A bill to establish a demonstration program to authorize the Secretary of Housing and Urban Development to guarantee obligations issued by Indian tribes to finance community and economic development activities; with an amendment (Rept. 110–363). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. UDALL of New Mexico (for himself and Mrs. BONO):

H.R. 3717. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the costs of implementing wellness programs, and for other purposes; to the Committee on Ways and Means.

By Mr. ALTMIRE (for himself, Mr. GEORGE MILLER of California, Mr. YARMUTH, Mr. HOLT, and Mr. VAN HOLLEN):

H.R. 3718. A bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to address conflicts of interest associated with use of advisory committees and technical assistance providers in the administration of such Act; to the Committee on Education and Labor.

By Ms. CASTOR:

H.R. 3719. A bill to prohibit implementation of a guidance letter proposing rules relating to the Federal-State financial partnerships under Medicaid and the State Children's Health Insurance Program; to the Committee on Energy and Commerce.

By Mr. EDWARDS:

H.R. 3720. A bill to designate the facility of the United States Postal Service located at 424 Clay Avenue in Waco, Texas, as the ''Army PFC Juan Alonso Covarrubias Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. EDWARDS:

H.R. 3721. A bill to designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the ''Marine Gunnery Sgt. John D. Fry Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. ENGLISH of Pennsylvania:

H.R. 3722. A bill to amend the Internal Revenue Code of 1986 to allow for expenditures from the Harbor Maintenance Trust Fund for certain harbor construction activities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, 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. FOSSELLA (for himself and Mr. HINCHEY):

H.R. 3723. A bill to establish the Raritan Bay Stewardship Initiative; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, 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. FOSSELLA (for himself and Mr. HILL):

H.R. 3724. A bill to establish a National Commission on Entitlement Solvency; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas (for himself and Mr. MCHENRY):

H.R. 3725. A bill to amend the Real Estate Settlement Procedures Act of 1974 to require the submission to each borrower under a federally related mortgage loan of a one-page description of the essential terms of the loan; to the Committee on Financial Services.

By Mr. HILL (for himself, Mr. FOSSELLA, Mr. BURTON of Indiana, Mr. DONNELLY, Mr. ELLSWORTH, Mrs. GILLIBRAND, Mr. HALL of New York, Mr. PATRICK MURPHY of Pennsylvania, Mr. PENCE, Ms. BERKLEY, Mr. BUCHANAN, Mr. VISCLOSKY, and Mr. KAGEN):

H.R. 3726. A bill to amend the Internal Revenue Code of 1986 to allow the deduction for real property taxes on the principal residences to all individuals whether or not they itemize other deductions; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Mr. PASTOR, and Mr. FORTUÑO):

H.R. 3727. A bill to amend title 5, United States Code, to provide that premium pay be paid to Federal employees whose official duties require the use of one or more languages besides English; to the Committee on Oversight and Government Reform.

By Mrs. MALONEY of New York (for herself, Mr. LANTOS, and Ms. JACKSON-LEE of Texas):

H.R. 3728. A bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted and denied their rights in foreign countries on account of gender, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY of California:

H.R. 3729. A bill to designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the ''Larry S. Pierce Post Office''; to the Committee on Oversight and Government Reform.

By Mr. MCDERMOTT (for himself and Mr. WILSON of South Carolina):

H.R. 3730. A bill to establish a United States-India interparliamentary exchange group; to the Committee on Foreign Affairs.

By Mr. PAUL:

H.R. 3731. A bill to suspend temporarily the duty on lutetium oxide; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3732. A bill to suspend temporarily the duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Ways and Means.

By Mr. SARBANES:

H.R. 3733. A bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports; to the Committee on Education and Labor.

By Mr. SIMPSON:

H.R. 3734. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. TANNER (for himself, Mrs. JONES of Ohio, Mr. DAVIS of Alabama, and Mr. LARSON of Connecticut):

H.R. 3735. A bill to amend the Internal Revenue Code of 1986 to extend the look-through treatment of payments between related controlled foreign corporations; to the Committee on Ways and Means.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mrs. DRAKE, Mr. SCOTT of Virginia, Mr. FORBES, Mr. GOODE, Mr. GOODLATTE, Mr. CANTOR, Mr. MORAN of Virginia, Mr. BOUCHER, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H. Con. Res. 222. Concurrent resolution commending NASA Langley Research Center in Virginia on the celebration of its 90th anniversary on October 26 and 27, 2007; to the Committee on Science and Technology.

By Mr. VAN HOLLEN (for himself and Mr. DENT):

H. Con. Res. 223. Concurrent resolution honoring professional surveyors and recognizing their contributions to society; to the Committee on Oversight and Government Reform.

By Mr. WOLF (for himself and Mr. SARBANES):

H. Con. Res. 224. Concurrent resolution expressing support for a National Telework Week to be established; to the Committee on Education and Labor.

By Mr. PUTNAM:

H. Res. 699. A resolution electing a Minority Member to a standing committee of the House of Representatives; considered and agreed to.

By Mrs. BONO (for herself and Ms. ROYBAL-ALLARD):

H. Res. 700. A resolution supporting the We Don't Serve Teens campaign; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself, Ms. ROS-LEHTINEN, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. FRANKS of Arizona, Mr. RENZI, Mr. SOUDER, Mr. FEENEY, Mr. TIBERI, Mr. RYAN of Ohio, and Mr. ADERHOLT):

H. Res. 705. A resolution expressing the sense of the House of Representatives that the Chinese Communist Party should be condemned for engaging in coercive abortion practices, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HALL of New York (for himself, Ms. CORRINE BROWN of Florida, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mrs. MALONEY of New York, Mr. ENGEL, Mr. JOHNSON of Georgia, Ms. SLAUGHTER, Mr. PAYNE, Mr. MCDERMOTT, Mr. UDALL of Colorado, Mr. STARK, Mr. FARR, and Mrs. LOWEY):

H. Res. 706. A resolution honoring all members of the Armed Forces and civilian personnel serving in harm's way and pledging to debate policy decisions regarding the war in Iraq without attacking the integrity of any person, and for other purposes; to the Committee on Armed Services.

By Mr. HASTINGS of Florida (for himself and Mr. RANGEL):

H. Res. 707. A resolution honoring the 50th anniversary of Althea Gibson's championship at Wimbledon and Forest Hills, and honoring the life and legacy of a teacher, daughter, and internationally acclaimed athlete who defied the boundaries of race, class, and gender; to the Committee on Oversight and Government Reform.

By Ms. LORETTA SANCHEZ of California (for herself, Ms. DELAURO, Mr. DICKS, Mr. SERRANO, Mr. RENZI, Mr. LEVIN, Mr. MCGOVERN, Mrs. JONES of Ohio, Mr. MURTHA, Ms. JACKSON-LEE of Texas, Mr. BOSWELL, Mr. KUCINICH, Ms. HIRONO, Mr. CUMMINGS, Ms. BORDALLO, Mr. LANTOS, Mr. HONDA, and Mr. HINOJOSA):

H. Res. 708. A resolution honoring the life and accomplishments of Luciano Pavarotti and recognizing the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 20: Mr. HONDA.
H.R. 98: Mr. UDALL of Colorado.
H.R. 136: Mr. UDALL of Colorado.
H.R. 138: Mr. WILSON of South Carolina and Mr. UDALL of Colorado.
H.R. 139: Mr. MANZULLO.
H.R. 211: Mr. MCNERNEY.
H.R. 225: Mrs. DRAKE.
H.R. 579: Mr. NEAL of Massachusetts.
H.R. 642: Ms. SCHWARTZ.
H.R. 643: Mr. KNOLLENBERG, Mr. FEENEY, Mr. ALTMIRE, and Mr. LUCAS.
H.R. 661: Mr. ALLEN.
H.R. 715: Mrs. JO ANN DAVIS of Virginia, Mr. MCHUGH, and Mrs. EMERSON.
H.R. 741: Mr. FORBES.
H.R. 743: Mr. BOEHNER, Mr. BOSWELL, Mr. DONNELLY, Mr. SHADEGG, Mr. BRADY of Texas, Mr. KLEIN of Florida, Mr. ENGLISH of Pennsylvania, Mr. THOMPSON of California, and Mr. WALSH of New York.
H.R. 748: Mr. REICHERT, Mr. VAN HOLLEN, and Ms. WOOLSEY.
H.R. 849: Mr. UDALL of Colorado.
H.R. 850: Mr. UDALL of Colorado.
H.R. 864: Mr. UDALL of New Mexico.
H.R. 891: Mr. HAYES, Mr. ALLEN, Mr. ACKERMAN, and Mr. CASTLE.
H.R. 972: Ms. BORDALLO.
H.R. 1000: Mr. SNYDER, Mrs. MALONEY of New York, Ms. WOOLSEY, Ms. SUTTON, Mr. BARTLETT of Maryland, Mr. LEWIS of Georgia, Mr. CLAY, Mr. KUCINICH, and Mr. HODES.
H.R. 1004: Mr. RYAN of Ohio and Mr. MORAN of Virginia.
H.R. 1017: Mr. MOORE of Kansas.
H.R. 1032: Mr. OLVER.
H.R. 1092: Mr. VAN HOLLEN.
H.R. 1125: Mr. PUTNAM, Mr. TIM MURPHY of Pennsylvania, Mr. MAHONEY of Florida, Mr. SPACE, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 1188: Mr. GEORGE MILLER of California.
H.R. 1201: Mr. BURTON of Indiana and Mr. WALBERG.
H.R. 1222: Mr. LOBIONDO.
H.R. 1223: Mr. LOBIONDO.
H.R. 1229: Mr. DENT.
H.R. 1236: Mr. GENE GREEN of Texas, Mr. MELANCON, Ms. BALDWIN, Mr. FOSSELLA, Mr. WEINER, Ms. SOLIS, Mr. BOUCHER, Mrs. CAPPS, and Mr. ENGEL.
H.R. 1237: Mr. MELANCON, Mrs. JO ANN DAVIS of Virginia, Mr. NADLER, Mr. HERGER, Mr. KAGEN, Mr. REYNOLDS, and Mr. ALTIMIRE.
H.R. 1275: Mr. WEINER.
H.R. 1283: Mr. DONNELLY, Mr. ROYCE, and Mr. DAVIS of Illinois.
H.R. 1328: Mr. BLUMENAUER.
H.R. 1333: Mr. KUHL of New York.
H.R. 1346: Ms. MATSUI.
H.R. 1350: Mr. ELLISON.
H.R. 1363: Mrs. LOWEY, Mr. NEAL of Massachusetts, Mr. DAVIS of Alabama, Mr. MCNERNEY, and Ms. DELAURO.
H.R. 1399: Mr. KAGEN.
H.R. 1422: Mr. CONYERS and Mr. HIGGINS.
H.R. 1424: Mr. MELANCON.
H.R. 1514: Ms. LORETTA SANCHEZ of California.
H.R. 1537: Mr. HALL of New York.
H.R. 1576: Mr. DENT, Mr. EMANUEL, Mr. POMEROY, Mr. MEEK of Florida, Mr. SAM JOHNSON of Texas, and Mr. PASCRELL.

H.R. 1584: Mr. WEXLER.
H.R. 1607: Mr. TOM DAVIS of Virginia.
H.R. 1619: Mr. HOEKSTRA, Mr. GORDON, Mr. ISSA, and Mr. CAMPBELL of California.
H.R. 1644: Ms. CORRINE BROWN of Florida and Ms. HOOLEY.
H.R. 1671: Mrs. CAPPS and Mr. ARCURI.
H.R. 1687: Mr. ABERCROMBIE.
H.R. 1721: Mr. GORDON and Mr. COOPER.
H.R. 1738: Mr. ANDREWS.
H.R. 1742: Mr. SPACE.
H.R. 1758: Mr. UDALL of Colorado.
H.R. 1845: Mr. KILDEE, Mr. SCOTT of Georgia, and Mr. REYNOLDS.
H.R. 1846: Mr. RYAN of Ohio.
H.R. 1876: Mr. LINCOLN DAVIS of Tennessee and Mr. WEXLER.
H.R. 1884: Mr. MITCHELL and Mr. LOEBSACK.
H.R. 1903: Mr. HALL of Texas and Mr. RAMSTAD.
H.R. 1971: Mr. ISRAEL.
H.R. 2016: Mr. FARR, Mr. MARKEY, Mr. HODES, and Ms. BALDWIN.
H.R. 2036: Mr. MCGOVERN.
H.R. 2053: Mr. LATHAM and Ms. FALLIN.
H.R. 2067: Mr. LINCOLN DAVIS of Tennessee.
H.R. 2166: Mr. GORDON and Mr. FERGUSON.
H.R. 2167: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2188: Mr. BLUMENAUER.
H.R. 2205: Mr. KNOLLENBERG.
H.R. 2262: Mr. MCGOVERN, Mr. SALAZAR, and Mr. WEXLER.
H.R. 2265: Mr. WAXMAN and Mr. HARE.
H.R. 2349: Mr. CONYERS.
H.R. 2353: Ms. SOLIS.
H.R. 2370: Mr. WALSH of New York and Mr. TURNER.
H.R. 2416: Mr. MCCOTTER.
H.R. 2453: Mr. ISSA.
H.R. 2477: Mr. BLUMENAUER and Mr. RUSH.
H.R. 2511: Mr. FORTUÑO.
H.R. 2514: Mr. MORAN of Virginia.
H.R. 2516: Mr. FATTAH.
H.R. 2539: Mr. BRADY of Pennsylvania.
H.R. 2578: Mr. WILSON of Ohio.
H.R. 2606: Mr. LINCOLN DAVIS of Tennessee, Mr. BISHOP of Georgia, Mr. BERRY, and Mr. CONYERS.
H.R. 2634: Mrs. JONES of Ohio and Ms. BALDWIN.
H.R. 2668: Mr. MATHESON.
H.R. 2677: Mr. MCNULTY.
H.R. 2687: Mr. FLAKE.
H.R. 2694: Mr. PRICE of North Carolina.
H.R. 2702: Mr. BLUMENAUER, Mr. TOWNS, Mr. CONYERS, and Ms. HIRONO.
H.R. 2742: Mr. HIGGINS.
H.R. 2744: Mr. OLVER, Mr. MCHUGH, Mr. BOUCHER, Mr. TERRY, and Mr. RAHALL.
H.R. 2758: Mr. NADLER.
H.R. 2790: Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Mr. HINCHEY, Mr. KAGEN, Mr. KENNEDY, Mr. DEFAZIO, Ms. KILPATRICK, and Mr. CARNEY.
H.R. 2805: Mr. WEXLER.
H.R. 2820: Mr. BERRY and Mr. EDWARDS.
H.R. 2826; Mr. HONDA, Ms. SUTTON, Mr. FILNER, and Mr. HIGGINS.
H.R. 2832: Mr. ISRAEL.
H.R. 2840: Mrs. LOWEY.
H.R. 2851: Mr. GORDON, Mr. ENGEL, Mr. WYNN, Mr. GENE GREEN of Texas, Mr. GONZALEZ, Mr. ROSS, Mr. HILL, Ms. BERKLEY, Mr. HINCHEY, Mr. CUELLAR, Mr. RUPPERSBERGER, Mr. FARR, Mr. DELAHUNT, Mr. HOLT, Mr. YARMUTH, and Ms. MATSUI.
H.R. 2857: Mr. ETHERIDGE.
H.R. 2864: Mr. GORDON, Mr. HOLDEN, Mr. COHEN, Mr. MCGOVERN, Mr. GENE GREEN of Texas, and Mr. GUTIERREZ.
H.R. 2870: Mr. BLUMENAUER.
H.R. 2894: Mr. GENE GREEN of Texas and Mr. VAN HOLLEN.
H.R. 2895: Mr. ROSS, Ms. SHEA-PORTER, Ms. DELAURO, Mr. ARCURI, Mr. BRALEY of Iowa, Mr. ORTIZ, Mr. KAGEN, and Ms. DEGETTE.
H.R. 2993: Mr. MARSHALL.
H.R. 3026: Mr. GOODLATTE.
H.R. 3042: Mr. HALL of New York, Mr. FILNER, Mr. ANDREWS, Mr. EDWARDS, Mr. FERGUSON, and Mr. WU.
H.R. 3140: Mr. BRADY of Pennsylvania and Ms. WASSERMAN SCHULTZ.
H.R. 3148: Mr. FORBES.
H.R. 3164: Mr. BLUMENAUER.
H.R. 3168: Mr. COHEN.
H.R. 3173: Mr. CONYERS.
H.R. 3175. Ms. WATSON.
H.R. 3191: Ms. BORDALLO, Mr. ELLISON, Mr. BLUMENAUER, Ms. SUTTON, and Mr. ALTMIRE.
H.R. 3282: Mr. INSLEE.
H.R. 3298: Mr. HALL of New York and Mr. CONYERS.
H.R. 3327: Mr. KING of New York, Ms. SCHAKOWSKY, Mr. PASCRELL, Mr. GRIJALVA, Mr. WEXLER, and Mr. OLVER.
H.R. 3334: Mr. TIBERI and Mr. PETERSON of Minnesota.
H.R. 3380: Mr. RENZI, Mr. CANNON, Mr. MORAN of Virginia, Mr. REICHERT, and Mr. CARNEY.
H.R. 3426: Mr. GORDON of Tennessee.
H.R. 3432: Mr. NADLER and Mr. HARE.
H.R. 3446: Mr. LEVIN, Mr. CONYERS, and Mr. DINGELL.
H.R. 3457: Mr. BAKER, Mr. SULLIVAN, and Mr. GRIJALVA.
H.R. 3494: Mrs. BOYDA of Kansas and Mr. AKIN.
H.R. 3498: Mr. ARCURI.
H.R. 3512: Mr. COHEN.
H.R. 3529: Mr. COURTNEY.
H.R. 3533: Mr. BUTTERFIELD, Ms. DEGETTE, Mr. PAUL, Ms. WASSERMAN SCHULTZ, Mr. CLAY, and Ms. SLAUGHTER.
H.R. 3541: Ms. LINDA T. SÁNCHEZ of California, Mr. WALSH of New York, Mrs. BOYDA of Kansas, Mrs. MCMORRIS RODGERS, and Mr. STUPAK.
H.R. 3547: Ms. MATSUI, and Mr. GALLEGLY.
H.R. 3558: Mr. GONZALEZ and Mr. SPRATT.
H.R. 3585: Mr. HARE.
H.R. 3597: Mrs. CAPPS.
H.R. 3610: Ms. DEGETTE.
H.R. 3645: Mr. BRADY of Pennsylvania and Mr. COHEN.
H.R. 3646: Mr. TERRY.
H.R. 3660: Ms. SHEA-PORTER and Mr. BURTON of Indiana.
H.R. 3689: Ms. MATSUI.
H.R. 3691: Mr. WELCH of Vermont and Mr. GRIJALVA.
H. Con. Res. 163: Mr. GOODE.
H. Con. Res. 200: Mr. KUCINICH and Mr. HARE.
H. Con. Res. 205: Mr. COOPER.
H. Con. Res. 218: Mr. BURTON of Indiana, Mr. AKIN, Mr. WILSON of South Carolina, Mr. WAMP, and Mr. NEUGEBAUER.
H. Con. Res. 221: Mr. HODES, Mr. MCDERMOTT, Mr. BRADY of Pennsylvania, Mr. BISHOP of New York, and Mr. JOHNSON of Georgia.
H. Res. 71: Mr. CONYERS.
H. Res. 237: Mr. COHEN and Ms. MCCOLLUM of Minnesota.
H. Res. 259: Mrs. DAVIS of California.
H. Res. 322: Mrs. JONES of Ohio and Mr. SIRES.
H. Res. 356: Mr. YARMUTH.
H. Res. 448: Mrs. EMERSON, Mr. WALBERG, and Mr. ETHERIDGE.
H. Res. 537: Mr. DOGGETT.
H. Res. 542: Mr. PETRI, Mr. DREIER, Mr. ELLISON, Mr. HOLDEN, Mr. KUHL of New York, Mr. PLATTS, Mr. FEENEY, and Mr. SIMPSON.
H. Res. 573: Mr. HARE, Mr. HIGGINS, and Mr. GONZALEZ.
H. Res. 576: Mr. WALSH of New York.
H. Res. 588: Mr. KUHL of New York and Mr. GEORGE MILLER of California.
H. Res. 607: Mr. LINDER, Mr. BLUMENAUER, and Mr. SHERMAN.
H. Res. 610: Mr. ABERCROMBIE.
H. Res. 616: Mr. POE.
H. Res. 617: Mr. WOLF.
H. Res. 618: Mr. GORDON and Mr. JACKSON of Illinois.
H. Res. 653: Mr. LANTOS.
H. Res. 669: Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, and Ms. WASSERMAN SCHULTZ.
H. Res. 674: Mr. PORTER.
H. Res. 676: Ms. FOXX and Ms. BORDALLO.
H. Res. 689: Mr. LANTOS.

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. 1506: Mr. BUTTERFIELD.
H. Res. 106: Mr. CARNAHAN.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, OCTOBER 2, 2007 No. 148

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, make us instruments of Your love. Use our Senators today as ambassadors of reconciliation. Direct them in their work, and surround them with Your gracious favor. Let all their plans and purposes be in accordance with Your holy will. May their primary aim be to serve You and country with faithfulness. Enlighten them by Your holy spirit so they will find solutions to the problems that challenge our world.

Lord, make them good stewards of their calling, guiding them to use their influence for Your glory. Inspire their minds, assist their wills, and strengthen their hands that they may not falter or fail. And when this day's work is done, give them refreshment of mind, spirit, and body.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 2, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today each side will have a half hour in morning business. The Republicans have the first half, the Democrats the final half. Following that, the Senate will begin consideration of one of the most important bills we do here every year; that is, the Defense appropriations bill. That will be led by Senators INOUYE and STEVENS. The Senate will recess today from 12:30 to 2:15 for the regularly scheduled party conference meetings. We want to finish this bill as quickly as possible and move to Commerce-State-Justice, which is also important, dealing with law enforcement. We also have some judges we would like to get rid of this week, if at all possible. We have a circuit court judge and a number of district court judges. We need to finish these items this week so that we can come back and start the Labor-HHS appropriations bill, which is extremely important. If we finish these two bills, we would have half of them done this year, which is good.

We have received tremendous cooperation from both sides to move through the bills. I hope we can continue to get that cooperation on this bill. I am confident there will be some amendments offered. Some of them will have points of order against them because of too much money and they are legislating on appropriations bills. Maybe those Senators won't offer them if they check with the Parliamentarian first. But we hope we can move through this bill very quickly.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

BURMA

Mr. MCCONNELL. Mr. President, the British statesman Edmund Burke once wrote: ''When bad men combine, the good must associate.'' Such vivid moral clarity is nowhere better reflected than in the recent events involving Burma.

In Burma, we have indeed witnessed the combination of bad men—a combination of corrupt military junta leaders and compliant thugs in the Burmese security forces.

This combination recently carried out the brutal suppression of peaceful protests in Burma, killing and imprisoning untold numbers of nonviolent demonstrators, including scores of Buddhist monks.

What is now needed is for the good to associate.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The global struggle against terrorism has compelled us to increase our foreign policy engagement in places such as the Horn of Africa, Indonesia, and the Philippines.

In the coming decades, we must realize that China and India are two countries that will play a larger role on the world stage.

One would have hoped that as India takes on a greater role as a regional power, and as a growing economic power, that pro-democracy elements within Burma could look to associate with its next-door neighbor, the largest democracy on the planet.

Our Nation is pursuing a closer relationship with India in terms of military-to-military contacts and in the development of nuclear energy. India should be wary of coddling the junta in Burma.

The Association of Southeast Asian Nations, ASEAN, recently put out a strong statement condemning the brutality in Burma. Instead of echoing the sentiments of Burma's ASEAN neighbors, the Indian Government has only issued tepid statements at best.

In so doing, India has put itself in league with China and Russia.

This is all the more troubling since India had been supportive of Burmese reformers in the early 1990s.

As India assumes a greater role on the world stage, more will be asked of it, and this is just such a case. India needs to recognize that responsibility and abstain from supporting the military junta in Burma.

India needs to use its influence as Asia's longest-lived democracy to associate with the pro-democracy forces of Burma and press for reforms.

Understandably, India has important interests in its neighbor to the east. For one, India wants to counter the influence of China in Burma. That said, it should look beyond its near-term interests.

What better way to blunt Chinese influence in Burma than to work to bring about a Burma that reflects the Indian values of democracy and openness, rather than a Burma that reflects the antidemocratic values of the Chinese Government?

Mr. President, I strongly urge the Indian Government to reconsider its position on Burma; to speak directly to the regime's recent actions; and to work for the cause of democracy and reconciliation in Burma.

Only then can the combination of bad men leading Burma be checked.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak therein for 10 minutes each and with the time equally divided between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

PASSING APPROPRIATIONS BILLS

Mr. CORNYN. Mr. President, yesterday marked the beginning of a new fiscal year, when all of our projected spending for the next year ought to have been budgeted and allocated to the appropriate programs and Federal agencies. Unfortunately, we have yet to see a single appropriations bill be sent to the President. Four appropriations bills that have been passed are still in conference: the Homeland Security appropriations bill, the Military Construction and Veterans' Affairs appropriations bill, the State and Foreign Operations appropriations bill, and the Transportation, Housing, and Urban Development appropriations bill. But those are stuck in conference and none have been sent to the President for his signature.

What is worse, the remaining eight were never even brought to the floor for consideration by the Senate majority leadership before the end of 2007. One, of course, will be taken up this week—the Defense appropriations bill.

Any business leader or small business owner in America can tell you that entering the fiscal year without an approved budget plan is disastrous policy. But in Washington, we have grown to accept that the Federal Government can basically hold the American taxpayer to a double standard: Do what we say and not as we do. In Washington, we have come to accept that we don't have to budget or pay our bills on time to keep the lights on. Instead, we can pass a law saying it is OK—which we did last week, a continuing resolution, which keeps Government basically on autopilot until November 16 and, as I said, that is a double standard the rest of America is not allowed to meet. Only Congress, only Washington, can do that.

This mentality of fiscal irresponsibility is a disturbing trend. Americans rightly expect us to keep the country running, but to keep it running efficiently and keep it running well, and to be good stewards of the taxpayers' dollars. We can't do that when we legislate on borrowed time and fail to pass any appropriations bills by the end of the fiscal year. Zero for twelve is a dismal average, even for the Senate.

Despite harsh criticisms for failing to pass all appropriations bills last year, the new majority has failed to pass a single appropriations bill when given the chance this year. Passing appropriations bills is ''the most fundamental job Congress is expected to do.'' That is a quote from our colleague, majority whip DICK DURBIN, December 2006 in the New York Times.

Senator HARRY REID, the current majority leader, said in May of 2007: ''The 'Do-Nothing' Republican Congress failed to pass the appropriations bills.''

Now we find that notwithstanding their promise of new leadership and change, that situation bears all too similar a comparison to what they complained about last year.

But the lack of urgency in passing these bills is only a part of the problem. My colleagues in the majority have used a few appropriations bills that have been brought forward as a vehicle for their political agenda, and increased spending on expanded social programs and pet projects.

As we debated the Defense authorization bill week after week, the majority party delayed the bill's approval by trying to add and, in fact, successfully adding, in some instances, unrelated amendments—amendments dealing with Federal hate crimes legislation, and immigration was even considered during the debate. Ultimately, these tactics wasted valuable time and delayed essential resources our military is counting on.

As each minute, each day, and each week passes by, we come closer and closer to what is known as an omnibus appropriations bill. For those outside the Washington bubble, let me say that ''omnibus'' is sometimes translated as ''grab your wallet.'' An omnibus appropriations bill tends to be loaded down with a lot of excess spending and unrelated pork.

If the appropriations bills we have debated thus far are any measure, we are in for major trouble. The spending proposals—an extra $205 billion on top of the President's budget request over the next 5 years—will force American taxpayers to send even more of their hard-earned pay to the Federal Government. We should instead be working to return their hard-earned money to the American people, or rather allow them to keep it in the first place as much as possible.

Now that we have already missed our own deadline for appropriations, it is time we get serious about these spending bills. I encourage all of my colleagues to join me and vote to pass timely and responsible appropriations bills and reverse this trend of fiscal apathy.

Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I ask unanimous consent to speak and to have that time allocated toward the majority time in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET PROCESS AND CHILDREN'S HEALTH CARE

Ms. STABENOW. Mr. President, a colleague and friend of mine on the other side of the aisle spoke a few minutes ago about the budget process. I come today to specifically talk about children's health care, but I think it is important to respond to what was said as it relates to the budget process and adopting a budget by October 1.

I was thinking as he was speaking, I have been here now—this is my seventh year, my seventh budget process. We have never met the October 1 deadline—never. In fact, I am not sure I remember having done it in the House when I was there for 4 years, either. We all know it is a nice political argument to make on the floor of the Senate, but it has no credibility because the reality is the October 1 deadline is something that is difficult to meet and we usually work through the fall on the budget. Everybody knows that.

What I think is significant, though, is the fact that if we are going to hold to that test as the test of responsible leadership, 6 of the last 7 years the Republican majority was in charge and 6 times they did not meet an October 1 deadline. In fact, last year, they never got a budget passed at all—at all. We came in as the new majority and had to pick up the pieces and figure out how to keep the Government going for the last half of the year. So I find it disingenuous—and I would say this to my friend if he were here—to come to the floor and make great political speeches and great theater. The reality is we all on both sides of the aisle know that the appropriators are working together now, coming to the floor on a bipartisan basis, to do what we do every single year—every single year in October and November and, unfortunately, at times into December.

But what I am very proud of is the fact that our leader, Senator REID, and our leadership in our caucus take very seriously our responsibilities on the budget; not only putting a budget in place, but a budget with the right values, the right priorities. We are changing the priorities on behalf of the people of this country. We are changing the priorities as they relate to funding the troops and pay raises and making sure our troops have what they need. We are changing the priorities. We will be dealing with a bill later this week as it relates to the Commerce, Justice, and State appropriations where we are going to stop the cuts the President has made in law enforcement, in the COPS program, in the FBI, and in juvenile justice and drug enforcement. We will work to reinstate that and refocus us on those things that keep our communities safe, keep America safe.

I am very proud of that. I am very proud of the priorities we have been putting in place as relates to this budget. On top of that, we are not digging a bigger hole as it relates to the deficit of this country, because we have returned to a policy that was in place under the former administration, under President Clinton, that simply says if you are going to spend dollars, you have to pay for it. You either have to cut some place in order to increase another or you have to raise revenue. It is a basic principle. It ought to be a no-brainer. But that has been suspended in the last 6 years, creating the largest deficits in the history of the country.

I am happy to come to the floor and talk about budgets and process, and I am very proud of the direction we are going in.

I am also very proud of what we have done as it relates to another absolutely critical priority, and that is children's health care. We have a health care system for low-income individuals called Medicaid. If you work, two parents or a mom may be working two jobs, maybe three minimum-wage jobs to try to make sure she pays the bills and has a roof over her children's heads and food on the table, chances are she is a low-income working parent, or a couple working together, a dad working for his children. Chances are health care is going to be too expensive—just too expensive to buy in the individual market if you don't have it through the place where you work.

Ten years ago this Congress came together in a bipartisan way under a different President to say: We want to help families who are working hard every single day, who care about their children and who are doing everything they can to do the right thing—the values we should be supporting in this country, of hard work, family, and caring about our kids.

We want to help them by putting in place a children's insurance program so that at least the children of low-income working families are able to get the health care they need. It has been a huge success. We have overwhelming support from Governors, Republicans and Democrats, and State legislatures. In fact, this is the ultimate in strange bedfellows. We have the U.S. Chamber and the business community, the labor community, health care providers, children's advocates, and consumer advocates; we have the broadest possible group of Americans with the broadest possible interests that have come together to work with us to be able to design an extension of children's health care and, in fact, to be able to include additional children who qualify under that program for working families. We passed that on a huge bipartisan vote in this Senate—enough to override a Presidential veto. The House of Representatives passed it with a very large bipartisan vote.

Today, the President, we assume, will be getting this bill. There is only one thing standing between 10 million children getting health insurance in this country, the parents of 10 million children being able to sleep a little easier tonight—there is only one thing standing between that happening and those families and that is the signature of the President of the United States.

So I am here today, as colleagues on both sides of the aisle have done, to thank our leadership—Senator REID and the bipartisan leadership of Senator MAX BAUCUS, Senator GRASSLEY, Senator ORRIN HATCH, and Senator ROCKEFELLER. They have done a magnificent job of doing what we are supposed to do: bring people's diverse interests together, develop a true compromise, and get things done.

I urge this President to look deep inside his heart, take a few moments to talk to some of these families before he puts his veto on this bill. This is one of the most significant things we will do in this Congress. It is one of the most significant moments for this President. He asked us, again, to fund a war that is not paid for. For 41 days of funding of that war, we could pay for 10 million children getting health insurance over the next 5 years. This is about values and priorities. It always has been.

In my home State, I can tell you we have 90,000 children and parents—families who are waiting and hoping and praying that this President will join with all of us in doing the right thing. Too many families are struggling. Health care is skyrocketing. These same families are being squeezed on all sides. Gas prices going up, health care costs are going up, they have challenges in keeping their mortgages, and what will happen to their jobs? Will they be shipped overseas? Will they get a pay cut? What is happening in terms of preparing to send their children to college? Middle-class families are being squeezed on all sides.

For a group of parents who are working very hard but don't have health insurance through their job, this Congress has done the right thing by passing a children's health care bill that will say at least your children will be able to get the health insurance they need and deserve.

When this President was at the Republican convention in 2004 accepting his nomination for reelection for his second term, President Bush said:

> In the new term, we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for Government health insurance programs. We will not allow a lack of attention, or information, to stand between these children and the health care they need.

Since that time, President Bush sent to us a budget that, in fact, as he funded it, would eliminate well over a million children who currently receive

health care under the Children's Health Care Program. We have rejected that, and we have turned to see how the program was working and found there were millions more children eligible for this very same program as the economy gets tougher and tougher for families, but the funding wasn't there to make sure those children receive children's health care as well. So we worked together, and we are now including an additional 4 million children whose families are working but have not been able to get health insurance. That, all together, equals 10 million children under the legislation we passed.

There is nothing more important we could do than to guarantee that children get a healthy start in life—whether it is the general practitioner they need to see, the dentist or whether they need mental health help. We have said the children of this country are a priority for our majority, for the Senate, for the House of Representatives.

I simply ask today at this critical moment: President Bush, please join us and sign this bill.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, are we in morning business?

The ACTING PRESIDENT pro tempore. Yes, we are.

Mr. DURBIN. It is my understanding the majority has its period.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. DURBIN. How much time remains?

The ACTING PRESIDENT pro tempore. There is 17 minutes remaining.

IRAQ

Mr. DURBIN. Mr. President, 2 months ago, I traveled to Afghanistan, Pakistan, Kuwait, and Jordan. I also traveled to Iraq with my colleague Senator CASEY of Pennsylvania. We went to talk to and listen to our top generals and diplomats but, equally important, the soldiers and marines on the front lines of this war.

This was the third time for me visiting Iraq, the first time for Senator CASEY. Two impressions really struck me. More than either of my earlier visits, I felt overwhelmed by the tragedy that has been created in that country for Iraq, for its neighbors, for America's image around the world, and, sadly, for our troops.

I was also awed and deeply moved by the skill and bravery of our troops and their love for this Nation. In a time when sacrifice seems outdated to some people, our troops are willing to endure almost inconceivable hardship and risk everything to protect us and our Nation.

When I visited Iraq, it was 120 degrees. Soldiers wore heavy body armor and backpacks and carried their ammunition, their weapons, had helmets on, drinking water every chance they had to try to stay hydrated and not suffer from heat exhaustion which had claimed the life of one of our soldiers just the day before.

Soldiers who knew who I was asked me occasionally when the politicians in Washington were going to start voting so they could come home. Despite the unbearable heat, the constant danger, longings for home, not one soldier I met in Iraq ever complained about walking point for America—not one.

We went 10 miles south of Baghdad to a place called Patrol Base Murray. I ate lunch with some Illinois soldiers from the 3rd Infantry Division out of Chicago, Aurora, Jacksonville, and Elmhurst. Most were on their first deployments. One was on his third. Half were married with kids. They try to keep in touch with things back home through e-mails, but it is tough.

They were laughing at me as I fumbled around trying to open up my MRE, a can of chicken and noodles with a built-in heater. I never quite got it right. I am glad I gave them some comic relief there, at least for a few minutes.

On August 11, after I came back home, 1 week after I visited this patrol base, two Illinois soldiers stationed there died in a roadside bomb explosion, along with two other soldiers, in a place called Arab Jabour. All four soldiers were assigned to the 3rd Infantry Division based in Fort Stewart, GA.

The Illinois soldiers lost were SPC Justin Penrod, 24 years old, of Mahomet; and SGT Andrew Lancaster, 23, of Stockton. They are 2 of the 146 sons and daughters of Illinois who have died so far in this conflict.

The same day they died, a fifth soldier from the 3rd ID died in Arab Jabour in a separate incident, while a sixth was killed in an IED blast in Afghanistan. Six soldiers dead in 1 day. Sadly, such grim numbers don't even make the big headlines anymore. After losing 3,800, I guess somebody who runs these newspapers and television stations decides it is not big news. For some people, the daily toll of soldiers killed and wounded in Iraq seems to have just become another statistic, like the weather, but not to the devastated families of these fallen soldiers, not to the children who will grow up never knowing their fathers or mothers who have died in this war, and not to the men and women with whom they served.

A week after SGT Andrew Lancaster died in Iraq, his platoon commander, 1LT Benjamin Kim, wrote me a letter about a man he considered a gifted leader and a brother. I have never met Lieutenant Kim. I can't imagine why he sent this to me, other than to share deep feelings that he just couldn't leave inside. He wanted someone else to read them. I really trust, based on what that letter contained, that he would not mind if I read his words into the record about his fallen comrade. The letter is dated August 18, 2007.

Dear Senator DURBIN: My name is Benjamin Kim, and I am assigned to the 2nd Brigade, 3rd Infantry Division as an infantry officer. By the time you receive this letter it will have been a number of weeks since you came to Iraq and visited my unit. If you recall, you came to Patrol Base Murray in southeast Baghdad near a village called Arab Jabour, and you met some soldiers from Illinois serving here. One of these soldiers was a man named SGT Andrew Lancaster, and he was a squad leader in my platoon. He was killed in action on 11 August 2007, and as I write this letter, he and the bodies of four other soldiers who died with him that day are being prepared for transportation back to the United States.

The lieutenant went on to say:

The purpose of this letter is not to seek any political action. Nor is it to recount the grizzly details that resulted in the untimely deaths of five of my finest soldiers and subordinate leaders. I do not seek to achieve anything, except perhaps to communicate to you my boundless respect for the men who serve with me in this remote corner of the world. I will probably never meet you, and I shall make no plans to do so, but I find it oddly therapeutic to write to a man of your station and rank in an earnest and sincere manner. Whether you personally read this letter or not is irrelevant; as I write this I am finding temporary reprieve from my sorrow.

He goes on to write:

Andrew Lancaster was the iconic ''Man of the Midwest.'' He was a pragmatist and he valued common sense and integrity as two of the most important traits a leader should have. He was straightforward with everything he said, and he was never afraid to speak his mind on issues that mattered to him. And yet, despite any of the pressures and frustrations that encumber a leader in combat, he kept his head cool and his professionalism was always above reproach.

He relentlessly pursued our elusive enemy with an intellect that any general would envy. There were countless times where he and I, and other leaders of the platoon, would discuss various tactics and methods we should apply in our mission, and more often than not we found ourselves listening attentively to his analysis of the situation.

He was also compassionate. In one instance, he spearheaded a platoon-level effort to capture a man who we suspected to be an IED emplacer and a high ranking insurgent in our area of operations. When we finally caught him, the insurgent knew he'd be going away for a long time. 'Caster, as we called him, gave him a final opportunity to kiss his family goodbye.

He was a soldier of the highest caliber, and yet his humility offered a pleasing contrast to his confidence in his own abilities. For all the times he furthered the interests of our platoon, I wanted to nominate him for a bronze star with a V-Device. His response was always the same—''I don't really care about awards. I just want all of us to go home alive and intact when these 15 months end.'' He was posthumously awarded his bronze star along with a purple heart; nevertheless, how ironic it is that the true heroes never want to claim themselves as such.

In his personal life, 'Caster was strongly devoted to his family. He would always sing

high praises for his wife and high school sweetheart, Tabbatha; whose outstanding cooking he would attribute both woefully and wistfully the weight gain he experienced a month before deployment. He loved her tremendously, and whenever we weren't ''talking shop'' her name was his constant refrain.

He would also speak reverently of his brother. We would listen to his stories about growing up in small town Illinois and laugh with him about all the trouble he and his brother would get into.

When he came to my platoon, he welcomed young soldiers who were far from their families to his home frequently, be it for Thanksgiving dinner or for a few beers or a football game. He made our platoon his family, and we will always cherish that bond.

I don't know what I planned to accomplish by writing this. All I know is that this man was like a brother to me, and I feel like I have to memorialize him somehow. He taught me a lot of things that I need to know about being a good platoon leader, and even now his legacy lives on in the soldiers he once led and the outstanding ways in which they conduct themselves.

I hope that I have given you a somewhat accurate picture of the man we loved, but I have a sneaking suspicion that there are no words eloquent enough to describe him. Nevertheless, I thank you in advance for taking the time to read this. Keep fighting the good fight, and we here will do the same.

Respectfully, 1LT Benjamin Kim.

SGT Andrew Lancaster of Stockton, IL, enlisted in the Army with a friend in 2002 to protect America after September 11. Before Iraq, he served as a paratrooper in Afghanistan with the Army's 173rd Airborne Brigade.

In Stockton, IL, a small town with a population of about 1,800, Sergeant Lancaster was known as Andy, the kid everybody loved, and his death really hit the folks in that community hard.

At Freeport High School, where he graduated in 2002, where he stood out in football, basketball, and choir, his teachers and coaches recall Andy Lancaster as an outgoing and responsible young man who had a way of making everyone around him happy.

When the news of his death reached that town, the high school football team posted a tribute to Sergeant Lancaster's family on its message board. Messages of support were also posted at the local ice cream shop where Sergeant Lancaster's young widow Tabby once worked.

In addition to a town and a wife who loved him, Sergeant Lancaster leaves behind his mom and his stepfather, Donna and Steve Vanderheyden; his father Harlan Lancaster; a brother, two step-sisters, and his grandparents.

He and Tabby married just before Sergeant Lancaster left for Afghanistan, and they planned to start a family when he came home. Instead, last month, Tabby Lancaster attended a ceremony at Fort Stewart at which 10 trees were planted in honor of her husband and nine other members of the 3rd Infantry Division who died recently in Iraq. Since 2003, a total of 369 trees have been planted along the base's memorial walk.

Mr. President, I regret I never had a chance to meet Andy Lancaster, but I have met so many soldiers just like him. They are natural leaders who probably succeed at whatever they choose to do in life. They certainly could have made a lot more money and lived far more comfortably, but they chose to enlist to defend our country.

Those are the kind of people we are losing every day in these wars in Iraq and Afghanistan. Like Andy Lancaster, each of them leaves a hole in the hearts of those who loved them and in the heart of our Nation. We honor their sacrifice and grieve their loss.

In a few minutes, Mr. President, we will start debating the Defense appropriations bill. It is a critically important bill. As a member of the Appropriations Committee, I know a lot of the discussion about this bill will be about numbers. This little statement that I have made on the floor, reading into the record the letter of Lieutenant Kim about his fallen sergeant, really takes this discussion and debate way beyond numbers. It reminds us of 3,800 brave soldiers, such as Andy Lancaster, who have given their lives for America, soldiers whose lives continue to be lost every single day that we continue this war.

I stand today in tribute not just to Sergeant Lancaster but to all the men and women who continue to serve us with such honor and dignity. I hope all of us who value and cherish the contributions they make will remember them in our hearts and our prayers and our votes.

Mr. President, I yield back morning business time.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 3222, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $31,734,076,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $23,338,772,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $10,291,831,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $24,155,054,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,672,440,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,801,985,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $595,372,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,368,897,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $5,947,354,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,616,560,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $11,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $28,598,563,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $6,257,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $33,150,380,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,061,649,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $32,599,333,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $22,445,227,000: Provided, That not more than $25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than $27,380,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That $4,000,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,510,286,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,187,151,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $208,688,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,816,103,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $5,800,933,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,471,745,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $11,971,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $444,879,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $300,591,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $458,428,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $12,751,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $295,249,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $63,300,000, to remain available until September 30, 2009.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $448,048,000, to remain available until September 30, 2010: Provided, That of the amounts provided under this heading, $12,000,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,273,998,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,756,979,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,122,889,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,208,976,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; and the purchase of 3 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $11,697,265,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $12,599,744,000, to remain available for obligation until September 30, 2010.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,094,687,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment,

appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,058,832,000, to remain available for obligation until September 30, 2010.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $2,703,953,000;

Carrier Replacement Program (AP), $124,401,000;

NSSN, $1,796,191,000;

NSSN (AP), $1,172,710,000;

CVN Refuelings (AP), $297,344,000;

SSBN Submarine Refuelings, $187,652,000;

SSBN Submarine Refuelings (AP), $42,744,000;

DDG–1000 Program, $2,807,437,000;

DDG–1000 Program (AP), $150,886,000;

DDG–51 Destroyer, $48,078,000;

Littoral Combat Ship (AP), $75,000,000;

LPD–17, $1,398,922,000;

LHA–R, $1,377,414,000;

LCAC Service Life Extension Program, $98,518,000;

Prior year shipbuilding costs, $511,474,000;

Service Craft, $32,903,000; and

For outfitting, post delivery, conversions, and first destination transportation, $379,811,000.

In all: $13,205,438,000, to remain available for obligation until September 30, 2012: Provided, That additional obligations may be incurred after September 30, 2012, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of 10 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,376,530,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $2,091,897,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $12,133,900,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,920,219,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $854,167,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $15,517,127,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 5 vehicles required for physical security of personnel, notwithstanding prior limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $3,246,843,000, to remain available for obligation until September 30, 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2010: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $65,092,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $11,355,005,000, to remain available for obligation until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,472,210,000, to remain available for obligation until September 30, 2009: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $26,070,841,000, to remain available for obligation until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and

equipment, $20,303,726,000, to remain available for obligation until September 30, 2009.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $180,264,000, to remain available for obligation until September 30, 2009.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,352,746,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,044,194,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law, $23,490,051,000, of which $22,650,758,000 shall be for Operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2009, and of which up to $12,341,286,000 may be available for contracts entered into under the TRICARE program; of which $362,261,000, to remain available for obligation until September 30, 2010, shall be for Procurement; and of which $477,032,000, to remain available for obligation until September 30, 2009, shall be for Research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,517,724,000, of which $1,186,500,000 shall be for Operation and maintenance; $18,424,000 shall be for Procurement, to remain available until September 30, 2010; $312,800,000 shall be for Research, development, test and evaluation, of which $302,900,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program, to remain available until September 30, 2008; and no less than $124,618,000 shall be for the Chemical Stockpile Emergency Preparedness Program, of which $36,373,000 shall be for activities on military installations and of which $88,245,000, to remain available until September 30, 2008, shall be to assist State and local governments.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation, $962,603,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund, $120,000,000: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the Fund is provided to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for Operation and maintenance; Procurement; Research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $225,995,000, of which $224,995,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2010, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $262,500,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account, $709,376,000: Provided, That of the funds appropriated under this heading, $16,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $3,700,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items,

based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2008: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8006. The Secretaries of the Air Force and the Army are authorized, using funds available under the heading ''Operation and Maintenance, Air Force'' and ''Operation and Maintenance, Army'', to complete phased repair projects, of which repairs may include upgrades and additions to Alaskan range infrastructure and training areas, to include improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8007. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8008. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8009. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

M1A2 Abrams System Enhancement Package Upgrades; M2A3/M3A3 Bradley Upgrades; and SSN Virginia Class Submarine.

SEC. 8010. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8011. (a) During fiscal year 2008, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2009 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2009 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2009.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8012. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8013. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

SEC. 8014. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 30 months after initiation of such study for a multi-function activity.

SEC. 8021. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than $31,905,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $26,553,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $4,477,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $875,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2008 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2008, not more than 5,517 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,060 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2009 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $53,428,000.

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8026. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary

of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2008. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8029. Notwithstanding any other provision of law, funds available during the current fiscal year and hereafter for ''Drug Interdiction and Counter-Drug Activities, Defense'' may be obligated for the Young Marines program.

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2009 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2009 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2009 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2009: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2009.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $10,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8038. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8039. (a) Except as provided in subsection (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8040. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the report of the Committee on Appropriations of the Senate accompanying this Act.

(RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Procurement, Marine Corps, 2006/2008'', $15,000,000;

''Missile Procurement, Army, 2007/2009'', $18,100,000;

''Procurement, Defense-Wide, 2007/2009'', $15,913,000;

''Research, Development, Test and Evaluation, Army, 2007/2008'', $13,300,000;

''Research, Development, Test and Evaluation, Air Force, 2007/2008'', $75,000,000;

''Research, Development, Test and Evaluation, Defense-Wide, 2007/2008'', $144,000,000;

''Shipbuilding and Conversion, Navy, 2007/2011'', $300,000,000; and

''Aircraft Procurement, Air Force, 2007/2009'', $72,000,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless

such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. Notwithstanding any other provision of law, funds available to the Department of Defense in this Act shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa, and funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8058. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government.

SEC. 8059. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense

and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8060. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8061. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8062. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8063. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8064. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8065. Beginning in the current fiscal year and hereafter, refunds attributable to the use of the Government travel card, refunds attributable to the use of the Government Purchase Card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance, and research, development, test and evaluation accounts of the Department of Defense which are current when the refunds are received.

SEC. 8066. (a) None of the funds appropriated in this Act may be used for a mission critical or mission essential financial management information technology system (including a system funded by the defense working capital fund) that is not registered with the Chief Information Officer of the Department of Defense. A system shall be considered to be registered with that officer upon the furnishing to that officer of notice of the system, together with such information concerning the system as the Secretary of Defense may prescribe. A financial management information technology system shall be considered a mission critical or mission essential information technology system as defined by the Under Secretary of Defense (Comptroller).

(b)(1) During the current fiscal year, a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a system improvement of more than $1,000,000 may not receive Milestone A approval, Milestone B approval, or full rate production, or their equivalent, within the Department of Defense until the Under Secretary of Defense (Comptroller) certifies, with respect to that milestone, that the system is being developed and managed in accordance with the Department's Financial Management Modernization Plan. The Under Secretary of Defense (Comptroller) may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1).

(c)(1) During the current fiscal year, a major automated information system may not receive Milestone A approval, Milestone B approval, or full rate production approval, or their equivalent, within the Department of Defense until the Chief Information Officer certifies, with respect to that milestone, that the system is being developed in accordance with the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.). The Chief Information Officer may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1). Each such notification shall include a statement confirming that the following steps have been taken with respect to the system:

(A) Business process reengineering.

(B) An analysis of alternatives.

(C) An economic analysis that includes a calculation of the return on investment.

(D) Performance measures.

(E) An information assurance strategy consistent with the Department's Global Information Grid.

(d) For purposes of this section:

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term ''information technology system'' has the meaning given the term ''information technology'' in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

SEC. 8067. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8068. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32 may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8069. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8070. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8071. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located:

Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8072. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $34,500,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8074. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2008.

SEC. 8075. The Secretary of the Air Force is authorized, using funds available under the heading ''Operation and Maintenance, Air Force'', to complete phased electrical infrastructure upgrades at Hickam Air Force Base.

SEC. 8076. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(b) In carrying out this provision, the Secretary of Defense shall give the Indian Health Service a property disposal priority equal to the priority given to the Department of Defense and its twelve special screening programs in distribution of surplus dental and medical supplies and equipment.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8077. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $155,572,000 shall be made available for the Arrow missile defense program: Provided, That of this amount, $37,383,000 shall be available for the purpose of producing Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures, $15,000,000 shall be available for an Arrow System Improvement Program-Upper Tier program for risk mitigation and preliminary design activities to enhance the Arrow Weapon system, and $42,000,000 shall be available for the Short Range Ballistic Missile Defense (SRBMD) program: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8078. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8079. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8080. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2008 until the enactment of the Intelligence Authorization Act for fiscal year 2008.

SEC. 8081. None of the funds in this Act may be used to initiate a new start program without prior written notification to the Office of Secretary of Defense and the congressional defense committees.

SEC. 8082. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as, but not limited to, the provision of funds for repairs, maintenance, construction, and/or for the purchase of information technology, text books, teaching resources), to public schools that have unusually high concentrations of special needs military dependents enrolled: Provided, That in selecting school systems to receive such assistance, special consideration shall be given to school systems in States that are considered overseas assignments, and all schools within these school systems shall be eligible for assistance: Provided further, That up to 2 percent of the total appropriated funds under this section shall be available to support the administration and execution of the funds or program and/or events that promote the purpose of this appropriation (e.g. payment of travel and per diem of school teachers attending conferences or a meeting that promotes the purpose of this appropriation and/or consultant fees for on-site training of teachers, staff, or Joint Venture Education Forum (JVEF) Committee members): Provided further, That up to $2,000,000 shall be available for the Department of Defense to establish a non-profit trust fund to assist in the public-private funding of public school repair and maintenance projects, or provide directly to non-profit organizations who in return will use these monies to provide assistance in the form of repair, maintenance, or renovation to public school systems that have high concentrations of special needs military dependents and are located in States that are considered overseas assignments: Provided further, That to the extent a Federal agency provides this assistance, by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose, if the non-Federal entity requests such assistance and the non-Federal funds are provided on a reimbursable basis.

SEC. 8083. The Department of Defense and the Department of the Army shall make future budgetary and programming plans to fully finance the Non-Line of Sight Future Force cannon (NLOS–C) and a compatible large caliber ammunition resupply capability for this system supported by the Future Combat Systems (FCS) Brigade Combat Team (BCT) in order to field this system in fiscal year 2010: Provided, That the Army shall develop the NLOS–C independent of the broader FCS development timeline to achieve fielding by fiscal year 2010. In addition the Army will deliver eight (8) combat operational pre-production NLOS–C systems by the end of calendar year 2008. These systems shall be in addition to those systems necessary for developmental and operational testing: Provided further, That the Army shall ensure that budgetary and programmatic plans will provide for no fewer than seven (7) Stryker Brigade Combat Teams.

SEC. 8084. Up to $3,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' in this Act for the Pacific Missile Range Facility may be made available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional missions critical to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8085. The budget of the President for fiscal year 2009 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8086. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8087. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8088. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only

be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8089. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the Senate and the House of Representatives, unless sooner notified by the Committees that there is no objection to the proposed transfer: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8091. (a) The total amount appropriated or otherwise made available in title II of this Act is hereby reduced by $39,693,000 to limit excessive growth in the travel and transportation of persons.

(b) The Secretary of Defense shall allocate this reduction proportionately to each budget activity, activity group, subactivity group, and each program, project, and activity within each applicable appropriation account.

SEC. 8092. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8093. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the Extended Range Multi-Purpose (ERMP) Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8094. Of the funds provided in this Act, $10,000,000 shall be available for the operations and development of training and technology for the Joint Interagency Training Center-East and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agency, and State and local first responder personnel at the Joint Interagency Training Center-East.

SEC. 8095. The authority to conduct a continuing cooperative program in the proviso in title II of Public Law 102–368 under the heading ''Research, Development, Test and Evaluation, Defense Agencies'' (106 Stat. 1121) shall be extended through September 30, 2009, in cooperation with NELHA.

SEC. 8096. The Secretary of Defense may present promotional materials, including a United States flag, to any member of an Active or Reserve component under the Secretary's jurisdiction who, as determined by the Secretary, participates in Operation Enduring Freedom or Operation Iraqi Freedom, along with other recognition items in conjunction with any weeklong national observation and day of national celebration, if established by Presidential proclamation, for any such members returning from such operations.

SEC. 8097. Up to $15,000,000 of the funds appropriated under the heading, ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8098. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions the total amount appropriated in title II of this Act is hereby reduced by $470,000,000, the total amount appropriated in title III of this Act is hereby reduced by $506,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $367,000,000, and the total amount appropriated in title V of this Act is hereby reduced by $10,000,000: Provided, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8099. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: Provided, That this limitation does not apply in the case of inpatient mental health services provided under the program for persons with disabilities under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8100. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8101. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2009.

SEC. 8102. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8103. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8104. From amounts appropriated in this or previous Acts making appropriations for the Department of Defense which remain available for obligation, up to $20,000,000 may be transferred by the Secretary of the Navy to the Secretary of the Department of the Interior for any expenses associated with the construction of the USS ARIZONA Memorial Museum and Visitors Center.

SEC. 8105. (a) Notwithstanding any other provision of law, the Department of Defense shall complete work on the destruction of the United States stockpile of lethal chemical agents and munitions, including those stored at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, by the deadline established by the Chemical Weapons Convention, and in no circumstances later than December 31, 2017.

(b) REPORT.—

(1) Not later than December 31, 2007, and every 180 days thereafter, the Secretary of Defense shall submit to the parties described in paragraph (2) a report on the progress of the Department of Defense toward compliance with this section.

(2) The parties referred to in paragraph (1) are the Speaker of the House of Representatives, the Majority and Minority Leaders of the House of Representatives, the Majority and Minority Leaders of the Senate, and the congressional defense committees.

(3) Each report submitted under paragraph (1) shall include the updated and projected annual funding levels necessary to achieve full compliance with this section. The projected funding levels for each report shall include a detailed accounting of the complete life-cycle costs for each of the chemical disposal projects.

(c) In this section, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with annexes, done at Paris, January 13, 1993, and entered into force April 29, 1997 (T. Doc. 103–21).

SEC. 8106. Not later than 90 days after enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit a classified report to the congressional defense committees and to the Subcommittees on Energy and Water Development of the Senate and House Appropriations Committees on the policies and procedures governing the storage and logistic movement of U.S. nuclear weapons and nuclear components through all phases of the nuclear weapons cycle from cradle to grave: Provided, That the report shall include a review and evaluation of the suitability and effectiveness of—

(1) The standards and procedures for ensuring accountability of nuclear weapons and components.

(2) The standards and procedures for the transfer of custody of nuclear weapons.

(3) The documentation used for the purpose of property accountability, custody receipting, and shipping transactions.

(4) The standards and procedures for nuclear surety inspections.

(5) The training of all personnel involved in the handling, management, and accountability of nuclear weapons and components.

This Act may be cited as the ''Department of Defense Appropriations Act, 2008''.

Mr. INOUYE. Mr. President, I ask unanimous consent that the committee-reported substitute amendment

be considered and agreed to, the bill, as amended, be considered as original text for the purpose of further amendment, and that no points of order be considered waived by this agreement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

Mr. INOUYE. Mr. President, I rise today to discuss H.R. 3222, a bill making appropriations for the Department of Defense for Fiscal Year 2008. The bill that I present on behalf of the Appropriations Committee was approved unanimously by the Committee on September 12. Senator STEVENS and I crafted this bill together in a bipartisan fashion. It appropriates $459.6 billion in new budget authority which is equal to the subcommittee's 302b allocation. This amount is $3.5 billion less than the funding requested by the administration, not including supplemental spending for the cost of war. It is the same level as recommended by the House.

I say to my colleagues this is a good bill, one that is critical for our Nation's defense. We believe it meets the Senate's priorities: ensuring readiness, protecting our forces, and acquiring the critical equipment that our service men and women need and deserve.

The bill fully funds a 3.5 percent military and civilian pay raise, a half percent more than requested.

It recommends adding nearly $950 million for the Defense Health Program to ensure that the health of our military families is protected. This includes $486 million above the budget request to support our military hospitals which suffer from significant shortfalls and are stressed by our wounded heroes returning from war.

The Appropriations Committee included $1 billion above the President's request to purchase equipment for our National Guard and Reserves recognizing the serious shortfalls that exist in our reserve components.

It fully funds the Army's highest priority, the Future Combat System.

It supports the purchase of 20 F–22s and 12 Joint Strike Fighters as requested.

The bill includes $470 million to support a multi-year purchase of the *Virginia* class submarine, and provides full funding for the V–22 for the Marines.

It would fund the authorized level for the Missile Defense Program, about $300 million below the request.

As my colleagues all know, this is a massive bill, with thousands of programs. While most of the administration's proposal is funded as requested, the bill is not a rubberstamp. Senator STEVENS and I have recommended reductions in many programs because of schedule delays, cost increases, or other similar problems. In each case it is our judgment that the funds should be reapplied to other areas to address other urgent needs. In doing so, we have been able to increase funding for health care, National Guard equipment, a higher pay raise, and many other worthy initiatives.

We should also raise the subject of earmarks in this measure. As you know, the Congress passed new legislation which requires that the committee identify each congressionally directed spending item, which we commonly refer to as earmarks. I want to point out that this bill includes more than $4 billion in adds which were not requested by the President. However, under the definition in S. 1 very few of these items are earmarks. For example, in many cases, the committee chose to provide funding for items not because they were requested by a Member of the Senate, but because of the national merits of the program. Under the definition in S. 1, these are not earmarks. None the less we have included in the report the name of all Members who requested such increases. In fact, to ensure full transparency the committee report not only lists the few earmarks that are required by law, but includes any item funded by the committee for which a Member sought an increase above the President's request. We have gone way beyond the legal requirement to increase transparency. We have nothing to hide in the funding that we are recommending in this measure. I am confident the Members who requested these funds have no reason not to have their names listed.

Today is October 2. We have already started a new fiscal year. Our Defense Department is operating on scaled back funding under a short term continuing resolution. That is no way to provide for our common defense. It is critical that we expedite the consideration of this measure to ensure that our men and women in uniform and their families have the funding they need for their pay, their hospitals, their housing, and their schools. The funding that we recommend in this measure to equip our forces is critically needed as soon as possible.

We understand the desire of many Members to address policies which relate to the war in Iraq. The war is extremely controversial; our Nation is divided. This matter is so serious it deserves the Senate's full attention and thoughtful debate, but that will take time. While we don't all agree on the proper course in Iraq, there remains one thing in which there is universal agreement. We must support those who are willing to wear our Nation's uniform and make the sacrifices to protect the rest of us. That is a huge sacrifice.

We hope that in the coming weeks the Senate will consider a supplemental spending measure to address funding for the wars in Iraq and Afghanistan and the global war on terrorism. We would urge our colleagues to hold off on supplemental related issues until that bill is considered.

To this end, I have resolved to oppose any amendment which could jeopardize quick enactment of this bill. We can best show our support to the military by completing action on the fiscal year 2008 Defense appropriations bill as quickly as possible. I hope all of my colleagues will be able to endorse these recommendations and work with us to pass this legislation. Our men and women in uniform deserve no less.

I yield the floor. I hope the Chair will recognize the vice chairman of the committee.

The ACTING PRESIDENT pro tempore. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I am pleased to endorse the comments of the chairman of our subcommittee regarding this Defense appropriations bill for fiscal year 2008 to the Senate. This bill does reflect a bipartisan approach. This is the approach Senator INOUYE and I have always maintained regarding the Department of Defense appropriations. The fact is this bill was reported out of the full Appropriations Committee almost 3 weeks ago by a unanimous vote. We hope, as the chairman of the subcommittee said, to finish this bill this week so we can proceed to conference as soon as possible after the October recess for Columbus Day.

Our fiscal year began yesterday. Normally this bill would have been signed by the President by this time. But it is a matter that still has extreme urgency, as far as I am concerned, to get it before the President. As Senator INOUYE has said, as a temporary measure we do have the continuing resolution in place to keep operations ongoing in the Department of Defense until this bill becomes law. That is a temporary measure. There are many acquisition activities that simply cannot be initiated under a continuing resolution. They require an annual appropriations bill to be enacted.

Under the continuing resolution, there are very limited amounts available each month to the Department. That is not sufficient to sustain a force in the field as we have in Afghanistan and Iraq. As a matter of fact, there are hundreds of thousands of men and women in uniform deployed throughout the world. They serve our country now in over 154 countries, and in our own country here, in the United States. Their bravery and dedication to our country is extraordinary and their sacrifices do not go unnoticed. We must not lose sight of our responsibility to support them in an expeditious manner, and completely. These people depend on us and it is our job to see to it they have all of the supplies, ammunition, and equipment they need to carry out their orders.

Each year the Department of Defense faces the critical challenge of balancing the cost of maintaining high levels of readiness, being ready to respond to any call wherever it occurs, whenever it is necessary. This means we must adequately invest in those technologies that will prepare us for the future, prepare us for the threats of

tomorrow as well as conduct the activities we have ongoing in those 154 countries and in particular in Iraq and Afghanistan.

The bill Senator INOUYE and I present today reflects a prudent balance among those challenges. I concur—may I say I concur reluctantly—in Senator INOUYE's request that we not have supplemental items added to this bill. This is the first year we have not had, as part of the bill, a so-called bridge to cover the transition between one fiscal year to the next, in terms of the demands of the war. Very clearly, if we are going to send the MRAPs over to Iraq—these are the new vehicles that protect lives, that are saving lives—we need funding in advance. I am told we have over 30 different manufacturers working on these machines now. They have to be paid. I do believe the supplemental is absolutely necessary and I am very worried about it. It is to me a very difficult thing to believe the time might come when we do not have the money to pay for these MRAPs and they will stay in this country rather than be taken to Iraq and Afghanistan.

There are other new facilities and equipment that are needed by the Department of Defense. This is an ongoing. I was talking to my colleague Sid Ashworth today about the transformation of the military. At the same time as our people are fighting in Iraq and Afghanistan and are defending us in these other 152 countries, we face the problem of transforming our military into the military of the future. New technologies, new techniques, and new requirements demand change. That change demands new equipment and new research to assure we have the basic equipment and technology base we need to protect this country for the future.

I worry about a process that is slowing down the money that now for 4 years has been presented in a supplemental, an addition to this bill as it was passed. This will be the first year we have not included that in the consideration of the appropriations bill. As I said, I am following the lead of our chairman, but I do believe we cannot go home this year without providing the money to carry over through the new year and into the period of next year before we can get another bill passed.

This is, to me, a very serious matter and one I hope to speak on later, at great length, as a matter of fact. But I do again thank Senator INOUYE, our chairman, for his courtesy, his leadership, and his friendship as we move this bill to the floor.

We welcome for consideration any amendments our colleagues wish to present.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUYE. Mr. President, on August 2, 2007, by a vote of 83–14, the Senate approved S. 1, the Honest Leadership and Open Government Act of 2007. The President signed the legislation on September 14, 2007. This ethics reform legislation will significantly improve the transparency and accountability of the legislative process.

Pursuant to new rule 44, the chairman of the committee of jurisdiction is required to certify that certain information related to congressionally directed spending has been identified.

The required information must be available on a publicly accessible congressional Web site in a searchable format at least 48 hours before a vote on the pending bill. In addition, Members who request such items are required to certify in writing that neither they nor their immediate family have a pecuniary interest in the items they requested. And, the committee is required to make those certification letters available on the Internet.

The information provided includes identification of the congressionally directed spending and the name of the Senator who requested such spending.

This information is contained in the committee report numbered 110–155, dated September 14, 2007, and has been available on the Internet for 2 weeks. The Member letters concerning pecuniary interest are also available on the Internet.

I am submitting for the record the certification by the chairman of the Committee on Appropriations.

I send to the desk such certification and ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Senator BYRD: I certify that the information required by Senate Rule XLIV, related to congressionally directed spending, has been identified in the Committee report numbered 110–155, filed on September 14, 2007, and that the required information has been available on a publicly accessible congressional website in a searchable format at least 48 hours before a vote on the pending bill.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

AMENDMENT NO. 3117

Mr. GRAHAM. Mr. President, I have an amendment I would like to send to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM], for himself and Mr. GREGG, Mr. MCCONNELL, Mr. VITTER, Mr. CORKER, Mr. KYL, Mr. DOMENICI, Mr. CHAMBLISS, Mr. CORNYN, Mr. SUNUNU, and Mr. MCCAIN, proposes an amendment numbered 3117.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the security of United States borders)

At the appropriate place, insert the following:

SEC. ____. BORDER SECURITY REQUIREMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Border Security First Act of 2007''.

(b) APPROPRIATIONS FOR BORDER SECURITY.—There is appropriated, out of any money in the Treasury not otherwise appropriated, $3,000,000,000 for fiscal year 2008—

(1) to achieve and maintain operational control over the entire international land and maritime border of the United States including the ability to monitor such border through available methods and technology, as authorized under the Secure Fence Act of 2006 (Public Law 109–367);

(2) to hire and train full-time border patrol agents, as authorized under section 5202 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458);

(3) to install along the international land border between the United States and Mexico—

(A) fencing required under section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note)); and

(B) vehicle barriers, unmanned aerial vehicles, ground-based sensors and cameras; and

(4) to remove and detain aliens for overstaying their visas, illegally reentering the United States, or committing other crimes for which they would be subject to removal; and

(5) to reimburse States and political subdivisions of a State, for expenses that are reimbursable under 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)).

(c) EMPLOYMENT ELIGIBILITY VERIFICATION.—Of the amounts appropriated for border security and employment verification improvements under subsection (b), $60,000,000 shall be made available for employment eligibility verification, as authorized under subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

(d) EMERGENCY REQUIREMENT.—Amounts appropriated under subsection (b) are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

Mr. GRAHAM. Mr. President, this amendment I have offered would appropriate $3 billion in emergency spending for border security operations. It is virtually the same amendment we had on the DHS appropriations bill.

The amendment will allow purchases to be made for unmanned aerial vehicles, ground sensors, and vehicle barriers. It provides funding for the construction of 700 miles of fencing. It would establish operational control over all of our borders. It provides funding to obtain more bed space to detain immigrants for overstaying their visas, and it provides funding for States and localities that undergo training to assist the Federal Government in enforcing immigration law.

There has been a veto threat on the DHS bill. I am hoping that this amendment, which passed 89 to 1—a similar version of it on the DHS appropriations bill—will find its way on this legislation, which I hope will get signed into law by the President.

With that, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, is the pending business the Graham amendment?

The PRESIDING OFFICER. It is.

AMENDMENT NO. 3119 TO AMENDMENT NO. 3117

Mr. GREGG. I send an amendment to the Graham amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 3119 to amendment No. 3117.

Mr. GREGG. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment, add the following:

This section shall become effective 1 day after the date of enactment.

Mr. GREGG. Mr. President, I rise in support of the Graham amendment. It is an amendment which I have been involved in helping to develop. It is an amendment that was offered on the Homeland Security bill, and essentially it is the same concept. The purpose of this amendment is something on which I think there is general agreement in the Senate, which is that we supply adequate resources to make sure that our border is secure.

Now, this is an effort we have been pursuing for quite a while. I had the good fortune to be chairman of the Subcommittee on Homeland Security of the Appropriations Committee, and during that time we dramatically increased our commitment to border security, especially in the area of the number of agents, in the area of the number of detention beds, in the area of fencing, in the area of electronic and virtual fencing, and in the area of making technology available and support facilities available to border security agents, and the ICE agents. It is a ramping-up process, however, and there is still a ways to go, although we have made very significant strides. Unfortunately, in our opinion, on this side of the aisle—and this amendment was agreed to by the other side of the aisle for all intents and purposes when it was offered on Homeland Security—there is a need for additional funding to make sure that we put in place the resources which will basically assure the American people that the southern border can and will be secured.

Now, what does that require? Well, this amendment doesn't put specific numbers relative to the number of agents or detention beds or fencing, but what it does put in place is an additional $3 billion in emergency funding, which will essentially go toward three major areas, the first of which is agents. We know that we need about 20,000 agents on the border. We know we are headed toward that number, but we know it is going to take a significant increase in funding for us to get to that.

Now, we wish we could sort of wave a magic wand of dollars and produce these agents overnight, but we can't. These people are highly skilled. They require special qualities as individuals. They have to be obviously law enforcement individuals, but they also have to speak Spanish. They have to have the character and the personality to be able to work in a very intense environment and deal with very threatening situations, while at the same time dealing with people who are coming across the border and trying to make a better way of life for themselves and shouldn't be treated in a criminal way but should be treated as decent human beings trying to seek a better way of life in the United States, who try to come in inappropriately but having to go back. Handling that type of situation requires a little bit more care and sensitivity than dealing with somebody who is coming across to sell drugs.

So the individuals we need to attract into the border security effort are high-quality, high-caliber individuals. You can't gather them up overnight. It takes awhile to get the applicants and then put them through the schooling process, and it does take money to do that. This amendment will allow us, to the extent that we can find these types of individuals to populate this workforce, to do exactly that so we will have a full complement of agents on the southern border.

In addition, it will add detention beds which are critical. There is a belief that we need around 33,000 detention beds, I think is the number. We are headed toward building out a significant number of detention beds, and this amendment—or the dollars in this amendment—will give the Department the resources it needs to accomplish the additional detention beds.

Why are detention beds important? Because we have gone from a policy which was essentially catch-and-release of 2 years ago, or 3 years ago, to a policy where we actually catch and hold people. We no longer say come back in a few months after we catch you crossing the border illegally; we would say come back in a few months and appear before the court, and what happened was people never came back. We would send them off and they would never return, not surprisingly. Now we hold these folks, and we make sure they have their day in court, that they receive the proper protections of our law enforcement system, but that if they are found to have entered this country illegally, they get sent back. But it takes money, and that is why this amendment is important.

Thirdly, we are building a fence in those areas, a physical fence in those areas where we need fencing. Fencing isn't appropriate for the entire border, but in our more urban areas along the border, it is appropriate, and it is expensive. So this money in this bill will allow us to complete the fencing commitments which we think are necessary. Equally important, it will put in place the operations of what amounts to what we call a virtual fence, but it is a real fence. There will be towers essentially. We have a tremendous electronic surveillance capability, oversight capability through unmanned aerial vehicles. All of this has been put into the works, and we are in the process of building out this system of surveillance in nonphysical fenced areas but areas which will have basically an electronic fence and a visual capability. But that, again, costs a lot of money. So this amendment fully funds the movement in that direction. That is what we need to do. We need to spend this money.

Now, it is a lot of money, $3 billion, there is no question about it. But I see it very much as part of the war on terror, as a necessary element to protecting our culture and our society. A country which can't control its borders, which doesn't know who is coming across its borders, is a country which is at considerable risk. It is at considerable risk for a lot of reasons, but obviously the primary reason is the threat of terrorism. We have an obligation to our citizenry to make sure as people come across the southern border, we know who they are and we know that they are coming across legally.

I think the American people have grown—and rightly so, I am afraid—a little cynical about our efforts on the southern border. They see us say: Well, we are going to secure the southern border, but then they don't see us putting the resources on the border to accomplish that. These dollars will complete the debate on the issue of resources. The dollars will be there. Whether the management capability is there, whether the build-out capability is there, that is still an issue—I admit to that—but at least the dollars will be in the pipeline to accomplish this goal.

So as a practical matter, I think this is a very important step forward. I congratulate the Senator from South Carolina, who has been a leader on this effort for awhile. He was obviously a leader on immigration reform, and he has backed up his words on immigration reform, in that the first step in effective immigration reform is effective border security.

That is true. That is essential. He has backed that up with this amendment which puts the dollars in place to accomplish this. That is a corollary to this whole debate, which is that we do need to significantly overhaul our immigration laws, make them more appropriate to the times and to the situations. But you cannot get the public

confidence to do immigration reform unless the American people believe at the outset that our border—especially the southern border—is secure from people being able to cross willy-nilly into this country illegally.

These dollars will put in place the resources necessary to accomplish that, to make sure our southern border is secure on the issue of crossings. It may take a couple years for them to bear fruit because there is not an instant response with the hiring of agents. But the fact is that the resources will be in the pipeline to accomplish that, and the American people can have confidence that it is going to occur.

I congratulate the Senator from South Carolina for his amendment. I am happy to join him as a cosponsor of the amendment. I hope it will be adopted unanimously or with a large majority.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

RECESS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m.

There being no objection, the Senate, at 12:16 p.m., recessed and reassembled at 2:15 p.m. when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. Who seeks recognition?

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008—Continued

Mrs. BOXER. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3126

(Purpose: To prohibit waivers for enlistment in the Armed Forces of individuals with certain felony offenses)

Mrs. BOXER. Mr. President, I send to the desk an amendment, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3126.

The amendment is as follows:

At the end of title VIII, add the following:

SEC. 8107. No amounts appropriated or otherwise made available by this Act may be used to provide a waiver for enlistment in the Armed Forces of an individual convicted under Federal or State law of any felony offense, during the five-year period ending on the date of the proposed enlistment of such individual in the Armed Forces, as follows:

(1) Aggravated assault with a deadly weapon.

(2) Arson.

(3) Hate Crime.

(4) Sexual misconduct.

(5) Terrorist threatening.

Mrs. BOXER. Mr. President, I thank the clerk for reading my amendment. I had it read because it is such common sense. I think if you went out on the street and you asked any American: Do you think there are people serving in the military who, within the last 5 years, were convicted of aggravated assault with a deadly weapon or a sex crime or a hate crime or making a terrorist threat that was a phony terrorist threat? They would say: Oh, no; no one like that would be let in, not if they did something like that within the last 5 years.

That is what leads me to this commonsense amendment. It is hard for me to believe I have to fight for this. This amendment may not pass, which is stunning to me when I think of how clear the issue is.

I guess I would ask a mom or a dad who has a son or a daughter over there, would they want their child in a foxhole with someone who was convicted twice of assault with a deadly weapon. Do you want someone in a foxhole with your son or daughter who was convicted of a sex crime? I think they would say no.

So here is where we are. In recent years, the U.S. Army in particular has dramatically increased the number of waivers it grants for admission into its ranks of those convicted of a felony. Now, let me be clear. It is against the rules to allow anyone to come into the military who has a felony conviction. However, there is a loophole which says waivers can be granted in certain circumstances.

Now, I totally understand. For example, let's say as a young man or woman some potential recruit tried drugs because it was the thing in his school. He did it, but he regrets it and is over it. He was convicted, but he has promised never to use drugs again. OK, give someone a chance. That is the American way. Give someone a chance. But for these particular felonies, which I will outline again and explain what they are, I think if someone has been found guilty within the last 5 years, it is an open-and-shut case.

Now, I understand the Army is under incredible strain right now and is facing a difficult recruitment environment. I realize there may be times that they are going to ask for these waivers. I know they do it for health reasons and other things, but there is a point at which it goes too far; that is, the point at which it is dangerous. When you hear about the increase in felony recruitment, you will agree it is alarming. Rather than strengthening our military, it weakens our military.

Listen to these numbers: In 2004, the Army granted 360 waivers to recruits with felonies on their records. In 2005, the number grew to 571. And in 2006, the number grew to 901. The 901 figure is a 59-percent increase over the 2005 number, and a 150-percent increase over the 2004 figure. So I believe the spirit of the law that allows these waivers is being violated. Nobody thought that it would reach these proportions.

Again, I think people deserve a second chance in this country if they have served their time and they are rehabilitated. That is why I have in this amendment a 5-year cooling off period so we know that they have been clean for 5 years of these types of crimes. But the Army should not drastically lower its standards because it cannot find enough recruits, and it should not seek out individuals who have had disturbing personal histories involving violence.

I just read in the newspaper the other day that the military is going to these criminals if they are undergoing rehab. They go right there. Army recruiters actually attended a job fair for ex-convicts in Houston in August of 2006. Many experts believe this is leading to a spike in gang activity in the military. Listen to this FBI report: ''Gang related activity in the U.S. military is increasing.'' This is a direct quote. ''Members of nearly every major street gang have been identified on both domestic and international military installations.'' According to this report, these members can ''disrupt good order and discipline'' while in the military.

Here is the alarming part, and this is the FBI—the Federal Bureau of Investigation—speaking, not Senator BARBARA BOXER or any other Senator. Upon discharge, ''they may employ their military training against law enforcement officials and rival gang members and such military training could ultimately result in a more organized, sophisticated and deadly gang as well as an increase in deadly assaults on law enforcement officials.'' The FBI is saying that an abuse of these waivers is leading to a more dangerous America, more dangerous for law enforcement—more gangs.

This is not what our country needs. It is not what our wonderful brave men and women in uniform need right now. They have enough problems to deal with in Iraq. They are in the middle of a civil war. This President has no plan to get them out. While the military says there is no military solution, this President is doing nothing about a long-term solution. We find our young men and women in harm's way in the middle of a civil war in a mission that has changed about five or six times, and now they have to worry that they are serving next to someone who has been convicted of aggravated assault with a deadly weapon, arson, terrorist threatening, or sexual misconduct—imagine, with all they have to worry about.

I am going to share with my colleagues a chart that I do not believe has ever been made public before. This is the list of all the different felony waivers that have been granted—adult, juvenile, and the total. Look at this list of waivers that has been granted. I am going to go through, for my colleagues and for the American people to see, what crimes have been committed by recruits.

I mentioned the top two and aggravated assault with a deadly weapon, then arson, attempt to commit a felony, breaking and entering, burglary with burglary tools, a bad check worth less than $500, embezzlement, forgery, hate crime, larceny, narcotics, negligent vehicular homicide, riot, robbery, sexual misconduct, stolen property knowingly received, terrorist threatening, unauthorized use of a motor vehicle, criminal libel, illegal or fraudulent use of a credit card—$500 or more—perjury or subornation of perjury, car theft, mail—abstracting, destroying—indecent acts with a minor, manslaughter, kidnaping or abducting a child. Kidnaping or abducting a child? We took in three recruits.

What I have attempted to do is pick out the ones I believe would be an open-and-shut case here of where we would not want someone recruited into the military who has been convicted of these particular crimes: aggravated assault with a deadly weapon, arson, hate crime, sexual misconduct, or terrorist threatening. There were 13 of those.

I want to protect our men and women in uniform. I have deep respect for them. In my State, we have lost more than any other State—23 percent those killed in Iraq have been from or based in my State. I want the men and women from my State and every other State to feel comfortable that their buddies will truly be their buddies and that they share the same values of right and wrong. I want to keep it that way.

Larry Korb, who served as Assistant Secretary of Defense under Ronald Reagan, said, ''The more of those people you take the more problems you are going to have and the less effective they are going to be.'' This is Larry Korb, who served as Assistant Secretary of Defense under President Reagan: ''The more of those people you take the more problems you are going to have.''

GEN Barry McCaffrey, who commanded U.S. forces during the gulf war, said, ''By and large these are flawed recruits. Those getting waivers won't be sergeants.'' General McCaffrey pointed to the lessons of postwar Vietnam. ''It took us a decade to take a fractured Army and turn it around. We don't have 3 years this time.'' That is Barry McCaffrey.

Retired LTG William Odom, who was the Army's chief intelligence officer from 1981 to 1985, has called the increase in waivers ''disturbing.'' The Army's chief of intelligence for 4 years called the increase in waivers ''disturbing.''

The last thing our servicemembers need to worry about is whether there are violent felons in their ranks. It sets back the quality of our forces. It can severely set back our mission.

I would like to share one particular story about lowering standards. I think we are all very familiar with the story of PVT Steven Green. As you will remember, Private Green is the soldier charged with the deaths of an Iraqi family of four. According to the reports, Private Green went to the home of an Iraqi family with three other soldiers. He ended up raping the 14-year-old daughter before killing her and setting her body on fire. He is also alleged to have killed the other family members. This turned into an international news story that once again brought negative attention to our country, infuriating Iraqis and making the lives of our troops that much more difficult.

Private Green was admitted to the Army after being given a waiver. In the case of Private Green, it was a waiver for a misdemeanor offense, and I am not even stopping that with my amendment. I am not even stopping that with my amendment. I am going to the most egregious crimes. That story illustrates the potential consequences of going down a path where standards are dramatically lowered.

Let me spell out specifically how my amendment addresses the issue. The amendment simply says the military cannot offer a waiver for enlistment to the Armed Forces to individuals convicted of these felonies: aggravated assault with a deadly weapon, arson, hate crime, sexual misconduct, or terrorist threatening. They cannot get a waiver if they have committed any of these and they were convicted of it in the last 5 years.

If someone stands up and says: Give people a second chance, then they have not read my amendment because we are giving people a second chance. We are saying: If you are clean for 5 years, OK. And we are not even touching all these other waivers—unauthorized use of a motor vehicle, car theft, even indecent acts with a minor. I will tell you, if I had my way, I would put that one on—and kidnaping—but I just picked five.

So we provide for a cooling-off period, and we believe that cooling-off period—5 years clean—will give the military some information that people are, in fact, on the straight and narrow path.

Unfortunately, we do not see the global challenges we face going away. We need our men and women in uniform not only to be soldiers but to be ambassadors to the world. They are the best we have. This amendment helps to ensure we have the right men and women to do that job. I hope we will get support for this amendment. I say to my colleagues who vote against this amendment, the only message you are sending to the people who are serving honorably is: You know what, we are so desperate, we are willing to put you at risk.

Again, I ask a rhetorical question: How would you feel if your son or daughter or grandson or granddaughter wound up in an awful situation with someone who had committed and was convicted of aggravated assault with a deadly weapon?

There is one more thing I would like to do before I yield the floor, and that is to describe these felonies, how they are defined.

Arson, generally, is the malicious burning of another's dwelling. It can be intentional or a fire set with reckless disregard of obvious risks, in some States. Seven waivers were granted for arson.

Aggravated assault with a deadly weapon is the intentional creation of reasonable fear of imminent bodily harm by use a deadly weapon. An example would be pointing a gun at someone, pointing a knife, swinging a baseball bat, threatening violence or harm with a weapon in a manner to create a reasonable fear of imminent bodily harm—40 waivers for that.

Terrorist threatening: intentionally making false statements regarding a weapon of mass destruction such as placement on a government or school property—essentially placing a fake WMD on government property without permission; threatening to cause death or serious injury for the purpose of terrorizing others, their property, school, or teachers; a false statement that could cause dangerous evacuation from buildings or airports. It could be bomb threats, threats of poison-laced letters, or threats of mass shootings at school. Waivers granted there.

Hate crimes. Most of the States penalize crimes of violence or intimidation based on race, color, religion, national origin, and when we are looking at our military we are looking at the face of diversity, and someone who has been convicted of a hate crime within the last 5 years—I think they need to think about what this country stands for and how it is based on equality for all before they are taken into the military.

Sexual misconduct. Rape, sexual assault, forcible sodomy, sodomy of a minor—those are nonwaiver, but the category that is waiverable is solicitation of sex, indecent exposure, illegal possession of pornography.

So these are crimes which I think simply are too much to ask our men and women in uniform to deal with in new recruits.

I would point out something else. Because the Army has been so desperate to get new recruits, they are paying tens of thousands of dollars, and now we have a situation where these convicted felons are getting this money, to boot. It may not be that many people—maybe we are talking about 100. Overall, it has been 90+. We are making a point here that our men and women in uniform deserve better protection than this. We fight so hard, and we must fight to get them the bulletproof vests, to get them the up-armored HMMWVs

to protect them from IEDs, from all the horrors they face. Yet we allow into the military—indeed, we pay bonuses to get into the military—people who have been convicted of very serious crimes. It is not fair, it is not right, it is not just, and I hope there will be strong support for this amendment.

I yield the floor.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. There is not a sufficient second. There are no Republicans on the floor.

Mrs. BOXER. OK. We will ask for that later.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, I find it, firstly, very difficult to speak in opposition to this amendment. But I do so after consulting with the senior members, the chairman and the vice chairman, of the Armed Services Committee, the Senator from Michigan, and the Senator from Arizona.

I have been assured that after due consideration and investigation, they have been convinced that the process of waivers does work. In fact, the investigation has suggested that those who have served after receiving such waivers have done much better in serving our Nation than those who came without any crime.

We should keep in mind that when we speak of certain crimes, there is no standard rule throughout the United States. In different States, certain activities are considered criminal, in other States it is not even mentioned.

I was an assistant prosecutor a long time ago. I find that in certain States certain activities are considered conservatively and other areas very liberally. For example, in recent days, we have been hearing much about the demonstration in Louisiana on the Jenna 6. Would that be a crime in other States? In other communities? I do not think we have the answer because we know that, depending on jurisdictions, certain activities may be criminal and in others of no concern.

Whatever it is, on behalf of the Defense Appropriations Committee, I am calling on the leadership of the Armed Services Committee to conduct a thorough further investigation on this matter. If it does work, and if it is necessary to provide waivers to get certain skills into our military, then we should be told why.

But as of this moment, I cannot ignore the advice that I have received from my colleagues who are leaders of the authorizing committee. So, accordingly, at the appropriate time, I will make a motion to table this amendment.

Before I do, if I may be very personal about this, I have been a victim of hate and hate crimes, so I do know something about hate crimes. If you can imagine my returning from World War II in my full regalia, uniform with four rows of ribbons, with a hook in my right hand, and going to a barber shop, and they looked at me and said: Are you a Jap?

When I told them, no, I am an American: But your parents, are they Japs?

And I have to say: Yes, they are Japanese.

Well, we do not cut Jap hair.

Well, in some jurisdictions, that was appropriate and proper. Today we do have jurisdictions where we do have segregation, maybe not legally but understandably we do.

So as I have indicated, at the appropriate time, I will make a motion to table the Boxer amendment. It is not a happy deed. But I believe at this moment, under the circumstances, I am compelled to do so.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The Senator from California.

Mrs. BOXER. Madam President, I note the Senator is waiting to be heard. I will be brief, but I do want to respond.

I so appreciate the fact that Senator INOUYE spoke to our colleagues on the Armed Services Committee. But I do think we need to use our own brains and our own common sense. I do think when I look in the eyes of parents who are sending their kids into the military, they need to know, they need to know that in addition to the dangers of this war, in addition to the danger of being thrust into the middle of a civil war, they should not have to deal with the danger of a convicted felon who has used a gun and put that gun against somebody's head within the past 5 years.

We all know that the committees are very close to the military. I understand that. But is not there a time for us to stand up and show a little spunk and spine here and state the obvious, that although we all support waivers, because there are certain cases where a waiver may make sense, there is such a thing as an abuse of a waiver. If you look at the numbers and see we are up to almost 1,000 of these waivers, things are getting out of control.

Now, I know that both the Armed Services Committee, the authorizers and the Appropriations Committee, which are very powerful committees, do not like this amendment. They want me to go away. They have offered now twice, the authorizing and appropriations: Will you not take a study and go away?

Yes, I want to have a study. But, no, I do not think we should walk away from this. This is a commonsense amendment. This takes five of the whole list of crimes—and I will repeat what they are: arson, aggravated assault with a deadly weapon, sexual crimes, hate crimes, and making a terrorist threat.

I think for this year, do not pay bonuses to these people who have been convicted of these crimes for the last 5 years and do not take them into the military. That would send a signal to the military that they need to do their own study. It is stunning to me that we would have to have a study about this—the DoD does not even want to study this thing. They just want to meet the recruitment goal.

We all want them to meet their recruitment goals, but if it means putting someone, a dangerous criminal, next to one of my men and women in uniform, no thank you. It is tough enough to survive Iraq. We have worked with veterans on this amendment so we have gotten it to the point where, yes, we give people a chance to turn over a new leaf.

I am disappointed that Senators INOUYE and STEVENS do not support this amendment, but I am not surprised. I am going to keep talking about this issue because this status quo is not good for our troops.

I yield the floor

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I come to the floor to talk about the underlying appropriations bill. First, let me thank the chairman and the ranking member of the subcommittee. I think the work they have done on this bill is very important.

I wish to talk especially about the issue of the bomber fleet in this country: B–2s, B–1s, B–52s. I do that for a very specific reason.

Right now a lot of our soldiers are in the field, in harm's way. They strap on body armor in the morning, get shot at that day. We are at war. All of us want to make certain our soldiers who have answered the call have everything they need to do what they need to do.

I do think, however, there are times in the Pentagon when a substantial amount of money is spent, far more than is necessary, and there is some waste. I wish to describe one of the things I find interesting and also somewhat troubling.

Our bomber force is a part of the force that gives us air superiority. When you provide air superiority and have control of the air it has a tremendous impact on our ability to fight a war. We have seen some recent examples about what impact that has.

Part of that force is made up of B–52 bombers. They were produced decades ago. They are kind of the ''gray beards'' of the bomber fleet. They are essentially bomb trucks that will haul

weapons to various parts of the world. The newest ones were built in the 1960s. But, of course, most of the plane has been rehabilitated and changed, the electronics and so on.

Former Air Force Chief of Staff GEN John Jumper said the B–52 and other aircraft will have greater access to targets in the future because of the F–22. With its stealth and supercruise characteristics, the F–22 will be able to precede other aircraft into combat zones to clear out any threats.

So we have been told we should fund the F–22. I have supported that. The F–22 is an unbelievably effective next-generation fighter. We are told we should support that because the F–22 goes in and essentially clears out the airspace; knocks out the radar and knocks out all things that could be a threat to our bombers and other aircraft, at which point the airspace is owned and you can bring in a bomb truck, for example.

Well, here are the costs of flying our bombers. The cost is: $78,000 an hour to fly a B–2, $48,000 an hour to fly a B–1, and $34,000 an hour to fly a B–52.

We are told the B–52 will be usable for another 30 years. Yet we are told by the Air Force planners that what they would like to do is retire the least costly bomb truck. That way, after we have cleared the air threat and have air superiority, they want to fly the most expensive bomb trucks in and have the least costly bomb truck retired. It makes little sense to me, from a taxpayer standpoint, but that is what we would try to do.

It also doesn't make sense when we look at the new bomber the Air Force is planning on. The earliest date it might be available is the year 2018. Of course, that will slip. They all slip.

The new bomber, we are told, that when completed, would have an unrefueled range of 2,000 miles. The B–52 has double that and more. The new bomber will have a weapons payload of 14,000 to 28,000 pounds; the B–52, 70,000 pounds.

Not only does the B–52 have more endurance and more payload than the new bomber. The B–52 is also fully paid for. It is usable for three more decades, and it flies at much less cost than the other two bombers we now have. But the Air Force wants to take a good number of B–52s and retire them at Davis-Monthan.

I make the point that the authorizing committee has indicated the Air Force should keep 76 of the B–52s. As we work through this and look at what our bomber fleet should look like, I think it will become clear that keeping the B–52s makes sense both for our defense capabilities and for the effect on the American taxpayer.

Mrs. BOXER. Will the Senator yield for a unanimous consent request?

Mr. DORGAN. I am happy to yield.

AMENDMENT NO. 3126, AS MODIFIED

Mrs. BOXER. Madam President, I have sent a modification of my amendment to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

At the end of title VIII, add the following:

SEC. 8107. No amounts appropriated or otherwise made available by this Act may be used to provide a waiver for enlistment in the Armed Forces of an individual convicted under Federal or State law of any felony offense, during the five-year period ending on the date of the proposed enlistment of such individual in the Armed Forces, as follows:

(1) Aggravated assault with a deadly weapon.

(2) Arson.

(3) Hate Crime.

(4) Sexual misconduct.

(5) Terrorist threatening.

(6) Kidnapping or abducting a child.

(7) Indecent acts with a minor.

Mrs. BOXER. I thank the Senator.

Mr. DORGAN. Madam President, how much time have I consumed?

The PRESIDING OFFICER. About 7 minutes.

Mr. DORGAN. I want to make a couple other points that are not related to this specific bill but to the emergency supplemental appropriations bill for the continuing Iraq War and fight against global terrorism. We have a $152 billion request in front of us with another $45 billion expected on top of that. All of this is emergency spending and none of will be paid for. This will take us to the neighborhood of three quarters of a trillion dollars or more, when spent, with respect to the war in Iraq and Afghanistan and other related matters. All of these costs will be added directly to the federal debt.

During wartime, in most cases, this country has decided it should pay for things that we consume and pay for the cost of wars. We did it in the Civil War. We did it in the Spanish-American War. We did it in World War I and World War II and other wars. We began a process by which we tried to pay for some of that which the war was costing.

The question about whether we should commit ourselves as a country to pay for war is an interesting question. In the Iraq war, our soldiers were sent to fight, and President Bush indicated we could best serve our country by going shopping. We should go to the mall to keep our economy moving.

We could also best serve our country, in my judgment, by deciding not to send our soldiers to fight and then come back later and pay the bill because we decided to charge all of it—every penny of it borrowed.

Let me read something Franklin Roosevelt said during one of his fireside chats:

Not all of us can have the privilege of fighting our enemies in distant parts of the world. Not all of us can have the privilege of working in a munitions factory or a ship yard, or on the farms or in the fields or mines, producing the weapons or raw materials that are needed by our armed forces. But there is one front and one battle where everyone in the United States—every man, woman, and child—is in action. . . .That front is right here at home, in our daily lives, and in our daily tasks. Here at home everyone will have the privilege of making whatever self-denial is necessary, not only to supply our fighting men [and women], but to keep the economic structure of our country fortified and secure . . .

President Johnson said:

The test before us as a people is not whether our commitments match our will and courage; but whether we have will and courage to match our commitments.

When the emergency supplemental bill comes to the floor of the Senate this time, I am going to ask if we should begin to pay for some of this and to begin to ask for some sacrifice. At least in the easiest of areas for all of us to make a decision, let me show you $23 billion of revenue right now that we might use to offset some of that which otherwise will be described as emergency. I have a piece of legislation that will shut down offshore tax haven abuses. This is one I described 2 years ago on the floor of the Senate. It is the Ugland House, a five-story white house in the Cayman Islands, that is home to 12,748 corporations. They are not there. That is a legal fiction created by lawyers to allow those companies to avoid paying the taxes they owe in the United States. I have a piece of legislation, S. 396, that says if U.S. corporations are going to set up a paper company in an offshore tax haven simply to avoid paying taxes, it is not going to work. We close that loophole. Here is an obvious one we could change immediately: end abusive foreign sale and lease transactions. We can use some of these to pay for some of that which we are spending on the war. This is a case of the lease of 65 streetcars in Germany by a United States corporation, First Union Bank. Here is one in which Wachovia Bank bought a sewage system in a German city. Do they want to own a German sewer system? No, they want to save $175 billion in taxes through a tax loophole. We could close this right now.

I am going to suggest, when we bring another emergency bill to the floor—in this case nearly $200 billion—that maybe it is long past time for us to meet the obligation we have; that is, to ask all of us to sacrifice a bit. In this case, ask those who have exercised huge loopholes to avoid paying taxes in the United States. This is a picture relating to another bill I have. This is called the Radio Flyer. I expect every Member of the Senate when they were little toddlers rode in a little red wagon called a Radio Flyer. This was made in Illinois. It was made by an immigrant who over a century ago built the company that created the Radio Flyer. The reason he named it Radio Flyer is, he liked Marconi. He enjoyed airplanes so he decided to call his little red wagon the Radio Flyer. Guess what. After a century this is gone. There are no more red Radio Flyer wagons built in America. They have all gone to China. And by the way, the company that shut down the plant in the United States and moved the red

wagons to China in search of cheap labor got a tax incentive from this Congress to do it. We can shut that down immediately.

So these three ideas and a temporary 1 percent emergency tariff on imported foreign goods would raise some $23 billion in the first year alone. Do we need to wait? Do we need a month, a year, 10 years? I don't think so. All we need is the will and the commitment to do what is right. With respect to these issues, I believe we could do plenty of things that would begin to reduce the cost that will inure to our soldiers, who valiantly fight when asked to, when they come back and discover we have spent a lot of money but we charged it all. So they get to fight today and pay the bill tomorrow. I think we can and should do much better than that.

I have described in shorthand four proposals that I hope we will consider when we do the second piece of this issue of Defense appropriations.

Senator INOUYE and Senator STEVENS worked very hard on this legislation. This is one of the largest bills we consider in the Senate. There are a lot of issues, some very controversial. I appreciate the work they and their staff have done to put this together. It is not an easy appropriations bill to do. My hope is that as we work through this in the next day or so, we will be able to have final passage in a couple of days and get this into conference so we can resolve all of these issues.

I thank the chairman and ranking member for their work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I want to start where the Senator from North Dakota concluded his remarks, to express the gratitude of Delaware for the fine work the appropriations subcommittee has done, the leadership of Senator INOUYE and Senator STEVENS, their staffs, the other members of the committee. One of the letters I sent to Senator INOUYE and Senator STEVENS several weeks ago was a letter calling on them to not rescind, through legislative language in the appropriations bill, the 2004 Defense authorization language which said we were not going to allow the Air Force to retire any additional C–5 aircraft until the first three had been fully modernized, flight tested, and then evaluated. A number of us signed that letter and a number of us in the same letter also called for the Appropriations Subcommittee on Defense to endorse the President's budget proposal for fiscal 2008 with respect to C–5 modernization. The subcommittee has done that. I thank them in a very public way for their attention to our request.

Today we are considering an important bill, one that provides funding for our troops, many in harm's way around the world, others in different phases of training or in some cases retraining or rest after they have been deployed abroad. As we vote to appropriate these funds for our Nation's defense, we are reminded of one of the fundamental duties of our military. Our Armed Forces are charged with providing our Commander in Chief and military leaders with flexible options for responding to a wide variety of threats. In Iraq, our Armed Forces are keeping the lid on civil war and protecting civilians from terrorists and literally from one another. In Korea, our Armed Forces are charged with guarding the ally's border and deterring aggression on the part of a large conventional military on the other side of the South Korean border. In the Pacific and the Persian Gulf, they protect America's interests through the projection of naval power and carrier-based air power.

At home our National Guard provides the Nation's Governors with critical response capability to cope with natural disasters such as Katrina. At times it can seem as though the demands on our military are almost limitless. Unfortunately, the resources available for equipping our military to meet these demands are not limitless. At a time when our Federal budget remains mired in red ink, we need to be looking for ways to effectively meet our military requirements but to do so in a fiscally responsible manner.

Last Thursday in the Federal Financial Management Subcommittee of the Homeland Security and Government Affairs Committee, we spent 3 hours doing just that. In this hearing, which I chaired along with Senator COBURN of Oklahoma, we explored how we can best meet our Nation's strategic airlift needs and how we can do this in a way that is fiscally responsible. What I wish to do is take a few minutes this afternoon to remind us why airlift is important and to offer a little history of how we got into the position we are in today. Then I wish to share with my colleagues some of what we learned at our hearing last week.

The bottom line is that regardless of whether strategic airlift is performed by C–5s, by C–17s, or by some other capability, airlift is essential to our Nation's ability to project power and meet threats abroad. I would remind us that roughly 90 percent of the materiel we move around the world goes by sea. Maybe 10 percent goes by air. When it comes to moving military personnel, almost all of them are moved around the world by airlift. When you think of the 10 percent or so of cargo that is moved by aircraft, roughly half of that is moved by C–5s, C–17s, and by C–130s. The other half is moved by commercial aircraft the Air Force leases from time to time.

The bottom line is that regardless of whether we are moving goods or personnel by C–5, C–17, or some other capability, we have to have that capability when we need it and it has to be reliable.

Though the men and women of our strategic airlift fleet rarely get the attention they deserve, the reality is our military could not perform its missions if it were not for the hard work and dedication of the airlift. Strategic airlift involves the use of cargo aircraft to move personnel, weaponry, materiel over long distance, often to combat theaters on the other side of the globe. During the current war in Iraq, airlift sorties have made up the majority of the nearly 35,000 total sorties flown by U.S. aircraft. Strategic airlift enables our military to respond to threats wherever they occur in the world real time. Not only must our fighting men and women be transported to the fight, they must be continually supplied. Airlift helps to make that happen. Both the C–17 and the C–5 have fulfilled their lift duties admirably, and the United States owes much of its rapid deployment capability to these fine machines.

We are blessed in Delaware at the Dover Air Force Base to have both C–5Bs and a new squadron of C–17s. However, the problem is that over the past 10 years, the United States has reduced its Cold War infrastructure and closed two-thirds of our forward bases. I remember many of the bases my squad and I used to fly out of in Vietnam. A lot of the bases in Thailand from which we flew missions in Southeast Asia, Okinawa, and the Philippines have now been closed. We no longer fly from those particular places. As a result, our ability to project our troops by air power as well as by sea power is more important than ever.

One of the ways we have sought to keep the strategic airlift fleet healthy and ready to meet this challenge is by modernizing the C–5 through two unique programs. One is called the Avionics Modernization Program, where we take a 1960s, 1970s cockpit and turn it into a cockpit for the 21st century. The second is a program called the Reliability Enhancement and Re-engining Program, where we literally take old C–5 engines, take them out—they break down about every 5,000 flight hours anyway—and replace them with an engine that will give us 10,000 hours between engine changes; change out the hydraulic system, overhaul the landing gear system, fix some 70 systems in all, and, again, replace the cockpit.

Those are the kinds of things that are done with the modernization process that is underway. So far, three aircraft have been fully modernized; three C–5s have been fully modernized and are being flight tested as we speak here today. In fact, collectively they have been flown over 500 hours, and the full evaluation is to be completed—I think the flight evaluation will be done for the most part within the next 12 months, and some flight evaluations will be completed by June of 2010.

Lockheed Martin is the prime contractor in the program. They are obligated to produce C–5Ms with a mission-capable rate that meets or exceeds 75 percent. That is well above where the C–5 is today. It is, frankly, slightly below where the C–17 is today.

Lockheed reports that nothing in the flight data to date, after over 500 hours of flight testing, suggests the 75 percent mission-capable rate cannot be met or exceeded. The Assistant Secretary for Acquisition of the U.S. Air Force last week in our hearing concurred in that opinion. Consequently, I was compelled, along with Senator COBURN, to hold a hearing to find out an answer to a very contentious question, and here is the question: At what price per aircraft could Lockheed or would Lockheed modernize all or part of the remaining C–5 fleet of 108 aircraft?

This past summer, Lockheed offered to modernize the C–5 fleet at what they call a flyaway cost of—a little less than $90 million per aircraft, whether the Congress and the administration decide to modernize half of the C–5 fleet, two-thirds of the C–5 fleet or all 108 C–5s. If Lockheed can deliver C–5s at a mission-capable rate of 75 percent or higher, at a flyaway cost of $85 million, $95 million or even $105 million, aircraft capable of flying another quarter of a century or more, we would be foolish not to modernize the remaining 108 C–5s. If Lockheed cannot deliver—cannot deliver aircraft that are 75 percent mission-capable rate or higher—if they can't deliver them at a cost we are willing to pay—then we need to find another alternative.

Now, the Air Force has questioned whether Lockheed will actually be able to deliver what the company has promised. The Air Force has suggested the cost of fully modernizing the C–5s may significantly exceed original expectations. This has led the Air Force to conclude that C–5 modernization may not be as cost effective as we all had originally thought and hoped.

I wish to take a moment and share with my colleagues three areas in which the Air Force and Lockheed appear to be in disagreement. As you can see from the chart beside me, the Air Force and Lockheed disagree on the modernizing of C–5s in three areas. No. 1, propulsion system, that is aircraft engine; No. 2, installation costs and what they call touch labor costs, or the amount of man-hours to be invested in these changes; and finally, overhead costs which include, among other things, the kinds of problems that might be uncovered as Lockheed goes through and conducts the modernization of the C–5s—problems that aren't even related to the modernization changes that are being installed.

Now, this disagreement yields a C–5 modernization cost discrepancy of over $4 billion—not a small amount of money. With this fundamental cost disagreement coming to light, our hearing tried to get into the true cost of C–5 modernization. What we found was a temporary stalemate. We also found what appears to be a way forward. In their cost calculations of the C–5 modernization, the Air Force determined the cost of the C–5 modernization has grown over its baseline, causing the view of at least some in the Air Force to trigger what we call a Nunn-McCurdy breach. The Nunn-McCurdy breach, as some will recall, is part of a law passed in 1983 that allows Congress to track the rising costs of Defense programs. A breach of Nunn-McCurdy occurs when a Defense program procurement cost goes beyond 50 percent of its baseline. When this happens, the Department of Defense has to notify the Congress and the program is more heavily scrutinized, in this case by the office of the Secretary of Defense. Interestingly enough, though, we found that part of the Air Force calculation includes costs of inflation due to the risks the Air Force may incur if Lockheed cannot meet its goals. Lockheed also stated they have a different calculation to show some growth but not enough to trigger a Nunn-McCurdy breach.

Lockheed's witness at our hearing last Thursday stated that the contractor—that is Lockheed—is ready to alleviate the Air Force's concerns and, therefore, to decrease the amount of cost growth that the C–5 modernization would realize by providing the Air Force with a firm, fixed price contract to modernize all 108 aircraft at a set cost. If Lockheed exceeds this price, then the cost is on them—on Lockheed. The only obstacle—major obstacle at least—that stands in Lockheed's way is the Air Force's decision on how fast they want to fully modernize the C–5s. The President's budget for 2008 calls for modernizing C–5s, one starting in fiscal 2008, ramping up from 1 to as many as 12 several years down the line. But the contractors need to know how many aircraft are going to be modernized, and in order for them to be able to be held or bound to a fixed cost, they have to have some reasonable assurance that what is being projected will actually be followed, in this case by the Air Force and by us in the Congress.

Let me mention a couple of things in closing. One, it says propulsion system. This is one of the three areas of disagreement between Lockheed and the Air Force. This involves engines—actually the same engine that goes on Air Force One and a whole lot of other aircraft around the world. The engine, made by General Electric, provides generally between engine changes about 10,000 flight hours. It would replace an engine that gets about 1,000 hours between engine changes. That is a miserable-performing engine that is on the C–5, and it has led to all kinds of problems. There is a question about what is GE going to charge Lockheed to sell them four new engines for 108 planes, plus 25 spares. I think that ends up being about 457 engines.

In our conversation offline with GE, they gave us a price well below what the Air Force is expecting or is calculating. If GE is good to their word and Lockheed is good to its word, then this $1.2 billion deficit—or in the case of the Air Force, ostensibly an overrun—that shouldn't be there. That shouldn't be there. The question is, Can GE and Lockheed be compelled—contractually bound—to provide these engines at the lower cost that was quoted to us by GE.

The second piece deals with labor, touch labor costs, the amount of man-hours that will be used to build these or rebuild these aircraft. The first of the C–5s that were modernized took 143,000 man-hours, the second took 125,000, the third took about 110,000 man-hours. Lockheed says they think they can bring it in at about 100,000 man-hours. The Air Force says, no, 116,000 man-hours. Lockheed has a learning curve in terms of better, faster work on the modernization that they believe they can adhere to. The Air Force says, no, that is too optimistic.

Interestingly enough, though, Lockheed has said to the Air Force and to us at our hearing, if we are wrong on the number of man-hours that we say it is going to take to modernize the fourth, fifth or sixth aircraft, if we are wrong on the learning curve and not as successful as we think we are going to be, we will eat the cost. They say they will eat the cost. That is great that they offer that, but what we need is a contract that can bind them to eat the cost if there is a failure to perform as otherwise would be suggested.

Those are the kinds of things that are in dispute. Ultimately, I would hope—and I can't speak for Senator COBURN, but I believe I would share his view that we need large cargo aircraft. We have C–5s. They can carry more than most cargo aircraft. Right now, we are using Russian aircraft, Russian-made aircraft, a big aircraft called the AN–124, to supplement the work that the C–5 can do. We spend today almost $200 million leasing Soviet aircraft or Russian aircraft to do the work for us of the strategic airlift. Nothing against the Russians, God bless them, but I don't know how comfortable you feel—I don't feel all that comfortable—relying on Russian cargo aircraft to supplement our needs around the world.

My hope is that what we will do is have our friends from Lockheed and our friends from the Air Force step back, for a moment, and then reengage in a way that seeks to narrow this, what you call a $4 billion delta or difference, in the assumption of costs for completing this project.

If Lockheed can produce fully modernized C–5Ms that will perform at a 75-percent mission-capable rate or more and do that at a cost of $85 million, $95 million or even $105 million on a flyaway basis, we would be foolish to turn down that deal. If they can't do it, if they can't deliver aircraft at that kind of mission-capable rate, if they can't do it along the line that I quoted as a price that we can be assured of, then we need to look for another alternative.

My hope, coming out of our hearing last week, is that there is a way forward, and we need the best efforts of

the Air Force and the best efforts of Lockheed to find it. If we get those best efforts, we may end up with what in the end will not be just a good deal for our country and for our taxpayers at a time when we are running huge budget deficits but a good deal for the men and women of the Armed Forces who are depending on strategic airlift every day of their lives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

AMENDMENT NO. 3130

Mr. SANDERS. Madam President, I ask unanimous consent to set aside the pending amendment and to call up the Sanders amendment, which has been filed at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS] proposes an amendment numbered 3130.

Mr. SANDERS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase, with an offset, the amount appropriated for Operation and Maintenance, Army National Guard, by $10,000,000)

At the end of title VIII, add the following:

SEC. 8107. (a) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD.—The amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'' is hereby increased by $10,000,000.

(b) OFFSET.—The aggregate amount appropriated by title II, other than under the headings ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'' and ''OPERATION AND MAINTENANCE, AIR NATIONAL GUARD'', is hereby reduced by $10,000,000.

Mr. SANDERS. Madam President, yesterday, as part of the managers' package, the Senate approved an amendment that I offered to the Defense authorization bill. That amendment would establish a pilot program at the Department of Defense to deal with a very important problem. That problem is that all across our country, men and women are returning home from the war in Iraq, from the war in Afghanistan, they are coming home to big cities, small towns, and rural communities, and they and their families, in many cases, are hurting. These are soldiers and military family members who are suffering from post-traumatic stress disorder, who are suffering from traumatic brain injury, who are suffering from depression, and who are watching their marriages and their families coming apart. They are suffering nightmares, they are suffering panic attacks and sometimes uncontrollable anger and various physical symptoms. Because of the stigma, many of these brave soldiers do not come forward for help, and others, where the military infrastructure is not strong, simply don't know where to turn. They are hurting, but they don't know how to get help. In my view, we have a moral responsibility to reach out to these soldiers and their families and to help them.

The program, approved by unanimous consent yesterday, would create a pilot program at the Department of Defense. Under this pilot, funds would be provided to adjutant generals to conduct person-to-person outreach to soldiers who have returned from Iraq and Afghanistan. In other words, the heart of this program is outreach quality. We can't be successful in dealing with PTSD if soldiers do not get involved in the program, if they are not involved in counseling. I fear very much that unless we are aggressive in our outreach efforts, especially in rural areas, especially with the National Guard's people, we are going to see folks who don't know where to turn.

These trained outreach personnel will be meeting with the soldiers and their families. They will be able to make sure the soldiers and their families know about the help that is available to them. In other words, it doesn't matter how much help we have if our soldiers don't know where to turn and what is available. These outreach workers would make sure that America's heroes and our military families don't fall through the cracks.

As I mentioned, this body unanimously approved this new pilot as part of yesterday's Defense authorization bill. I thank the Members for their support. That pilot program amendment was cosponsored by Senators SUNUNU, KERRY, HARKIN, and BROWN. I also point out that this amendment is supported by the National Guard Association of the United States.

My amendment today, cosponsored by Senator LEAHY, is to make sure the commitment we made yesterday to returning servicemembers and their families is a real commitment backed by the necessary resources. This amendment would provide $10 million to carry out the pilot program for State-based outreach programs to assist servicemembers and their families created by the Sanders-Sununu-Kerry-Harkin-Brown amendment No. 2905 to the Defense authorization bill. This amendment is fully offset.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

Mr. SANDERS. I thank the chairman and the ranking member, and I look forward to working with them.

I yield back the remainder of my time.

Mr. INOUYE. Madam President, I ask unanimous consent that the present amendment be set aside to reconsider the Boxer amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, I ask unanimous consent that at 4 p.m. the Senate proceed to vote in relation to the Boxer amendment, as modified; that the time from 3:55 until 4 p.m. be equally divided and controlled between Senators BOXER and INOUYE or their designees; that no amendment be in order to the amendment prior to the vote; that at 4 p.m. the Senate proceed to vote in relation to the amendment; that when the Senate resumes consideration of H.R. 3222 on Wednesday, following morning business, there will be 30 minutes of debate prior to a vote in relation to the pending Graham amendment; that the second-degree amendment be withdrawn and no other amendment be in order to the amendment prior to the vote; that the time be equally divided and controlled between Senators GRAHAM and INOUYE or their designees; that upon the use or yielding back of the time, the Senate proceed to vote in relation to the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. STEVENS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3126

Mrs. BOXER. Madam President, I understand I have 2½ minutes, followed by Senators INOUYE and STEVENS, and then there will be a motion to table my amendment. I hope to convince colleagues who may be listening to this debate to vote no on the motion to table.

I think this amendment deserves to be heard. It doesn't deserve to be shut down. The amendment is my modified amendment, which I sent to the desk. It basically says there can be no more waivers granted for folks who want to join the military who have been convicted of aggravated assault with a deadly weapon, arson, a hate crime, sexual misconduct, threatening a terror attack, kidnapping or abducting a child, or indecent acts with a minor.

If we can show you this chart, right now, it is against the military policy to allow any of the people into the military who have been convicted of a felony. But there is a waiver process. What has happened is—and we all agree that there are occasions when there ought to be a waiver now and then—we have seen an alarming increase in these waivers because the Army, in particular, is having a hard time meeting its recruitment goals. We see in 2004 that the Army granted 3 of the 60 waivers to recruits who had felonies on their record. In 2005, they granted 571. In 2006, they granted 901 waivers. That is a 59-percent increase over the 2005 number. It is a 150-percent increase over the 2004 figure.

So what we have seen is an alarming increase in the number of waivers. What my amendment simply says is: Enough of this for seven felonies. Again, the seven felonies are aggravated assault with a deadly weapon, which is someone who has been convicted, perhaps, of putting a gun to someone's head and threatening them with bodily harm; arson, someone who obviously has started a fire and put other people's lives in danger; hate crimes, and we discussed that at length. As a matter of fact, we have a fine amendment that Senator KENNEDY offered and that is now on the Defense authorization bill, which would say that people have a right to be free of hate crimes because of the fact that they may be different than the next person. Here you send people like this into the military, and this is one of the most diverse institutions we have.

In conclusion, we are saying, please, don't table this amendment. The others are sexual misconduct, terrorist threatening, indecent acts with a minor, and kidnapping or indecent acts with a child. You don't want somebody like that next to your son or daughter who is serving honorably in the military.

I hope you vote no on the motion to table. I yield the floor.

Mr. INOUYE. Madam President, as I indicated in the earlier debate, we have been assured by the chair of the Armed Services Committee, Mr. LEVIN, and the vice chair, Mr. MCCAIN, that this waiver process is working and has worked.

It is not an easy amendment to speak against, but I am reminded of something that happened during my days of youth. After World War II, there was a very distinguished German, who was a Nazi. He was the prime person who helped develop the rockets and bombs that devastated London, who was then in the process of developing an intercontinental ballistic missile to devastate the United States. But we provided him with a waiver. He came to the United States and worked to develop rockets for the United States. If it weren't for this scientist, there is grave doubt that we could have sent a man to the Moon at the time we did or whether we could have developed the ICBM that we have today. His name was Dr. Wernher von Braun.

I am against those crimes that my colleague from California cited. They are objectionable, they are horrible, and as the father of a son, I can imagine what I would go through if my son had been a victim of one of these crimes. But this process does work, and I think at this moment to flat–out determine that this process cannot be used in certain crimes may be shortsighted.

So on behalf of the ranking member of the committee and myself, I move to table the Boxer amendment.

Mr. STEVENS. Madam President, I join in that motion.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The result was announced—yeas 53, nays 41, as follows:

[Rollcall Vote No. 360 Leg.]

YEAS—53

Akaka	DeMint	Lott
Alexander	Dole	Lugar
Allard	Domenici	Martinez
Barrasso	Ensign	McConnell
Bayh	Enzi	Murkowski
Bennett	Graham	Nelson (NE)
Bond	Grassley	Reed
Brownback	Gregg	Rockefeller
Bunning	Hagel	Sessions
Burr	Hatch	Shelby
Chambliss	Hutchison	Specter
Coburn	Inhofe	Stevens
Cochran	Inouye	Sununu
Coleman	Isakson	Thune
Corker	Kohl	Vitter
Cornyn	Kyl	Voinovich
Craig	Levin	Webb
Crapo	Lieberman	

NAYS—41

Baucus	Feinstein	Nelson (FL)
Bingaman	Harkin	Pryor
Boxer	Johnson	Reid
Brown	Kennedy	Roberts
Byrd	Kerry	Salazar
Cantwell	Klobuchar	Sanders
Cardin	Landrieu	Schumer
Carper	Lautenberg	Smith
Casey	Leahy	Snowe
Collins	Lincoln	Stabenow
Conrad	McCaskill	Tester
Dorgan	Menendez	Whitehouse
Durbin	Mikulski	Wyden
Feingold	Murray	

NOT VOTING—6

Biden	Dodd	Obama
Clinton	McCain	Warner

The motion was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, I wish to announce that tomorrow morning, after morning hour, at approximately 10:45, we will consider and vote upon the Graham amendment.

If there are no amendments after that, the committee is prepared to move to pass the bill on third reading, final passage. So those who have amendments, please come forward.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 3120; 3125; 3128; AND 3124, AS MODIFIED, EN BLOC

Mr. INOUYE. Madam President, I ask unanimous consent that the following managers' package, No. 1, be adopted: amendment No. 3120, for Senator BAUCUS and others, regarding the Army Smart Data Project; amendment No. 3125, for Senator ROBERTS, regarding Air Force materials research; amendment No. 3128, for Senator KOHL, regarding the Navy's permanent magnet motor; amendment No. 3124, as modified, for Senator LOTT, regarding Air Force pallet systems.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. We support these amendments.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments were agreed to, as follows:

AMENDMENT NO. 3120

(Purpose: To make available from Research, Development, Test, and Evaluation, Army, $1,000,000 for the Smart Data Project: Real Time Geospatial Video Sensor Intelligence program)

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $1,000,000 may be available for the Smart Data Project: Real Time Geospatial Video Sensor Intelligence program.

AMENDMENT NO. 3125

(Purpose: To make available from Research, Development, Test, and Evaluation, Air Force, $1,000,000 for Materials Integrity Management Research for Air Force Systems)

At the appropriate place, insert the following:

SEC. ____. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'' and available for Program Element 0603112F, up to $1,000,000 may be available for Materials Integrity Management Research for Air Force Systems.

AMENDMENT NO. 3128

(Purpose: To make available from Research, Development, Test, and Evaluation, Navy, $2,000,000 for the DDG–51 Class Modernization–Hybrid Propulsion Permanent Magnet Drive System)

At end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'' and available for the Permanent Magnet Motor, up to $2,000,000 may be used for the DDG–51 Class

Modernization–Hybrid Propulsion Permanent Magnet Drive System.

AMENDMENT NO. 3124, AS MODIFIED

At the end of title VIII, add the following:

SEC. 8107. AVAILABILITY OF FUNDS.—Of the amount appropriated or otherwise made available by title III under the heading ''OTHER PROCUREMENT, AIR FORCE'', up to $4,000,000 may be available for purposes of accelerating the deployment of the Associate Intermodal Platform pallet system.

Mr. BAUCUS. Madam President, as my colleagues are aware, current force intelligence, surveillance and reconnaissance, ISR, capabilities are impeded by three specific technology issues: in-theater network interference, dissimilar IT infrastructure across forces and intelligence agencies, and slow storage and retrieval of mission critical intelligence.

Once intelligence is gathered, whether by unmanned aerial vehicle, stationary sensors or mobile ground sensors, it is transmitted to ISR Command. The data is sent as two streams—content, which is the actual imagery, and context, which is comprised of metadata relating to location, date, time, target information, destination of message, sender information, and more. Currently, much of this context stream, whether location coordinates, date, and/or time information, is dropped or interrupted during transmission. These drops render as much as 30 percent of all motion video and still-imagery intelligence unusable. Such data loss negatively affects current ISR operations and creates undesirable consequences in the field.

In cooperation with Senators TESTER, KERRY, WYDEN, and SMITH, I submitted an amendment to the Department of Defense Appropriations bill for fiscal year 2008. This amendment would provide funding for the Smart Data Project through companies in three states. The recipient of funding for this project would be Digimarc, Inc., of Oregon and Massachusetts. Additional research for the project will be conducted by GCS Research of Missoula, Montana, and S&K Technologies of Pablo, Montana. The purpose of this program is to address the existing capability gap within the military's intelligence gathering operations and to provide our military with real-time geospatial video sensor intelligence.

The basis for the solution to address this capability gap is currently employed by all the major media networks, which use components of Smart Data technology to track usage of proprietary video. ABC, CBS, NBC and Fox embed unique data such as TV station identification, date, and time into the content. This unique embedded data is then used to generate reporting information about distribution and viewership.

Adaptation of Smart Data technology for military applications involves the embedding of key contextual information such as location coordinates, date, time, and sender onto reconnaissance imagery. The embedding technology developed by the Smart Data team will eliminate data loss that has negative effects on Current Force ISR operations. Addressing this data loss will improve operative effectiveness and save lives in the field.

AMENDMENT NO. 3125

Mr. ROBERTS. Madam President, I rise today in support of an amendment to the 2008 Defense Appropriations Act. This amendment is in the interest of Kansas and our national security. I request up to $1 million be made available for Materials Integrity Management Research for Air Force Systems, MILTEC. This project aims to develop advanced wireless sensors to be optimally placed for aircraft structure health monitoring. The processed data will provide diagnostic and prognostic information that can be further used to assist in critical mission planning. MILTEC is currently operating through Wichita State University in Wichita, KS. I have no personal, familiar, or political connection to these projects.

AMENDMENT NO. 3128

Mr. KOHL. Madam President, I submitted amendment No. 3128 along with Senator KENNEDY to allow the Navy to provide up to $2 million to DRS in Milwaukee, WI, for DDG51 Class Modernization, Hybrid Propulsion Permanent Magnet Drive System. This would give the Navy the flexibility to develop a hybrid drive system to increase fuel economy. Today the DDG51 uses gas turbines to power the propulsion system. Installing a hybrid system would allow an electric motor to drive the ship at low speed when the main turbine would be very inefficient. The project is expected to pay for itself in saved fuel costs in 3 years. This upgrade would be performed as the DDG51s underwent their 15-year midlife upgrade. While the work envisioned in this amendment would be done in Milwaukee, part of the work would also be done in Massachusetts and Connecticut.

Mr. KENNEDY. Madam President, I submitted amendment No. 3128 along with Senator KOHL to allow the Navy to provide up to $2 million to DRS in Milwaukee, WI for DDG51 Class Modernization—Hybrid Propulsion Permanent Magnet Drive System. This would give the Navy the flexibility to develop a hybrid drive system to increase fuel economy. Today the DDG51 uses gas turbines to power the propulsion system. Installing a hybrid system would allow an electric motor to drive the ship at low speed when the main turbine would be very inefficient. The project is expected to pay for itself in saved fuel costs in 3 years. This upgrade would be performed as the DDG51s underwent their 15-year midlife upgrade. While the work envisioned in this amendment would be done in Milwaukee, part of the work would also be done in Massachusetts and Connecticut.

AMENDMENT NO. 3129

Mr. LOTT. Madam President, I am submitting Senate amendment No. 3124 to make funds available from the appropriation account Other Procurement, Air Force, to accelerate the deployment of the Associate Intermodal Platform pallet system.

The Associate Intermodal Platform pallet system is manufactured by Shan Industries LLC, headquartered in Miami, FL, with manufacturing plants currently located in New Jersey and Oklahoma.

The Department of Defense has concluded that use of the Associate Intermodal Platform, AIP, pallet system, developed 2 years ago by the U.S. Transportation Command, could save the United States as much as $1,300,000 for every 1,000 pallets deployed. The Associate Intermodal Platform pallet system can be used to transport cargo alone within current International Standard of Organization containers, or in conjunction with existing 463L pallets. The Associate Intermodal Platform pallet system has successfully passed rigorous testing by the U.S. Transportation Command at various military installations in the United States and in the field in Iraq, Kuwait, and Antarctica. The Associate Intermodal Platform pallet system has performed well beyond expectations and is ready for immediate production and deployment.

Mr. INOUYE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Madam President, I appreciate the work of the managers on this important piece of legislation. I have conferred with the managers. After we have one vote sometime tomorrow morning, and if there is nothing more happening, I think we should move to third reading. Just to protect all of our military, in case something goes awry in the next 24 hours, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 353, H.R. 3222, Department of Defense Appropriations Act, 2008.

Daniel K. Inouye, Jon Tester, Robert P. Casey, Jr., Ted Kennedy, Tom Carper, Max Baucus, Kent Conrad, Robert Menendez, Patty Murray, Carl Levin, Ben Nelson, B.A. Mikulski, Ron Wyden, Blanche L. Lincoln, Charles Schumer, Byron L. Dorgan.

Mr. REID. Mr. President, I would hope we can just totally avoid this. Of

course, the cloture vote would not occur, at the earliest, until Thursday anyway. I would hope that it will not be necessary that cloture be invoked. But we want to make sure that we are able to complete this legislation, including the managers' package on which these two veteran legislators have worked. I have spoken to staff, and the managers' amendment has not been cleared yet. It should be cleared. I hope we can finish this bill tomorrow afternoon early. This cloture motion is to protect us in case something goes wrong.

I think perhaps we shouldn't go into morning business right now. Someone might want to offer an amendment, and I want to make sure everyone has the ability to do that. It is 5 o'clock now. There will be no more votes today. Unless we have somebody here by 5:30 to offer an amendment, we will go into morning business.

AMENDMENT NO. 3135

Mr. KENNEDY. I introduced amendment No. 3135 to allow the Navy to provide up to $5 million for the high temperature superconductor AC synchronous propulsion motor. These funds will be used to test and transition the high temperature superconductor AC synchronous propulsion motor to Navy ship class. This will serve in the effort to increase power while reducing vessel weight.

AMENDMENT NO. 3134

I introduced amendment No. 3134 to allow the Navy to provide up to $3 million for the MK 50, NULKA, Decoy System. These funds can be used for the purpose of continuing efforts to defend the Navy from the continually evolving threat of antiship missiles and associated seeker systems.

Mr. KERRY. Mr. President, today I submitted an amendment with Senator KENNEDY as a cosponsor which may provide up to $1 million, within the Navy Sealift Account, to the Massachusetts Maritime Academy, MMA, in Buzzards Bay, MA. The funding will be used to help complete the conversion of the T.S. *Enterprise*, a Ready Reserve Force training ship. In fiscal year 2000–2001, the Department of Defense Appropriations conference report included $25 million for the conversion of the T.S. *Enterprise*. However, that funding only allowed MARAD to produce a ship which holds only 600 cadets. The Massachusetts Maritime Academy has had a growing number of students in recent years and requires the additional room to allow all of their cadets to train on the ship. At a time when our troops depend heavily on the material shipped to war zones on American flag ships, I believe it is critical to the livelihood of the Nation that our maritime academies continue to produce the professional men and women needed in the maritime trades.

Mr. ALLARD. Mr. President, I rise today to speak on my amendment, designating $5 million—the amount requested by the Pentagon—for the Missile Defense Space Experimentation Center, a facility within the Missile Defense Integration & Operations Center on Schriever Air Force Base in Colorado Springs, CO.

The Missile Defense Space Experimentation Center supports research and development, agency operations, test and evaluations and operations and training for missile defense capabilities. It provides the Missile Defense Agency a common support infrastructure and connectivity for operating MDA experimental satellites, and integrating space data in support of the missile defense mission. The MDSEC provides a multilevel security environment for sensor data management and integration across all space and terrestrial sensor data activities.

MDSEC activities support analysis, demonstration and integration of space sensor capabilities into developmental and operational MDA Elements. MDSEC also supports advanced technology and algorithm development, including fusion of multiple sensor types—radar, overhead nonimaging infrared, electro-optical and other emerging sensor technologies. MDSEC supports mission integration of space-based missile track—boost and mid-course phases—sensor and weapons cueing via C2BMC, features and discrimination, kill and impact point assessments into C2BMC, Aegis, Terminal High Altitude Area Defense—THAAD—Global Missile Defense—GMD—and other—non-MDA—mission areas such as space situation awareness, technical intelligence, and battle space characterization. For Fiscal Year 2008, the Missile Defense Space Experimentation Center will: Demonstrate connectivity and integration of space layer data into X-lab, BMDS elements, and external users; demonstrate capability to access, share, and playback data across stakeholder programs—MDSEC Interchange System; provide synergy for testing, experiments, integration and algorithm development—Integration Lab; demonstrate capability to support and integrate across multiple security environments/domains; demonstrate space-layer data support to non-BMDS Missions—external users; demonstrate integrated birth-to-death tracking and fusion across existing, R&D and future BMDS sensors; support space-based sensors data collections and algorithm testing experiments; complete MDSEC Interchange System—MIS: Test prototype MIS operating system and host MIS hardware suite.

I believe the mission and task for the MDSEC require our support and I urge passage of this amendment.

Mr. President, in regards to my amendment designating $5 million to support research and development, agency operations, test and evaluations and operations and training for missile defense capabilities at the Missile Defense Space Experimentation Center, a facility within the Missile Defense Integration & Operations Center on Schriever Air Force Base in Colorado Springs, CO, neither I nor anyone in my immediate family has a pecuniary interest in the center or its operations.

AMENDMENT NO. 3140

Mr. VITTER. Madam President, I rise today in support of amendment No. 3140 to the 2008 Defense Appropriations Act. This amendment is in the interest of Louisiana and health care programs within the Department of Defense. I request up to $1 billion be made available for Maternal-Fetal Health Informatics and Outreach Program. This project will be the use of Telehealth and electronic medical record, EMR, technologies centered on conducting research and developing technology solutions for high-risk obstetrical patients, in collaboration with the DOD. The intent of the Maternal Fetal Informatics Outreach Program, MFIOP, is to leverage technology toward optimizing health care delivery solutions for women and infants. This effort will increase portability of patient records and lead to a decrease in associated health care cost related to obstetrical, OB, and newborn health care services. The Maternal-Fetal Health Informatics and Outreach Program is currently operating out of Woman's Hospital in Baton Rouge, LA. I have no personal, familiar or political connection to this project.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

BRINGING A FALLEN SOLDIER HOME

Mr. BROWN. Mr. President, earlier today, I left a Banking Committee hearing to go out to Arlington National Cemetery to meet with a group of World War II veterans. A woman by the name of Ms. Best, who had served in World War II, was laying the wreath on behalf of Miami County, OH, veterans—some 35 or so veterans from Ohio who took a bus under the sponsorship of Glenn Devers, who raises money so veterans can come to Washington and lay a wreath at the Tomb of the Unknown Soldier and then proceed to see the World War II monument.

I was struck, first, by all the stories of Mr. and Mrs. Whited, for instance. Mr. Whited was called off to the service and went overseas. His child was born a few months after he left, and when he returned, he saw his son for the first time, who was the age of 2. He is now more than 60 years old. I was taken by the stories of so many of these World War II veterans, their courage and heroism, their love of country, their duty, their commitment, and their patriotism. They surely—without overusing the phrase—were part of ''the greatest generation.''

Few veterans have asked for credit or recognition, but it was such a pleasure to go there and talk to them today. I

had one request of them. Of course, I thanked them over and over. I had one request, and that was that these veterans, both men and women, tell their stories to their children and grandchildren. My father, a World War II veteran who enlisted about a year after Pearl Harbor, sometime during 1942, and went overseas, he didn't talk about it much. He passed away 6 years ago at the age of 89. He didn't talk about it much. I encouraged these men and women who served our country valiantly in World War II—or any veteran since then—to share the stories with their children and grandchildren because it will enrich their lives. They don't need to brag, but they ought to tell friends and families about their accomplishments and feats. These are stories that their children and grandchildren and great-grandchildren will treasure for the rest of their lives.

I thought of that visit yesterday before I made the visit, as I was planning it. I thought yesterday, when the Senate passed the Defense reauthorization bill, of an amendment that Congressman BART STUPAK of Michigan and I have been working on. Currently, the Department of Defense—prior to this amendment—is allowed to use any combination of air, rail or road transportation to bring the body of a fallen soldier home. But what has been done, because the rule is so broad, the law is so broad, the Department of Defense in many cases has brought the body of a soldier killed in action to the nearest big city airport, which could be 50, 100, 200 or 300 miles away. Congressman STUPAK represents an area in northern Michigan, the Upper Peninsula, and often bodies are brought back to Green Bay, which is too far from many of these families who have to go to an airport that is 2 or 3 hours away with the funeral home, paying the expenses and accompanying the body back to the hometown. That has happened in southern Ohio, where there is no airport. Maybe they would go to Charleston, Columbus or Pittsburgh. It is outrageous that the Department of Defense doesn't bring the bodies to the communities where the families live, when they are already so distraught from losing a loved one.

We were able to get the fallen servicemember respectful return amendment included in the Department of Defense bill. This means that when our soldiers make the ultimate sacrifice in service to their country, the least the Government and the DOD can do—and for reasons I don't even understand they had failed to do. We talk so much about honoring our soldiers, but they failed to do this. All of the money we are spending—hundreds of billions of dollars—and they didn't get these bodies back to the funeral home in the local communities. It is incumbent upon us to do that.

Congressman STUPAK in the House and my amendment in the Senate finally has done that. The least we can do is ease the path for these families as they confront their loss.

CHILDREN'S HEALTH INSURANCE

Mr. BROWN. Mr. President, the Children's Health Insurance Plan legislation was delivered to the White House this afternoon for, I hope, the President's signature, but unfortunately, I fear the President's veto. It is unbelievable that the President would veto legislation that means so much to many working families in Ohio, in the great State of Colorado, and any of the other 48 States in our great Nation.

The Children's Health Insurance Program was conceived in 1996 and took effect in 1997, with a Democratic President and a Republican House and Senate. It now insures some 6 million children in our country. These are the sons and daughters of working families, parents who are working hard, playing by the rules, paying their taxes, but they make too much to be on Medicaid but make too little to be able to afford insurance, especially if one of their children has a preexisting condition of any serious nature. They are making $20,000, $30,000, and $40,000 a year.

The President—as Senator GRASSLEY has pointed out in criticism—has said we don't want to give help to these rich children. These are families making $20,000, $30,000, $40,000, and as much as $50,000 or $60,000 a year but mostly families making less. They are struggling, and it is not easy to pay the bills when you make $30,000 or $40,000 a year, let alone pay for health care bills and health insurance.

The President also said he doesn't want this big Government program. He talked about socialism, or something I don't understand. The President of the United States and most Members of Congress go out to Bethesda. That is a Government health care system. They get great health care at Bethesda Naval Hospital. The VA has terrific facilities, not just the CBOCs, community-based outreach clinics, such as in Mansfield, Youngstown, Lorraine, Springfield, Marion, Lima, and all over the State and all over this country; but the big VA hospitals in places such as Brecksville, Columbus, and Chillicothe, and what all that means.

The President says these are kids who should be covered by private insurance. Sure, they should. I wish these children did have private insurance. But the fact is that millions of children in our country don't have private insurance. At relatively little cost—because most children don't cost much to insure—we can put them in the Children's Health Insurance Program.

If the President vetoes this bill, it will immediately mean that some number of children—several hundred thousand—will lose their health insurance immediately, and it will mean a lost opportunity for 4 million other children in Colorado, Ohio, and all over this country, to get health insurance. Again, these are children of working parents—parents who are struggling and doing the best they can to make a go of it. All they want is health insurance for their children.

The President is critical of the cost of the bill. This bill will cost about $7 billion a year, the Children's Health Insurance Plan. The Presiding Officer voted for it and I voted for it and it passed this Senate with 68 votes, with almost 20 Republicans—almost 40 percent of the Republicans voted for this bill in the Senate and all of the Democrats. This is a bipartisan bill. The House is the same way, where dozens of Republicans in the House voted for it.

So it is clearly a bipartisan bill, and the President says it costs too much. It costs $7 billion a year in the next 5 years. What does that mean? In contrast, we spend in 1 week in Iraq close to $3 billion. So we are spending $3 billion a week in Iraq, and we want to spend $7 billion a year to cover 4 million children—some 60 or 70 or 80 in Ohio would take advantage of this—and the President says no to that. He wants more than $3 billion additional per week in Iraq. Something is wrong with those priorities.

The President has had the legislation delivered to him at the White House. I hope the President will reconsider some of his public comments and listen to middle-class families. This is one of those times when Government can directly help the middle class and make a difference in the lives of so many middle-class families who are struggling, such as the Demko family in Columbus.

I just wish the President would open his mind and his ears and his eyes for the next few days and let's send some children, some families we have met, whom you have met, Mr. President, in Boulder or Denver, whom you met in Colorado Springs, whom I have met in Columbus, Cincinnati, or Dayton, or Zanesville, or Steubenville—let's invite some of those families to the White House, sit down with the President and say: Mr. President, here is what the Children's Health Insurance Program means to me and my family and to a lot of my neighbors. Please, Mr. President, sign this bill.

I believe, because I think he is a decent person, if the President would open his ears, eyes, and mind to that conversation of those families, it would be a very different outcome. I am hopeful in the next couple of days that the President will sign the Children's Health Insurance Program. If he does not, I am confident we will override his veto in the Senate, and I am hopeful that enough Republicans will get on this bipartisan bandwagon and join the Democrats in overriding that veto because it will mean a stronger, more vibrant, more humane policy and a stronger middle class for our country.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSE AUTHORIZATION

Mrs. CLINTON. Mr. President, from day one, the Bush administration has pursued an aggressive agenda of privatizing essential Government services, even when there has existed overwhelming evidence that doing so would waste money, impair accountability, harm citizens who rely on those services, or jeopardize our Nation's safety and security. The Kennedy-McCaskill amendment on civilian contracting will slow this agenda and bring some much needed common sense to the administration's campaign to outsource essential functions to the private sector.

Among other reforms, the amendment will nullify an edict imposed from outside the Department of Defense that the agency contract out a certain number of jobs regardless of the merits; give Federal employees the same rights to challenge a contracting decision that are now enjoyed by private contractors; and eliminate a wasteful rule that civilian jobs automatically be recompeted at the end of each performance period. I am a strong supporter of the Kennedy-McCaskill amendment, which will serve as an important check on the administration's privatization agenda.

UNSOLVED CIVIL RIGHTS CRIMES

Mr. COBURN. Mr. President, I objected to a unanimous consent request to pass S. 535/H.R. 923, the Emmett Till Unsolved Civil Rights Crime Act. I objected, not because I disagree with the well intended motives of the legislation, but because the authors of the bill refused to work with me to make some commonsense changes.

Let me be clear, I absolutely support the goals of this legislation and believe that those who committed civil rights crimes must be brought to justice, but I believe that we can and must do so in a fiscally responsible manner.

Just last week, the Senate voted to increase the Federal Government's debt limit to $9.815 trillion. It is beyond irresponsible to pass any bill that will add to this debt that will be inherited by our children and grandchildren. Even our best intentions need to be paid for with offsets from lower priorities or wasteful spending.

On February 5, 2007, I sent a letter to my colleagues outlining my intent to object to any legislation authorizing new spending that is not offset by reductions in real spending elsewhere. I strongly believe that Congress should stop borrowing and spending beyond our means. Instead, Congress, like all families, ought to prioritize spending and reduce less important spending when greater priorities arise.

S. 535/H.R. 923 violates two of the principles that I outlined in my February letter. These are: If a bill authorizes new spending, it must be offset by reductions in real spending elsewhere; and if a bill creates or authorizes a new Federal program or activity, it must not duplicate an existing program or activity.

This bill authorizes unpaid for new spending and creates a new government program that duplicates existing government efforts. Both of these concerns could be easily addressed if the sponsors of the bill were interested in securing its passage.

In June of this year, my office contacted the bill's sponsors to suggest possible offsets so that I could give my consent—but there was no desire, at the time, to amend the bill. This was unfortunate because last Congress, when Senator Jim Talent was the lead sponsor, he agreed to include offsets in exchange for my consent, but the compromise language was opposed by an unidentified Senator.

It is also unfortunate because there is no shortage of potential offsets for this bill within the Department of Justice, which would administer the proposed program. The bill authorizes $12 million each year for 10 years. The Department has $1.6 billion in unobligated balances, which are funds that have been appropriated but which there are no plans to spend. In fiscal year 2006, the Department spent $45.9 million on conferences, a 34-percent increase since fiscal year 2000. The inspector general examined just 10 conferences and found that the Department spent an estimated $1.5 million on food and beverages. This included paying $4 per meatball at one lavish dinner and spreading an average of $25 worth of snacks around to each participant at a movie-themed party. It is estimated that the current fiscal year 2008 Commerce, Justice, Science Appropriations bill contains congressional earmarks totaling $587 million and the bill exceeds the President's request by more than $2 billion. Clearly, there is wasteful spending that can be reduced to pay for this program.

Just like American taxpayers, Congress needs to learn to pay for what it spends. This is a reasonable expectation but one that has been ignored by Washington politicians who tend to put off difficult decisions and, as a result, have charged up a $9 trillion debt.

This bill also creates a new Federal program that duplicates an existing Federal Government initiative that seeks to address unsolved civil rights crimes. The Department of Justice and the Civil Rights Division of the Federal Bureau of Investigation are currently working with States and nonprofit groups to pursue unsolved civil rights era crimes that resulted in death.

In February 2006, the FBI began an initiative to identify hate crimes that occurred prior to December 1969, and resulted in death. Since then, the Bureau's 56 field offices began to reexamine their unsolved civil rights cases

and determine which ones might still be viable for prosecution. To date, they have identified nearly 100 case referrals. Furthermore, the U.S. Attorney General and the FBI Director announced a partnership with the NAACP, the Southern Poverty Law Center and the National Urban League to investigate unsolved crimes from the civil rights era.

I am very supportive of this effort and I am also encouraged that these cases are currently being pursued.

On August 2, 2007, I sent a letter to the Attorney General requesting more information about these efforts to ensure that any legislation passed by Congress would assist the Department to meet its goals. I am awaiting a response.

I do believe that solving these crimes is imperative to remedying past injustices and ensuring future justice. These types of crimes should never have been and never again tolerated or ignored.

I also believe that because of the nature of the crime, the time elapsed, and the fact that many witnesses and potential murderers have moved to different States, this is an area of the law that rightly requires Federal assistance.

Consequently, it is my hope that the bill's sponsors will support my efforts to find funding for this worthy program. It is unfortunate that such a well intentioned effort is being held up because Washington politicians refuse to live under the same budget rules that every family in America adheres to. In the meantime, the American people can rest assured knowing that the Department of Justice and the FBI are already conducting the investigations that this bill seeks to address.

PERFORMANCE GOALS FOR THE MEDICAL DEVICE USER FEE AMENDMENTS OF 2007

Mr. KENNEDY. Mr. President, on September 20, 2007, the Senate passed H.R. 3580, the Food and Drug Administration Amendments Act of 2007. Title II of this bill includes the reauthorization of the FDA's medical device user fee program.

Performance goals, existing outside of the statute, accompany the authorization of medical device user fees. These goals represent a realistic projection of what the Food and Drug Administration's Center for Devices and Radiological Health and Center for Biologics Evaluation and Research can accomplish with industry cooperation. The Secretary of Health and Human Services forwarded these goals to the chairmen of the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, in a document entitled ''MDUFA PERFORMANCE GOALS AND PROCEDURES.'' According to Section 201(c) of H.R. 3580, ''the fees authorized under the amendments made by this title will be dedicated toward expediting the process for the review of device applications and for assuring the safety and effectiveness of devices, as set forth in the goals . . . in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the CONGRESSIONAL RECORD.''

Today I am submitting for the RECORD this document, which was forwarded to the Committee on Health, Education, Labor and Pensions on September 27, 2007, as well as the letter from Secretary Leavitt that accompanied the transmittal of this document.

I ask unanimous consent this material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HEALTH AND HUMAN SERVICES,
Washington, DC, September 27, 2007.

EDWARD M. KENNEDY,
Chairman, Committee on Health, Education, Labor, and Pensions, U.S. Senate, Washington, DC.

DEAR CHAIRMAN KENNEDY: I want to congratulate you for completing action on the FDA Amendments Act, H.R. 3580. As you know, this bill contains the reauthorization of user fees for drugs and devices as well as other key provisions vital to the Food and Drug Administration. We appreciate your support and hard work on this legislation, the commitment of Members of the Committee in working out these measures, and the support shown by the full Senate.

I am including as enclosures to this letter the two commitment documents for the drug and device user fee programs which outline the agreements between the Agency and the industries with regard to application approval timeframes, issuance of guidances, post market program enhancements, and milestones for other activities to be supported by user fees. These documents cover fiscal years 2008 through 2012 and they represent the commitment of the Department and the FDA to carry out the goals under the mutual agreement with the industries.

Thank you again for successful enactment of the FDA Amendments Act. I look forward to working with you as we proceed with the implementation of this legislation.

Sincerely,

MICHAEL O. LEAVITT,
Secretary.

MDUFA PERFORMANCE GOALS AND PROCEDURES

The performance goals and procedures of the FDA Center for Devices and Radiological Health (CDRH) and the Center for Biologics Evaluation and Research (CBER), as agreed to under the medical device user fee program in the Medical Device User Fee Amendments of 2007, are summarized as follows:

I. Review performance goals—Fiscal year 2008 through 2012 as applied to receipt cohorts.

All references to ''days'' mean ''FDA days.''

A. Original premarket approval (PMA), panel-track PMA supplement, and premarket report submissions.

FDA will issue a decision for 60 percent of non-expedited filed submissions within 180 days, and for 90 percent within 295 days.

B. Expedited original PMA and panel-track PMA supplement submissions.

FDA will issue a decision for 50 percent of expedited filed submissions within 180 days, and for 90 percent within 280 days.

C. PMA modules.

FDA will take action on 75 percent of PMA modules within 90 days, and on 90 percent within 120 days.

D. 180-day PMA supplements.

FDA will issue a decision for 85 percent of 180-day PMA supplements within 180 days, and for 95 percent within 210 days.

E. Real-time PMA supplements.

FDA will issue a decision for 80 percent of real-time PMA supplements within 60 days, and for 90 percent within 90 days.

F. 510(k) submissions.

FDA will issue a decision for 90 percent of 510(k)s within 90 days, and for 98 percent within 150 days.

G. Maintenance of current performance.

The agency will, at a minimum, maintain current review performance in review areas such as IDEs and 30-day Notices where specific quantitative goals have not been established.

H. Interactive review.

The agency will continue to incorporate an interactive review process to provide for, and encourage, informal communication between FDA and sponsors to facilitate timely completion of the review process based on accurate and complete information. Interactive review entails responsibilities for both FDA and sponsors.

Interactive review is intended to: (a) prevent unnecessary delays in the completion of the review; (b) avoid surprises to the sponsor at the end of the review process; (c) minimize the number of review cycles and extent of review questions conveyed through formal requests for additional information; and (d) ensure timely responses from sponsors.

All forms of communication should be used as ''tools'' to facilitate interactive review. These include, but are not limited to, the following: (a) e-mail; (b) one-on-one telephone calls; (c) telephone conferences; (d) videoconferencing; (e) fax; and (f) face-to-face meetings.

Application of these tools for interactive review should remain flexible, balancing speed and efficiency with the need to ensure supervisory concurrence for significant information requests. In general, e-mail should be the preferred mechanism for informal communication because it creates a clear record of the interaction, with telephone calls used primarily for seeking clarification or answers to very limited questions. Conferencing, either by telephone, video, or face-to-face mechanisms, should be used at key milestones, such as those described below, in the review process.

A cornerstone of interactive review is that communication should occur as needed to facilitate a timely and efficient review process. In particular:

1. There should be regular, informal communication from FDA to seek clarification on issues that can be resolved without substantive review or analysis. When appropriate, FDA will also informally communicate substantive review issues if FDA determines that it will facilitate a timely and efficient review process.

Because all reviewers will be active participants in the interactive review process established under this agreement, it should be a natural outcome that reviewers will share issues with sponsors prior to incorporating them into formal letters.

2. Whenever FDA informally requests additional information, the sponsor and FDA will determine an acceptable timeframe for submission of the information. If the information is not received within the agreed upon

timeframe or the information is incomplete, the application will be placed on hold (with a major deficiency letter or AI letter) until the information is received.

FDA will develop a guidance document that incorporates these general principles and should make them operational within the review processes for 510(k)s, PMAs, and PMA supplements. FDA will use this detailed interactive review summary as the basis for a guidance document which FDA will issue as a ''final'' guidance 6 months from the date an agreed upon legislative package is sent to Congress or 3 months from the date of enactment, whichever is later.

I. Meetings.

FDA will make every effort to schedule both informal and formal meetings, both before and during the review process, in a timely manner and industry will make every effort to provide timely and relevant information to make the meetings as productive as possible. These meetings include, but are not limited to the following: pre-submission meetings, determination meetings, agreement meetings, and Day-100 meetings (for PMAs).

J. Quarterly performance reports.

The agency will report quarterly its progress toward meeting the quantitative goals described in this letter and will do so in a timely manner. In addition, for all submission types, FDA will track total time (time with FDA plus time with the company) from receipt or filing to final decision for approval, denial, SE, or NSE. FDA will also provide de-identified review performance data for the branch with the shortest average review times and the branch with the longest average review times for 510(k)s, 180-day supplements, and real-time supplements on an annual basis. Finally, in an effort to enhance accountability and transparency, the agency will meet with the industry informally on a semi-annual basis to discuss issues related to performance and expenditures. At that time, the agency will provide a qualitative update on how funding is being used for the device review process, including investments in information technology and training.

K. New commitments.

All agency guidance documents will reflect commitments made in this goals letter, as appropriate. If a guidance document has not been updated, FDA will still act in accordance with the goals letter.

L. Reviewer training.

As resources permit, the agency will apply user fee revenues to support reviewer training that is related to the process for the review of devices, including training to enhance scientific expertise. FDA will provide summary information on the types of training provided to its staff on an annual basis.

M. Guidance document development.

The agency will continue to develop guidance documents to the extent possible without adversely impacting the timeliness of review of MDUFA-related submissions. Each year, FDA will post a list of guidance documents it is considering for development and provide stakeholders an opportunity to provide comments and/or draft language for those topics as well as suggestions for new or different guidances.

N. Imaging devices with contrast agents or radiopharmaceuticals.

FDA will, after consultation with affected parties, develop a guidance document intended to ensure timely and effective review of, and consistent and appropriate postmarket regulation and labeling recommendations for, diagnostic imaging devices used with imaging contrast agents and/or radiopharmaceuticals approved for the same or different indications. Draft guidance will be published by the end of FY 2008, and will be subject to a 90-day public comment period. FDA will issue a final guidance within one year of the close of the public comment period.

O. In vitro diagnostics.

To facilitate the development of in vitro diagnostic (IVD) devices, FDA will continue to explore ways to clarify the regulatory requirements and reduce regulatory burden, as appropriate, by:

1. Issuing new or revised guidance on: (a) the conduct of clinical trials involving de-identified leftover specimens; (b) clinical trial design issues for molecular diagnostic tests; (c) migration studies; (d) Herpes Simplex Virus IVDs; (e) enterovirus IVDs; and (f) influenza testing.

2. Conducting a pilot program to evaluate integrating the 510(k) review and Clinical Laboratory Improvement Amendments (CLIA) waiver review processes for possible increased efficiencies. This pilot will include only voluntary participants from industry, and the 510(k) applications involved in the pilot will not be counted toward the MDUFA performance goals.

3. Considering industry proposals on acceptable CLIA waiver study protocols, developing acceptable protocol designs, and making them available by adding appendices to the CLIA waiver guidance or by posting redacted protocols on the FDA website.

4. Tracking review times for CLIA waiver applications, sharing this information with industry annually and, at the end of year two of MDUFA, evaluating whether CLIA waiver user fees and performance goals should be considered for MDUFA III.

5. Reviewing a list of class I and II low risk IVD devices, to be provided by industry, to determine whether any of them could be exempted from premarket notification, and allowing interested parties to petition for exemptions consistent with section 510(m)(2) of the Federal Food, Drug, and Cosmetic Act (the Act).

6. Performing a review of its pre-IDE program for IVD devices. This review will be conducted during the first year of MDUFA and will focus on specific issues identified by industry that they would like to see addressed by the program review.

P. Transition period.

FDA will meet the performance goals established under MDUFA II beginning October 1, 2007. However, because, beginning October 1, 2007, FDA will be reviewing submissions under MDUFMA I goals and MDUFA II goals at the same time (due to submissions received in FY 2007 but acted upon in FY 2008), FDA will not manage to the MDUFMA I cycle goals for those submissions received in fiscal year 2007. FDA will meet the MDUFMA I decision goals for submissions received in FY07 and will apply the principles of interactive review.

II. Definitions and explanations of terms.

A. FDA Decision.

PMA decisions are approval, approvable, approvable pending GMP inspection, not approvable, withdrawal, and denial. 510(k) decisions are substantially equivalent (SE) or not substantially equivalent (NSE).

Not Approvable decisions will generally not be issued on the first review cycle. The rare cases where a not approvable decision might be issued on the first review cycle would include situations such as (1) the application is complete and there are no outstanding FDA issues, but the data do not demonstrate that the device provides reasonable assurance of safety and effectiveness, or (2) the PMA receives a not approvable recommendation from an advisory panel. Any ''Not Approvable'' decision will be accompanied by the rationale for its issuance.

Submission of an unsolicited major amendment to any original PMA, premarket report, panel-track supplement, or 180-day supplement extends the FDA decision goal date by the number of days equal to 75 percent of the difference between the filing date and the date of receipt of the amendment.

B. Expedited review.

The MDUFA II expedited review performance goals will apply only to devices for which expedited review has been granted in accordance with section 515(d)(5) of the Act.

If in any one fiscal year, the number of submissions granted expedited review equals 10 or more, FDA will be held to the expedited review performance goals for that fiscal year.

If in any one fiscal year, the number of submissions granted expedited review is less than 10, then it is acceptable to combine the submissions for the following year(s) in order to form a cohort of 10 submissions upon which FDA will be held to the performance goals. However, FDA will continue to report performance data on the cohort for each fiscal year.

C. PMA modules.

Action on a PMA module includes accepting the module, request for additional information, receipt of the PMA, and withdrawal of the module.

D. 180-day PMA supplements.

Decisions for 180-day PMA supplements include approval, approvable, approvable pending GMP inspection, and not approvable.

FDA will implement a major deficiency letter process for 180-Day PMA Supplements (similar to that for PMAs).

E. Real-time PMA supplements.

Decisions for real-time PMA supplements include approval, approvable, and not approvable.

PERFORMANCE GOALS FOR THE PRESCRIPTION DRUG USER FEE AMENDMENTS OF 2007

Mr. KENNEDY. Mr. President, on September 20, 2007, the Senate passed H.R. 3580, the Food and Drug Administration Amendments Act of 2007. Title I of this bill is the reauthorization of the FDA's prescription drug user fee program, and includes the initial authorization for a voluntary user fee program for advisory reviews of direct-to-consumer television advertising.

Performance goals, existing outside of the statute, accompany the reauthorization of the drug user fee program and the authorization of the advisory review user fee program. These goals represent a realistic projection of what the Food and Drug Administration's Center for Drug Evaluation and Research and Center for Biologics Evaluation and Research can accomplish with industry cooperation. The Secretary of Health and Human Services forwarded these goals to the chairmen of the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, in a document with two sections entitled ''PDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES'' and ''PERFORMANCE GOALS AND PROCEDURES FOR ADVISORY REVIEW OF DIRECT-TO-CONSUMER TELEVISION ADVERTISING.'' According to Section 101(c) of H.R. 3580, ''the fees authorized by the amendments made in this title will

be dedicated toward expediting the drug development process and the process for the review of human drug applications, including postmarket drug safety activities, as set forth in the goals . . .in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the CONGRESSIONAL RECORD.''

Today I am submitting for the RECORD this document, which was forwarded to the Committee on Health, Education, Labor and Pensions on September 27, 2007, as well as the letter from Secretary Leavitt that accompanied the transmittal of this document.

The agency-industry agreement on prescription drug user fees includes, for each of the 5 fiscal years of the reauthorization, an additional $29,290,000 and 82 full time employees for the postmarket drug safety activities described in the document. These funds are augmented in Title I of H.R. 3580 by an additional $225 million for postmarket drug safety, $25 million for fiscal year 2008, $35 million for fiscal year 2009, $45 million for fiscal year 2009, $55 million for fiscal year 2010, and $65 million for fiscal year 2011. The FDA will use this $225 million to implement the postmarket drug safety programs and authorities set out in Title IX of H.R. 3580.

I ask unanimous consent this material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HEALTH AND HUMAN SERVICES,
Washington, DC, September 27, 2007.

EDWARD M. KENNEDY,
Chairman, Committee on Health, Education, Labor, and Pensions, U.S. Senate, Washington, DC.

DEAR CHAIRMAN KENNEDY: I want to congratulate you for completing action on the FDA Amendments Act, H.R. 3580. As you know, this bill contains the reauthorization of user fees for drugs and devices as well as other key provisions vital to the Food and Drug Administration. We appreciate your support and hard work on this legislation, the commitment of Members of the Committee in working out these measures, and the support shown by the full Senate.

I am including as enclosures to this letter the two commitment documents for the drug and device user fee programs which outline the agreements between the Agency and the industries with regard to application approval timeframes, issuance of guidances, post market program enhancements, and milestones for other activities to be supported by user fees. These documents cover fiscal years 2008 through 2012 and they represent the commitment of the Department and the FDA to carry out the goals under the mutual agreement with the industries.

Thank you again for successful enactment of the FDA Amendments Act. I look forward to working with you as we proceed with the implementation of this legislation.

Sincerely,

MICHAEL O. LEAVITT,
Secretary.

SECTION A: PDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FISCAL YEARS 2008 THROUGH 2012

The performance goals and procedures of the FDA Center for Drug Evaluation and Research (CDER) and the Center for Biologics Evaluation and Research (CBER), as agreed to under the reauthorization of the prescription drug user fee program in the [cite statute] are summarized below.

Unless otherwise stated, goals apply to cohorts of each fiscal year (FY).

I. REVIEW PERFORMANCE GOALS

A. NDA/BLA Submissions and Resubmissions

1. Review and act on 90 percent of standard original NDA and BLA submissions within 10 months of receipt.

2. Review and act on 90 percent of priority original NDA and BLA submissions within 6 months of receipt.

3. Review and act on 90 percent of Class 1 resubmitted original applications within 2 months of receipt.

4. Review and act on 90 percent of Class 2 resubmitted original applications within 6 months of receipt.

B. Original Efficacy Supplements

1. Review and act on 90 percent of standard efficacy supplements within 10 months of receipt.

2. Review and act on 90 percent of priority efficacy supplement within 6 months of receipt.

C. Resubmitted Efficacy Supplements

1. Review and act on 90 percent of Class 1 resubmitted efficacy supplements within 2 months of receipt.

2. Review and act on 90 percent of Class 2 resubmitted efficacy supplements within 6 months of receipt.

D. Original Manufacturing Supplements

1. Review and act on 90 percent of manufacturing supplements within 6 months of receipt and review and act on 90 percent of manufacturing supplements requiring prior approval within 4 months of receipt.

E. These review goals are summarized in the following table:

ORIGINAL AND RESUBMITTED NDAs/BLAs AND EFFICACY SUPPLEMENTS

Submission cohort	Standard	Priority
Original Applications	90% in 10 Mo	90% in 6 Mo.
Class 1 Resubmissions	90% in 2 Mo	90% in 2 Mo.
Class 2 Resubmissions	90% In 6 Mo	90% in 6 Mo.
Original Efficacy Supplements.	90% in 10 Mo	90% in 6 Mo.
Class 1 Resubmitted Efficacy Supplements.	90% in 2 Mo	90% in 2 Mo.
Class 2	90% in 6 Mo	90% in 6 Mo.
MANUFACTURING SUPPLEMENTS		
FY 2008–2012	90% in 6 Mo	90% in 4 Mo.

II. NEW MOLECULAR ENTITY (NME) PERFORMANCE GOALS

A. The performance goals for standard and priority original NMEs in each submission cohort will be the same as for all of the original NDAs (including NMEs) in each submission cohort but shall be reported separately.

B. For biological products, for purposes of this performance goal, all original BLAs will be considered to be NMEs.

III. MEETING MANAGEMENT GOALS

A. Responses to Meeting Requests

1. Procedure: Within 14 calendar days of the Agency's receipt of a request from industry for a formal Type A meeting, or within 21 calendar days of the Agency's receipt of a request from industry for a formal Type B or Type C meeting (i.e., a scheduled face-to-face, teleconference, or videoconference), CBER and CDER should notify the requester in writing (letter or fax) of the date, time, and place for the meeting, as well as expected Center participants.

2. Performance Goal: FDA will provide this notification within 14 days for 90% of Type A meeting requests and within 21 days for 90% of Type B and Type C meeting requests.

B. Scheduling Meetings

1. Procedure: The meeting date should reflect the next available date on which all applicable Center personnel are available to attend, consistent with the component's other business; however, the meeting should be scheduled consistent with the type of meeting requested. If the requested date for any of these types of meetings is greater than 30, 60, or 75 calendar days (as appropriate) from the date the request is received by the Agency, the meeting date should be within 14 calendar days of the date requested.

a) Type A Meetings should occur within 30 calendar days of the Agency receipt of the meeting request.

b) Type B Meetings should occur within 60 calendar days of the Agency receipt of the meeting request.

c) Type C Meetings should occur within 75 calendar days of the Agency receipt of the meeting request.

2. Performance goal: 90% of meetings are held within the timeframe.

C. Meeting Minutes

1. Procedure: The Agency will prepare minutes which will be available to the sponsor 30 calendar days after the meeting. The minutes will clearly outline the important agreements, disagreements, issues for further discussion, and action items from the meeting in bulleted form and need not be in great detail.

2. Performance goal: 90% of minutes are issued within 30 calendar days of date of meeting.

D. Conditions

For a meeting to qualify for these performance goals:

1. A written request (letter or fax) should be submitted to the review division; and

2. The letter should provide:

a) A brief statement of the purpose of the meeting;

b) A listing of the specific objectives/outcomes the requester expects from the meeting;

c) A proposed agenda, including estimated times needed for each agenda item;

d) A listing of planned external attendees;

e) A listing of requested participants/disciplines representative(s) from the Center;

f) The approximate time that supporting documentation (i.e., the ''backgrounder'') for the meeting will be sent to the Center (i.e., ''x'' weeks prior to the meeting, but should be received by the Center at least 2 weeks in advance of the scheduled meeting for Type A meetings and at least 1 month in advance of the scheduled meeting for Type B and Type C meetings); and

3. The Agency concurs that the meeting will serve a useful purpose (i.e., it is not premature or clearly unnecessary). However, requests for a ''Type B'' meeting will be honored except in the most unusual circumstances.

Sponsors are encouraged to consult available FDA guidance to obtain further information on recommended meeting procedures.

IV. CLINICAL HOLDS

A. Procedure: The Center should respond to a sponsor's complete response to a clinical hold within 30 days of the Agency's receipt of the submission of such sponsor response.

B. Performance goal: 90% of such responses are provided within 30 calendar days of the Agency's receipt of the sponsor's response.

V. MAJOR DISPUTE RESOLUTION

A. Procedure: For procedural or scientific matters involving the review of human drug applications and supplements (as defined in PDUFA) that cannot be resolved at the signatory authority level (including a request for reconsideration by the signatory authority after reviewing any materials that are planned to be forwarded with an appeal to the next level), the response to appeals of decisions will occur within 30 calendar days of the Center's receipt of the written appeal.

B. Performance goal: 90% of such answers are provided within 30 calendar days of the Center's receipt of the written appeal.

C. Conditions:

1. Sponsors should first try to resolve the procedural or scientific issue at the signatory authority level. If it cannot be resolved at that level, it should be appealed to the next higher organizational level (with a copy to the signatory authority) and then, if necessary, to the next higher organizational level.

2. Responses should be either verbal (followed by a written confirmation within 14 calendar days of the verbal notification) or written and should ordinarily be to either grant or deny the appeal.

3. If the decision is to deny the appeal, the response should include reasons for the denial and any actions the sponsor might take in order to persuade the Agency to reverse its decision.

4. In some cases, further data or further input from others might be needed to reach a decision on the appeal. In these cases, the ''response'' should be the plan for obtaining that information (e.g., requesting further information from the sponsor, scheduling a meeting with the sponsor, scheduling the issue for discussion at the next scheduled available advisory committee).

5. In these cases, once the required information is received by the Agency (including any advice from an advisory committee), the person to whom the appeal was made, again has 30 calendar days from the receipt of the required information in which to either deny or grant the appeal.

6. Again, if the decision is to deny the appeal, the response should include the reasons for the denial and any actions the sponsor might take in order to persuade the Agency to reverse its decision.

7. N.B. If the Agency decides to present the issue to an advisory committee and there are not 30 days before the next scheduled advisory committee, the issue will be presented at the following scheduled committee meeting in order to allow conformance with advisory committee administrative procedures.

VI. SPECIAL PROTOCOL QUESTION ASSESSMENT AND AGREEMENT

A. Procedure: Upon specific request by a sponsor (including specific questions that the sponsor desires to be answered), the Agency will evaluate certain protocols and issues to assess whether the design is adequate to meet scientific and regulatory requirements identified by the sponsor.

1. The sponsor should submit a limited number of specific questions about the protocol design and scientific and regulatory requirements for which the sponsor seeks agreement (e.g., is the dose range in the carcinogenicity study adequate, considering the intended clinical dosage; are the clinical endpoints adequate to support a specific efficacy claim).

2. Within 45 days of Agency receipt of the protocol and specific questions, the Agency will provide a written response to the sponsor that includes a succinct assessment of the protocol and answers to the questions posed by the sponsor. If the Agency does not agree that the protocol design, execution plans, and data analyses are adequate to achieve the goals of the sponsor, the reasons for the disagreement will be explained in the response.

3. Protocols that qualify for this program include: carcinogenicity protocols, stability protocols, and Phase 3 protocols for clinical trials that will form the primary basis of an efficacy claim. (For such Phase 3 protocols to qualify for this comprehensive protocol assessment, the sponsor must have had an end of Phase 2/pre-Phase 3 meeting with the review division so that the division is aware of the developmental context in which the protocol is being reviewed and the questions being answered.)

4. N.B. For products that will be using Subpart E or Subpart H development schemes, the Phase 3 protocols mentioned in this paragraph should be construed to mean those protocols for trials that will form the primary basis of an efficacy claim no matter what phase of drug development in which they happen to be conducted.

5. If a protocol is reviewed under the process outlined above and agreement with the Agency is reached on design, execution, and analyses and if the results of the trial conducted under the protocol substantiate the hypothesis of the protocol, the Agency agrees that the data from the protocol can be used as part of the primary basis for approval of the product. The fundamental agreement here is that having agreed to the design, execution, and analyses proposed in protocols reviewed under this process, the Agency will not later alter its perspective on the issues of design, execution, or analyses unless public health concerns unrecognized at the time of protocol assessment under this process are evident.

B. Performance goal: 90% of special protocols assessments and agreement requests completed and returned to sponsor within timeframes.

C. Reporting: The Agency will track and report the number of original special protocol assessments and resubmissions per original special protocol assessment.

VII. ADDITIONAL PROCEDURES

A. Simplification of Action Letters

To simplify regulatory procedures, CBER and CDER intend to amend their regulations and processes to provide for the issuance of either an ''approval'' (AP) or a ''complete response'' (CR) action letter at the completion of a review cycle for a marketing application.

B. Timing of Sponsor Notification of Deficiencies in Applications

To help expedite the development of drug and biologic products, CBER and CDER intend to submit deficiencies to sponsors in the form of a ''discipline review'' (DR) letter when each discipline has finished its initial review of its section of the pending application.

VIII. ENHANCEMENT AND MODERNIZATION OF THE FDA DRUG SAFETY SYSTEM

FDA will use user fees to enhance and modernize the current U.S. drug safety system. FDA will adopt new scientific approaches, improve the utility of existing tools for the detection, evaluation, prevention, and mitigation of adverse events, and continue to enhance and improve communication and coordination between post-market and pre-market review staff. Enhancements to the post-market drug safety system will improve the public health by increasing patient protection while continuing to enable access to needed medical products. User fees will provide support for 1) preparing and implementing a 5-year plan to modernize drug safety, including improving communication and coordination between the post-market and pre-market review staff, 2) conducting and/or supporting activities designed to modernize the process of pharmaco-vigilance, 3) developing with sponsors, reviewing, and monitoring implementation of risk management plans, and 4) related activities.

A. Development of 5-year plan, and Communications and Technical Interactions

1. The FDA will develop and periodically update a 5-year plan describing activities that will lead to enhancing and modernizing FDA's drug safety activities/system. The activities described in the 5-year plan will include:

a) Assessment of current and new methodologies to maximize the public health benefit associated with collecting adverse event information at various points during the product lifecycle;

b) With input from academia, industry, and others from the general public, identifying epidemiology best practices and developing guidance(s) describing these practices;

c) Expanding CBER/CDER's database acquisition and use for the purposes of targeted post-marketing surveillance and epidemiology;

d) Developing and validating risk management and risk communication tools, including assessing the effectiveness of risk management plan agreements and developing, implementing, and evaluating mechanisms for public communications about the benefits and risks of drugs and biological products;

e) Improving post-market IT systems (e.g., AERS 2, safety tracking system, and opportunities for linked data management);

f) Enhancing and improving communication and coordination between the Office of Surveillance and Epidemiology and the Office of New Drugs in CDER and the Office of Biostatistics and Epidemiology and the pre-market product review Offices in CBER, including activities to assess the impact and value of routinely including post-market review staff on pre-market review teams.

2. The plan will be drafted, published on the FDA website, and updated as follows:

a) FDA will publish a draft of the plan by March 31, 2008. At that time, FDA will solicit and consider comments from the public on the draft plan. The public comment period will be at least 45 calendar days. FDA will complete revisions to the plan and publish the final version no later than December 31, 2008.

b) By the end of FY 09, FDA will conduct an annual assessment of progress against the plan to be published on the FDA website. The report will describe progress on issues outlined in the five year plan. In addition, the report will include FDA efforts to facilitate the interactions between OND/OSE related to the process of evaluating and responding to post-marketing drug safety/adverse event reports.

c) FDA will publish updates to the plan as FDA deems necessary. FDA will publish on the FDA website draft revisions to the plan, solicit comments from the public on those draft revisions, and consider the public comments before completing and publishing updates to the plan.

B. Conduct and support activities designed to modernize the process of pharmaco-vigilance

1. Maximize the Public Health Benefit of Adverse Event (AE) Collection Throughout

the Product Life Cycle: By the end of FY 08, FDA will publish a Request for Proposals (RFP) to solicit proposals from outside research organizations to conduct research on determining the best way to maximize the public health benefit associated with collecting and reporting serious and non-serious adverse events occurring throughout a product's life cycle. Central to addressing this question are determining the number and type of safety concerns discovered by AE collection, the age of products at the time safety concerns are detected by AE collection, and the types of actions that are subsequently taken to protect patient safety. Contractor(s) should study adverse event collection both within and outside the U.S. Contract(s) will be awarded during FY 09 and the completion of study(ies) targeted for FY 11.

2. Epidemiology Best Practices and Guidance Document Development: During FY 08, the FDA, with input from academia, industry, and others from the general public, will hold a public workshop to identify epidemiology best practices. The workshop will examine current epidemiology practices both within and outside the U.S. By the end of FY 10, CDER and CBER jointly will develop and issue a draft guidance document that addresses epidemiology best practices and provides guidance on carrying out scientifically sound observational studies using quality data resources. A final guidance will be issued in FY 11.

3. Expanding Database Resources: A critical part of the transformation of the drug safety program is maximizing the usefulness of tools used for adverse event signal detection and risk assessment. To achieve this end, data other than passive spontaneous reports, including population-based epidemiological data and other types of observational data resources will be used and evaluated. Access to these types of data will expand the FDA's capability to carry out targeted postmarketing surveillance, look at class effects of drugs, and potentially carry out signal detection using data resources other than reports from AERs system. PDUFA funds will be used to obtain access to additional databases, to train existing staff, and to hire additional epidemiologists and programmers to be able to use these new resources.

4. Development and Validation of Risk Management and Risk Communication Tools: During FY 08, FDA will develop a plan to 1) identify, with input from academia, industry, and others from the general public, risk management tools and programs for the purpose of evaluation and 2) conduct assessments of the effectiveness of identified Risk Minimization Action Plans (RiskMAPS) and current risk management and risk communication tools. A public workshop will be held during FY 09 to obtain input from industry and other stakeholders regarding the prioritization of the plans and tools to be evaluated. Starting in FY 09, FDA will conduct annual systematic public discussion and review of the effectiveness of one to two risk management program(s) and one major risk management tool. Reports of these discussions will be posted on the FDA website.

C. Review of risk management plans

FDA may use user fees for the review of risk management plans and related activities (e.g., meeting with sponsors, collaborations between review divisions and the appropriate safety group in CDER or CBER, and reviews of periodic reports on the implementation of any risk management plan).

D. Other Activities

FDA will establish the following standards-based information systems to support how FDA obtains and analyzes post-market drug safety data and manages emerging drug safety information:

1. Enhanced adverse event reporting system and surveillance tools;

2. IT infrastructure to support access and analyses of externally-linked databases; and

3. Workflow tracking system.

IX. REVIEW OF PROPRIETARY NAMES TO REDUCE MEDICATION ERRORS

To enhance patient safety, FDA will utilize user fees to implement various measures to reduce medication errors related to look-alike and sound-alike proprietary names and such factors as unclear label abbreviations, acronyms, dose designations, and error prone label and packaging design.

A. Review Performance Goals—Drug/Biological Product Proprietary Names

1. Proprietary names submitted during IND phase (as early as end-of-phase 2)

a) Review 50% of proprietary name submissions filed during FY 09 within 180 days of receipt. Notify sponsor of tentative acceptance or non-acceptance.

b) Review 70% of proprietary name submissions filed during FY 10 within 180 days of receipt. Notify sponsor of tentative acceptance or non-acceptance.

c) Review 90% of proprietary name submissions filed during FYs 11 and 12 within 180 days of receipt. Notify sponsor of tentative acceptance or non-acceptance.

d) If proprietary name is found to be unacceptable, sponsor can request reconsideration by submitting a written rebuttal with supporting data or request a meeting within 60 days to discuss the initial decision (meeting package required).

e) If proprietary name is found to be unacceptable, the above review performance goals also would apply to the written request for reconsideration with supporting data or the submission of a new proprietary name.

f) Complete submission is required to begin the review clock.

2. Proprietary names submitted with NDA/BLA

a) Review 50% of NDA/BLA proprietary name submissions filed during FY 09 within 90 days of receipt. Notify sponsor of tentative acceptance/non-acceptance.

b) Review 70% of NDA/BLA proprietary name submissions filed during FY 10 within 90 days of receipt. Notify sponsor of tentative acceptance/non-acceptance.

c) Review 90% of NDA/BLA proprietary name submissions filed during FYs 11 and 12 within 90 days of receipt. Notify sponsor of tentative acceptance/non-acceptance.

d) A supplemental review will be done meeting the above review performance goals if the proprietary name has been submitted previously (IND phase after end of phase 2) and has received tentative acceptance.

e) If proprietary name is found to be unacceptable, sponsor can request reconsideration by submitting a written rebuttal with supporting data or request a meeting within 60 days to discuss the initial decision (meeting package required).

f) If proprietary name is found to be unacceptable, the above review performance goals apply to the written request for reconsideration with supporting data or the submission of a new proprietary name.

g) Complete submission is required to begin the review clock.

3. Guidance Document Development

a) By the end of FY 08, FDA will publish a final guidance on the contents of a complete submission package for a proposed proprietary drug/biological product name.

b) By the end of FY 09, FDA will prepare a MaPP (Manual of Policies and Procedures) to ensure that FDA internal processes (e.g., Division of Medication Errors and Technical Support, Division of Drug Marketing, Advertising, and Communications, Office of New Drugs, CDER and Advertising and Promotional Labeling Branch, CBER) are consistent with meeting the proprietary name review goals.

c) By the end of FY 10, after public consultation with academia, industry, and others from the general public, FDA will publish a draft guidance on best practices for naming, labeling and packaging drugs and biologics to reduce medication errors. Final guidance will be published by the end of FY 11.

d) By the end of FY 12, after public consultation with industry, academia and others from the general public, FDA will publish a draft guidance on proprietary name evaluation best practices. Publication of final guidance on proprietary name evaluation best practices will follow as soon as feasible.

B. Pilot Program

During PDUFA IV, FDA will develop and implement a pilot program to enable pharmaceutical firms participating in the pilot to evaluate proposed proprietary names and submit the data generated from those evaluations to the FDA for review.

1. FDA will hold a public technical meeting to discuss the elements necessary to create a concept paper describing the logistics of the pilot program, the contents of a proprietary name review submission, and the criteria to be used by FDA to review submissions under the pilot program. Subsequently, by the end of FY 08, FDA will publish the concept paper.

2. By the end of FY 09, FDA will begin enrollment into the pilot program.

3. By the end of FY 11, or subsequent to accruing two years of experience with pilot submissions, FDA will evaluate the pilot program.

C. Other Activities

1. FDA and industry are interested in exploring the possibility of ''reserving'' proprietary names for companies once the names have been tentatively accepted by the Agency. By the end of FY 08, FDA will initiate a public process to discuss issues around ''reserving'' proprietary names.

2. FDA will provide the full source code and supporting technical documentation for the Phonetic and Orthographic Computer Analysis (POCA) tool and make it available on disk for use by industry and others from the general public by end of FY 08.

X. FIRST CYCLE REVIEW PERFORMANCE PROPOSAL

A. Notification of Issues Identified during the Filing Review

1. Performance Goal: For original NDA/BLA applications and efficacy supplements, FDA will report substantive review issues identified during the initial filing review to the applicant by letter, telephone conference, facsimile, secure e-mail, or other expedient means.

2. The timeline for such communication will be within 14 calendar days after the 60-day filing date.

3. If no substantive review issues were identified during the filing review, FDA will so notify the applicant.

4. FDA's filing review represents a preliminary review of the application and is not indicative of deficiencies that may be identified later in the review cycle.

5. FDA will notify the applicant of substantive review issues prior to the goal date for 90% of applications.

B. Notification of Planned Review Timelines

1. Performance Goal: For original NDA/BLA applications and efficacy supplements, FDA will inform the applicant of the planned timeline for review of the application. The information conveyed will include a target date for communication of feedback from the review division to the applicant regarding proposed labeling and postmarketing study commitments (PMCs) the Agency will be requesting.

2. The planned review timeline will be included with the notification of issues identified during the filing review, within 14 calendar days after the 60-day filing date.

3. The planned review timelines will be consistent with the Guidance for Review Staff and Industry: Good Review Management Principles and Practices for PDUFA Products (GRMPs), taking into consideration the specific circumstances surrounding the individual application.

4. The planned review timeline will be based on the application as submitted.

5. FDA will inform the applicant of the planned review timeline for 90% of original BLA and NME NDA applications beginning in FY 09; 90% of efficacy supplements for new or expanded indications beginning in FY 10; 90% of all original NDAs/BLAs beginning in FY 11; and 90% of all efficacy supplements beginning in FY 12 (see table below).

(Percent)

	FY 08	FY 09	FY 10	FY 11	FY 12
Original BLAs and NME NDAs	—	90	90	90	90
Efficacy supplements for new/expanded indications	—	—	90	90	90
All original NDAs	—	—	—	90	90
All efficacy supplements	—	—	—	—	90

6. Should the applicant submit any unsolicited major amendment(s) to the application (e.g., a major new clinical safety/efficacy study report, major re-analyses of previously submitted study(ies)) and if the division chooses to review such amendment(s) during that review cycle, the planned review timeline will no longer be applicable (even if the unsolicited major amendment leads to an extension of the overall PDUFA review clock). No new planned review timeline need be provided in such cases; however, the overall PDUFA action goal date, including any extension, will still apply. The division will notify the applicant promptly of its decision regarding review of the unsolicited major amendment(s) and whether the planned review timeline is still applicable.

7. In the event FDA determines that significant deficiencies in the application preclude discussion of labeling or PMCs by the target date identified in the planned review timeline (e.g., failure to demonstrate efficacy, significant safety concern(s), need for a new study(ies) or extensive re-analyses of existing data before approval), FDA will communicate this determination to the applicant in accordance with GRMP and no later than the target date. In such cases the planned review timeline will be considered to have been met. Communication of FDA's determination may occur by letter, telephone conference, facsimile, secure e-mail, or other expedient means. Communication of the deficiencies identified will generally occur through issuance of a discipline review letter(s) in advance of the planned target date for initiation of postmarketing study commitments and labeling discussions.

8. Should the applicant submit a major amendment(s) (e.g., a major new clinical safety/efficacy study report, major re-analyses of previously submitted study(ies)) to provide information or data requested by FDA during the review (e.g., a solicited major amendment) and if the division chooses to review such amendment(s) during that review cycle, the planned review timeline initially communicated will generally no longer be applicable. If the solicited major amendment does not result in an extension of the overall PDUFA review clock, and depending upon the circumstances, the review division may choose to retain the previously communicated planned review timeline (e.g., the solicited major amendment is submitted early in the review cycle, review of the amendment is not expected to significantly alter the division's planned review timeline). If the solicited major amendment is submitted during the last 90 days of the review cycle and results in an extension of the PDUFA action date (review clock), the review division will establish a new review timeline for communication of feedback on proposed labeling and PMCs. The division will notify the applicant promptly of its decision regarding review of the major amendment(s) and whether the planned review timeline is still applicable. If the solicited major amendment results in an extension of the overall PDUFA review clock, the division will communicate a new planned review timeline to the applicant at the time of the clock extension.

C. Report on Review Timeline Performance

1. FDA will report its performance in meeting the goals for inclusion of a planned review timeline with the notification of issues identified during the filing review in the annual PDUFA performance report.

2. FDA will report its performance in meeting the planned review timeline for communication of labeling comments and PMC requests in the annual PDUFA performance report. The report will include the percentage of applications for which the planned target dates for communication of labeling comments and PMC requests were met. The report will also note how often the planned review timeline was met based on communication of labeling comments and PMC requests by the target date and how often such communication did not occur due to FDA's determination that significant deficiencies in the application precluded communication of labeling comments and PMC requests at the time initially projected. Communication of labeling comments and PMC requests, or communication of FDA's determination that significant deficiencies preclude initiation of such discussions, within 7 calendar days of the target date stated in the planned review timeline will be considered to have met the target date. FDA will also report the number of times that the review timelines were inapplicable due to the Agency's decision to review an unsolicited major amendment or a solicited major amendment that did not result in an extension of the review clock (unless the review division chose to retain the previously communicated planned review timeline.)

3. FDA will engage an independent outside consultant to conduct an analysis of the Agency's success in adhering to the planned review timelines. The contractor will assess the factors, based on input from both the FDA and the applicants, that contributed to the ability of the Agency to adhere to the planned review timelines and those factors attributable to either the FDA or the applicant that contributed to failure to adhere to the planned review timeline. A final report will be provided to FDA at least 6 months before the end of FY 11. FDA will make available a releasable version of the final report within 2 months of receipt from the independent outside consultant.

D. Standard Operating Procedures and Training

FDA will develop harmonized (CBER/CDER) standard operating procedures (SOPs) regarding the notification of planned review timelines. These SOPs will be finalized and implemented by the end of FY 08. Training will be provided to all CBER and CDER review staff on the harmonized (CBER/CDER) standard operating procedures. Training will continue for all new review staff and refresher training will be provided to all review staff as necessary through FY 12.

XI. EXPEDITING DRUG DEVELOPMENT

A. Guidance Development: FDA will develop and publish for comment draft guidances on the following topics by the end of the indicated Fiscal Year of PDUFA-IV. FDA will complete the final guidances within one year of the close of the public comment period.

1. Clinical Hepatotoxicity—FY 2008
2. Non-inferiority Trials—FY 2008
3. Adaptive Trial Designs—FY 2008
4. End of Phase 2(a) Meetings—FY 2008
5. Multiple Endpoints in Clinical Trials—FY 2009
6. Enriched Trial Designs—FY 2010
7. Imaging Standards for Use as an End Point in Clinical Trials—FY 2011

B. Ongoing Scientific Collaboration: FDA will participate in workshops with representatives from the scientific community (including industry, academia and other interested stakeholders) to further the science toward development of guidance documents in the following areas:

1. Predictive Toxicology
2. Biomarker Qualification
3. Missing Data

C. FDA will participate in workshops and other public meetings to explore new approaches to a structured model for benefit/risk assessment. The results of these interactions will be used to assess whether pilot(s) of such new approaches can be conducted during PDUFA–IV. These efforts may lead to the development of guidance documents.

XII. POSTMARKETING STUDY COMMITMENTS

FDA will develop harmonized (CBER/CDER) standard operating procedures that articulate the Agency's policy and procedures (e.g., timing, content, rationale and vetting process) for requesting that applicants agree in writing to voluntary postmarketing study commitments. The SOPs will be finalized prior to the end of FY 08. In developing these SOPs, the Agency will take into consideration the findings of the contractor study of current Agency procedures to be completed during FY 07. FDA will make available a releasable version of the final report within 2 months of receipt from the contractor. Training will be provided to all CBER and CDER review staff on the harmonized (CBER/CDER) standard operating procedures. Training will continue for all new review staff and refresher training will be provided to all review staff as necessary through FY 12.

XIII. IMPROVING FDA PERFORMANCE MANAGEMENT

A. The studies conducted under this initiative are intended to foster:

1. Development of programs to improve access to internal and external expertise
2. Reviewer development programs, particularly as they relate to drug review processes
3. Advancing science and use of information management tools
4. Improving both inter- and intra-Center consistency, efficiency, and effectiveness
5. Improved reporting of management objectives
6. Increased accountability for use of user fee revenues
7. Focused investments on improvements in the process of drug review
8. Improved communication between the FDA and industry

B. Studies will include:

1. Assessment of the impact of the electronic submission and review environment on the efficiency and effectiveness of the overall process for the review of human drugs.
2. Assessment of the progress toward full implementation of Good Review Management Principles, focusing on both FDA reviewer practices and industry sponsor practices affecting successful implementation.
3. Assessment by an independent accounting firm of the review activity adjustment methodology (as described in section 736(c)(2) that is applied in FY 09 with recommendations for changes, if warranted

XIV. INFORMATION TECHNOLOGY GOALS

A. Objectives

1. FDA is committed to achieve the long-term goal of an automated standards-based information technology (IT) environment for the exchange, review, and management of information supporting the process for the review of human drug applications throughout the product life cycle. Towards this goal, FDA will work toward the accomplishment of the following objectives by the end of FY 12:

a) Develop and periodically update an IT plan, as defined in Sections B) and C) below, covering a rolling five-year planning horizon.

b) Develop, implement, and maintain new information systems consistently across all organizational divisions participating in the process for the review of human drug applications, and in compliance with the IT plan, the FDA's program-wide governance process, the FDA's target enterprise architecture, and with HHS enterprise architecture standards. The consistency of development, implementation, and maintenance of new information systems will be determined by the FDA based on considerations of program efficiency and effectiveness. Emphasis will be placed on the consistency of interactions with regulated parties and other external stakeholders.

c) Update technical specifications and IT-related guidance documents as necessary to reflect consistent program-wide implementation of new information systems supporting electronic information exchange between FDA and regulated parties and other external stakeholders.

d) Extend the capability of the secure electronic single point of entry to include two-way transmission of regulatory correspondence.

e) Establish an automated standards-based regulatory submission and review environment for INDs, NDAs, and BLAs, and their supplements, that enables the following functions over the life cycle of the product:

(1) Electronic IND, NDA, and BLA submissions received by FDA can be archived to enable retrieval through standardized automated links;

(2) Electronic IND, NDA, and BLA submissions can include cross-references to previously submitted electronic materials through standardized automated links; and

(3) Archived electronic IND, NDA, and BLA submissions can be retrieved through standardized automated links.

f) Establish a system for electronic exchange and management of human drug labeling information in a modular manner (e.g., at the label section level) that is based on FDA standards and that enables revision tracking.

g) Establish standards-based information systems to support how FDA obtains and analyzes post-market drug safety data and manages emerging drug safety information, as described in Section VIII addressing the enhancement and modernization of the FDA drug safety system.

B. Communications and Technical Interactions

1. FDA will develop and periodically update a five-year IT plan for improving the automation of business processes and acquiring and maintaining information systems to achieve the objectives defined above in PDUFA IT Goal A. The plan will include measurable or observable milestones toward achievement of those objectives.

2. The IT plan will be reviewed and approved through the appropriate FDA governance process to ensure it conforms to the Agency's overall long-term automation strategy.

3. The IT plan will be drafted, published on the FDA web site, and updated as follows:

a) FDA will publish a draft of the IT plan by December 31, 2007. At that time, FDA will solicit and consider comments from the public on the draft IT plan. The public comment period will be at least 45 calendar days. FDA will complete revisions to the IT plan and publish the final version no later than May 30, 2008.

b) FDA will conduct an annual assessment of progress against the IT plan and publish on the FDA web site a summary of the assessment within 2 months after the close of each fiscal year.

c) FDA will publish updates to the IT plan as FDA deems necessary to achieve the objectives defined in PDUFA IT Goal A. FDA will publish on the FDA web site draft revisions to the IT plan; solicit comments from the public on those draft revisions; and consider the public comments before completing and publishing updates to the IT plan.

4. The FDA and industry stakeholders will meet on a quarterly basis to discuss ongoing implementation of the IT plan, status of IT metrics as available, and potential impacts that future activities may have on stakeholders. These meetings will also be used to discuss potential FDA revisions to the IT plan based on operational experience.

C. Standards and IT Plan

The IT plan referenced in PDUFA IT Goal B will provide a vision for FDA standards and technical infrastructure supporting the process for the review of human drug applications and will address the following:

1. A description of the scope and approach for an evaluation and design of the target enterprise architecture necessary to achieve the objectives defined in PDUFA IT Goal A.

2. The business processes targeted for automation to achieve business-driven objectives.

3. Which electronic data standards, including the associated Standards Development Organization, are being considered for adoption or development. (Note: The FDA's process for adopting or developing standards includes the consideration of existing open consensus standards prior to the development of new standards. FDA participates in international Standards Development Organizations and supports global harmonization of data standards through open structured processes.)

4. Implementation of information systems that are based on the electronic data standards.

5. Training for system users, stakeholder adoption, and communications for transitioning to new or reengineered information systems supporting the process for the review of human drug applications.

6. A description of FDA's processes for

a) evaluating business processes for electronic information exchange between FDA and regulated parties or external stakeholders;

b) evaluating, adopting or developing electronic data standards for information exchange between FDA and regulated parties or external stakeholders; and

c) developing, piloting, and deploying information systems that use those standards in supporting the process for the review of human drug applications.

D. Metrics and Measures

FDA will measure progress toward achievement of the objectives defined in PDUFA IT Goal A. Measures will include:

1. The number and percentage of IND, NDA, and BLA submissions received in valid electronic format in compliance with FDA standards, categorized by types of submissions. Increasing the number and percentage of IND, NDA, and BLA submissions received in valid electronic format is a goal that is supported by the FDA and industry stakeholders. Achievement of this goal requires the cooperation of regulated industry. To support the assessment of this goal, the following information will be tracked and reported at least annually:

a) Total number of submissions categorized by type of submission;

b) Total number of submissions in valid electronic format in compliance with FDA standards

c) Total number of submissions received through the secure electronic single point of entry versus other methods; and

d) Total number of submissions received substantially on paper.

2. Total number of standards-based electronic submissions that fail to comply with FDA electronic submission standards, along with a distribution of these submission failures across categories of failure or problem type.

3. Annual spending on maintenance of legacy IT systems and IT systems that are common across the organizational divisions participating in the process for the review of human drug applications.

4. Other measures and milestones to be identified in the IT plan addressed under Sections B and C above.

XV. DEFINITIONS AND EXPLANATION OF TERMS

A. The term ''review and act on'' is understood to mean the issuance of a complete action letter after the complete review of a filed complete application. The action letter, if it is not an approval, will set forth in detail the specific deficiencies and, where appropriate, the actions necessary to place the application in condition for approval.

B. A major amendment to an original application, efficacy supplement, or resubmission of any of these applications, submitted within three months of a goal date, may extend the goal date by three months. A major amendment to a manufacturing supplement submitted within two months of the goal date extends the goal date by two months. Only one extension can be given per review cycle.

C. A resubmitted original application is a complete response to an action letter addressing all identified deficiencies.

D. Class 1 resubmitted applications are applications resubmitted after a complete response letter (or a not approvable or approvable letter) that include the following items only (or combinations of these items):

1. Final printed labeling

2. Draft labeling

3. Safety updates submitted in the same format, including tabulations, as the original safety submission with new data and changes highlighted (except when large amounts of new information including important new adverse experiences not previously reported with the product are presented in the resubmission)

4. Stability updates to support provisional or final dating periods

5. Commitments to perform Phase 4 studies, including proposals for such studies

6. Assay validation data

7. Final release testing on the last 1–2 lots used to support approval

8. A minor reanalysis of data previously submitted to the application (determined * * *

9. Other minor clarifying information (determined by the Agency as fitting the Class 1 category)

10. Other specific items may be added later as the Agency gains experience with the scheme and will be communicated via guidance documents to industry.

E. Class 2 resubmissions are resubmissions that include any other items, including any items that would require presentation to an advisory committee.

F. A Type A meeting is a meeting which is necessary for an otherwise stalled drug development program to proceed (a ''critical path'' meeting) or to address an important safety issue.

G. A Type B Meeting is a 1) pre-IND, 2) end of Phase 1 (for Subpart E or Subpart H or similar products) or end of Phase 2/pre-Phase 3, or 3) a pre-NDA/BLA meeting. Each requestor should usually only request 1 each of these Type B meetings for each potential application (NDA/BLA) (or combination of closely related products, i.e., same active ingredient but different dosage forms being developed concurrently).

H. A Type C meeting is any other type of meeting.

I. The performance Goals and procedures also apply to original applications and supplements for human drugs initially marketed on an over-the-counter (OTC) basis through an NDA or switched from prescription to OTC status through an NDA or supplement.

J. IT Definitions (see section XI)

1. ''Automation of business processes'' refers to the development and deployment of information systems that support program activities (i.e., business processes) conducted under the process for the review of human drug applications. The purpose of business process automation is to support decision making by FDA program managers and reviewers. The scope of business process automation is determined by program managers toward the objective of more efficient and effective program operations.

2. ''Program'' refers to the organizational resources, procedures, and activities assigned to conduct ''the process for the review of human drug applications,'' as defined in the Prescription Drug User Fee Act.

3. ''Standards-based'' means compliant with published specifications that address terminology or information exchange between the FDA and regulated parties or external stakeholders, as adopted by the FDA or other agencies of the federal government, and often based on the publications of national or international Standards Development Organizations.

4. ''FDA Standards'' means technical specifications that have been adopted and published by the FDA through the appropriate governance process. FDA standards may apply to terminology, information exchange, engineering or technology specifications, or other technical matters related to information systems. FDA standards often are based on the publications of other federal agencies, or the publications of national or international Standards Development Organizations.

5. ''Product life cycle'' means the sequential stages of human drug development, regulatory review and approval, post-market surveillance and risk management, and where applicable, withdrawal of an approved drug from the market. In the context of the process for the review of human drug applications, the product life cycle begins with the earliest regulatory submissions in the Investigational New Drug (IND) phase, continues through the New Drug Application (NDA) or Biological Licensing Application (BLA) review phase, and includes post-market surveillance and risk management activities as covered under the process for the review of human drug applications.

6. ''The FDA's program-wide IT governance process'' includes centralized oversight of all data and technology standards adoption, technology acquisition, and funding allocation.

7. ''The FDA's target enterprise architecture'' includes data and technology standards for the electronic exchange and management of information supporting the process for the review of human drug applications.

SECTION B: PERFORMANCE GOALS AND PROCEDURES FOR ADVISORY REVIEW OF DIRECT-TO-CONSUMER TELEVISION ADVERTISING FISCAL YEARS 2008 THROUGH 2012

The performance goals and procedures of the FDA Center for Drug Evaluation and Research (CDER) and the Center for Biologics Evaluation and Research (CBER), as agreed to under the direct-to-consumer television advertising user fee program in Section 736A of the Federal Food, Drug, and Cosmetic Act are summarized below.

I. FINDINGS

A. FDA's advisory review of proposed prescription drug television advertisements helps to ensure that these advertisements communicate information to consumers that is accurate, balanced, and adequately substantiated, thereby improving the quality of these advertisements.

B. It is important to industry and FDA to provide predictability in the timeframe for reviewing and providing written comments on direct-to-consumer television advertisements submitted to FDA for advisory review before initial dissemination.

C. FDA needs additional resources to ensure that it has adequate staff to provide advisory reviews of direct-to-consumer television advertisements in a timely manner.

D. A program that requires payment of user fees by those who choose to voluntarily submit direct-to-consumer television advertisements for advisory review by FDA is established to provide needed resources to FDA and improve the timeliness of FDA advisory reviews while maintaining the quality of the reviews.

E. Each submission for advisory review will be assessed a fee, but the sponsor may resubmit that advertisement one time after receiving comments without further fee assessment.

F. Under this program, it is important to ensure that FDA has the resources needed to hire and retain adequate staff to meet review performance goals.

G. Because reviews from this program are dependant on submissions which are unpredictable, the statute establishes a reserve fund to maintain a staff that can meet the review performance goals in case user fees for any year of the program are not adequate. In addition, user fees for all submissions during a fiscal year are to be paid at the start of each fiscal year or late fees will be assessed.

II. REVIEW PERFORMANCE GOALS

A. Goals for First 150 Advisory Review Submissions.

Fiscal Year 2008:

1. Review and provide advisory comments for 75 original submissions within 45 days (50% of 150).

2. Review and provide advisory comments for 37 resubmissions of original submissions within 30 days (50% of 75 resubmissions).

Fiscal Year 2009:

1. Review and provide advisory comments for 90 original submissions (60% of 150) within 45 days.

2. Review and provide advisory comments for 45 resubmissions (60% of 75) within 30 days.

Fiscal Year 2010:

1. Review and provide advisory comments for 105 original submissions (70% of 150) within 45 days.

2. Review and provide advisory comments for 52 resubmissions (70% of 75) within 30 days.

Fiscal Year 2011:

1. Review and provide advisory comments for 120 original submissions (80% of 150) within 45 days.

2. Review and provide advisory comments for 60 resubmissions (80% of 75) within 30 days.

Fiscal Year 2012:

1. Review and provide advisory comments for 135 original submissions (90% of 150) within 45 days.

2. Review and provide advisory comments for 68 resubmissions (90% of 75) within 30 days.

NOTE: For any goal year, if the number of submissions or resubmissions received is not greater than the number for which the Agency has committed to provide advisory comments on within the goal timeframe, then the goal will be to provide comments on 90% of the number received within the goal timeframe. For example, if FDA receives only 30 resubmissions in fiscal year 2008, then the goal would be to review 27 resubmissions within 30 days.

B. Goals after 150 Submissions

If in any fiscal year after FY 2008, participants in the program indicate (in response to the Federal Register notice) the intent to submit more direct-to-consumer broadcast advertisement submissions for advisory review than were subject to the goals in the prior year, the following performance goals will apply (see Appendix B–1 for specific examples):

1. In the first year of the increase, FDA will review and provide advisory comments for:

a) 50% of the additional paid original submissions over the cohort of original submissions from the previous fiscal year, up to a maximum of 50 additional submissions, within 45 days.

b) 50% of the additional resubmissions over the cohort of resubmissions from the previous fiscal year, up to a maximum of 24 additional resubmissions, within 30 days.

2. In each subsequent year, the performance goals will increase in the same manner as in section A. for each additional cohort of up to 50 additional submissions over the cohort of the prior year (i.e., in the second year after the increase, the goal will be to review 60% of the additional cohort from the prior year (up to 50 submissions) and 50% of any further additions (up to an additional 50 submissions)).

3. For purposes of this adjustment, it is assumed that the number of submissions subject to review metrics cannot decrease from one year to the next even if actual submissions decrease.

4. For purposes of this adjustment, it is assumed that 150 submissions are subject to performance goals in fiscal year 2008.

5. The goals described in this subsection will be calculated based solely on the number of submissions identified in response to the Federal Register notice for that fiscal year.

III. DEFINITIONS AND EXPLANATION OF TERMS

1. The term ''amendment'' shall mean additional documents submitted to FDA to complete an original submission or resubmission. For example, references that have been cited in the original submission but were omitted from the original submission package could be submitted as an amendment.

2. The term ''original submission'' shall mean a proposed television advertisement submission for which a sponsor paid for an advisory review. The proposed television advertisement may not be more than two minutes long.

3. The term ''resubmission'' shall mean a subsequent submission of a revised version of the advertisement contained in an original submission. Any revisions made to the proposed television advertisement must be based on FDA comments on the original submission. The resubmission may not introduce significant new concepts or creative themes into the television advertisement, or

FDA will designate it as an original submission. Revisions that require a consult to another division will be considered to introduce ''significant new concepts or creative themes.''

APPENDIX B–1

EXAMPLE 1: ORIGINAL SUBMISSIONS

If participants indicate the intent to submit 150 submissions in fiscal year 2008; 200 submissions in fiscal year 2009; 224 submissions in fiscal year 2010; 200 submissions in fiscal year 2011; and 250 submissions in fiscal year 2012, the review metrics will be as follows:

	FY 08: 150 submissions	FY 09: 200 submissions	FY 10: 224 submissions	FY 11: 200 submissions	FY 12: 250 submissions
Cohort 1 (150 submissions)	75 (50% of 150)	90 (60% of 150)	105 (70% of 150)	120 (80% of 150)	135 (90% of 150)
Cohort 2 (50 submissions)		25 (50% of 50)	30 (60% of 50)	35 (70% of 50)	40 (80% of 50)
Cohort 3 (24 submissions)			12 (50% of 24)	0 (60% of 0)	17 (70% of 24)
Cohort 4 (0 submissions)				0 (50% of 0)	0 (70% of 0)
Cohort 5 (26 submissions)					13 (50% of 26)
Total Target for 45 Day Review Metric	75	115	147	155	205

EXAMPLE 2: ORIGINAL SUBMISSIONS

If participants indicate the intent to submit 150 submissions in fiscal year 2008; 200 submissions in fiscal year 2009; 250 submissions in fiscal year 2010; 300 submissions in fiscal year 2011; and 350 submissions in fiscal year 2012, the review metrics will be as follows:

	FY 08: 150 submissions	FY 09: 200 submissions	FY 10: 250 submissions	FY 11: 300 submissions	FY 12: 350 submissions
Cohort 1 (150 submissions)	75 (50% of 150)	90 (60% of 150)	105 (70% of 150)	120 (80% of 150)	135 (90% of 150)
Cohort 2 (50 submissions)		25 (50% of 50)	30 (60% of 50)	35 (70% of 50)	40 (80% of 50)
Cohort 3 (50 submissions)			25 (50% of 50)	30 (60% of 50)	35 (70% of 50)
Cohort 4 (50 submissions)				25 (50% of 50)	30 (60% of 50)
Cohort 5 (50 submissions)					25 (50% of 50)
Total Target for 45 Day Review Metric	75	115	160	210	265

EXAMPLE 3: RESUBMISSIONS

If participants submit 75 resubmissions in fiscal year 2008; 99 resubmissions in fiscal year 2009; 123 resubmissions in fiscal year 2010; 147 resubmissions in fiscal year 2011; and 171 resubmissions in fiscal year 2012, the review metrics will be as follows:

	FY 08: 75 resubmissions	FY 09: 99 resubmissions	FY 10: 123 resubmissions	FY 11: 147 resubmissions	FY 12: 171 resubmissions
Cohort 1 (75 submissions)	37 (50% of 75)	45 (60% of 75)	52 (70% of 75)	60 (80% of 75)	68 (90% of 75)
Cohort 2 (24 submissions)		12 (50% of 24)	14 (60% of 24)	17 (70% of 24)	19 (80% of 24)
Cohort 3 (24 submissions)			12 (50% of 24)	14 (60% of 24)	17 (70% of 24)
Cohort 4 (24 submissions)				12 (50% of 24)	14 (60% of 24)
Cohort 5 (24 submissions)					12 (50% of 24)
Total Target for 30 Day Review Metric	37	57	78	103	130

IRAQ STUDY GROUP

Mr. SALAZAR. Mr. President, last night, we passed the Department of Defense Authorization bill. I want to comment briefly on the debate we had during consideration of that legislation related to the war in Iraq. I am frustrated that we did not reach a bipartisan consensus on a new way forward that could begin to bring an end to this conflict.

When I introduced the Iraq Study Group Recommendations Implementation Act last spring with Senator ALEXANDER and a bipartisan group of our colleagues, I was hopeful we could work constructively with the President toward the goal of having our troops redeployed by the spring of 2008. I was hopeful that we would send a strong signal—with a bipartisan group that eventually grew to 17 Senators—that we should get out of the combat business in Iraq as quickly as possible.

The Iraq Study Group Report was issued 10 months ago. Its core recommendation was that we transition our military mission from combat to training, supporting, and equipping Iraqi security forces. The report said that we should condition our support of the Iraqi Government on its performance in meeting important milestones. The report contemplated that we could be out of the combat business by March 31, 2008.

The report was anticipated with great fanfare. But when it came out, the Bush administration failed to embrace it. The Iraqi Government has failed to meet most of the benchmarks described in the report. General Petraeus has testified, essentially, that we should maintain our combat mission for the foreseeable future. And that March 31 date is only 6 months away.

I still believe in the report. It is still relevant, and it is still important. It sets forth a comprehensive military, political, and economic strategy for bringing a responsible end to the war in Iraq.

But I believe we must build upon the report and take decisive action now to redefine our mission in Iraq and set a clear course for the redeployment of our troops.

Ten months after the Iraq Study Group issued its report, we have failed to begin the transition of our mission that was central to their recommendations. That transition in mission is the key to encouraging the Iraqi Government to take responsibility for the future of their country. The Government Accountability Office has concluded that the Iraqi Government has failed to take that responsibility by meeting the reasonable benchmarks set forth by the Iraq Study Group.

I continue to believe that we must follow the core principles laid out in the Iraq Study Group Report. I continue to believe we need a bipartisan solution to bring this conflict to a responsible end. And I thank each of the cosponsors of our amendment, Republicans and Democrats, for their willingness to join in this important effort. They include Senators ALEXANDER, BENNETT, COLEMAN, COLLINS, DOMENICI, GREGG, SPECTER, and SUNUNU from the Republican side and Democratic Senators PRYOR, CASEY, CARPER, CONRAD, LANDRIEU, LINCOLN, MCCASKILL, and BILL NELSON.

I believe now is the time to build upon the principles set forth by the Iraq Study Group. We must begin a transition of mission from combat to training and support. We must demand more from the Iraqi Government and send a strong and unequivocal message that our commitment is not open-ended. I believe these actions are consistent with the recommendations of the Iraq Study Group, and I remain hopeful that our legislation can be the basis for a constructive, bipartisan solution to the war in Iraq.

HONORING OUR ARMED FORCES

SECOND CLASS CHARLES LUKE MILAM

Mr. SALAZAR. Mr. President, I wish to reflect on the life and service of Navy Hospital Corpsman Second Class Charles Luke Milam. Luke was killed last Wednesday in a rocket attack near the town of Musa Qula, Afghanistan. He was 26 years old.

Luke Milam was a giant of his generation, a man who served his country and those around him with dignity, courage, and honor. I cannot begin to paint the picture of someone so deeply respected by those with whom he served, so committed to helping others.

Luke Milam grew up in Littleton, CO, the youngest of four siblings. He was smart, friendly, and athletic. He loved the mountains of Colorado and spent his time biking, backpacking, hiking, and canoeing.

I do not know what inspired Luke's strong sense of virtue or what led him to join the military. Perhaps it was the service of his grandfather Charles or his brother Keith that moved him to enlist after graduating from high school.

I imagine, though, that Luke's own experiences as a witness to one of the worst tragedies of our time, the shootings at Columbine High School, strengthened his resolve to bring healing, peace, and good to areas torn by violence. Luke Milam was a senior at Columbine when, on April 20, 1999, 2 shooters killed 12 people and wounded 24 others before turning their guns on themselves.

I was Colorado's attorney general when the shootings occurred. The time I spent with the Littleton community in the aftermath—sorting through the events, finding out what went wrong and then helping to rebuild—affirmed my unmatched admiration for the young people who endured one of the darkest moments of American history. So many of Columbine's survivors have gone on to do extraordinary things—it is as though they have committed themselves to overcoming the evil they witnessed by planting hope, decency, and goodness wherever they can. Luke Milam was among them.

Serving as a Navy corpsman with a unit of marines—a special operations unit no less—requires great skill and courage. The corpsman is tasked with providing medical care for marines on the field of battle. It is an incredibly dangerous job that entails carrying a loaded weapon along with the tools of your trade. Some of America's most renowned heroes on the battlefield were hospital corpsmen: people such as Wayne Caron, David R. Ray, and Francis Hammond—Medal of Honor recipients who gave their lives in combat to save others.

Hospital Corpsman Milam served in this tradition. He was highly decorated for his service, earning a Purple Heart, the Bronze Star, two Combat Action ribbons, two Navy and Marine Corps Achievement Medals, two Good Conduct Medals, the National Defense Service Medal, the Global War on Terrorism Medal, and two Sea Service Deployment Ribbons. More importantly for the corpsman, though, Luke Milam earned the deepest respect and admiration of the marines with whom he served.

Luke was on his fourth tour, having served three tours in Iraq. He ''felt it was his calling to help the guys around him,'' his brother Keith said. ''If there were guys in harm's way, he needed to be there to take care of them.''

Almost a century ago, Teddy Roosevelt told a Paris crowd that the model citizen is the man who is willing to take action in pursuit of that which he thinks is right. His speech draws on the same words that family and friends use to describe Luke Milam's virtues.

When evaluating mankind's progress, said Roosevelt, ''it is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.''

Hospital Corpsman Luke Milam sacrificed his life for this Nation as a man who knew that his country needed him to be ''in the arena,'' helping others. He accepted the risks of his job with extraordinary professionalism and served with honor in the best tradition of the corpsman. We cannot repay our debt nor replace his loss.

To Luke's parents, Rita and Michael, to his sister, Jaeme, and to his brothers, Keith and Andrew, I know that no words can describe or assuage the pain you feel. I pray that you can find comfort in the knowledge that Luke was doing something which he truly loved, that he was doing it well, and that he will never be forgotten. His country is eternally grateful. He will endure in our hearts and prayers.

IN RECOGNITION OF SCOTT GUDES

Mr. GREGG. Mr. President, today I wish to pay tribute to Scott Gudes, who leaves his post at the helm of my Budget Committee staff this week. After 29 years of loyal service to the Federal Government, Scott has chosen to become vice president for government relations for the National Marine Manufacturers Association—a job well suited for a man who loves the sea as much as he does.

When I became chair of the Senate Budget Committee in 2005, I asked Scott if he would serve as my staff director. In under a year, under Scott's stewardship, we passed both a budget for the first time in 2 years, specifically the fiscal year 2006 budget resolution, and a reconciliation bill, the Deficit Reduction Act, DRA—marking the first time in 10 years Congress had passed a reconciliation bill to reduce spending.

The DRA was a notable achievement in that it saved $39 billion, a feat which is practically unheard of around here, as the last time it was done was in 1997. These accomplishments could not have been done without Scott, who worked tirelessly to shepherd each authorizing committee through the often confusing reconciliation process. His unique combination of intellect, humor, and humbleness was a key component in navigating the complex waters of the compromise that was necessary to pass the first substantive deficit reduction legislation in 10 years.

Scott followed up his initial year of success by spearheading efforts to develop a more comprehensive approach to restraining spending. His efforts contributed to the introduction of the Stop Over-Spending Act, a budget process reform bill that helped focus the national debate on solutions to our long-term fiscal challenges. Just this year, Scott helped structure the Conrad/Gregg Bipartisan Task Force for Responsible Fiscal Action Act of 2007, legislation that will encourage bipartisan action to put our fiscal house back in order. At heart, Scott is a true nonpartisan who recognizes that the best policy is made when both sides of the aisle work together, and his first instinct is to seek out common ground rather than partisan differences.

However, much like Thomas Jefferson chose to be remembered as author of the Declaration of Independence rather than various elected offices he held, including President, I expect that Scott would rather be remembered for spearheading efforts to write, edit, and publish the ''Budget Committee History'' rather than his impressive legislative credentials. Scott took it upon himself to initiate a historic accounting of the Senate Budget Committee. This labor of love reflects countless interviews and hours chronicling the birth, history, and importance the committee has held in shaping the Federal budget and fiscal policy. His devotion to this project is an example of Scott's love of history and respect for the institution of the Senate.

The handful of aforementioned achievements merely reflects Scott's latest accomplishments in an achievement-filled career. It would be nearly impossible to chronicle the numerous programs and projects he created, funded, and oversaw—programs that improved and enriched both individual lives and the environment.

In addition to his tour of duty at the Senate Budget Committee, Scott has held key positions on both sides of the Capitol, both ends of Pennsylvania Avenue, and a point I like to forget, Scott has even worked on both sides of the aisle. Included in this impressive list are stints as the clerk of the Commerce, Justice, and State Appropriations Subcommittee, professional staff on the Defense Appropriations Subcommittee, and Acting NOAA Administrator, where he championed science, service, and environmental stewardship programs and greatly improved agency morale. In NOAA circles, Scott is a virtual god—king of satellites, staunch advocate of the NOAA Corps and its ships and planes, and an addict of the NOAA label, which I understand is plastered on literally everything under and around his home, car, and office.

But the true bearing of Scott's 29 years of Federal service is not the remarkable list of the jobs he has held, although the list is long and distinguished, but the manner in which Scott

has approached these positions and the people he has touched along the way. Those who know Scott best describe him as a loyal, encouraging, and creative boss, who supports and celebrates those who work with him. Everything Scott does is done in an ''all hands on deck'' manner that gives everyone an opportunity to pitch in and support the common goal.

One cannot talk about Scott without recognizing his acumen for all things trivia—Scott is a virtual trivia savant. He knows the answer to nearly every trivia question, regardless of topic, and can somehow relate every event back to an old movie or seventies rock song. He will search to the end of the Internet to find a historic or comic analogy to make a point about fiscal responsibility, or often the lack of it. He is equally conversant on the latest entertainment news and military strategies of ancient times. The influence of his crosscutting interest and knowledge has occasionally found its way to the Senate floor, where both the Geico Caveman and a Rube Goldberg cartoon have been used to drive home a point.

As a lifelong boater, fisherman, and lover of all things relating to the ocean, Scott reminds me of the remarks that President Kennedy made at the 1962 America's Cup sailing race. He said, ''All of us have in our veins the exact same percentage of salt in our blood that exists in the ocean, and, therefore, we have salt in our blood, in our sweat, in our tears. We are tied to the ocean. And when we go back to the sea—whether it is to sail or to watch it—we are going back from whence we came.''

Kathy joins me in wishing Scott well as he joins the National Marine Manufacturers Association, to ''go back from whence he came'' and advocate on behalf of issues he is most passionate about. As he sets off for new adventures with his wife Ann, and, of course, Buddy the Budget beagle dog by his side, Scott leaves in his wake a nation that is better off for his service, and colleagues that will miss him dearly.

CHILD HEALTH DAY

Mr. JOHNSON. Mr. President, I rise today in recognition of Child Health Day. Under a joint resolution of Congress, the President has proclaimed National Child Health Day each year since 1928. It is especially fitting that we celebrated Child Health Day yesterday, October 1, 2007, just 4 days after this body approved legislation to reauthorize the Children's Health Insurance Program, or CHIP, improving benefits and ensuring that 10 million American children receive health insurance coverage.

Child Health Day serves to focus attention on children's health issues. Past themes of this day have ranged from prenatal care, childhood injury prevention, the importance of immunizations and prenatal care. This year's theme is ''Building a Bright Future Through Preventive Health,'' and this is exactly what Congress seeks to do with the bipartisan reauthorization of CHIP sent to the President for his signature.

The role of preventive health care in ensuring the well-being of all people is well established, but such care is especially critical for children. The American Academy of Pediatrics, AAP, recommends that children receive routine preventive health services such as immunizations, vision and hearing checks, and screenings for signs of developmental or medical problems. These recommendations include 6 preventive care visits during a child's first year, 3 visits during the second year, and 17 preventive visits between ages 2 and 21.

Unfortunately, many of our Nation's children do not receive these important physician visits. A survey of literature by the Commonwealth Fund found that estimates of the number of children who receive all their recommended visits range from 37 percent to 81 percent. Critically, this review concluded that insurance coverage is the most powerful indicator of whether a child receives all recommended well-child care. One study determined that just 68 percent of uninsured children receive the recommended preventive care, compared with 76 percent of privately insured children and 85 percent of publicly insured children.

The Children's Health Insurance Reauthorization Act will increase the number of children who receive this important preventive care. Simply by providing nearly 4 million uninsured children with insurance coverage will increase the likelihood that they will be screened for developmental and medical problems, receive all their immunizations, and benefit from regular hearing and vision checks. In addition, the legislation ensures that children who receive their health coverage through Medicaid are entitled to all medically necessary early periodic screening, diagnosis, and treatment, EPSDT, services. These services are required in every State and are designed to improve the health of low-income children by addressing their physical, mental, and developmental health needs.

As we recognize Child Health Day, I wish to congratulate Congress on its bipartisan effort to improve child health through reauthorization of the Children's Health Insurance Program. I also urge President Bush, in the spirit of Child Health Day, to drop his veto threat and sign this legislation. This is the single most important action he can take to ensure more children get the health care they deserve.

SPECIAL OLYMPICS

Mr. HARKIN. Mr. President, over the next 10 days, a remarkable event will unfold in Shanghai, China. Every 2 years, thousands of Special Olympics athletes from around the world come together to showcase their athletic skills and celebrate the spirit of Special Olympics. Starting today, more than 7,500 Special Olympians will begin competing in Shanghai in the 2007 Special Olympics World Summer Games.

Over the coming 10 days, tens of thousands of athletes, coaches, volunteers, family members, government and industry officials, plus experts in health and education from 165 countries have come together to celebrate the talents of those among us who have intellectual disabilities. This spectacular event is not about athletic skill as much as it is about determination, courage, and the desire to compete.

I can speak firsthand about what a rewarding experience it is for all of us who have been involved in Special Olympics. Last year, my State of Iowa hosted the first USA National Summer Games. Thousands of athletes, volunteers, coaches, and families attended our games, in addition to 30,000 fans and spectators. Ames, IA, was transformed into an Olympic Village, and it was thrilling to experience.

I am pleased that three extraordinary athletes from Iowa are now in China competing: Corey Leonhard in track, and Jenna Schrack and Jody Sheriff competing in bowling. Team USA includes 401 athletes, and 102 of them are at the World Games today.

Special Olympics is not just about sports. It is about spirit, and it is about drawing out the best in all of us. The Special Olympics organization is responsible for much more than the games. Its Special Olympics Healthy Athletes Program, developed over a decade ago, focuses on the health, fitness, and well-being of people with and without disabilities. Last year alone, it made possible more than 135,000 health care screenings. Volunteer health care professionals and students were trained to provide the screening and compile the data. In China, medical volunteers will provide health examinations free of charge, including dental, vision, and hearing exams.

The Special Olympics is both a world-class sporting event and a world-class humanitarian experience. Many countries have sent delegations to the games. In addition to our athletes and volunteers attending the Opening Ceremonies, the U.S. delegation will include Department of Education Secretary Margaret Spellings, figure skating champion Michelle Kwan, former Assistant Secretary of Education John Hager, Ernie Banks of the National Baseball Hall of Fame, Lynn Fuchs, Professor of Special Education and Human Development at Vanderbilt University, Anne Sweeney of Disney Media Networks and Disney-ABC Television Group, Jennifer Polk Wardlow, a Special Olympics North Carolina athlete, Dr. Tim Shriver, chairman of the board of Special Olympics, and the incomparable Eunice Kennedy Shriver, founder of Special Olympics.

Mr. President, I regret that, with the Senate in session, I couldn't attend today's opening ceremonies. But my

thoughts are with each and every one of Special Olympics athletes. I wish them all the very best.

ADDITIONAL STATEMENTS

KCUR–FM RADIO 50TH ANNIVERSARY

• Mr. BOND. Mr. President, on behalf of my fellow Missourians, I extend my warmest congratulations to KCUR Radio, 89.3 FM, licensed to the curators of the University of Missouri and operating from the campus of the University of Missouri-Kansas City. KCUR Radio is celebrating 50 years of continuous service to our community on October 21, 2007.

KCUR Radio entertains, enlightens, and informs, enhancing the quality of life for listeners by broadcasting and webcasting noncommercial radio programming 24 hours a day, including 20 hours of news each weekday.

KCUR Radio has been recognized for groundbreaking features and extensive coverage of politics, the arts, health, and minority matters.

KCUR Radio has grown from a station with 2 full-time employees and a signal range of 4 miles, to 23 full-time broadcast professionals and 17 part-time employees, reaching a 90-mile radius of northwestern Missouri and northeastern Kansas, and has raised funds to support staff growth, update equipment, and expand programming, largely through the efforts of its 200 tireless volunteers.

KCUR Radio broadcasts original shows that have captured the hearts and minds of listeners nationwide.

The KCUR news department informs the Nation about our community through KCUR's charter membership as a National Public Radio station.

I am pleased to honor KCUR Radio on its 50th anniversary in October 2007.•

NATIONAL FRANCHISEE ASSOCIATION

• Mr. CHAMBLISS. Mr. President, throughout the course of our Nation's history, the prosperity of America and its citizens has invariably been linked with the success of its economy. Our country should be proud of its entrepreneurs, who are key components of that success.

I would like to recognize and thank the National Franchisee Association for providing the support and resources necessary to maintain its membership which consists of Burger King franchisees. The NFA was founded with a mission: ''To improve, preserve, and ensure the economic well-being of all members.'' For nearly 20 years the NFA has delivered this promise by expanding its services and adapting to the ever-changing economic and technological landscape. Today, the NFA's membership is comprised of approximately 1,200 franchisees from across the country, representing every district in every State.

NFA members employ thousands of citizens and provide individuals, especially our Nation's youth, with an opportunity to learn traditional American values, including hard work, cooperation, and responsibility.

On October 10 and 11, the members of the National Franchisee Association will arrive in Washington, DC, to engage and educate this Congress. I therefore encourage my colleagues to welcome the NFA's membership to our Nation's capital and to thank them for their continuous positive contribution to the fabric of our society.•

HONORING THE 100TH BIRTHDAY OF CLOVIS

• Mr. DOMENICI. Mr. President, today I wish to recognize the community of Clovis, NM, on its 100th birthday. Since the first train depot was built in this area a century ago, Clovis has continued to grow and expand its economy.

Clovis has seen its share of turmoil and adversity throughout the past 100 years, and yet it has maintained its sense of community and is now seeing consistent growth. The growth has been so remarkable that the city has been dubbed the ''City on the Move.'' The land, flat and fertile, has been an asset for farmers, cattle growers and dairymen all across the area. And most recently, the largest cheese producing factory in North America was built here. Clovis is home to Cannon Air Force Base, which was recently put on the BRAC list for closure. But the town fought back, and now Cannon is not only staying open, but they have received a new mission as an Air Force Special Operations Base which is slated to expand the base even further.

In honor of this centennial birthday, Clovis planned many events. Some of the events included the unearthing of a time capsule, a parade, cook-off, photo exhibit of Clovis over the last 100 years, and the year will culminate with an Anniversary Celebration Banquet this Saturday night.

Clovis is such a special place and I am honored to see this community continue to succeed. It is with great pleasure that I recognize this unique town here today on the Senate floor.•

TRIBUTE TO LYNNE M. ROSS

• Mr. LIEBERMAN. Mr. President, before I was elected by the people of Connecticut to serve in the Senate, I was privileged to serve as their attorney general for 6 years. During my tenure as AG, I was assisted not only by my top rate staff but by an organization that proved invaluable toward my efforts to protect public health and safety, the National Association of Attorneys General.

The National Association of Attorneys General, NAAG, has been assisting the chief legal officers of all 50 States, the District of Columbia, and other jurisdictions since 1907. In the last 30 years, the scope of NAAG's operations has increased dramatically with the opening of its Washington, DC, office, which has been a tremendous resource to State attorneys general seeking to coordinate with each other and with the Federal Government. One person who was particularly instrumental in expanding the association's Washington operations is Lynne Ross, who retired in September after working in public service for over 30 years.

When NAAG first opened its Washington office in 1976, Ms. Ross was its first and at that time only full time employee. Given this, it is amazing the broad array of services this office offered. Serving as both deputy director and legislative director, Ms. Ross coordinated legislative activities on behalf of attorneys general across the country, including securing $25 million dollars in Federal aid to help States develop/enhance their antitrust capacity. In addition, she worked together with State and environmental groups in passing the Federal Facilities Compliance Act, which requires Federal facilities to follow the same State, local, and Federal environmental regulations that govern private industry. This act has greatly expanded the ability of attorneys general to clean up the environment.

Ms. Ross also worked as a liaison between State attorneys general and the White House and executive agencies such as the Environmental Protection Agency and the Federal Trade Commission, with which many AGs have extensive, yet sometimes frayed, relations. Ms. Ross was known for her ability to help AGs and their staff clear through the bureaucratic brush and find who they need to talk to. She undertook efforts to help attorneys generals better perform their jobs by preparing regular NAAG meetings which fostered interaction between AGs and the various Federal agencies, by producing various NAAG publications which both informed AG offices of various legal developments, and also provided advice on how best to fulfill their roles and responsibilities as the chief public law enforcement officer for the State.

The work done by Ms. Ross and NAAG proved to be so immensely valuable to State attorneys general that by 1997, when Ms. Ross returned to the NAAG after serving 4 years at EPA, its Washington office had grown to employ almost 50 people to accommodate for the increased demand for services. This speaks volumes about Ms. Ross's talents and work ethic.

Upon returning to NAAG, Ms. Ross served again as deputy director, managing the day-to-day operations of the association. In 2002, she became executive director, in which she put her experience and wisdom to work developing programs and initiatives in an array of substantive areas including criminal law, consumer protection, cybercrime, and more.

Throughout the years Lynne was at NAAG she was also instrumental in the

creation and support of an auxiliary organization of former attorneys general called the Society of Attorneys General Emeritus, SAGE. SAGE members could always rely on Lynne's prompt and responsive counsel and advice.

Mr. President, what I have provided today is just a mere sampling of Lynne Ross's professional accomplishments. One could easily fill up a large book with the things she has done and yet still not do her career justice. Perhaps it best to simply say: Thank you, Lynne Ross, for helping to make NAAG the organization it is today. All our country's attorneys general and the people they serve are better off because of you.●

MESSAGE FROM THE HOUSE

At 2:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2276. An act to designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the ''Corporal Christopher E. Esckelson Post Office Building''.

H.R. 2779. An act to recognize the Navy UDT–SEAL Museum in Fort Pierce, Florida, as the official national museum of Navy SEALS and their predecessors.

H.R. 3233. An act to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the ''Lawrence C. And Grace M. Jones Post Office Building''.

H.R. 3325. An act to designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the ''Corporal Stephen R. Bixler Post Office''.

The message also announced that the House has passed the following bills, without amendment:

S. 474: An act to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 1612. An act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 185. Concurrent resolution commending the 1st Brigade Combat Team/34th Infantry Division of the Minnesota National Guard upon its completion of the longest continuous deployment of any United States ground combat military unit in Operation Iraqi Freedom.

The message also announced that pursuant to 22 U.S.C. 1928a, clause 10 of rule I, and the order of the House of January 4,2007, the Speaker appoints the following Member of the House of Representatives to the United States Group of the NATO Parliamentary Assembly to fill the existing vacancy thereon: Mr. MILLER of Florida.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2276. An act to designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the ''Corporal Christopher E. Esckelson Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2779. An act to recognize the Navy UDT–SEAL Museum in Fort Pierce, Florida, as the official national museum of Navy SEALS and their predecessors; to the Committee on Armed Services.

H.R. 3233. An act to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the ''Laurence C. and Grace M. Jones Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3325. An act to designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the ''Corporal Stephen R. Bixler Post Office''; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 185. Concurrent resolution commending the 1st Brigade Combat Team/34th Infantry Division of the Minnesota National Guard upon its completion of the longest continuous deployment of any United States military unit during Operation Iraqi Freedom; to the Committee on Armed Services.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2128. A bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3468. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, the report of the initiation of a single function standard competition of the Precision Measurement Equipment Laboratory functions at Kirtland Air Force Base; to the Committee on Armed Services.

EC–3469. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, the report of the initiation of a single function standard competition of the Environmental function at Robins Air Force Base; to the Committee on Armed Services.

EC–3470. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, the report of the initiation of a single function standard competition of the Test Tract Instrument functions at Holloman Air Force Base; to the Committee on Armed Services.

EC–3471. A communication from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting, pursuant to law, the report of the initiation of a multi-function standard competition of the Transportation and Supply functions at Hanscom Air Force Base; to the Committee on Armed Services.

EC–3472. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving the export of materials supporting the construction of a mobile offshore oil rig in Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–3473. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade'' ((RIN1625–AA28)(Docket No. USCG–2005–20258)) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3474. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Transportation Worker Identification Credential Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License'' (RIN1652–AA41) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3475. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations, Amendments'' ((RIN1652–AA36) (USCG–2001–10881)) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3476. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Winnetka Fireworks, Lake Michigan, Winnetka, IL'' ((RIN1652–AA00) (CGD09–06–116)) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3477. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone (including 3 regulations beginning with CGD05–07–080)'' (RIN1652–AA87) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3478. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Spa Creek and Severn River, Annapolis, MD'' ((RIN1652–AA08) (CG05–07–063)) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3479. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones (including 2 regulations beginning with COTP San Juan 05–007)'' (RIN1652–AA87) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3480. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone (including 10 regulations beginning with COTP Miami 07–065)'' (RIN1625–AA00) received on September 28, 2007; to the Committee on Commerce, Science, and Transportation.

EC–3481. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' (Docket No. PA–149–FOR) received on September 28, 2007; to the

Committee on Energy and Natural Resources.

EC–3482. A communication from the Acting Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Ceanothus ophiochilus and Fremontodendron mexicanum'' (RIN1018–AU77) received on September 27, 2007; to the Committee on Environment and Public Works.

EC–3483. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Nonessential Experimental Population Status for 15 Freshwater Mussels, 1 Freshwater Snail, and 5 Fishes in the Lower French Broad River and in the Lower Holston River, TN'' (RIN1018–AU01) received on September 27, 2007; to the Committee on Environment and Public Works.

EC–3484. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds'' (RIN1018–AV12) received on September 27, 2007; to the Committee on Environment and Public Works.

EC–3485. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Late Season Migratory Bird Hunting Regulations'' (RIN1018–AV12) received on September 27, 2007; to the Committee on Environment and Public Works.

EC–3486. A communication from the Chairman, U.S. International Trade Commission, transmitting, pursuant to law, a biennial report entitled, ''The Impact of the Caribbean Basin Economic Recovery Act''; to the Committee on Finance.

EC–3487. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Mining Industry Overview Guide'' (Docket No. LMSB–04–0407–033) received on September 17, 2007; to the Committee on Finance.

EC–3488. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act in the Department of the Army, case number 06–09; to the Committee on Appropriations.

EC–3489. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Board; to the Committee on Appropriations.

EC–3490. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles and defense services related to the launch of satellites from Kazakhstan; to the Committee on Foreign Relations.

EC–3491. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles and defense services related to the co-development of the Galaxy Express space launch vehicle upgrade program for Japan; to the Committee on Foreign Relations.

EC–3492. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles and defense services related to the launch of satellites from the Pacific Ocean utilizing a modified oil platform; to the Committee on Foreign Relations.

EC–3493. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–192—2007–200); to the Committee on Foreign Relations.

EC–3494. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Board of the International Fund for Ireland; to the Committee on Foreign Relations.

EC–3495. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to support the manufacture of the Korean Commander's Panoramic Sight; to the Committee on Foreign Relations.

EC–3496. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles, technical data, and defense services to Japan in support of the MK 41 Vertical Launching System; to the Committee on Foreign Relations.

EC–3497. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Letter Report: Audit of Advisory Neighborhood Commission 3B for Fiscal Year 2005 Through 2007, as of March 31, 2007''; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. AKAKA for the Committee on Veterans' Affairs.

*Paul J. Hutter, of Virginia, to be General Counsel, Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KOHL:

S. 2125. A bill to improve public awareness in the United States among older individuals and their families and caregivers about the impending Digital Television Transition through the establishment of a Federal interagency taskforce between the Federal Communications Commission, the Administration on Aging, the National Telecommunications and Information Administration, and the outside advice of appropriate members of the aging network and industry groups; to the Committee on Commerce, Science, and Transportation.

By Mr. CRAPO (for himself, Mr. JOHNSON, and Mr. GREGG):

S. 2126. A bill to amend the Internal Revenue Code of 1986 to allow individuals to defer recognition of reinvested capital gains distributions from regulated investment companies; to the Committee on Finance.

By Mrs. MURRAY:

S. 2127. A bill to provide assistance to families of miners involved in mining accidents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SUNUNU (for himself, Mr. MCCAIN, Mr. MCCONNELL, and Mr. LOTT):

S. 2128. A bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself and Mr. MENENDEZ):

S. Res. 341. A resolution concerning the recent forest fires in Greece; to the Committee on Foreign Relations.

By Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. MENENDEZ, Mr. REID, Mr. DURBIN, Mr. LIEBERMAN, Mr. CARDIN, Mr. LAUTENBERG, Ms. STABENOW, Mr. OBAMA, Mr. BINGAMAN, Mr. WHITEHOUSE, Mr. LUGAR, Mrs. BOXER, Mr. DOMENICI, Mrs. HUTCHISON, Mr. CORNYN, Mr. KERRY, Mr. SPECTER, Mr. DODD, Mr. VOINOVICH, Mrs. DOLE, and Mr. CRAPO):

S. Res. 342. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Hispanic Americans and their immense contributions to the Nation; considered and agreed to.

By Mr. BIDEN (for himself, Mr. LEAHY, Ms. CANTWELL, Mrs. MURRAY, Mr. NELSON of Nebraska, Ms. MIKULSKI, Mr. DURBIN, Mr. SANDERS, Mr. CASEY, Mr. LAUTENBERG, Mr. BAYH, Mrs. BOXER, Mr. GRASSLEY, Mr. INHOFE, Mr. JOHNSON, Mr. COLEMAN, and Mr. VOINOVICH):

S. Res. 343. A resolution designating October 19, 2007, as ''National Mammography Day''; considered and agreed to.

By Mr. JOHNSON (for himself, Mr. LOTT, Mr. CHAMBLISS, Mr. BROWN, Mr. COBURN, and Mr. INHOFE):

S. Con. Res. 48. A concurrent resolution expressing the sense of Congress regarding high level visits to the United States by democratically-elected officials of Taiwan; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 327

At the request of Mr. MCCAIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 327, a bill to authorize the

Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement.

S. 617

At the request of Mr. SMITH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 617, a bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans.

S. 626

At the request of Mr. KENNEDY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 652

At the request of Mr. SMITH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 652, a bill to extend certain trade preferences to certain least-developed countries, and for other purposes.

S. 667

At the request of Mrs. CLINTON, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 799

At the request of Mr. HARKIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 799, a bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes.

S. 980

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 980, a bill to amend the Controlled Substances Act to address online pharmacies.

S. 1090

At the request of Ms. STABENOW, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1090, a bill to amend the Agriculture and Consumer Protection Act of 1973 to assist the neediest of senior citizens by modifying the eligibility criteria for supplemental foods provided under the commodity supplemental food program to take into account the extraordinarily high out-of-pocket medical expenses that senior citizens pay, and for other purposes.

S. 1120

At the request of Mr. HARKIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New Mexico (Mr. DOMENICI) were added as cosponsors of S. 1120, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine and public health.

S. 1150

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1150, a bill to enhance the State inspection of meat and poultry in the United States, and for other purposes.

S. 1382

At the request of Mr. REID, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1428

At the request of Mr. HATCH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1428, a bill to amend part B of title XVIII of the Social Security Act to assure access to durable medical equipment under the Medicare program.

S. 1494

At the request of Mr. DOMENICI, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1494, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 1529

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1529, a bill to amend the Food Stamp Act of 1977 to end benefit erosion, support working families with child care expenses, encourage retirement and education savings, and for other purposes.

S. 1592

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1592, a bill to reauthorize the Underground Railroad Educational and Cultural Program.

S. 1827

At the request of Mr. COCHRAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1827, a bill to amend title XVIII of the Social Security Act to require prompt payment to pharmacies under part D, to restrict pharmacy co-branding on prescription drug cards issued under such part, and to provide guidelines for Medication Therapy Management Services programs offered by prescription drug plans and MA–PD plans under such part.

S. 1895

At the request of Mr. REED, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1895, a bill to aid and support pediatric involvement in reading and education.

S. 1905

At the request of Ms. KLOBUCHAR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1905, a bill to provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, and for other purposes.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1958

At the request of Mr. CONRAD, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S. 1965

At the request of Mr. STEVENS, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1965, a bill to protect children from cybercrimes, including crimes by online predators, to enhance efforts to identify and eliminate child pornography, and to help parents shield their children from material that is inappropriate for minors.

S. 1990

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1990, a bill to amend part D of title III of the Public Health Service Act to authorize grants and loan guarantees for health centers to enable the centers to fund capital needs projects, and for other purposes.

S. 2031

At the request of Mr. SANDERS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2031, a bill to amend the Social Security Act to provide grants and flexibility through demonstration projects for States to provide universal, comprehensive, cost-effective systems of health care coverage, with simplified administration.

S. 2051

At the request of Mr. CONRAD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2051, a bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. RES. 252

At the request of Mr. BOND, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. Res. 252, a resolution recognizing the increasingly mutually beneficial relationship between the United States of America and the Republic of Indonesia.

S. RES. 339

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 339, a resolution expressing the sense of the Senate on the situation in Burma.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL:

S. 2125. A bill to improve public awareness in the United States among older individuals and their families and caregivers about the impending Digital Television Transition through the establishment of a Federal interagency taskforce between the Federal Communications Commission, the Administration on Aging, the National Telecommunications and Information Administration, and the outside advice of appropriate members of the aging network and industry groups; to the Committee on Commerce, Science, and Transportation.

Mr. KOHL. Mr. President, I rise today to introduce the Preparing America's Seniors for the Digital Television Transition Act of 2007. Seniors are particularly vulnerable to slipping through the cracks of the digital television transition. Not only are they more likely to rely on free over-the-air analog TV, but for many seniors television is their only link to the outside world. Yet the majority of the public remains unaware of the impending digital television transition. Millions of Americans may turn on their TVs on February 18, 2009, only to find themselves left in the dark without access to critical weather updates, emergency alerts, news or entertainment programming. In my home state of Wisconsin alone, over half a million households rely on free over-the-air TV.

As Chairman of the Special Committee on Aging, I recently held a hearing entitled, ''Preparing for the Digital Television Transition: Will Seniors Be Left in the Dark?'' Our hearing uncovered several concerns. First, seniors need targeted outreach about the transition and the related coupon program. Second, there is shockingly little coordination between the Government agencies overseeing the transition and the voluntary industry efforts to educate consumers. Third, nonprofit organizations require additional resources to sufficiently assist seniors with navigating the transition. Finally, the Government's plan to provide coupons to partially offset the cost of a converter box is fraught with confusion and vulnerable to fraud and abuse.

My legislation will address these problems by creating a formalized partnership between the Federal Communications Commission, the National Telecommunications and Information Administration and the Administration on Aging with specific reporting requirements. Together these entities will work with stakeholders such as the broadcasters, the aging network, disability groups, rural Americans, and State, local and tribal governments to craft a coordinated outreach campaign. This legislation will also establish a grant program to ensure that nonprofits and state and local government agencies, like area agencies on aging, have access to assistance as they help seniors and other vulnerable populations navigate the transition and the coupon program.

This legislation will help safeguard seniors and their families by facilitating a number of common sense solutions. The bill requires commercial broadcasters to air public service announcements and develop consumer education plans to meet the needs of local viewers. It requires that coupon-eligible converter boxes are easily identifiable to mitigate the potential of consumers being swayed into purchasing expensive equipment they do not need. It also requires that manufacturers of converter boxes maintain a toll-free 1–800 number to assist individuals with installation. It sets specific reporting requirements for the FCC and NTIA to monitor the progress of their consumer awareness campaign and the coupon program. The legislation also modifies the coupon program to ensure that households relying solely on over-the-air television sets are prioritized and that residents of nursing homes and assisted living facilities are eligible to participate.

I want to thank the following organizations for endorsing this legislation: AARP, the Association for Public Television Stations, the National Association of State Units on Aging, the National Association of Area Agencies on Aging, American Association of Homes and Services for the Aging, the Meals on Wheels Association of America, and the National Association of Nutrition and Aging Services Programs.

Senior citizens deserve to receive targeted outreach and complete information about the upcoming transition. They do not deserve to be the brunt of fraudulent schemes or to be left in the dark after February 17, 2009. I believe we must prepare America's seniors, and I hope my colleagues will join in my effort to do so.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2125

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Preparing America's Seniors for the Digital Television Transition of Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. DTV educational partnership to benefit older individuals.
Sec. 4. Provisions relating to forfeitures.
Sec. 5. Digital television transition public education outreach and installation assistance grants program.
Sec. 6. Modification of the digital-to-analog converter box program.
Sec. 7. Reporting requirements.

SEC. 2. FINDINGS.

Congress finds that—

(1) on February 17, 2009, television stations will cease broadcasting analog signals and traditional analog televisions will stop working unless they are connected to a digital-to-analog converter box, cable, or satellite;

(2) a study conducted by the National Association of Broadcasters revealed that over half of the respondents had ''seen, read, or heard nothing'' about the transition to digital television, and only 10 percent were able to guess that the transition would occur in 2009;

(3) according to a July 2007 study released by the Association of Public Television Stations, older individuals—

(A) over the age of 65 are more likely to be found in over-the-air households and are, therefore, a much more vulnerable group with respect to maintaining television service as the digital transition is completed;

(B) as a group, are less likely to have purchased a new television in the past 3 years, are less likely to have HDTV capabilities in their households, and are less likely to own a digital television;

(C) will not have the same exposure to digital television transition messages from electronic retailers as will younger members of the population; and

(D) will need special focus in efforts to educate the public with respect to the transition from analog to digital television;

(4) according to a Nielsen Media Research report, approximately 20,000,000 households rely exclusively on analog or free over-the-air broadcasts;

(5) of these 20,000,000 households, approximately 8,000,000 include at least 1 person over the age of 50, according to the Nielsen Media Research TV Household Estimates;

(6) according to the General Accountability Office, about 48 percent of over-the-air households have incomes under $30,000;

(7) frail, homebound, rural, minority, disabled, limited English proficient, and low-income older individuals will need specific guidance and assistance in order to purchase and properly install a digital-to-analog converter box;

(8) without a targeted outreach program residents in nursing homes and assisted living facilities represent a segment of the population at risk for losing television service as a result of the digital transition;

(9) failure to seamlessly transition from analog to digital television will restrict or eliminate the access of older individuals to essential preparedness and safety information in the event of an emergency or disaster, as such individuals will be unable to receive national and local alerts aired over television;

(10) it is now 6 years after the communication failures of September 11, 2001, which spurred Federal Government adoption of a firm digital television transition date;

(11) unfortunately the Department of Commerce and the Federal Communications Commission have not adequately assured Congress that vulnerable households will be properly educated and prepared for such transition; and

(12) older individuals, their families, caregivers, and aging support networks will need targeted outreach to inform them of steps to take in order to ensure uninterrupted television service and to help mitigate potential

digital television transition scams that may target the elderly.

SEC. 3. DTV EDUCATIONAL PARTNERSHIP TO BENEFIT OLDER INDIVIDUALS.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

"SEC. 342. FEDERAL INTERAGENCY TASKFORCE TO EDUCATE OLDER INDIVIDUALS ON THE DTV TRANSITION OF 2009.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Chairman and Commissioners of the Federal Communications Commission shall enter into a partnership with the Administration on Aging and the National Telecommunications and Information Administration, to create a comprehensive public education campaign that provides information and assistance to older individuals, their families, caregivers, and aging support networks about measures that may be taken—

''(A) to ensure that such older individuals receive uninterrupted television service during the transition from analog to digital television that is to occur on February 17, 2009; and

''(B) to mitigate the likelihood of success of fraudulent schemes relating to such transition that may target such older individuals.

''(2) ACCESS TO RESOURCES.—In carrying out the educational campaign required under paragraph (1), the federal interagency taskforce established under such paragraph shall utilize existing resources and efforts of the Federal, State, and local governments, industry, and other appropriate entities.

''(3) TIMING.—The educational campaign required under paragraph (1) shall commence not later than January 1, 2008 or 60 days after the date of enactment of this section.

''(b) ADVISORY BOARD.—

''(1) IN GENERAL.—The Commission, the Administration on Aging, and the National Telecommunications and Information Administration shall establish an advisory board to recommend to the federal interagency task force established under subsection (a) the type, manner, and content of the information to be used as part of the educational campaign required under such subsection.

''(2) MEMBERSHIP.—The advisory board established under paragraph (1) shall consist of 2 designees each from the Commission, the Administration on Aging, and the National Telecommunications and Information Administration and no more than 30 additional members, which shall include—

''(A) representatives from the aging network, as such term is defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002), such as the National Association of Area Agencies on Aging, Meals on Wheels Association of America, and National Association of State Units on Aging;

''(B) representatives from the entity or entities that the Assistant Secretary for Communications and Information selects or assigns to administer the digital-to-analog converter box program required under section 3005(c)(2)(A) of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23);

''(C) representatives from the associations of industry and related stakeholder groups to include—

''(i) commercial and noncommercial broadcasters;

''(ii) manufacturers and retailers of consumer electronics equipment;

''(iii) cable operators; and

''(iv) satellite providers;

''(D) State, local, and tribal governments, such as the National Association of Telecommunications Officers and Advisors and the National Governors Association;

''(E) members from the general public who have expertise in consumer education and outreach;

''(F) older individuals;

''(G) representatives from—

''(i) minority groups, including Hispanic Americans;

''(ii) Americans whose primary language is not English;

''(iii) tribal groups;

''(iv) Americans with disabilities;

''(v) Americans living in rural communities;

''(vi) nursing homes and assisted living facilities; and

''(vii) consumer protection groups; and

''(H) representatives from low-income assistance program providers.

''(3) APPOINTMENT.—Not later than 30 days after the date of enactment of this section, the Commission, the Administration on Aging, and the National Telecommunications and Information Administration shall appoint each member of the advisory board.

''(4) CHAIRMAN.—The members of the Advisory Board shall elect 1 member to serve as Chairman within 30 days after the date of enactment of this section, in order to facilitate rapid creation and implementation of the Advisory Board.

''(c) DUTIES.—

''(1) IN GENERAL.—The Federal interagency taskforce established under subsection (a) shall carry out a nationwide program with the assistance of the advisory board established under subsection (b) that includes, at a minimum—

''(A) an easily comprehensible explanation of the digital television transition, including—

''(i) the effective date of such transition; and

''(ii) who is affected by such transition;

''(B) the public safety and emergency preparedness concerns the transition will address, such as the Digital Emergency Alert System and reverse 911, and the potential public safety hazards to older individuals of not successfully transitioning to digital television;

''(C) instructions to determine whether a television will receive a digital signal and, if not, the options to ensure reception of a digital signal and the related costs;

''(D) information related to the digital-to-analog converter box coupon program, eligible versus noneligible converter boxes, certified retailers, and important associated deadlines; and

''(E) tips on how to avoid potential fraudulent schemes related to the digital television transition that may target older individuals.

''(2) ADDITIONAL DUTIES.—The Federal interagency taskforce established under subsection (a) shall—

''(A) examine ways to simplify the purchasing and installing of a digital-to-analog converter box for older individuals and take into consideration the unique needs of frail, homebound, minority, disabled, limited English proficient, rural, and low-income older individuals, as well as residents of nursing homes and assisted living facilities;

''(B) consult with and seek assistance from the Commission's Homeland Security and Public Safety Bureau;

''(C) establish specific and realistic benchmarks for identifying the estimated reach of the public education campaign required under this section to older individuals, their families, caregivers, and aging support networks;

''(D) coordinate with stakeholder to properly implement the comprehensive education campaign;

''(E) provide, at no cost, to non profit entities such as entities within the aging network consumer education materials and technical assistance regarding the transition from analog to digital television that is to occur on February 17, 2009; and

''(F) specifically analyze the impact of the transition from analog to digital television on the residents of non profit nursing homes and assisted living facilities.

''(d) REPORT.—

''(1) INITIAL REPORT.—Not later than 90 days after the date of enactment of this section, the Commissioner, the Assistant Secretary for Aging, and the Assistant Secretary for Communications and Information shall submit a report to Congress on—

''(A) the ability of the Federal interagency taskforce to meet the requirements and duties described under subsection (c); and

''(B) that summarizes each agency's efforts to increase consumer education and awareness about the transition from analog to digital television among older individuals, as well as that agency's efforts to coordinate with the other Federal and non-Federal members of the taskforce and the advisory board.

''(2) CONTENT OF REPORT.—The report required under paragraph (1) shall, at a minimum, also include the following:

''(A) How the Federal interagency taskforce will meet the specific benchmarks established under subsection (c)(2)(C) to ensure that older individuals who rely on over-the-air broadcasting are not left without television service after February 17, 2009.

''(B) How the Federal interagency taskforce will address the unique needs of frail, homebound, disabled, minority, rural, limited English proficiency and low-income older individuals, as well as residents of nursing homes and assisted living facilities, all of whom will need specific guidance and assistance in order to purchase and install a digital-to-analog converter box through the National Telecommunications and Information Administration's Digital-to-Analog Converter Box Coupon Program without any undue burden.

''(C) How the Federal interagency taskforce will provide guidance and technical assistance to the families, caregivers, and aging support networks of these vulnerable older individuals.

''(D) How the Federal interagency taskforce will mitigate potential scams that may target the elderly throughout the course of the National Telecommunications and Information Administration's Digital-to-Analog Converter Box Coupon Program.

''(E) How the Federal interagency taskforce will coordinate between State, local, and tribal governments and the head of each Federal agency overseeing a low-income assistance program, such as the Supplemental Security Income Program, the Low Income Home Energy Assistance Program, the Lifeline Assistance, and Link Up America programs, to ensure that such programs disseminate information about the transition from analog to digital television to their program recipients.

''(F) What resources will be necessary to provide outreach and assistance at the community level and how the taskforce will prioritize such resources.

''(3) FINAL REPORT.—Not later than 3 months before February 17, 2009, the Commissioner, Assistant Secretary for Aging, and the Assistant Secretary for Communications and Information shall submit a report to Congress that describes—

''(A) the level of outreach and success achieved by the education campaign required under subsection (a); and

''(B) the necessary remaining steps that must be taken in order to ensure that older

individuals who rely on over-the-air broadcasting are not left without television service after February 17, 2009.

''(e) DEFINITION OF OLDER INDIVIDUAL.—For purposes of this section, the term 'older individual' means an individual who is 50 years of age or older.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal interagency taskforce established under subsection (a) such sums as are necessary to carry out the provisions of this section in addition to—

''(1) amounts transferred pursuant to section 344(c)(5) of this Act; and

''(2) amounts transferred pursuant to section 503(b)(7) of this Act.

''(g) Return of unexpended funds.—Upon termination of the federal interagency taskforce, any unexpended funds shall be paid back to the original source of such funds, including to the general accounts of the Federal Communications Commission held at the Treasury for any amounts deposited in the fund pursuant to paragraphs (1) or (2) of subsection (f).

''SEC. 343. ADDITIONAL REQUIREMENTS RELATED TO THE DTV TRANSITION.

''(a) REQUIREMENTS ON BROADCASTERS.—

''(1) PSAS.—Beginning on the date of enactment of this section and ending on March 31, 2009, the Commission shall require each full power commercial television broadcast licensee or permittee to broadcast during each day between the hours of 6 a.m. and 11 p.m., public service announcements notifying the public, in particular older individuals and their families, caregivers, and aging support networks, of the transition from analog to digital television that is to occur after February 17, 2009.

''(2) TIME REQUIREMENTS AND TOTAL RUNNING TIME.—Based on the overall concentration of over-the-air households by State and locality, broadcasters shall air a minimum of 60 seconds of public service announcements per day at variable time slots throughout the week, with half airing between 5 p.m. and 11 p.m.

''(3) REQUIRED CONTENT.—Any public service announcement broadcast after January 1, 2008, shall include—

''(A) information concerning the digital-to-analog converter box program required under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23);

''(B) such additional consumer information as the Federal interagency taskforce may recommend based on input from the advisory committee established under section 342; and

''(C) such additional information as local broadcasters may determine necessary to appropriately educate their viewers about the transition from analog to digital television.

''(4) CONSUMER EDUCATION PLANS.—

''(A) IN GENERAL.—Not later than January 1, 2008, or 30 days after the date of enactment of this Act if this Act is enacted after such date, each full power commercial television broadcast licensee or permittee shall have in place a comprehensive consumer education plan to inform local viewers about the impending the transition from analog to digital television based on the overall concentration of over-the-air households by State and locality.

''(B) PROGRAMS.—Programs carried out under the plan required by subparagraph (A) may include educational programming, donut spots, crawls, and speaking events.

''(5) PERIODIC REPORTS TO THE FCC.—

''(A) COMMERCIAL BROADCASTERS.—Not later than 90 days after the date of enactment of this section, and every 90 days thereafter until March 31, 2009, each commercial television broadcast licensee or permittee shall submit a report to the Commission detailing their efforts to comply with the requirements of this subsection.

''(B) NON COMMERCIAL BROADCASTERS.—Not later than June 18, 2008 the Corporation for Public Broadcasting, as defined in section 397(2) shall submit a report to the Commission on behalf of television public broadcast stations—

''(i) detailing the activities of the public television industry in educating the public about the digital transition; and

''(ii) including information relating to—

''(I) airtime allocated towards consumer education; and

''(II) other outreach efforts.

''(C) PUBLIC AVAILABILITY.—The Commission shall make any report required under subparagraph (A) or (B) available to the public on the Internet, without fee or other access charge, in a searchable and downloadable manner.

''(b) REQUIREMENTS ON MVPD.—

''(1) IN GENERAL.—Not later than January 1, 2008, or 30 days after the date of enactment of this Act if this Act is enacted after such date, each multichannel video programming distributor (as defined in section 602) shall develop a plan to notify subscribers about the transition from analog to digital television that is to occur on February 17, 2009.

''(2) REQUIREMENTS OF PLAN.—The plan required under paragraph (1) shall explain—

''(A) what the digital transition is;

''(B) how the transition will affect subscribers of the multichannel video programming distributor; and

''(C) such additional information as multichannel video programming distributors may determine necessary to appropriately educate their viewers about the transition from analog to digital television.

''(c) REQUIREMENTS FOR ELECTRONICS RETAILERS AND DISTRIBUTORS OF CONVERTER BOXES.—

''(1) REQUIREMENTS FOR MANUFACTURERS OF CONVERTER BOXES.—The manufacturer of any digital-to-analog converter box that is eligible to be obtained using a redeemable Federal coupon and that is manufactured in the United States or shipped in interstate commerce shall—

''(A) place an appropriate label on the retail packaging of the converter box; and

''(B) maintain a toll-free 1-800 number that customers can call to obtain installation assistance.

''(2) LABEL REQUIREMENT.—For purposes of paragraph (1), an appropriate label is a label that meets the following requirements:

''(A) The label is displayed—

''(i) in a clear and conspicuous manner; and

''(ii) in large and visible font.

''(B) The label informs the consumer that the converter box is fully compliant with all Federal standards relating to the eligibility of that converter box to be used with the Federal coupon program described under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23). The information required to be included on a label under this subparagraph may be conveyed by affixing the following phrase to the label: 'NTIA Coupon-Eligible'.

''(3) REQUIREMENTS FOR IN-STORE RETAILERS.—Each in-store retailer shall place adjacent to digital-to-analog converter boxes that such retailer displays for sale or rent, a separate sign that identifies which converter boxes are 'NTIA Coupon-Eligible'.

''(4) REQUIREMENTS FOR OTHER RETAILERS.—Any retailer of digital-to-analog converter boxes that sells such converter boxes via direct mail, catalog, or electronic means, shall ensure that all advertisements or descriptions of such converter box identifies whether or not such converter box is 'NTIA Coupon-Eligible'.

''(5) PENALTIES.—

''(A) IN GENERAL.—The forfeiture penalties established by section 503(b) shall apply to a violation of any requirement under this section.

''(B) TRANSFER TO FEDERAL INTERAGENCY TASKFORCE.—The amount of any forfeiture penalty determined, imposed, or otherwise assessed by the Commission for violations of this section shall be transferred to the accounts of the Federal interagency taskforce established pursuant to section 342.

''(d) REPORT OF CERTIFIED RETAILERS.—The National Telecommunications and Information Administration shall require—

''(1) each retailer certified by the Administration to participate in the digital-to-analog converter box coupon program under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23); and

''(2) not later than 30 days after certification, each such retailer to report to the Administration on their employee training or consumer information plans regarding the transition from analog to digital television that is to occur on February 17, 2009.

''(e) REPORT OF OTHER FEDERAL AGENCIES.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the head of each Federal agency that oversees a low-income assistance program, as determined by the Federal interagency taskforce, and including the Supplemental Security Income Program, the Low-Income Home Energy Assistance Program, shall report to the Commission on how such agency or program will work with the Federal interagency taskforce established under section 342 to ensure coordinated efforts are made to disseminate consumer education materials developed under such section on the transition from analog to digital television to eligible program participants.

''(2) REQUIRED CONTENT.—The report required under paragraph (1) should affirm each Federal agency's commitment to assist with the nationwide transition from analog to digital television.

''(f) DEFINITION OF OLDER INDIVIDUAL.—For purposes of this section, the term 'older individual' means an individual who is 50 years of age or older.''.

SEC. 4. PROVISIONS RELATING TO FORFEITURES.

(a) IN GENERAL.—Section 503(b) of the Communications Act of 1934 (47 U.S.C. 503(b)) is amended by adding at the end the following:

''(7) Beginning on the date of enactment of this paragraph and ending on February 17, 2009, the amount of any forfeiture penalty determined, imposed, or otherwise assessed by the Commission, and payable into the Treasury of the United States, for violations of the point of sale disclosure requirements for analog-only television equipment as described in the Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion To Digital Television (MB Docket No. 03–15; RM–9832; adopted April 25, 2007) during such period shall be transferred to the accounts of the Federal interagency taskforce established pursuant to section 342.''.

(b) FUTURE RULEMAKINGS RELATED TO DIGITAL TELEVISION TRANSITION.—The Federal Communications Commission shall in any future rulemaking related to the nationwide transition from analog to digital television that is to occur on February 17, 2009, ensure that any proposed forfeiture penalty for violation of such rule is transferred to the accounts of the Federal interagency taskforce established pursuant to section 343 of the Communications Act of 1934 (as added under section 3 of this Act).

SEC. 5. DIGITAL TELEVISION TRANSITION PUBLIC EDUCATION OUTREACH AND INSTALLATION ASSISTANCE GRANTS PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) GRANTS.—The Federal Communications Commission shall award grants, on a competitive basis, to eligible entities to—

(A) provide public education outreach about the digital television transition taking place on February 17, 2009 to vulnerable populations particularly at risk for losing television reception as a result of the digital television transition; and

(B) provide assistance with the purchasing and installation of digital-to-analog converter boxes to vulnerable populations particularly at risk for losing television reception as a result of the digital television transition.

(2) GRANT PERIODS.—The Commission shall award grants under this section for a period of up to 3 years.

(b) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall submit an application to the Commission at such time, in such manner, and containing such information as the Commission may require.

(2) ACTION.—The Commission shall take such action necessary to award grants not later than 90 days after the date of enactment of this section.

(c) PREFERENCE.—The Commission shall give priority in awarding grants under this section to an entity that—

(1) will provide public education outreach and installation assistance to older individuals and other vulnerable populations (with particular attention to individuals with disabilities, individuals with limited English proficiency, individuals residing in rural areas, minorities, and low-income communities);

(2) has demonstrated experience in providing outreach and assistance to older individuals and other vulnerable populations; and

(3) can demonstrate the ability and commitment to identifying, after February 17, 2009, the date of the transition, those households that may have lost television reception and can aid in reinstating television reception for such households.

(d) PARTNERSHIPS.—In awarding grants under this section, the Commission may encourage applicants to enter into a partnership with 1 or more private entities who may assist with training or providing donated technologies including digital televisions or digital-to-analog converter boxes.

(e) USE OF FUNDS.—

(1) IN GENERAL.—An eligible entity shall use funds made available under a grant awarded under this section to—

(A) carry out a project described in subsection (a); and

(B) evaluate the project in accordance with subsection (h).

(2) RELATIONSHIP TO OTHER FUNDING SOURCES.—Funds made available under this section shall supplement, and not supplant, any Federal, State, and local funds expended by a State or unit of general purpose local government to provide the services described in subsection (a).

(f) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under subsection (a) shall be—

(1) a nonprofit organization, an area agency on aging or other local government agency, a State unit on aging or other State government agency, and a tribal government or organization (including a consortium thereof) that—

(A) has the ability to conduct the coordination, promotion, and facilitation described in subsection (a); and

(B) has experience providing outreach and assistance targeted at older individuals and other vulnerable populations (with particular attention to individuals with disabilities, individuals with limited English proficiency, individuals residing in rural areas, minorities, and low-income communities); or

(2) any other entity not described in paragraph (1) that—

(A) the Commission determines to be appropriate to carry out a project under subsection (a); and

(B) demonstrates experience conducting public education outreach campaigns and providing assistance targeted at older individuals and other vulnerable populations.

(g) COMPETITIVE GRANTS FOR TECHNICAL ASSISTANCE.—The Commission may make a grant, on a competitive basis, to an eligible nonprofit organization, to enable the organization to—

(1) provide technical assistance to recipients of grants under subsection (a); and

(2) carry out other duties, as determined by the Commission.

(h) LOCAL EVALUATION AND REPORT.—

(1) EVALUATION.—Each entity or consortium thereof receiving a grant under subsection (a) to carry out a project described in subsection (a) shall evaluate the outreach and assistance carried out under the project to determine—

(A) the effectiveness of the outreach and assistance involved; and

(B) the impact of such outreach and assistance on the community being served and the organization providing the outreach and assistance.

(2) REPORT.—The organization shall submit a report to the Commission containing the evaluation not later than 3 months after the expiration of the period for which the grant is in effect.

(i) ANNUAL REPORT TO CONGRESS.—Not later than 60 days after the close of fiscal year 2008 and fiscal year 2009, the Commission shall prepare and submit a full and complete report to Congress on the activities carried out under this section which shall—

(1) summarize the distribution of funds authorized for grants under this section and the expenditure of such funds;

(2) summarize the scope and content of the public education outreach campaigns and assistance carried out under this section; and

(3) make recommendations for legislative or administrative action, as the Commission determines appropriate.

(j) FINAL REPORT TO CONGRESS.—Not later than 60 days after the close of fiscal year 2010 the Commission shall prepare and submit a full and complete report to Congress on the activities carried out under this section which shall—

(1) summarize the distribution of funds authorized for grants under this section and the expenditure of such funds;

(2) summarize the scope and content of the public education outreach campaigns and assistance carried out under this section;

(3) summarize findings from the reports containing the evaluations from subsection (h)(2); and

(4) make recommendations for legislative or administrative action, as the Commission determines appropriate.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary to carry out this section for fiscal years 2008, 2009, and 2010.

SEC. 6. MODIFICATION OF THE DIGITAL-TO-ANALOG CONVERTER BOX PROGRAM.

Section 3005(c) of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) APPLICATIONS.—

''(A) PROCUREMENT OF COUPONS.—

''(i) SUBMISSION OF APPLICATION.—Not later than December 31, 2007, the Assistant Secretary shall by regulation develop and produce a standard application that each household shall submit to the Assistant Secretary between January 1, 2008, and March 31, 2009, inclusive, in order to obtain a coupon that can be applied toward the purchase of a digital-to-analog converter box.

''(ii) REQUIREMENT FOR APPLICATIONS.—The application developed under clause (i) shall—

''(I) be uniform in style and form regardless of the medium through which it is available, including for printed applications, application available by e-mail, or available on the website of the Assistant Secretary or of the Federal Communications Commission;

''(II) require each household to submit—

''(aa) the name, address, phone number, and e-mail address of the applicant;

''(bb) the number of coupons that the household seeks to obtain;

''(cc) a certification of whether the household receives—

''(AA) only over-the-air broadcast programming; or

''(BB) cable or satellite service and over-the-air broadcast programming;

''(III) inform households about—

''(aa) the transition from analog to digital television, including information on the—

''(AA) digital-to-analog converter box coupon program; and

''(BB) important associated deadlines; and

''(bb) the various options and alternatives that households may utilize to ensure reception of a digital signal, including that if the household—

''(AA) has an analog television set and receives only over-the-air broadcast programming that a digital-to-analog converter box is required;

''(BB) has a digital television set and receives only over-the-air broadcast programming that a digital-to-analog converter box is not required; and

''(CC) has either an analog or digital television set and receives cable or satellite service that a digital-to-analog converter box is not required.

''(iii) SHIPPING OF COUPONS.—The Assistant Secretary shall ensure that each household that submits an application for a coupon under this subparagraph receives such coupon via the United States Postal Service.

''(iv) DURATION OF COUPONS.—All coupons shall expire 4 months after issuance.

''(v) RULE OF CONSTRUCTION.—For purposes of this paragraph, the term 'household' shall include residents of nursing homes and assisted living facilities.'';

(2) by amending paragraph (2) to read as follows:

''(2) DISTRIBUTION OF COUPONS.—

''(A) PRIORITY CONSIDERATION FOR OTA HOUSEHOLDS.—

''(i) IN GENERAL.—The Assistant Secretary shall for the period beginning January 1, 2008, and ending March 31, 2009, distribute coupons only to households that have certified on their coupon application submitted under paragraph (1) that such household receives only over-the-air broadcast programming.

''(ii) CAP ON COUPONS.—The total maximum value of all the coupons distributed under clause (i) shall not exceed $990,000,000.

''(B) OTHER HOUSEHOLDS.—

''(i) IN GENERAL.—The Assistant Secretary shall for the period beginning July 1, 2008, or the period beginning on the date that the total maximum value established under subparagraph (A)(ii) is reached, whichever is earlier, and ending March 31, 2009, distribute

coupons to any household that has submitted a coupon application under paragraph (1).

''(ii) CAP ON COUPONS.—The total maximum value of all the coupons distributed under clause (i) shall not exceed $510,000,000.

''(C) LIMITATION.—The Assistant Secretary shall ensure that—

''(i) no household that receives only over-the-air broadcast programming receives more than 2 coupons; and

''(ii) no other household receives more than 1 coupon.

''(D) REQUIRED DISCLOSURES.—The Assistant Secretary shall include along with any coupon distributed pursuant to this subsection a list of—

''(i) certified retailers of digital-to-analog converter boxes by zip code and area code, including each retailer's phone number and address;

''(ii) at least 2 national certified retailers or mail order companies and the 1-800 numbers of such retailers or companies so that households may order digital-to-analog converter boxes over the phone; and

''(iii) digital-to-analog converter boxes that are eligible to be purchased with a coupon.

''(E) PROHIBITION ON RESALE OF COUPONS.—No person, including any retailer or manufacturer, may sell or offer to sell a coupon distributed under this section for any monetary amount.''.

SEC. 7. REPORTING REQUIREMENTS.

(a) REPORT BY THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until March 31, 2009, the National Telecommunications and Information Administration shall report to Congress on the following:

(1) CONSUMER EDUCATION EFFORTS.—The effectiveness of its outreach efforts to inform the public about the transition from analog to digital television, including a summary of any materials distributed, surveys and focus groups conducted, and any other efforts targeted at high-risk market segments, such as low-income individuals, the elderly, or individuals located in rural communities. The ongoing efforts and coordination of the Administration with industry groups (such as broadcasters, retailers, and manufacturers), other Federal agencies, nonprofit organizations, and community-based organizations.

(2) CONVERTER BOX MANUFACTURING.—With respect to the digital-to-analog converter box program required under section 3005 of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23):

(A) The participation level of manufacturers in such program.

(B) The number of digital-to-analog converter box models manufactured pursuant to such program.

(C) The number of digital-to-analog converter boxes shipped in the prior 90 days.

(D) The performance testing results of each digital-to-analog converter box model manufactured pursuant to such program.

(E) The number of digital-to-analog converter boxes in the marketplace that are—

(i) compliant with the requirements under such program; and

(ii) noncompliant with the requirements under such program.

(3) CONVERTER BOX RETAILING.—With respect to retailers:

(A) The compliance rates of retailers with the labeling requirements under section 344(c) of the Communications Act of 1934.

(B) The supply levels of retailers of digital-to-analog converter boxes, such levels shall be categorized on a—

(i) State by State level; and

(ii) regional level.

(C) The price charged by such retailers for digital-to-analog converter boxes, and the sales efforts of such retailers with respect to such boxes.

(D) The efforts of retailers on training and educating their sales force regarding the transition from analog to digital television.

(4) COUPON ADMINISTRATION.—With respect to the digital-to-analog converter box coupon program established under section 3005(c) of the Digital Television Transition and Public Safety Act of 2005 (Public Law 109–171; 120 Stat. 23):

(A) The number of coupons issued, categorized nationally, by State, and by 5 digit zip code.

(B) The number of coupons redeemed by households, categorized nationally, by State, and by 5 digit zip code.

(C) The efforts of the Administration and the Assistant Secretary of Communications and Information to inform retailers about the coupon program and the process needed to redeem coupons, categorized by 5 digit zip code.

(D) The number of households that have an analog television set and receive only over-the-air broadcast programming and that have submitted an application for a coupon, categorized nationally, by State, and by 5 digit zip code.

(E) The number of households that have a digital television set and receive only over-the-air broadcast programming and that have submitted an application for a coupon, categorized nationally, by State, and by 5 digit zip code.

(F) The number of households that have either an analog or digital television set and receive cable or satellite service and that have submitted an application for a coupon, categorized nationally, by State, and by 5 digit zip code.

(G) The efforts of the Administration to utilize the household demographics collected under subparagraphs (D), (E), and (F) to determine an appropriate strategy for the distribution of print applications for coupons, such as distribution at post-offices, departments of motor vehicles, and community centers.

(H) The average time of redemption of a coupon, measured from the date of issuance of the coupon to a household to the date of redemption of that coupon at a certified retailer of digital-to-analog converter boxes.

(I) The top 10 retailers, by volume, where coupons are redeemed.

(J) The results of quarterly surveys conducted between January 1, 2008 and March 31, 2009, on consumer satisfaction with the coupon program, including results related to ease of redemption, availability of digital-to-analog converter box, and the certified retailer's knowledge of the impending transition from analog to digital television.

(b) REPORT BY THE FCC.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until March 31, 2009, the Federal Communications Commission shall report to Congress on—

(1) the effectiveness of its outreach efforts to inform the public about the transition from analog to digital television, including a summary of any materials distributed, surveys and focus groups conducted, and any other efforts targeted at high-risk market segments, such as low-income individuals, the elderly, or individuals located in rural communities;

(2) the ongoing efforts and coordination of the Commission with industry groups (such as broadcasters, retailers, and manufacturers), other Federal agencies, States, nonprofit organizations, and community-based organizations; and

(3) the ongoing efforts of the Commission to—

(A) prevent fraud and abuse with respect to the transition from analog to digital television;

(B) educate high-risk market segments, such as low-income individuals, the elderly, or individuals located in rural communities, on how to—

(i) avoid potential fraudulent schemes related to the digital television transition; and

(ii) identify occurrences of fraud;

(C) prosecute those individuals accused of participating in fraudulent schemes related to the digital television transition; and

(D) monitor the compliance of retailers and manufacturers with the labeling requirements under section 344(c) of the Communications Act of 1934.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Telecommunications and Information Administration and the Federal Communications Commission such sums as are necessary to carry out the provisions of this section.

By Mr. CRAPO (for himself, Mr. JOHNSON, and Mr. GREGG):

S. 2126. A bill to amend the Internal Revenue Code of 1986 to allow individuals to defer recognition of reinvested capital gains distributions from regulated investment companies; to the Committee on Finance.

Mr. CRAPO. Mr. President, I rise today to introduce, along with my colleagues TIM JOHNSON of South Dakota and JUDD GREGG of New Hampshire, an important bill that will allow Americans to save more for the long term and will better prepare them for a secure retirement. The Generating Retirement Ownership Through Long-Term Holding, GROWTH Act, had substantial bipartisan support in the House last Congress, and has been introduced in a bipartisan manner again in the House this Congress. Mr. JOHNSON and I are proud to introduce in the Senate this bipartisan legislation that provides Americans a better tool to grow their long-term retirement savings.

The GROWTH Act would allow investors in mutual funds to keep more retirement savings invested longer and growing longer by deferring taxation of automatically reinvested capital gains until fund shares are sold, rather than allowing those long-term gains, which generate no current income or cash in hand, to be taxed every year.

To understand how beneficial this bill would be, it is important to understand the role of mutual funds in long-term retirement savings. Among households owning mutual funds, 92 percent are investing for retirement, with more than 70 percent saying their primary purpose in investing in funds is to prepare for retirement. Many of today's workers do not yet have in place the retirement savings supplement to Social Security that will prepare them for the future. In fact, almost half of American workers, nearly 75 million of 155 million workers—are not offered any form of pension or retirement savings plan at work.

Meanwhile, the number of years spent in retirement is growing and the

costs individuals can expect to bear in retirement are growing, too. The Employee Benefit Research Institute estimates that an individual retiring at age 65 in 2016 will need more than $300,000 just to cover health coverage premiums and expenses. Individual savings efforts also face significant obstacles. Those not covered by an employer's retirement plan, for example, can set aside a deductible IRA contribution of only $4,000 this year, $5,000 if they are age 50 or older.

Mutual funds are a hugely important part of American workers' preparation for retirement, both through their employers' retirement plans and on their own. Mutual funds now make up about half of the $4.1 trillion held by American workers through 401(k) plans and other similar job-based savings programs. About 38 million American investors hold mutual funds through their defined contribution plans. More than 31 million American investors are saving through taxable mutual fund accounts, either as supplements to their employers' plans or because they do not have such plans.

The GROWTH Act is also a good idea because it remedies an unfairness in the tax code that can make saving difficult for many Americans. Mutual fund investors who are struggling to save for retirement should not have to pay taxes on ''profits'' they have not realized. If they don't have money in hand, it makes no sense for them to have to pay taxes. The GROWTH Act would defer taxes until the mutual fund shares are sold and the investor has actual funds to pay the taxes.

The GROWTH Act would be a valuable contributor to retirement savings efforts. Mutual fund savers who automatically reinvest are doing what policymakers want to see. They are holding for the long term, contributing to national savings, and building up their own retirement nest egg. These Americans should be encouraged to save, not discouraged through a tax on automatic reinvestments. The GROWTH Act is a step that will show immediate results, a step that will help tens of millions of American savers and ''should-be savers'' over the course of their working lives, and a step that with time can make a real difference in the retirement readiness of American families.

I urge my colleagues to join Mr. JOHNSON and me in supporting the GROWTH Act. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 2126

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 ''Generate Retirement Ownership Through Long-Term Holding Act of 2007''.

SEC. 2. DEFERRAL OF REINVESTED CAPITAL GAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Part III of subchapter O of chapter 1 of the Internal Revenue Code of 1986 (relating to common nontaxable exchanges) is amended by inserting after section 1045 the following new section:

''SEC. 1046. REINVESTED CAPITAL GAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

''(a) NONRECOGNITION OF GAIN.—In the case of an individual, no gain shall be recognized on the receipt of a capital gain dividend distributed by a regulated investment company to which part I of subchapter M applies if such capital gain dividend is automatically reinvested in additional shares of the company pursuant to a dividend reinvestment plan.

''(b) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) CAPITAL GAIN DIVIDEND.—The term 'capital gain dividend' has the meaning given to such term by section 852(b)(3)(C).

''(2) RECOGNITION OF DEFERRED CAPITAL GAIN DIVIDENDS.—

''(A) IN GENERAL.—Gain treated as unrecognized in accordance with subsection (a) shall be recognized in accordance with subparagraph (B)—

''(i) upon a subsequent sale or redemption by such individual of stock in the distributing company, or

''(ii) upon the death of the individual.

''(B) GAIN RECOGNITION.—

''(i) IN GENERAL.—Upon a sale or redemption described in subparagraph (A), the taxpayer shall recognize that portion of total gain treated as unrecognized in accordance with subsection (a) (and not previously recognized pursuant to this subparagraph) that is equivalent to the portion of the taxpayer's total shares in the distributing company that are sold or redeemed.

''(ii) DEATH OF INDIVIDUAL.—Except as provided by regulations, any portion of such total gain not recognized under clause (i) prior to the taxpayer's death shall be recognized upon the death of the taxpayer and included in the taxpayer's gross income for the taxable year ending on the date of the taxpayer's death.

''(3) HOLDING PERIOD.—

''(A) GENERAL RULE.—The taxpayer's holding period in shares acquired through reinvestment of a capital gain dividend to which subsection (a) applies shall be determined by treating the shareholder as having held such shares for one year and a day as of the date such shares are acquired.

''(B) SPECIAL RULE FOR DISTRIBUTIONS OF QUALIFIED 5-YEAR GAINS.—In the case of a distribution of a capital gain dividend (or portion thereof) in a taxable year beginning after December 31, 2010, and properly treated as qualified 5-year gain (within the meaning of section 1(h), as in effect after such date), subparagraph (A) shall apply by substituting '5 years and a day' for 'one year and a day'.

''(c) SECTION NOT TO APPLY TO CERTAIN TAXPAYERS.—This section shall not apply to—

''(1) an individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins, or

''(2) an estate or trust.

''(d) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 852(b)(3)(B) of such Code is amended by adding at the end the following new sentence: ''For rules regarding nonrecognition of gain with respect to reinvested capital gain dividends received by individuals, see section 1046.''.

(2) The table of sections for part III of subchapter O of chapter 1 of such Code is amended by inserting after the item relating to section 1045 the following new item:

''Sec. 1046. Reinvested capital gain dividends of regulated investment companies.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

Mr. JOHNSON. Mr. President, I am pleased today to once again join my colleague MIKE CRAPO of Idaho in introducing a bill with growing bipartisan support, a bill that promises to be an important part of the many steps we will need to take to help Americans save more effectively for the many long-term needs they must increasingly plan for on their own—health, education and retirement.

Currently, mutual fund investors who are saving outside a 401(k) plan or an IRA find themselves taxed every year as a result of the buying and selling that is part of fund diversification, even if they have arranged to automatically reinvest any capital gains, even though they sold no shares, in fact, even if the value of their investments have fallen.

As a result, each year during tax season, we hear from investors who have worked hard and played by the rules. These are Americans who are committed to a plan of saving for the long term, who nevertheless find themselves hit with a tax bill although they are simply staying the course. Mr. CRAPO and I don't believe that these people should be discouraged from long-term investing and taxed I prematurely when a better-timed tax—one that comes in when investments are sold—would better facilitate long-term investing, retirement readiness, and perhaps even tax compliance through simpler calculations and fewer annual adjustments.

Congress has spent a great deal of effort trying to strengthen and promote pension promises, through both defined benefit and defined contribution plans. Yet many of today's workers do not yet have in place the retirement savings to supplement Social Security benefits. In fact, almost half of American workers—nearly 75 million of 155 million workers—are not offered any form of pension or retirement savings plan at work. These are the people who need GROWTH the most.

And the challenge they face for the future is growing. The number of years Americans and their families can expect to spend in retirement is growing, as are the costs individuals can expect to bear in retirement. Individual savings opportunities for those who spend some or all of their working years without participating or vesting in an employer's retirement plan are modest. Those workers covered by an employer's retirement plan, for example, can set aside a deductible IRA contribution of only $4,000 this year, $5,000 if they

are age 50 or older. Many will want and need to save more every year if they are to be ready for retirement. These are the people who need GROWTH.

How many are there? More than 31 million Americans are saving through taxable mutual fund accounts, either as supplements to their employers' plans or because they do not have such plans. The GROWTH Act would provide sensible tax treatment that would defer, not avoid, taxation. In the process, it would better enable retirement savers in what they are trying to do, plan for an uncertain road ahead.

A bigger tax debate is ahead, along with a bigger debate about the future of Social Security and the way to modernize and improve private sector retirement savings tools that must supplement it. The GROWTH Act is one of those practical building blocks that deserves to be part of future debates on tax and retirement policy. Its impact illustrates just how many millions of American households are out there right now, households of modest incomes, saving on their own, through mutual fund investments, making up that growing middle class, a middle class that is facing a lot of squeezes, a lot of growing demands on their savings, but a group that is trying to save nevertheless. About three in five fund investors have household incomes between $25,000 and $100,000. Not high-flyers looking to be creative, but working people who deserve to find a few less obstacles in their way.

I urge my colleagues to join Mr. CRAPO and me in supporting the GROWTH Act and refocusing their attention to just who these savers are and what kind of sensible tax policy they need.

Mrs. MURRAY:

S. 2127. A bill to provide assistance to families of miners involved in mining accidents; to the Committee on Health, Education, Labor, and Pensions.

Mrs. MURRAY. Mr. President, today, I heard disturbing testimony during a Senate HELP Committee hearing on the Crandall Canyon Mine disaster about the misinformation that families received during the tragedy. When I met with many of the family members of the miners involved in the accident, I saw the enduring pain of their loss, and, although there is nothing I can do to take that pain away, I can work to ensure that if other families are ever faced with such tragedy in the future, they will be cared for with respect, dignity, and consistency.

I am proud to introduce the Mine Disaster Family Assistance Act of 2007, closely modeled after the National Transportation Safety Board's highly effective family assistance model used during major aviation accidents in this country to care for victims and their families.

This bill puts families who experience such a tragedy first by establishing a director of family support services at MSHA. This person would serve as the Federal Government's point-of-contact for families during an emergency. The director would be responsible for the overall coordination of family services provided by all parties involved in a mine emergency and ensure that families receive consistent information first during rescue and investigation efforts.

Second, it requires the designation of an independent nonprofit organization with experience in disasters and post trauma family communication, such as the American Red Cross, ARC, as the primary coordinator of emotional care and support for families. This organization will provide mental health and counseling services to families, and a private place to grieve; meet with family members onsite; and update families on accident and post accident activities.

Third, it requires mine operators to submit a strategic plan to clearly establish accident protocols for meeting the needs of families before an emergency occurs. To ensure these plans are submitted and approved in a timely fashion, the bill also prohibits approval of other operating plans until a mine has an MSHA-approved family assistance plan.

Finally, it gives families a voice in the process by including them as a required partner in a task force designed to provide recommendations for program enhancements. Other partners include mine operators, including operators of small mines, labor, the ARC, and the Bureau of Land Management.

We all agree that families who have lost loved ones in mining tragedies like those at Sago and Crandall, deserve our best efforts to provide consistent communication and support. The landmark MINER Act, signed into law last year, was a good first step in this direction, but these tragedies demand that we take additional steps to ensure that the victims' families receive the best information and care possible during an emergency.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 341—CONCERNING THE RECENT FOREST FIRES IN GREECE

Ms. SNOWE (for herself and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 341

Whereas more than 3,000 forest fires have been recorded in Greece since June 2007;

Whereas over a 10-day period, an estimated 4,000 people saw their homes destroyed by the wildfires, which razed dozens of villages, destroyed livestock and charred an estimated 469,000 acres of mostly forest and farmland;

Whereas dozens of Greek families have lost their loved ones to the fires;

Whereas thousands of Greeks have been left homeless and hundreds of thousands of acres of pristine forest have been destroyed;

Whereas hundreds of thousands of mature olive trees, vineyards and thousands of animals perished in the flames;

Whereas damage to the Greek economy is estimated at between $1,600,000,000 and $5,400,000,000;

Whereas the United States and Greece have stood side by side in confronting world challenges throughout the 20th century, and will stand together in confronting this new challenge; and

Whereas the United States, through its government, its people and its Greek-American community, has already extended significant support to the people of Greece during this difficult time: Now, therefore, be it

Resolved, That the Senate—

(1) extends its condolences and sympathy to the Government and the people of Greece for the grave loss of life and vast destruction caused by the devastating fires raging through Greece;

(2) vows its full support and solidarity to a close friend, a strategic partner, and a longstanding ally in this painful and difficult hour;

(3) fully supports the Administration's initiatives to provide assistance and relief to the people of Greece, including its pledge of $1,500,000 in aid as well as expert and technical assistance;

(4) encourages public institutions, specialized agencies, as well as private citizens, to offer their resources; and

(5) expresses confidence that Greece and its people will succeed in overcoming the hardships incurred through this tragedy.

Ms. SNOWE. Mr. President, I rise today to introduce a resolution with my friend and colleague Senator MENENDEZ concerning the devastating series of forest fires which ravaged much of Greece, especially in the Peloponnese, this past summer.

Beginning in June, over 3,000 forest fires raged across the cradle of Democracy. Tragically, 9 people were killed in blazes in June and July, and 68 people lost their lives in the especially destructive fires between August 24 and September 4. The Greek economy ministry initially estimated that the fires caused 1.6 billion euros, or $2.2 billion of damage. Subsequent assessments have placed that figure as high as $5.4 billion.

I am proud that, more than offering its sympathy, the U.S. has also offered its help to the brave people and government of Greece. According to the State Department, the U.S. Government has thus far contributed nearly $2 million in aid to Greece in response to the fires. The bulk of this aid was provided in a ''wildfire assistance package'' consisting of the deployment of a technical assistance team which arrived in Greece on September 1 representing the disciplines of: fire management, fire investigation, emergency management systems, burn area emergency rehabilitation, and ecosystem and watershed restoration. Additionally, the U.S. Government provided 3,000 complete fire suits for the national fire brigade.

Americans have also stepped up to give privately to the victims of these terrible fires as well. Charities organized by Greek-American organizations and the Orthodox Church in the U.S. have already raised millions to aid the people and government of Greece in rebuilding and mitigating the economic loss resulting from the fires.

It is essential for the Senate to both recognize and pledge its support for

these efforts, as the connection between the U.S. Congress and the Greek people is not limited to the Greek Americans who have served as members, or the foreign policy issues debated in its halls. Rather, the very inspiration for the Congress as a legislative body are the democratic chambers of ancient Greece.

More recently, the U.S. and Greece stood resolutely by one another in confronting the political and economic challenges of the 20th century, and are close partners in combating terror in these opening years of the 21st century. It is imperative that we continue to stand together in confronting this new challenge.

On September 5, the House of Representatives passed a similar resolution to the one Senator MENENDEZ and I have introduced today. These resolutions reflect that the myriad ties between our two countries, be they cultural, economic or geopolitical, comprise a bond that can and should only strengthen in the wake of this devastating tragedy. I urge my colleagues to join us in supporting the people and government of Greece at this critical moment.

SENATE RESOLUTION 342—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF HISPANIC AMERICANS AND THEIR IMMENSE CONTRIBUTIONS TO THE NATION

Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. MENENDEZ, Mr. REID, Mr. DURBIN, Mr. LIEBERMAN, Mr. CARDIN, Mr. LAUTENBERG, Ms. STABENOW, Mr. OBAMA, Mr. BINGAMAN, Mr. WHITEHOUSE, Mr. LUGAR, Mrs. BOXER, Mr. DOMENICI, Mrs. HUTCHISON, Mr. CORNYN, Mr. KERRY, Mr. SPECTER, Mr. DODD, Mr. VOINOVICH, Mrs. DOLE, and Mr. CRAPO) submitted the following resolution; which was considered and agreed to:

S. RES. 342

Whereas from September 15, 2007, through October 15, 2007, the country celebrates Hispanic Heritage Month;

Whereas the Census Bureau estimates the Hispanic population in the United States at 44,300,000 people, making Hispanic Americans the largest ethnic minority within the United States;

Whereas 1 in every 3 children under the age of 18 in the United States is Hispanic, and there are now more than 14,000,000 Hispanic children living in the United States;

Whereas the purchasing power of Hispanic Americans is projected to reach $1,000,000,000,000 by 2010 and there are more than 1,600,000 Hispanic-owned businesses in the United States, representing the economic contributions and spirit of entrepreneurship of the Hispanic community;

Whereas Hispanic Americans serve in all branches of the Armed Forces, bravely fought in every war in United States history, and continue to serve with distinction in Afghanistan and Iraq;

Whereas 140,000 Hispanic soldiers served in the Korean War;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of those who made the ultimate sacrifice for their country in that conflict although they comprised only 4.5 percent of the United States population at the time;

Whereas approximately 11 percent, the largest percentage of any ethnic or racial group, of the more than 3,700 United States military fatalities in Iraq have been Hispanic;

Whereas there are more than 1,100,000 Hispanic veterans of the United States Armed Forces;

Whereas 41 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the United States Armed Forces;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 3 seats in the United States Senate; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2007, through October 15, 2007;

(2) honors the heritage and culture of Hispanic Americans and their immense contributions to the life of the Nation; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities.

SENATE RESOLUTION 343—DESIGNATING OCTOBER 19, 2007, AS ''NATIONAL MAMMOGRAPHY DAY''

Mr. BIDEN (for himself, Mr. LEAHY, Ms. CANTWELL, Mrs. MURRAY, Mr. NELSON of Nebraska, Ms. MIKULSKI, Mr. DURBIN, Mr. SANDERS, Mr. CASEY, Mr. LAUTENBERG, Mr. BAYH, Mrs. BOXER, Mr. GRASSLEY, Mr. INHOFE, Mr. JOHNSON, Mr. COLEMAN, and Mr. VOINOVICH) submitted the following resolution; which was considered and agreed to:

S. RES. 343

Whereas, according to the American Cancer Society, in 2007, 178,480 women will be diagnosed with invasive breast cancer and 40,460 women will die from that disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that in nearly 500,000 of those cases the cancer resulted in death;

Whereas approximately 3,000,000 women in the United States are living with breast cancer, about 2,300,000 have been diagnosed with the disease, and an estimated 1,000,000 do not yet know they have the disease;

Whereas African-American women suffer a 36 percent greater mortality rate from breast cancer than White women and more than a 100 percent greater mortality rate from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease as a woman at age 50;

Whereas at least 90 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of 98 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 19, 2007, as ''National Mammography Day''; and

(2) encourages the people of the United States to observe the day with appropriate programs and activities.

SENATE CONCURRENT RESOLUTION 48—EXPRESSING THE SENSE OF THE CONGRESS REGARDING HIGH LEVEL VISITS TO THE UNITED STATES BY DEMOCRATICALLY-ELECTED OFFICIALS OF TAIWAN

Mr. JOHNSON (for himself, Mr. LOTT, Mr. CHAMBLISS, Mr. BROWN, Mr. COBURN, and Mr. INHOFE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 48

Whereas, for over half a century, a close relationship has existed between the United States and Taiwan, which has been of enormous political, economic, cultural, and strategic advantage to both countries;

Whereas Taiwan is one of the strongest democratic allies of the United States in the Asia-Pacific region;

Whereas it is United States policy to support and strengthen democracy around the world;

Whereas, during the late 1980s and early 1990s, Taiwan made a remarkable transition to a full-fledged democracy with a vibrant economy and a vigorous multi-party political system that respects human rights and the rule of law;

Whereas, in spite of its praise for democracy in Taiwan, the United States Government continues to adhere to guidelines from the 1970s that bar the President, Vice President, Premier, Foreign Minister, and Defense Minister of Taiwan from coming to Washington, DC;

Whereas these restrictions deprive the President, Congress, and the American public of the opportunity to engage in a direct dialogue regarding developments in the Asia-Pacific region and key elements of the relationship between the United States and Taiwan;

Whereas whenever high-level visitors from Taiwan, including the President, seek to come to the United States, their request results in a period of complex, lengthy, and humiliating negotiations;

Whereas lifting these restrictions will help bring a friend and ally of the United States out of its isolation, which will be beneficial to peace and stability in the Asia-Pacific region;

Whereas, in consideration of the major economic, security, and political interests shared by the United States and Taiwan, it is to the benefit of the United States for United States officials to meet and communicate directly with the democratically-elected officials of Taiwan;

Whereas since the Taiwan Strait is one of the world's flashpoints in terms of global security, it is essential that United States policymakers directly communicate with the leaders of Taiwan; and

Whereas section 221 of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1101 note) provides that the President or other high-level officials of Taiwan may visit the United States, including Washington, DC, at any time to discuss a variety of important issues: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) restrictions on visits to the United States by high-level elected and appointed officials of Taiwan, including the democratically-elected President of Taiwan, should be lifted;

(2) the United States should allow direct high-level exchanges at the Cabinet level with the Government of Taiwan, in order to strengthen a policy dialogue with Taiwan; and

(3) it is in the interest of the United States to strengthen links between the United States and the democratically-elected officials of Taiwan and demonstrate stronger support for democracy in the Asia-Pacific region.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3116. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table.

SA 3117. Mr. GRAHAM (for himself, Mr. GREGG, Mr. MCCONNELL, Mr. VITTER, Mr. CORKER, Mr. KYL, Mr. DOMENICI, Mr. CHAMBLISS, Mr. CORNYN, Mr. SUNUNU, Mr. MCCAIN, Mr. SPECTER, Mr. ISAKSON, and Mr. MARTINEZ) proposed an amendment to the bill H.R. 3222, supra.

SA 3118. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3119. Mr. GREGG proposed an amendment to amendment SA 3117 proposed by Mr. GRAHAM (for himself, Mr. GREGG, Mr. MCCONNELL, Mr. VITTER, Mr. CORKER, Mr. KYL, Mr. DOMENICI, Mr. CHAMBLISS, Mr. CORNYN, Mr. SUNUNU, Mr. MCCAIN, Mr. SPECTER, Mr. ISAKSON, and Mr. MARTINEZ) to the bill H.R. 3222, supra.

SA 3120. Mr. BAUCUS (for himself, Mr. SMITH, Mr. WYDEN, Mr. KERRY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra.

SA 3121. Mr. KERRY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3122. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3123. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3124. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra.

SA 3125. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra.

SA 3126. Mrs. BOXER proposed an amendment to the bill H.R. 3222, supra.

SA 3127. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3128. Mr. KOHL (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra.

SA 3129. Mr. DURBIN (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3130. Mr. SANDERS proposed an amendment to the bill H.R. 3222, supra.

SA 3131. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3132. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3133. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3134. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3135. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3136. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3137. Mr. REID (for Mr. OBAMA (for himself and Mr. COBURN)) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3138. Mr. BROWN (for Mr. DURBIN) proposed an amendment to the resolution S. Res. 319, expressing the sense of the Senate regarding the United States Transportation Command on its 20th anniversary.

SA 3139. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table.

SA 3140. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3141. Mr. SESSIONS (for himself, Mr. NELSON, of Florida, Mr. KYL, Mr. LIEBERMAN, Mr. VITTER, Mr. INHOFE, Mr. NELSON, of Nebraska, Mr. PRYOR, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3142. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3143. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3144. Mr. KYL (for himself, Mr. SESSIONS, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

SA 3145. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table .

SA 3146. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 3222, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3116. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish and maintain on the homepage of the Internet website of the Department of Defense a direct link to the Internet website of the Office of Inspector General of the Department of Defense.

SA 3117. Mr. GRAHAM (for himself, Mr. GREGG, Mr. MCCONNELL, Mr. VITTER, Mr. CORKER, Mr. KYL, Mr. DOMENICI, Mr. CHAMBLISS, Mr. CORNYN, Mr. SUNUNU, Mr. MCCAIN, Mr. SPECTER, Mr. ISAKSON, and Mr. MARTINEZ) proposed an amendment to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. BORDER SECURITY REQUIREMENTS.

(a) SHORT TITLE.—This section may be cited as the ''Border Security First Act of 2007''.

(b) APPROPRIATIONS FOR BORDER SECURITY.—There is appropriated, out of any money in the Treasury not otherwise appropriated, $3,000,000,000 for fiscal year 2008—

(1) to achieve and maintain operational control over the entire international land and maritime border of the United States including the ability to monitor such border through available methods and technology, as authorized under the Secure Fence Act of 2006 (Public Law 109–367);

(2) to hire and train full-time border patrol agents, as authorized under section 5202 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458);

(3) to install along the international land border between the United States and Mexico—

(A) fencing required under section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note)); and

(B) vehicle barriers, unmanned aerial vehicles, ground-based sensors and cameras; and

(4) to remove and detain aliens for overstaying their visas, illegally reentering the United States, or committing other crimes for which they would be subject to removal; and

(5) to reimburse States and political subdivisions of a State, for expenses that are reimbursable under 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)).

(c) EMPLOYMENT ELIGIBILITY VERIFICATION.—Of the amounts appropriated for border security and employment verification improvements under subsection (b), $60,000,000 shall be made available for employment eligibility verification, as authorized under subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

(d) EMERGENCY REQUIREMENT.—Amounts appropriated under subsection (b) are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SA 3118. Mr. SALAZAR submitted an amendment intended to be proposed by

him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. No amounts appropriated or otherwise made available by this Act may be obligated or expended for any purpose relating to the transfer of hydrolysate from the Pueblo Chemical Depot, Colorado, to an off-site location for destruction, including for the conduct of a study of such transfer.

SA 3119. Mr. GREGG proposed an amendment to amendment SA 3117 proposed by Mr. GRAHAM (for himself, Mr. GREGG, Mr. MCCONNELL, Mr. VITTER, Mr. CORKER, Mr. KYL, Mr. DOMENICI, Mr. CHAMBLISS, Mr. CORNYN, Mr. SUNUNU, Mr. MCCAIN, Mr. SPECTER, Mr. ISAKSON, and Mr. MARTINEZ) to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

This section shall become effective 1 day after the date of enactment.

SA 3120. Mr. BAUCUS (for himself, Mr. SMITH, Mr. WYDEN, Mr. KERRY, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $1,000,000 may be available for the Smart Data Project: Real Time Geospatial Video Sensor Intelligence program.

SA 3121. Mr. KERRY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title V under the heading ''NATIONAL DEFENSE SEALIFT FUND'', up to $1,000,000 may be available for the conversion of the T.S. Enterprise ship at Massachusetts Maritime Academy in Buzzards Bay, Massachusetts.

SA 3122. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'' is hereby increased by $30,215,000, of which—

(1) up to $6,000,000 may be for Advanced Automotive Technology (PE #0602601A); and

(2) up to $20,215,000 may be for Combat Vehicle and Automotive Advanced Technology (PE #0603005A), of which—

(A) up to $14,215,000 may be for the Future Combat Systems; and

(B) up to $10,000,000 may be the Fuel Efficiency ground vehicle Demonstrator (FED).

SA 3123. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. (a) None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for military operations or activities against any other country without the enactment of an Act or the passage of a resolution passed by the Senate and the House of Representatives specifically authorizing such obligation or expenditure.

(b) The prohibition in subsection (a) shall not apply with respect to the following military operations or activities:

(1) Military operations or activities to directly repel an attack against the territory or the Armed Forces of the United States.

(2) Military operations or activities in hot pursuit of hostile forces who are directly engaged in combat operations against the Armed Forces of the United States.

(3) Intelligence collection activities of which Congress has been appropriately notified under applicable law.

(c) Not later than 48 hours after determining to obligate or expend amounts otherwise prohibited from obligation or expenditure under subsection (a) for purposes of a military operation or activity described in subsection (b), the President shall submit to the Committee on Armed Forces and the Committee on Appropriations of the Senate and the Committee on Armed Forces and the Committee on Appropriations of the House of Representatives a report on such determination, including a justification for the determination.

(d) Nothing in this section shall be construed as limiting the authority of the President under Article II, Section 2, of the Constitution of the United States.

SA 3124. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8107. (a) FINDINGS ON ASSOCIATE INTERMODAL PLATFORM PALLET SYSTEM.—Congress makes the following findings:

(1) Use of the Associate Intermodal Platform (AIP) pallet system, developed two years ago by the United States Transportation Command, could save the United States as much as $1,300,000 for every 1,000 pallets deployed.

(2) Specific benefits of usage of the Associate Intermodal Platform pallet system include the following:

(A) The Associate Intermodal Platform pallet system can be used to transport cargo alone within current International Standard of Organization containers, providing savings in costs of transportation of cargo.

(B) The Associate Intermodal Platform pallet system has successfully passed rigorous testing by the United States Transportation Command at various military installations in the United States, at a Navy testing lab, and in the field in Iraq, Kuwait, and Antarctica.

(C) The Associate Intermodal Platform pallet system has performed well beyond expectations and is ready for immediate production and deployment.

(b) AVAILABILITY OF FUNDS.—Of the amount appropriated or otherwise made available by title III under the heading ''OTHER PROCUREMENT, AIR FORCE'', up to $4,000,000 may be available for purposes of accelerating the deployment of the Associate Intermodal Platform pallet system.

SA 3125. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'' and available for Program Element 0603112F, up to $1,000,000 may be available for Materials Integrity Management Research for Air Force Systems.

SA 3126. Mrs. BOXER proposed an amendment to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8107. No amounts appropriated or otherwise made available by this Act may be used to provide a waiver for enlistment in the Armed Forces of an individual convicted under Federal or State law of any felony offense, during the five-year period ending on the date of the proposed enlistment of such individual in the Armed Forces, as follows:

(1) Aggravated assault with a deadly weapon.

(2) Arson.

(3) Hate Crime.

(4) Sexual misconduct.

(5) Terrorist threatening.

SA 3127. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add following:

SEC. 8107. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $1,000,000 may be available for Army Missile Defense Systems Integration (PE #0603308A) for the High Altitude Airship Program.

SA 3128. Mr. KOHL (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY'' and available for the Permanent Magnet Motor, up to $2,000,000 may be used for the DDG–51 Class Modernization–Hybrid Propulsion Permanent Magnet Drive System.

SA 3129. Mr. DURBIN (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. (a) AMOUNT FOR TROOPS TO NURSE TEACHERS PROGRAM FROM MILITARY PERSONNEL, ARMY.—Of the amount appropriated or otherwise made available by title I under the heading ''MILITARY PERSONNEL, ARMY'', up to $1,000,000 may be available for a pilot program on troops to nurse teachers.

(b) AMOUNT FOR TROOPS TO NURSE TEACHERS PROGRAM FROM MILITARY PERSONNEL, NAVY.—Of the amount appropriated or otherwise made available by title I under the heading ''MILITARY PERSONNEL, NAVY'', up to $1,000,000 may be available for a pilot program on troops to nurse teachers.

(c) AMOUNT FOR TROOPS TO NURSE TEACHERS PROGRAM FROM MILITARY PERSONNEL, AIR FORCE.—Of the amount appropriated or otherwise made available by title I under the heading ''MILITARY PERSONNEL, AIR FORCE'', up to $1,000,000 may be available for a pilot program on troops to nurse teachers.

SA 3130. Mr. SANDERS proposed an amendment to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8107. (a) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD.—The amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'' is hereby increased by $10,000,000.

(b) OFFSET.—The aggregate amount appropriated by title II, other than under the headings ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'' and ''OPERATION AND MAINTENANCE, AIR NATIONAL GUARD'', is hereby reduced by $10,000,000.

SA 3131. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $4,000,000 may be available for the Virtual Systems Integrated Laboratory–Armored Vehicle Components and Systems Simulated In Cost-Effective Virtual Design and Test Environment.

SA 3132. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'' is hereby increased by $30,215,000, of which—

(1) up to $6,000,000 may be for Advanced Automotive Technology (PE #0602601A); and

(2) up to $20,215,000 may be for Combat Vehicle and Automotive Advanced Technology (PE #0603005A), of which—

(A) up to $14,215,000 may be for the Future Combat Systems; and

(B) up to $10,000,000 may be the Fuel Efficiency ground vehicle Demonstrator (FED).

SA 3133. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. (a) None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for military operations or activities against any other country without the enactment of an Act or the passage of a resolution passed by the Senate and the House of Representatives specifically authorizing such obligation or expenditure.

(b) The prohibition in subsection (a) shall not apply with respect to the following military operations or activities:

(1) Military operations or activities to directly repel an attack against the territory or the Armed Forces of the United States.

(2) Military operations or activities in hot pursuit of hostile forces who are directly engaged in combat operations against the Armed Forces of the United States.

(3) Intelligence collection activities of which Congress has been appropriately notified under applicable law.

(c) Not later than 48 hours after determining to obligate or expend amounts otherwise prohibited from obligation or expenditure under subsection (a) for purposes of a military operation or activity described in subsection (b), the President shall submit to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives a report on such determination, including a justification for the determination.

(d) Nothing in this section shall be construed as limiting the authority of the President under Article II, Section 2, of the Constitution of the United States.

SA 3134. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', $3,000,000 may be made available for the MK 50 (NULKA) Decoy System.

SA 3135. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', $5,000,000 may be made available for the High Temperature Superconductor AC Synchronous Propulsion Motor.

SA 3136. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, AIR FORCE'', up to $4,000,000 may be available for the 8th Air Force Cyberspace Innovation Center for Cyber Combat Development at Barksdale Air Force Base, Louisiana.

SA 3137. Mr. REID (for Mr. OBAMA (for himself and Mr. COBURN)) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SA 3138. Mr. BROWN (for Mr. DURBIN) proposed an amendment to the resolution S. Res. 319, expressing the sense of the Senate regarding the United States Transportation Command on its 20th anniversary; as follows:

In the eighth clause of the preamble, strike ''4,000,000,000,000 gallons'' and insert ''4,000,000,000 gallons.''

SA 3139. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under

the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE'', up to $1,500,000 may be available for Commercialization and Industrialization of Adaptive Optics (PE #0602890F).

SA 3140. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'' and available for Program Element 0602787A, up to $1,000,000 may be available for the Maternal Fetal Health Informatics and Outreach Program.

SA 3141. Mr. SESSIONS (for himself, Mr. NELSON of Florida, Mr. KYL, Mr. LIEBERMAN, Mr. VITTER, Mr. INHOFE, Mr. NELSON of Nebraska, Mr. PRYOR, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $75,000,000 may be available for Program Element 063892C for the Aegis Ballistic Missile Defense System, of which—

(1) $20,000,000 may be for an increase in the production rate of the SM-3 interceptor to four interceptors per month;

(2) $45,000,000 may be for long-lead production of an additional 15 SM-3 interceptors; and

(3) $10,000,000 may be for an acceleration in the development of the Aegis Ballistic Missile Defense Signal Processor and Open Architecture software for the Aegis Ballistic Missile Defense system.

SA 3142. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. The amount appropriated by title III under the heading ''OTHER PROCUREMENT, ARMY'' is hereby increased by $23,600,000,000, with the amount of the increase to be available for the procurement of Mine Resistant Ambush Protected (MRAP) vehicles: *Provided*, That the amount of the increase is hereby designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SA 3143. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. (a) ADDITIONAL AMOUNT FOR RDTE, DEFENSE-WIDE, FOR MARK V REPLACEMENT RESEARCH.—The amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'' is hereby increased by up to $8,000,000, with the amount of the increase to be available for Program Element 1160402BB for MARK V replacement research for the pursuit by the Special Operations Command of manufacturing research needed to develop all-composite hulls for ships larger than 100 feet.

(b) OFFSET.—The amount appropriated by title III under the heading ''OTHER PROCUREMENT, ARMY'' is hereby decreased by $8,000,000.

SA 3144. Mr. KYL (for himself, Mr. SESSIONS, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amounts appropriated or other otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $10,000,000 may be available for Program Element 0603895C for the Space Test Bed.

SA 3145. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title III under the heading ''PROCUREMENT, DEFENSE-WIDE'', up to $7,000,000 may be available for DISA Information Systems Security for the Insider Threat program.

SA 3146. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE'', up to $5,000,000 may be available for the Missile Defense Space Experimentation Center (MDSEC) (PE #0603895C).

NOTICE OF INTENT TO OBJECT TO PROCEEDING

Mrs. FEINSTEIN, pursuant to the provisions of section 512 of Public Law 110–181, submitted her notice of intent to proceed to consider the bill (S. 223) to require the Senate candidates to file designations, statements, and reports in electronic form, dated Oct. 2, 2007, for the following reasons:

Mr. President, I objected to Senator ENSIGN's proposed unanimous consent of September 27, 2007, to take up and vote on an amendment to S. 223, the Senate Campaign Disclosure Parity Act, which is not germane to the underlying bill and has not been reviewed by the Rules and Administration Committee.

The proposed Ensign amendment would require outside groups, such as advocacy and charitable organizations, that file ethics complaints to disclose their donors.

His proposal to require limited debate and then a vote on the amendment before voting on S. 223 could be prevent the timely passage of the underlying bill before the 2008 election.

Next year's presidential and congressional elections are expected to have record contributions to and expenditures by candidates for federal offices. Electronic filing by Senate candidates will provide timely reports of these activities.

I believe the subject matter of the Ensign amendment would be best addressed first in the Rules Committee, where a hearing will provide an opportunity for all interested parties to express their views on this matter.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, October 4, 2007, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on backlogs at the Department of the Interior: Land into Trust Applications; Environmental Impact Statements; Probate; and Appraisals and Lease Approvals.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on October 2, 2007, at 10:30 a.m., in order to conduct a hearing entitled ''An Examination of the National Flood Insurance Program.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, October 2, 2007 at 10 a.m. in room 406 of the Dirksen Senate Office Building in order for a hearing to consider pending nominations.

Agenda

Andrew R. Cochran, of Virginia, to be Inspector General, Environmental Protection Agency. John S. Breslan, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of 5 years. (Reappointment) John. S. Bresland, of New Jersey, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of 5 years. C. Russell H. Shearer, of Delaware, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of 5 years. William H. Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2012. (Reappointment) Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2012. (Reappointment) Thomas C. Gilliland, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority for the remainder of the term expiring May 18, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to conduct a hearing entitled: ''Current Mine Safety and Disasters: Issues and Challenges,'' during the session of the Senate on Tuesday, October 2, 2007, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. INOUYE. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate in order to conduct a hearing entitled: ''Preserving the Rule of Law in the Fight Against Terrorism,'' on Tuesday, October 2, 2007, at 10 a.m., in the Dirksen Senate Office Building, room 226.

Witness List:

Jack Landman Goldsmith, Henry L. Shattuck Professor of Law, Harvard Law School, Cambridge, Massachusetts.

The PRESIDENT OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. INOUYE. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Tuesday, October 2, 2007, in order to conduct a vote on the nomination of Paul J. Hutter, to be General Counsel, Department of Veterans Affairs. The Committee will meet in the reception room off the Senate Floor immediately after the first rollcall vote that occurs after the party lunches on Tuesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. INOUYE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Tuesday, October 2, 2007, at 10 a.m. in order to conduct a hearing entitled: ''Preparing the National Capital Region for a Pandemic.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INOUYE. Mr. President, on behalf of Senator DODD, I ask unanimous consent that LTCOM Christopher Martin, a Congressional Fellow in Senator DODD's office, be granted the privilege of the floor during the debate of H.R. 3222.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that Earl Rilington and Eric Perritt, fellows serving in Senator COCHRAN's office, be granted the privilege of the floor during consideration of this Defense Department appropriations bill for fiscal year 2008.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HISPANIC HERITAGE MONTH

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 342, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 342) recognizing Hispanic Heritage Month and celebrating the heritage and culture of Hispanic Americans and their immense contributions to the Nation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, en bloc; and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 342) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 342

Whereas from September 15, 2007, through October 15, 2007, the country celebrates Hispanic Heritage Month;

Whereas the Census Bureau estimates the Hispanic population in the United States at 44,300,000 people, making Hispanic Americans the largest ethnic minority within the United States;

Whereas 1 in every 3 children under the age of 18 in the United States is Hispanic, and there are now more than 14,000,000 Hispanic children living in the United States;

Whereas the purchasing power of Hispanic Americans is projected to reach $1,000,000,000,000 by 2010 and there are more than 1,600,000 Hispanic-owned businesses in the United States, representing the economic contributions and spirit of entrepreneurship of the Hispanic community;

Whereas Hispanic Americans serve in all branches of the Armed Forces, bravely fought in every war in United States history, and continue to serve with distinction in Afghanistan and Iraq;

Whereas 140,000 Hispanic soldiers served in the Korean War;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of those who made the ultimate sacrifice for their country in that conflict although they comprised only 4.5 percent of the United States population at the time;

Whereas approximately 11 percent, the largest percentage of any ethnic or racial group, of the more than 3,700 United States military fatalities in Iraq have been Hispanic;

Whereas there are more than 1,100,000 Hispanic veterans of the United States Armed Forces;

Whereas 41 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the United States Armed Forces;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 3 seats in the United States Senate; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2007, through October 15, 2007;

(2) honors the heritage and culture of Hispanic Americans and their immense contributions to the life of the Nation; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities.

NATIONAL MAMMOGRAPHY DAY

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 343, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 343) designating October 19, 2007, as ''National Mammography Day.''

There being no objection, the Senate proceeded to consider the resolution.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. BIDEN. Mr. President, today I am submitting a resolution designating October 19, 2007, as ''National Mammography Day.'' This is the 15th

straight year I have introduced such legislation, and I am proud to say that on each occasion the Senate has shown its support for the fight against breast cancer by approving the resolution.

Each year, as I prepare to introduce this resolution, I review the latest information from the American Cancer Society about breast cancer. For the year 2007, it is estimated that nearly 178,480 women will be diagnosed with invasive breast cancer and 40,460 women will die of this disease.

The first several times I introduced this resolution, I commented on how gloomy the statistics surrounding breast cancer were. While too many of our loved ones still die from breast cancer each year, there are some numbers these days that give us hope in our persistent struggle to defeat this disease. As I mentioned last year, the trend over time is that the number of deaths from breast cancer is actually stable or falling from year to year. According to the American Cancer Society, the death rate from breast cancer in women has decreased since 1990: between 1975–1990, the death rate increased by 0.4 percent; between 1990–2004, the death rate decreased by 2.2 percent annually.

This decline in the breast cancer mortality rate has been attributed to both improvements in breast cancer treatment as well as early detection from mammograms and other screening methods. New digital techniques make the process of mammography much more rapid and precise than before. In addition, early detection of breast cancer continues to result in extremely favorable outcomes: 98 percent of women with localized breast cancer will survive 5 years or longer. Government programs will provide free mammograms to those who can't afford them, as well as Medicaid eligibility for treatment if breast cancer is diagnosed. Information about treatment of breast cancer with surgery, chemotherapy, and radiation therapy has exploded, reflecting enormous research advances in this disease. With all of these advances in research, screening and treatment, a diagnosis of breast cancer is not a death sentence—all of us encounter long-term survivors of breast cancer almost daily, whether we realize it or not.

Recently, there has been discussion among scientists regarding the best and most appropriate screening tool for breast cancer—traditional mammography or more advanced technology like magnetic resonance imaging, MRI. In addition, newspapers have been filled with discussions over whether the scientific evidence actually supports the conclusion that periodic screening mammography saves lives. For those of us who are neither physicians nor scientists in this highly technical area, we look to the experts. The American Cancer Society, the National Cancer Institute, and the U.S. Preventive Services Task Force all continue to recommend periodic screening mammography.

As for mammography versus MRI's, in 2007 an expert panel convened by the American Cancer Society released new recommendations for the use of MRI for women at increased risk for breast cancer. Essentially, the Society recommended annual screening using MRI in addition to mammography for women at high lifetime risk, 20 to 25 percent or greater of developing breast cancer. Women with moderately increased risk of developing the disease, 15 to 20 percent lifetime risk, should discuss the option of adding an MRI to their annual mammogram with their physician. Women that do not fall into the high-risk or moderate-risk categories for developing breast cancer have no need to supplement their mammogram with an MRI.

I know that some women don't have annual mammograms because of either fear or forgetfulness. It is only human nature for some women to avoid mammograms because they are afraid of what the test will reveal. To those who are fearful, I would say that if you have periodic routine mammograms, and the latest one comes out positive, even before you have any symptoms or have found a lump on self-examination, you have reason to be optimistic, not pessimistic. Such early-detected breast cancers are highly treatable.

Then there is forgetfulness. I certainly understand how difficult it is to remember to do something that only comes around once each year. I would suggest that this is where National Mammography Day comes in. On that day, let's make sure that each woman we know picks a specific date on which to get a mammogram each year, a date that she won't forget: a child's birthday, an anniversary, perhaps even the day her taxes are due. On National Mammography Day, let's ask our loved ones: pick one of these dates, fix it in your mind along with a picture of your child, your wedding, or another symbol of that date, and promise yourself to get a mammogram on that date every year. Once you pick a date, call your health care provider and make an appointment. If you have access to the internet, go the American Cancer Society's website and sign up for the mammogram reminder service—they'll send you an e-mail to remind you about the date you picked. Do it for yourself and for the others that love you and want you to be part of their lives for as long as possible.

And to those women who are reluctant to have a mammogram, once again I say let National Mammography Day serve as a reminder to discuss this question each year with your physician. New scientific studies that are published and new mammography techniques that are developed may affect your decision on this matter from one year to the next. I encourage you to keep an open mind and not to feel that a decision at one point in time commits you irrevocably to a particular course of action for the indefinite future.

Mr. President, I urge my colleagues to join me in the ongoing fight against breast cancer by cosponsoring and voting for this resolution to designate October 19, 2007, as ''National Mammography Day''.●

Mr. BROWN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc, and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 343) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 343

Whereas, according to the American Cancer Society, in 2007, 178,480 women will be diagnosed with invasive breast cancer and 40,460 women will die from that disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that in nearly 500,000 of those cases the cancer resulted in death;

Whereas approximately 3,000,000 women in the United States are living with breast cancer, about 2,300,000 have been diagnosed with the disease, and an estimated 1,000,000 do not yet know they have the disease;

Whereas African-American women suffer a 36 percent greater mortality rate from breast cancer than White women and more than a 100 percent greater mortality rate from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease as a woman at age 50;

Whereas at least 90 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of 98 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 19, 2007, as ''National Mammography Day''; and

(2) encourages the people of the United States to observe the day with appropriate programs and activities.

UNITED STATES TRANSPORTATION COMMAND 20TH ANNIVERSARY

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of S. Res. 319 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 319) expressing the sense of the Senate regarding the United

States Transportation Command on its 20th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. I ask unanimous consent that the resolution be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the motions to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 319) was agreed to.

The amendment to the preamble (No. 3138) was agreed to, as follows:

In the eighth clause of the preamble, strike ''4,000,000,000,000 gallons'' and insert ''4,000,000,000 gallons.''

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

INTERNATIONAL EMERGENCY MANAGEMENT ASSISTANCE MEMORANDUM OF UNDERSTANDING

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 397, S.J. Res. 13.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 13) granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. LEAHY. Mr. President, this joint resolution reflects the best traditions of international cooperation between our nation and our Canadian neighbors to the north.

Formally, this joint resolution would grant the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding, which allows emergency responders from the United States and Canada to help each other across our shared border during natural disasters and other serious emergencies. But beyond this legal formality, this agreement reflects our longstanding cooperative partnership with Canada, and how, in times of emergency or natural disaster, we respond together, as neighbors across a largely unguarded border.

When our communities need help, we must join together and come to their aid, whether or not a border is drawn between us. This agreement allows us to honor the extraordinary tradition of international cooperation and good will between our nations, and will make the citizens of both the United States and Canada more secure and safer.

We must all do our best to prepare for the most serious emergencies that can harm our communities. These crises may arise from natural or manmade disasters, from technological hazards, civil emergencies, or even terrorist events. As those who live in the Northeast know, extreme weather is not uncommon in New England, or in the eastern Provinces of Canada, and we have endured catastrophic blizzards and ice storms as recently as this winter that have closed roads and highways, shut down power for extended periods, and stranded travelers and rural residents for days, or longer. Under this agreement, first responders and emergency management professionals from the United States and Canada can work together to provide the necessary assistance to secure public safety.

This compact works well for New England and the eastern Canadian Provinces, and it stands as a model for emergency management planning and cooperation. It has the support of all the emergency management directors in the New England States, and the bipartisan support of all of the New England Senators who have joined me and Senator SNOWE to cosponsor this resolution. It is a crucial element of the security and safety planning for all communities in New England and eastern Canada.

Mr. BROWN. I ask unanimous consent that the joint resolution be read a third time and passed, the motion to reconsider be laid on the table with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (S.J. Res. 13) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 13

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL CONSENT.

Congress consents to the International Emergency Management Assistance Memorandum of Understanding entered into between the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut and the Provinces of Quebec, New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland. The compact is substantially as follows:

"Article I—International Emergency Management Assistance Memorandum of Understanding Purpose and Authorities

''The International Emergency Management Assistance Memorandum of Understanding, hereinafter referred to as the 'compact,' is made and entered into by and among such of the jurisdictions as shall enact or adopt this compact, hereinafter referred to as 'party jurisdictions.' For the purposes of this agreement, the term 'jurisdictions' may include any or all of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut and the Provinces of Quebec, New Brunswick, Prince Edward Island, Nova Scotia and Newfoundland, and such other states and provinces as may hereafter become a party to this compact.

''The purpose of this compact is to provide for the possibility of mutual assistance among the jurisdictions entering into this compact in managing any emergency or disaster when the affected jurisdiction or jurisdictions ask for assistance, whether arising from natural disaster, technological hazard, manmade disaster or civil emergency aspects of resources shortages.

''This compact also provides for the process of planning mechanisms among the agencies responsible and for mutual cooperation, including, if need be, emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party jurisdictions or subdivisions of party jurisdictions during emergencies, with such actions occurring outside actual declared emergency periods. Mutual assistance in this compact may include the use of emergency forces by mutual agreement among party jurisdictions.

"Article II—General Implementation

''Each party jurisdiction entering into this compact recognizes that many emergencies may exceed the capabilities of a party jurisdiction and that intergovernmental cooperation is essential in such circumstances. Each jurisdiction further recognizes that there will be emergencies that may require immediate access and present procedures to apply outside resources to make a prompt and effective response to such an emergency because few, if any, individual jurisdictions have all the resources they need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

''The prompt, full, and effective utilization of resources of the participating jurisdictions, including any resources on hand or available from any other source that are essential to the safety, care, and welfare of the people in the event of any emergency or disaster, shall be the underlying principle on which all articles of this compact are understood.

''On behalf of the party jurisdictions participating in the compact, the legally designated official who is assigned responsibility for emergency management is responsible for formulation of the appropriate inter-jurisdictional mutual aid plans and procedures necessary to implement this compact, and for recommendations to the jurisdiction concerned with respect to the amendment of any statutes, regulations, or ordinances required for that purpose.

"Article III—Party Jurisdiction Responsibilities

''(a) FORMULATE PLANS AND PROGRAMS.—It is the responsibility of each party jurisdiction to formulate procedural plans and programs for inter-jurisdictional cooperation in the performance of the responsibilities listed in this section. In formulating and implementing such plans and programs the party jurisdictions, to the extent practical, shall—

''(1) review individual jurisdiction hazards analyses that are available and, to the extent reasonably possible, determine all those potential emergencies the party jurisdictions might jointly suffer, whether due to natural disaster, technological hazard, manmade disaster or emergency aspects of resource shortages;

''(2) initiate a process to review party jurisdictions' individual emergency plans and develop a plan that will determine the mechanism for the inter-jurisdictional cooperation;

''(3) develop inter-jurisdictional procedures to fill any identified gaps and to resolve any identified inconsistencies or overlaps in existing or developed plans;

''(4) assist in warning communities adjacent to or crossing jurisdictional boundaries;

''(5) protect and ensure delivery of services, medicines, water, food, energy and fuel,

search and rescue, and critical lifeline equipment, services and resources, both human and material to the extent authorized by law;

''(6) inventory and agree upon procedures for the inter-jurisdictional loan and delivery of human and material resources, together with procedures for reimbursement or forgiveness; and

''(7) provide, to the extent authorized by law, for temporary suspension of any statutes or ordinances, over which the province or state has jurisdiction, that impede the implementation of the responsibilities described in this subsection.

''(b) REQUEST ASSISTANCE.—The authorized representative of a party jurisdiction may request assistance of another party jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request. Requests must provide the following information:

''(1) A description of the emergency service function for which assistance is needed and of the mission or missions, including but not limited to fire services, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

''(2) The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed.

''(3) The specific place and time for staging of the assisting party's response and a point of contact at the location.

''(c) CONSULTATION AMONG PARTY JURISDICTION OFFICIALS.—There shall be frequent consultation among the party jurisdiction officials who have assigned emergency management responsibilities, such officials collectively known hereinafter as the International Emergency Management Group, and other appropriate representatives of the party jurisdictions with free exchange of information, plans, and resource records relating to emergency capabilities to the extent authorized by law.

"Article IV—Limitation

''Any party jurisdiction requested to render mutual aid or conduct exercises and training for mutual aid shall undertake to respond as soon as possible, except that it is understood that the jurisdiction rendering aid may withhold or recall resources to the extent necessary to provide reasonable protection for that jurisdiction. Each party jurisdiction shall afford to the personnel of the emergency forces of any party jurisdiction, while operating within its jurisdictional limits under the terms and conditions of this compact and under the operational control of an officer of the requesting party, the same powers, duties, rights, privileges, and immunities as are afforded similar or like forces of the jurisdiction in which they are performing emergency services. Emergency forces continue under the command and control of their regular leaders, but the organizational units come under the operational control of the emergency services authorities of the jurisdiction receiving assistance. These conditions may be activated, as needed, by the jurisdiction that is to receive assistance or upon commencement of exercises or training for mutual aid and continue as long as the exercises or training for mutual aid are in progress, the emergency or disaster remains in effect or loaned resources remain in the receiving jurisdiction or jurisdictions, whichever is longer. The receiving jurisdiction is responsible for informing the assisting jurisdictions of the specific moment when services will no longer be required.

"Article V—Licenses and Permits

''Whenever a person holds a license, certificate, or other permit issued by any jurisdiction party to the compact evidencing the meeting of qualifications for professional, mechanical, or other skills, and when such assistance is requested by the receiving party jurisdiction, such person is deemed to be licensed, certified, or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by Executive order or otherwise.

"Article VI—Liability

''Any person or entity of a party jurisdiction rendering aid in another jurisdiction pursuant to this compact are considered agents of the requesting jurisdiction for tort liability and immunity purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact are not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence, or recklessness.

"Article VII—Supplementary Agreements

''Because it is probable that the pattern and detail of the machinery for mutual aid among 2 or more jurisdictions may differ from that among the jurisdictions that are party to this compact, this compact contains elements of a broad base common to all jurisdictions, and nothing in this compact precludes any jurisdiction from entering into supplementary agreements with another jurisdiction or affects any other agreements already in force among jurisdictions. Supplementary agreements may include, but are not limited to, provisions for evacuation and reception of injured and other persons and the exchange of medical, fire, public utility, reconnaissance, welfare, transportation and communications personnel, equipment, and supplies.

"Article VIII—Workers' Compensation and Death Benefits

''Each party jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the emergency forces of that jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

"Article IX—Reimbursement

''Any party jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the party jurisdiction receiving such aid for any loss or damage to, or expense incurred in, the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding party jurisdiction may assume in whole or in part any such loss, damage, expense, or other cost or may loan such equipment or donate such services to the receiving party jurisdiction without charge or cost. Any 2 or more party jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.

"Article X—Evacuation

''Each party jurisdiction shall initiate a process to prepare and maintain plans to facilitate the movement of and reception of evacuees into its territory or across its territory, according to its capabilities and powers. The party jurisdiction from which the evacuees came shall assume the ultimate responsibility for the support of the evacuees, and after the termination of the emergency or disaster, for the repatriation of such evacuees.

"Article XI—Implementation

''(a) This compact is effective upon its execution or adoption by any 2 jurisdictions, and is effective as to any other jurisdiction upon its execution or adoption thereby: subject to approval or authorization by the United States Congress, if required, and subject to enactment of provincial or State legislation that may be required for the effectiveness of the Memorandum of Understanding.

''(b) Any party jurisdiction may withdraw from this compact, but the withdrawal does not take effect until 30 days after the governor or premier of the withdrawing jurisdiction has given notice in writing of such withdrawal to the governors or premiers of all other party jurisdictions. The action does not relieve the withdrawing jurisdiction from obligations assumed under this compact prior to the effective date of withdrawal.

''(c) Duly authenticated copies of this compact in the French and English languages and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party jurisdictions.

"Article XII—Severability

''This compact is construed to effectuate the purposes stated in Article I. If any provision of this compact is declared unconstitutional or the applicability of the compact to any person or circumstances is held invalid, the validity of the remainder of this compact and the applicability of the compact to other persons and circumstances are not affected.

"Article XIII—Consistency of Language

''The validity of the arrangements and agreements consented to in this compact shall not be affected by any insubstantial difference in form or language as may be adopted by the various states and provinces.

"Article XIV—Amendment

''This compact may be amended by agreement of the party jurisdictions.''.

SEC. 2. INCONSISTENCY OF LANGUAGE.

The validity of the arrangements consented to by this Act shall not be affected by any insubstantial difference in their form or language as adopted by the States and provinces.

SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is hereby expressly reserved.

MEASURE READ THE FIRST TIME—S. 2128

Mr. BROWN. Mr. President, I understand that S. 2128 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2128) to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

Mr. BROWN. Mr. President, I now ask for a second reading, and in order

to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, OCTOBER 3, 2007

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, October 3; that on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day, and there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two sides, with the majority controlling the first half and the Republicans controlling the final portion; that following morning business, the Senate resume consideration of H.R. 3222, as provided for under a previous order, and that the mandatory quorum be waived as required under rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:16 p.m., adjourned until Wednesday, October 3, 2007, at 9:30 a.m.

EXTENSIONS OF REMARKS

NATHAN MICHAEL KELLY FOR THE AWARD OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Nathan Michael Kelly, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 205, and by earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the years Nathan has been involved in scouting, he has earned 47 merit badges and held numerous leadership positions, serving as Historian, Bugler, Scribe, Patrol Leader, Librarian, Assistant Patrol Leader and Chaplain.

For his Eagle Scout project, Nathan completed a landscaping project around a mausoleum at the Blue Springs Cemetery in Blue Springs, Missouri. Nathan has also earned several special awards including the 12 Month Camper Award, Internet Safety Award, Leave No Trace Award, Snorkeling Award, World Conservation Award, and the 50 Miler Award.

Madam Speaker, I proudly ask you to join me in commending Nathan Michael Kelly for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE 50TH ANNIVERSARY OF ST. LEO THE GREAT CATHOLIC SCHOOL

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor St. Leo the Great Catholic School on the occasion of their 50th anniversary.

St. Leo the Great Catholic School focuses on the development of Catholic values and attitudes, as well as the attainment of knowledge and skills necessary for the student's spiritual, moral, intellectual, social and physical development. The basic curriculum of St. Leo's School consists of the following subjects: religion, reading, language arts, mathematics, science, social studies, fine arts, health and safety, physical education, computer education, library and foreign language.

The history of St. Leo's School dates back to 1952, when St. Mary's Parish in Fairfax Station, Virginia, laid the foundation by developing a program to transport students to established parochial schools in the Metropolitan Washington area. This program led to a classroom for St. Leo's parish first and second graders in the St. Charles School of Arlington.

In 1957, the Benedictine Community of Bristow, Virginia, opened St. Leo the Great Catholic School with four temporary classrooms. The next 10 years produced a series of ups and downs for the school, as they struggled to provide adequate space and staffing for their students. Nonetheless, they held steadfast to their vision of the future and instated a permanent kindergarten and primary education program through an abundance of support from nearby parish communities.

St. Leo the Great Catholic continues to thrive 50 years after its inception. Along with its strong curriculum, it is known for having a rock climbing wall, Spanish program, television studio and award winning band. In 2006, St. Leo's School received the National Blue Ribbon Award of Excellence, which is considered to be the highest honor an American school can receive.

Madam Speaker, in closing, I ask my colleagues to join me in commending and congratulating St. Leo the Great Catholic School on 50 years of distinction. I look forward to applauding its continued growth and success for many years to come.

IN HONOR OF HISPANIC HERITAGE MONTH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. KUCINICH. Madam Speaker, I rise today in honor of Hispanic Heritage Month—a celebration of Americans of Hispanic heritage and their collective and individual contributions to our community and to our Nation.

Hispanic Heritage Month is a celebration of the five hundred year history of Hispanic culture in and its contribution to America. Hispanic Americans have contributed immeasurably to all areas of our culture—from medicine, law, and business to education, music, and the fine arts. Hispanic Americans in our community and in communities across the country are life-saving doctors and nurses, veterans, inspiring professors, dedicated teachers, committed elected officials, fair-minded judges, and hardworking factory employees. Americans of Hispanic heritage continue to bring energy, innovation and a real sense of social justice to America, while retaining the cultural traditions of their homeland for all citizens to enjoy.

I honor in a special way Hispanic American servicemen and women. Hispanic Americans have a long and honorable history of service to our country in the Armed Forces. They have served valiantly at all levels and in every capacity, and I salute them for their service to our country.

Madam Speaker and colleagues, please join me in honor and celebration of Hispanic Heritage Month, and join me in expressing my gratitude for the outstanding contributions made by Hispanic Americans. Their journey to America, fraught with significant obstacles and strife, paved the way for a better life for their children and future generations, and signifies what it means to be an American. Within our diversity we find strength, and within our traditions we find unity. Because of their journey, and the journey of people from all points of the world, we are stronger as a community, more unified as a nation, and better as people.

WYATT HOFFMAN FOR THE AWARD OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Wyatt Hoffman, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Venturing Crew 2633, and by earning the most prestigious award of Eagle Scout.

Wyatt has been very active with his troop, participating in many scout activities. Over the years Wyatt has been involved in scouting, he has earned 28 merit badges and held numerous leadership positions, serving as Assistant Senior Patrol Leader and Chaplain's Aide. Wyatt is also a Hardway Warrior in the Tribe of Mic-O-Say.

For his Eagle Scout project, Wyatt generated community support for soldiers in Operation Iraqi Freedom through providing care letters and boxes of morale support items currently in short supply with the US Armed Forces.

Madam Speaker, I proudly ask you to join me in commending Wyatt Hoffman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMEMORATING THE 40TH ANNIVERSARY OF THE ANNANDALE CHRISTIAN COMMUNITY FOR ACTION

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor the Annandale Christian Community for Action, ACCA, on the occasion of their 40th anniversary.

ACCA is an alliance of 26 churches in the Annandale community which strives to unite all Christians in an effort to promote and sponsor Christian social action. Its motto, "doing what Jesus would do," is the principle that guides the ACCA in its mission to serve those in need. The volunteer organization provides day care, food, rental assistance, furniture and other services to low-income families in the Annandale/Bailey's Crossroads area.

ACCA began in October 1967, when Fred and Emily Ruffing witnessed and acted upon a tremendous need in their community. The couple worked for a government-subsidized daycare center in Mount Pleasant Baptist Church in Alexandria, which had just enough resources to provide for families on welfare, but not the working poor. Distressed at the idea of making families return to welfare to provide their children with daycare services, Mr. and Mrs. Ruffing set out to organize their own daycare center with the help of eight local churches. Through an abundance of support from the local community, they succeeded in meeting the need and led their organization, ACCA, to branch out into other activities such as transportation, housing and emergency cash assistance.

I have had the pleasure of working with ACCA on so many issues affecting people in need, from establishing its daycare center, to helping found the Bailey's Crossroads homeless shelters, to its food and furniture programs for the poor. Their dedication has made a difference for thousands of families.

While ACCA now provides an array of services to those in need, its original daycare facility continues to thrive as the Child Development Center in the old Annandale Elementary School on Columbia Pike. It cares for over 200 infants and children of the working poor.

In memory of its founder, Fred Ruffing, ACCA provides an annual memorial scholarship for aspiring college students with disabilities. Emily Ruffing continues to work in the Child Development Center as a social worker.

Madam Speaker, in closing, I would like to thank the Annandale Christian Community for Action for being the embodiment of Christian love in and around the Annandale community. Their continued success serves as a testament to the power of volunteerism and what can happen when individuals come together in faith to accomplish what others never dreamt possible. I call upon my colleagues to join me in commending and congratulating the ACCA on 40 years of excellence.

IN RECOGNITION OF THE 50TH ANNIVERSARY YEAR OF THE ORIGINAL HARVEST MISSIONARY BAPTIST CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. KUCINICH. Madam Speaker, I rise today in honor of the 50th year of the Original Harvest Missionary Baptist Church of Cleveland, Ohio. For the past five decades, the leadership and membership of the Church has served to lift our Cleveland community through worship, faith and song.

The Church came to life in 1957, when the Reverend Marcellus Chatman, guided by his faith and a mission to serve, founded the Original Harvest Missionary Baptist Church. His wife, Mrs. Anna Lee Young Chatman, not only named the Church but also organized, directed and performed in the Church choir. Their daughters, Marcella and Ruby, have also been faithful members and leaders of the Church since its inception: Marcella as pianist and Ruby as administrator of Harvest Day Care, which was founded by their mother in 1969.

The loyalty, support and commitment that the Chatman family continues to infuse throughout our neighborhoods are also reflected within the Church congregation. Reverend Fred Caffie, Jr. began his service in 1979, and served for 25 years. The Church Patriarch and Musical Director, David Smith, has faithfully served the Church for over 30 years. The Reverend Michael W. Turner, who was installed as Pastor in early 2005, continues the Church legacy of hope, joy and inspiration.

Madam Speaker and colleagues, please join me in recognizing the Chatman family, and all the leaders and members of the Original Harvest Missionary Baptist Church, past and present, as they celebrate 50 years of faith, love and spirituality that continue to strengthen our community.

INTRODUCTION OF THE INTERNATIONAL WOMEN'S FREEDOM ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mrs. MALONEY of New York. Madam Speaker, today, along with Representatives TOM LANTOS and SHEILA JACKSON-LEE, I am reintroducing the "International Women's Freedom Act." This legislation establishes an Office of International Women's Rights within the State Department headed by the appointed Ambassador at Large, and additionally, would create a United States Commission on International Women's Rights. The positive links between the empowerment of women and effective and sustainable development are very clear and this legislation would seek to protect women's rights by channeling U.S. security and development assistance to countries that are not found in gross violations of women's rights. I believe that all people, regardless of gender, should have the power to shape their lives and participate in their communities without the fear of oppression. When given the tools they need, such as education, access to employment, land, and economic assets, and the opportunity to contribute to civic life, women and girls improve their situation in society and have a positive impact on society as a whole. By annually reviewing the status of women's rights in each country and designating countries of particular concern, more succinct policy recommendations can be made to the President, the Secretary of State, and the Congress.

We require the State Department to issue reports on battling international bribery, religious freedom, and narcotics control, among many others. Creating a report on the status of women's rights is vitally important to assuring the rights of women worldwide.

TRIBUTE TO JAMES HENLEY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Ms. MATSUI. Madam Speaker, I rise today in recognition of James Henley's 41 years of public service as Sacramento's city historian. Mr. Henley leaves a lasting legacy in Sacramento and he will be deeply missed.

In 1965, the then city historian and Sacramento State professor Aubrey Neasham asked Mr. Henley to read archived blueprints. As a graduate student in the pursuit of a masters degree in history, James was inspired to not only teach history but to also work with it. Mr. Henley's career began in a three-person city department that focused on the Old Sacramento Historic District, now known as Old Sacramento. Designated as a State Historic Park, Old Sacramento portrays the time of the Gold Rush with cobblestone streets and wooden sidewalks, shops, restaurants and museums that attract 5 million visitors annually. Upon the retirement of Ms. Neasham, only one person could truly continue her work, and Mr. Henley took over the department. Under his leadership, the Sacramento Archives and Museum Collection Center, also known as, SAMCC, was born.

The SAMCC acquires, preserves, and promotes the study of Sacramento's history through city and county historical records. These collections include personal manuscripts, business records, official records of the city and county, photographs and other artifacts relating to the region's history. The records are the heart of Sacramento's history as James has preserved them for future generations to enjoy.

The preservation achievements of Mr. Henley and his staff are evident in the 5½ miles of movable shelves that house objects, photographs and documents at SAMCC. This includes parts of a Gutenberg Bible, negatives from The Sacramento Bee, and archived news film shot by KCRA 3. All in all, the records that Mr. Henley has preserved make the SAMCC collection the largest city archives in California and second only to the state archive. This has been a truly wonderful achievement.

Mr. Henley has not only served as a strong leader in preserving the history of the great Sacramento region, but also is a champion for the conservation of the City of Sacramento. He oversaw the publishing of Vanishing Victorians; a book that led to preservation efforts of Sacramento's historic Victorians in the 1960s and 1970s, when many were destroyed for redevelopment projects. His preservation efforts also contributed to the restoration of the historic Memorial Auditorium, the B.F. Hastings Building, as well as establishing the California State Railroad Museum. That museum is now a crown jewel in Old Sacramento and attracts thousands of families each year.

Madam Speaker, I am honored to pay tribute to Mr. James Henley's distinguished commitment to the preservation of Sacramento's distinguished history. Mr. Henley always has stood as an instrumental force behind the protection of Sacramento's history for generations to come. We all are thankful for his efforts. As James Henley's colleagues and friends gather to honor his service for the city, I ask all my colleagues to join me in wishing him continued good fortune in his future endeavors.

PERSONAL EXPLANATION

HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. ALLEN. Madam Speaker, on October 1, 2007, I was absent from the House due to a death in the family. Had I been present, I would have voted ''yea'' on rollcall Vote No. 924, a motion by Ms. CASTOR to suspend the rules and pass H. Con. Res. 185, a resolution commending the 1st Brigade Combat Team/34th Infantry Division of the Minnesota National Guard upon its completion of the longest continuous deployment of any United States military unit during Operation Iraqi Freedom.

I would also have voted ''yea'' on rollcall Vote No. 925, a motion by Mr. CLAY to suspend the rules and pass H.R. 2276, a bill to designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the ''Corporal Christopher E. Esckelson Post Office Building.''

Finally, I would have voted ''yea'' on rollcall Vote No. 926, a motion by Mr. CLAY to suspend the rules and pass H.R. 3325, a bill to designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the ''Corporal Stephen R. Bixler Post Office.''

IN HONOR OF BERNARD J. MILANO, 2007 COMMUNITY SERVICE AWARD RECIPIENT FOR THE IAOAPOGH MOUNTAINS BOY SCOUTS OF AMERICA

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to pay tribute to Bernard J. Milano of Allendale, New Jersey for his dedicated support for the 35,000 Boy Scouts of North Jersey. Last week, Mr. Milano was honored by the Iaoapogh Mountains District of the Northern New Jersey Council for the Boy Scouts for his long record of service to these Scouts. This District directly serves more than 3,100 young people.

Bernie Milano is supportive of a number of worthy organizations beyond just the Boy Scouts. In addition, he serves as a member of President Bush's Board of Advisors on Historically Black Colleges and Universities and as chair for the business school advisory boards at North Carolina A&T State University, from which he has an Honorary Doctorate, and local Ramapo College. Furthermore, he is a member of the Ramapo College Foundation Board of Governors, of which he served as chair from 2002–06.

Mr. Milano is also a Senior Warden of the Church of the Epiphany in Allendale, a member of the Newark Episcopal Diocese Commission on Ministry and Audit Committee, and a member of the National Episcopal Church Foundation Board of Directors, of which he served as chair for 6 years.

Mr. Milano has served on the Allendale Board of Adjustment and board of education. He was a founding trustee of the Allendale Foundation for Education Excellence. And, he serves on several national boards, including for the Points of Light Foundation and Business Civic Leadership Center. Trained as a CPA with a B.S. in Accounting from Temple University, Mr. Milano is president of three not-for-profit organizations: KPMG Foundation, KPMG Disaster Relief Fund, and the PhD Project Association, which is a $6 million collaborative effort between corporate and academic America to promote greater diversity in the business world.

Mr. Milano has been active with the Scouts for over a decade. The father of six and grandfather of another six, he and his wife, Sharon Pierson, understand the value of scouting in providing boys and young men with positive outlets for their energies and talents. Through scouting, they develop character and leadership skills and promote citizenship and fitness. This is only possible because people like Bernie Milano give of their time, their energy, and their resources. I commend him for his service to these boys.

NATIONAL TELEWORK WEEK

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. WOLF. Madam Speaker, today my colleague Rep. JOHN SARBANES is joining with me in introducing a resolution to promote the establishment of National Telework Week and provide an opportunity to encourage more employers to consider telework for their employees. Telework should be a regular part of the 21st century workplace. The best part of telework is that it improves the quality of life for all.

Nearly 20 million Americans telework today, and according to experts, at least 40 percent of American jobs are compatible with telework. Telework reduces traffic congestion and air pollution. It reduces gas consumption and our dependency on foreign oil. Telework is good for families—working parents have flexibility to meet everyday demands. Telework provides people with disabilities greater job opportunities. Telework helps fill our Nation's labor market shortage. It is also a good way for retirees to pick up part-time work.

Companies save significantly when they have a strong telecommuting program. At one national telecommunications company, nearly 25 percent of its employees work from home at least one day per week. The company found positive results in the way of fewer days of sick leave, better worker retention, higher productivity, and increased morale.

According to a George Mason University (Fairfax, VA) study, for every 1 percent of the Washington metropolitan region workforce that telecommutes, there is a 3 percent reduction in traffic delays. George Mason University completed another study which suggests that on Friday mornings there is a 2 to 4 percent drop in traffic volume in the Washington metro region, a so-called ''Friday effect.''

This is promising news because it means that with just a 1 to 2 percent increase in the number of commuters who leave their cars parked and instead telework just one or two days per week, we could get to the so-called ''Friday effect'' all week long.

Just a few weeks ago the Texas Transportation Institute at Texas A&M University released its annual traffic congestion study which calculates that congestion creates a $78 billion annual drain on the U.S. economy due to 4.2 million lost hours of productivity and 2.9 billion gallons of wasted gas. That's not even considering the air pollutants caused by idling vehicles around the Nation.

I have stated before that work is something you do, not someplace you go. Hopefully we can make telework as commonplace as the morning traffic report. There is nothing magical about strapping ourselves into a car and driving sometimes up to an hour and a half, arriving at a workplace and sitting before a computer. We can access the same information from a computer in our living rooms. Wouldn't it be great if we could replace the evening rush hour commute with time spent with the family, or coaching little league or other important quality of life matters?

It is time that employers give telework a shot. National Telework Week is an ideal time for employers, for just one day during one week of the year to allow employees to work from home or an alternative work site. I know that telework may not work for every job. But, there are jobs today that lend themselves to telework for which employees make the trip into the office every day of the week. Resources abound to help employees and employers set up appropriate telework programs for their businesses. Calculations also can show savings to the environment, the employer and the employee.

I encourage everyone around the Nation to give telework a chance, find out what it's about and how it can help make your business, our environment and our communities better.

Madam Speaker, I hope our colleagues will consider signing on as a cosponsor of this resolution to promote telework and provide choices for employees and savings for employers.

RECOGNIZING THE RETIREMENT OF FAIRFIELD CITY MANAGER KEVIN O'ROURKE

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Kevin O'Rourke, who has served the City of Fairfield, CA as city manager since 1997.

Mr. O'Rourke has dedicated over 30 years of his life to serving the public. After serving as the city manager for the cities of Stanton from 1981 to 1985 and Buena Park from 1985 to 1997, Mr. O'Rourke came to Fairfield, inspiring an unprecedented revitalization in the historic town.

During his tenure, Mr. O'Rourke spearheaded the effort to modernize the public services available in Fairfield as the city was undergoing a radical transformation. He helped to modernize both the police and fire departments, enabling them to serve a rapidly urbanizing and growing region. As a part of the project, he built new fire stations and increased personnel, guaranteeing 24/7 paramedic service and quality law enforcement to the entire population.

Always a friend to the business community, Mr. O'Rourke's creativity and vision helped to achieve the longest labor agreements in the State of California, guaranteeing a stable and positive environment for employee groups as they serve the residents of the community. In addition, his efforts brought a vibrant commercial center to the Cordelia area of Fairfield, something the residents had identified as a critical need.

As chairman of the Travis Community Consortium, his legislative efforts assured the continued livelihood and superiority of Travis Air Force Base, the largest air mobility organization in the Air Force. His hard work brought a squadron of C–17s to the base, enhancing its mission as the West Coast terminal for aeromedical evacuation aircraft returning sick or injured patients from the Pacific area.

Mr. O'Rourke also successfully coordinated city, county, and State resources to bring many projects to Fairfield such as a state of the art public library, a successful auto mall along Interstate 80—a project that had eluded the city for decades and brings needed sales tax revenues to the general fund—and numerous recreational facilities important for after school programs and neighborhood events.

Mr. O'Rourke's many accomplishments have immeasurably improved the city of Fairfield and enriched the lives of its residents. I would like to thank him for his years of public service and wish him success and happiness in his future endeavors.

PERSONAL EXPLANATION

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. EMANUEL. Madam Speaker, I was absent from the Chamber for rollcall votes 924, 925, and 926 on October 1, 2007. Had I been present, I would have voted ''yea'' on rollcall votes 924, 925, and 926.

TO CONGRATULATE THE INDUCTION OF DR. LARRY HORNBECK OF TEXAS INSTRUMENTS INTO THE NATIONAL ACADEMY OF ENGINEERING

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I would like to recognize the induction of Dr. Larry Hornbeck of Texas Instruments into the National Academy of Engineering.

Election to the National Academy of Engineering is among the highest professional distinctions accorded to an engineer, recognizing important contributions to engineering theory and practice.

Dr. Hornbeck invented the Digital Micromirror Device, or DMD, an optical semiconductor that is at the core of Texas Instruments' Digital Light Processing technology. His career at TI spans 34 years.

Texas Instruments is in my District, and I am proud of the advances in computing that they have made and am also proud of their contributions and outreach to Dallas.

The Federal Government, through its support of basic research, played a pivotal role in the creation of the DMD.

The foundation of this technology was developed through the Defense Advanced Research Projects Agency and the National Security Agency research in the 1970s to assist with target detection and recognition. In 1989, DARPA provided funds to investigate the technology's application to high-definition TV.

Today, DLP is the only American display technology. Each chip contains millions of tiny mirrors that move independently to display trillions of colors.

TI's DLP business employs roughly 1,000 people in the Dallas area. The technology is now moving beyond projectors, television and cinema, into applications such as 3–D medical imaging—for example, allowing improved imaging of organs and better treatments for targeting tumors.

The current and potential success of DMD technology illustrates the importance of federal investment in basic research to innovation.

Congratulations to Dr. Hornbeck on his induction into the NAE. I am proud to highlight his work as an example of the importance of the engineering profession to the economy of Texas and the United States.

CONGRATULATING LACKAWANNA COUNTY COMMISSIONER ROBERT C. CORDARO, THE 2007 HONOREE OF THE LACKAWANNA COUNTY COLUMBUS DAY ASSOCIATION

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Robert C. Cordaro, Commissioner of Lackawanna County, Pennsylvania, who was named ''Man of the Year'' by the Lackawanna County Columbus Day Association.

Mr. Cordaro is a 1979 graduate of Dunmore High School where he was a member of the National Honor Society, senior class president and a first team all league football player where he held the position of linebacker.

He graduated magna cum laude from the University of Rochester in 1983 with a bachelor's degree in history. At the University of Rochester, he was elected to the Phi Beta Kappa Honor Society. He also was a member of the first team academic All-America Football Team where he held the position of linebacker.

In 1986, Mr. Cordaro graduated from the University of Pennsylvania School of Law.

Mr. Cordaro went on to work for United States Congressman Charles F. Dougherty, Republican, of Philadelphia, before becoming a practicing attorney.

He was a founder of Landmark Community Bank where he served as a member of its board of directors.

Mr. Cordaro is a partner in Cord Realty, the owner and manager of a diversified real estate portfolio.

Mr. Cordaro was elected to the Lackawanna County Board of Commissioners in 2000 and was re-elected in 2004 after which he was named to the chairmanship of that board.

In 2006, Lackawanna County was the recipient of the National Award for County Arts Leadership, a first for Pennsylvania counties due to a program established in part by Mr. Cordaro.

According to Americans for the Arts, an innovative Education and Culture fee was created to encourage and support artistic endeavors within Lackawanna County, revenues from which are used to fund regional arts assets as well as arts and education activities.

The Lackawanna County Commissioners dedicated funds from this revenue source to support the Scranton Cultural Center, the Everhart Museum and the Lackawanna County Library System. ''We believe that fostering arts and cultural activities is critical to our area's revitalization and growth,'' said Mr. Cordaro.

Madam Speaker, please join me in congratulating Commissioner Cordaro. His commitment to his community is reflected in the fact that he has been chosen for this distinguished award.

INTRODUCTION OF THE HEALTHY WORKFORCE ACT OF 2007

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. UDALL of New Mexico. Madam Speaker, it is no secret that health care costs in the United States are sharply increasing. Nor is it any longer a surprise to hear that the rate of chronic illnesses and diseases has been on the rise. Left unabated, the continuing rise in both preventable illnesses and health care costs will put even more pressure on our already fragile health care system and threatens to bankrupt our Federal budget. These trends also have alarming implications for employers, both directly in terms of costs for employer-provided health care plans and indirectly through higher rates of absenteeism.

With all of these concerns in mind, I rise today to introduce the Healthy Workforce Act of 2007. In so doing, I am pleased to be joined by my colleague from California, Representative MARY BONO. I would also like to thank Senator HARKIN, who is truly a leader on preventive health care issues, and who is the original sponsor of this legislation in the Senate.

The Healthy Workforce Act of 2007 provides a tax credit to businesses that offer comprehensive wellness programs to their employees, thereby promoting prevention of high cost chronic diseases. This tax credit will encourage business to raise health awareness through health education and health risk assessments. It will promote a supportive environment to encourage employee participation in workplace wellness programs, through offering meaningful incentive to participating employees, such as a reduction in health insurance premiums. And it will encourage employees to lead a healthy lifestyle through counseling, seminars or on-line programs. Keeping workers healthy in the first place can go a long way to reducing the growing health care costs to employers.

And Madam Speaker, these increasing costs are significant to employers. Average

employer medical costs increased 72 percent between 2000 and 2006. Some companies report spending more than 50 percent of their profits to cover these expenses. Employers are also increasingly bearing costs of diet-related chronic disease and obesity. For example, obesity-related health conditions cost employers approximately $33 billion in health care and other indirect costs. However, proactive treatment would significantly reduce costs. The proactive treatment of hypertension costs about $1,000 per year, whereas treatment for a heart attack costs a minimum of $50,000, not including the costs which result from the time off and loss of productivity.

Employer spending on health promotion and chronic disease prevention is a good investment in our future. And this legislation targets primarily smaller and mid-sized companies who would otherwise have difficulty making the initial investment needed to support such programs. Workplace wellness programs are economical, averaging $30 to $200 per employee and studies have reported a proven rate of return on investment within 12 to 18 months, ranging from $2 to $10 for each dollar invested.

Adaptable lifestyle factors such as smoking, sedentary lifestyle, poor nutrition, unmanaged stress, and obesity account for approximately half of premature deaths in the United States. Spending on chronic diseases related to lifestyle and other preventable diseases accounts for an estimated 75 percent of total healthcare spending and it is estimated that by 2014 our country's total health care expenditures will be $3.6 trillion.

Clearly we cannot continue down this path. We must shift the focus of our nation's health care system to prevention and wellness programs. In so doing, we can reduce health care costs, improve health, improve quality of life, and boost productivity. Unfortunately, a very small percentage of health care spending is devoted to health promotion. The national investment in prevention is currently estimated to be less than 5 percent of annual health care costs. Our Nation needs a new approach to healthcare—one that puts prevention front and center.

The Healthy Workforce Act is one piece of the larger reform needed to our Nation's health care system. But it is a critical piece. By providing incentives for America's businesses to provide wellness programs for employees, they and their employees can focus on chronic disease prevention and health promotion, reduce health care costs, boost productivity, and improve the health and quality of life of working Americans.

I urge my colleagues to join me in seeking a more effective approach to preventing chronic diseases and providing incentives for employers and employees facing rising health care costs by cosponsoring the Healthy Workforce Act.

IN MEMORY OF BILL WIRTZ

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. KIRK. Madam Speaker, I rise to honor the life and memory of a constituent and one of the most beloved people in the Chicagoland area—Bill Wirtz. Last week, Mr. Wirtz passed after a battle with cancer at the age of 77.

Most knew him as the president of the Chicago Blackhawks, where he worked for the last 41 years. However, his fame in sporting circles was only surpassed by his infinite kindness and generosity. Through his direction, the Chicago Blackhawks Charities donated more than $7.5 million since 1993 to various organizations such as the Boys and Girls Clubs. He also was renowned for his compassion toward his employees, treating them like members of his family.

The crowds at his visitation and funeral demonstrated the high-regard that thousands had for Mr. Wirtz and his accomplishments.

I know I speak for the entire district when I send my deepest sympathies to his wife Alice, sons Rocky and Peter, daughters Gail, Karey and Alyson and his seven grandchildren. His memory will live on through the institutions he helped create and those whose lives he touched. It is because of this that his passion and dedication will never be forgotten.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately yesterday, October 1, 2007, I was unable to cast my votes on H. Con. Res. 185, H.R. 2276, and H.R. 3325.

Had I been present for rollcall No. 924 on suspending the rules and passing H. Con. Res. 185, Commending the 1st Brigade Combat Team/34th Infantry Division of the Minnesota National Guard, I would have voted "aye."

Had I been present for rollcall No. 925 on suspending the rules and passing H.R. 2276, the Corporal Christopher E. Esckelson Post Office Building Designation, I would have voted "aye."

Had I been present for rollcall No. 926 on suspending the rules and passing H.R. 3325, the Corporal Stephen R. Bixler Post Office Designation, I would have voted "aye."

CELEBRATING PHILADELPHIA ENGINE COMPANY 52'S 100TH ANNIVERSARY

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Ms. SCHWARTZ. Madam Speaker, I rise today to honor and congratulate the Philadelphia Fire Department's Engine Company 52 on celebrating its 100th anniversary. Since 1907, a dedicated unit of firefighters has served the Wissinoming community in the lower Northeast section of Philadelphia from this same location. I am honored to represent them in Congress.

In Philadelphia 271 years ago, Benjamin Franklin established the first Fire Department in America. He noted that once a fire was "cried out, active community members would with one mind apply themselves with all vigilance and resolution . . . to the hard work of conquering the increasing fire." From this beginning, he developed societies of firefighters to attend to all fires in their neighborhoods. These companies formed the basis of the firefighting and fire prevention efforts of our city's current Fire Department.

Engine Company 52, originally known as the Wissinoming Fire Company, was dedicated to serving the community along a tributary of the Delaware River. Originally housed in a large red brick two-story building at Jackson and Van Kirk Streets, the top floor of the fire company was the home of the neighborhood school. Behind the building was a stable for the horses that pulled the firefighting equipment and a tower where fire hoses were hung to drain and dry. As the community grew, so did the fire company still known as "The Fifty-Two's." In 1951, the city built a new firehouse on the site. Today, Engine 52 is known as "Pipeline 52" because of its large capacity equipment used to supply water to other companies when major fires occur; in more recent years "Medic 32", an Emergency Medical Service unit has been added.

Today, the "Fifty-Tooz"—as they call themselves—serve a residential and business community, protecting the lives of those who live and work in Pennsylvania's 13th Congressional District. As in the days of Benjamin Franklin, they "apply themselves with all vigilance and resolution," as well as dedication and courage, to protect their community.

Madam Speaker, once again I congratulate all of the members of Engine Company 52 for their service, dedication and sacrifice. I look forward to continuing our work together and ensuring another 100 years of success, safety and security.

STABILITY FOR SOUTHEASTERN EUROPE

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. SOUDER. Madam Speaker, the issue of stability in southeastern Europe is once again high on the world's agenda. In December, issues concerning the status of Kosovo will again come to the fore. Regional stability is tied closely, but not inextricably, to these issues. As we approach the winter months, it is important that our southeastern European friends be strong internally so that they can be producers of stability and not consumers of it.

Our friend, the Republic of Macedonia, is one such producer of stability. Time and again, it has proved itself a great friend and ally of the United States of America. Time and again, it has proven itself a friend to neighboring states. Time and again, it has stepped up to the plate and provided support to the United States in the War on Terrorism by providing soldiers to serve alongside our own troops in Afghanistan and Iraq. Time and again, it has worked with and voted with the United States on important resolutions in the United Nations.

Unfortunately, our friend Greece has not been so supportive of the Republic of Macedonia. In 1993 and again in 1995, Greece imposed economic sanctions on Macedonia because Greece claims, entirely and exclusively, the word "Macedonia." Despite the fact

that Macedonia changed its flag and constitution to allay Greece's fears, today the Hellenic Republic continues to object to countries and international institutions recognizing the Republic of Macedonia by its constitutional name.

Without going into great detail on this subject, it is important to note that the Macedonians do not claim exclusivity over the word ''Macedonia'' and do not in fact object to Greece using it in any way it sees fit.

There are now 118 countries around the world recognizing the Republic of Macedonia by its rightful and constitutional name, including Russia, China and, I am proud to say, the United States of America. Just last month, Canada became the latest country to recognize the Republic of Macedonia. We did the right thing when we recognized the Republic of Macedonia in November 2004, and I am grateful for the President's leadership in righting a historic wrong.

This past summer, the now former Greek Ambassador to Macedonia was sacked by her own government for admitting that Greece should agree to a double-name formula, something the Macedonians have been arguing for since Greece first raised objections.

The relationship between Macedonian and Greek citizens could not be stronger. Greek businessmen conduct a large amount of business in Macedonia and have no problem with the name. In September, the Republic of Macedonia waived the requirement for Greeks to bring their passports when they come to visit Macedonia. Today, Greeks simply need an identity card. Macedonians in turn spend much of their vacation time in Greece during the summer months. The two countries cooperate on many other issues and enjoy good relations.

It is time for our Greek friends to allow the citizens of the Republic of Macedonia to enjoy their sovereign right to determine the name of their own country. It is time for Greece to drop its objections in the political arena, and to leave to the historians debates about Alexander the Great and the ancient Macedonians.

We live in the here and the now, and it is time to move forward. Our Greek friends enjoy pointing out their contributions to modern-day democracy and for that we thank them. Let them now contribute in their longstanding tradition of supporting democratic values by allowing the people of the Republic of Macedonia to call themselves by what they have always called themselves and by dropping their objections to a country that only desires friendship and has proven itself as a great friend and ally.

INTRODUCING A RESOLUTION TO HONOR THE 50TH YEAR ANNIVERSARY OF ALTHEA GIBSON BECOMING THE FIRST PERSON OF AFRICAN AMERICAN ANCESTRY TO WIN THE U.S. CHAMPIONSHIP AND WIMBLEDON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce legislation to honor the 50th anniversary of Ms. Althea Gibson becoming the first African American to win the U.S. Championship and Wimbledon. Her accomplishments signified a change in our Nation's climate in which racial discrimination was challenged on the tennis court and in the Supreme Court. The 50th anniversary of Althea Gibson's victory at the U.S. Championship and Wimbledon is worthy of congressional recognition, and I urge my colleagues to join me in commemorating an extraordinary woman, and an extraordinary chapter in U.S. history.

The eldest daughter of sharecroppers who moved from South Carolina to Harlem during the Depression, Althea Gibson was born on August 25, 1927 in Silver, South Carolina. She had one primary desire: to be somebody. Thirty years later, Queen Elizabeth II presented her with the Championship trophy at Wimbledon, and Vice President Richard Nixon presented Althea Gibson with the United States Championship trophy at Forest Hills. By the end of her career, she won nearly 100 awards for tennis, and defeated men and women on nearly every continent in a sport that was historically restricted from people of her race and class. Althea Gibson was accurate when she declared that she had come ''a long way from being forced to sit in the colored section of the bus.'' In an era of gender and racial discrimination, this African American woman was an international celebrity and a symbol of excellence and determination in the early years of the Civil Rights Movement.

Madam Speaker, Althea Gibson defied prejudiced conceptions of female and African American athletes from the time she played racket ball in the streets of Harlem until the time she competed in the world's most prestigious competitions. Her undeniable talent not only moved people across lines of race and class to support Gibson in her relentless desire to succeed, but also moved people to change the rules that maintained systems of inequality. In 1949, she attended my alma mater, Florida A&M University, on a full athletic scholarship due to the guidance and support of a New York doctor and his wife. Gibson received what the vast majority of African American women could not: an education. As white and black high profile athletes endorsed Gibson, people began to question if integration was an inevitable occurrence that would benefit tennis as it had benefited basketball, football, baseball. On August 28, 1950, the face and rules of tennis changed, and Althea Gibson became the first African American to compete at the National Open.

Madam Speaker, Althea Gibson's great triumphs did not come without great peril and adversity. Although she was hailed as the Queen of Tennis, racial prejudice excluded her from lodging in the hotels that surrounded the arenas where she competed and defended her crown. Refusing to let prejudice, poverty, or consistent threats against her life compromise her drive to succeed, Gibson fought prejudice when she won on tennis courts that were previously segregated. An actress, musician, teacher and athlete, Althea Gibson was the quintessential Renaissance woman who refused to compromise her dignity and the dignity of her people on or off the court.

Althea Gibson continued to be a woman of firsts in the years that followed her tennis career. During the same year as the enactment of the Civil Rights Act of 1964, Althea Gibson became the first African American member of the Ladies Professional Golf Association. In 1971 Althea Gibson was the first African American to be inducted into the International Tennis Hall of Fame—the only African American woman of the 200 athletes who have received this honor in its 52 year history. Twenty years later, Althea Gibson became the first woman to receive the Theodore Roosevelt Award in 1991, the highest honor awarded by the National Collegiate Athletic Association for ''symbolizing the best qualities of competitive excellence and good sportsmanship, and for her significant contribution to expanding opportunities for women and minorities through sports.''

Madam Speaker, 4 years after her death, and 50 years after her win at the U.S. Championship and Wimbledon, Althea Gibson continues to be a universal example of strength and excellence. The Althea Gibson Foundation was established to support underprivileged youth in their drive to succeed in golf, tennis, and the classroom, and to ensure that Althea Gibson's legacy of excellence, tenacity, and dedication lives on. Her life affirms what many of us already know: Great athletes have the ability to unify and inspire beyond the realm of sports.

Althea Gibson famously said ''In the field of sports you are more or less accepted for what you do rather than what you are.'' In a world plagued by poverty, segregation and racial prejudice, Althea Gibson saw sports as the epitome of what our country should be—a true meritocracy. I urge my colleagues to cosponsor this resolution to preserve the memory of Althea Gibson and other athletes who were pioneers in their time and inspirations for future generations.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. BARRETT of South Carolina. Madam Speaker, due to unforeseen circumstances, I unfortunately missed recorded votes on the House floor on Monday, October 1, 2007.

I ask that the RECORD reflect that had I been present, I would have voted ''yea'' on rollcall vote No. 924 (Motion to suspend the rules and pass H. Con. Res. 185), ''yea'' on rollcall vote No. 925 (Motion to suspend the rules and pass H.R. 2276), and ''yea'' on rollcall vote No. 926 (Motion to suspend the rules and pass H.R. 3325).

FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2007

SPEECH OF

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 27, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3121) to restore the financial solvency of the national flood insurance program and to provide for such program to make available multiperil coverage for damage resulting from windstorms and floods, and for other purposes:

Mrs. CAPITO. Mr. Chairman, floods are amongst the most frequent and costly national

disasters in terms of human hardship and economic loss. In fact, 75 percent of Federal disaster declarations are related to flooding.

Before I discuss the merits of the legislation, I would like to talk briefly about the process that is being considered. We are debating a huge expansion of an already struggling existing Federal program, and yet we have not been able to have our amendments out on the floor to have an open and frank discussion about this.

I would like to accept the chairman's offer to continue to work on the amendments that were not allowed to be offered, and I hope that we can see democracy being served by letting everybody's voice be heard.

In 1968, Congress established the National Flood Insurance Program, NFIP. The program is a partnership between the Federal Government and participating communities. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction, the Federal Government will make flood insurance available to that community. Today, NFIP is the largest single-line property insurer in the Nation, serving nearly 20,000 communities and providing flood insurance coverage for 5.4 million consumers.

Mr. Chairman, recent events have underscored the need to reform and modernize certain aspects of the program. While the NFIP is designed to be actuarially sound, it does not collect sufficient premiums to build up reserves for unexpected disasters. Due to the claims resulting from Hurricanes Katrina and Rita, the NFIP was forced to borrow $7.6 billion from the Treasury, an amount it estimates it will never be able to repay. Consequently, NFIP sits on the GAO's High-Risk Programs list, which recommends increased congressional oversight. Additionally, the 2005 storms shed light on the problem of outdated flood maps, resulting in many homeowners in the gulf region being unaware that their homes were located in floodplains.

To address these and other concerns in 2006, the House overwhelmingly passed flood insurance reform legislation. Earlier this year, Chairman FRANK and Representative JUDY BIGGERT introduced legislation identical to that bipartisan bill. That bill includes many reforms, including the phasing in of actuarial rates, but unfortunately, the flood insurance bill that the majority chose to move out of the Financial Services Committee was amended to incorporate legislation offered by the gentleman from Mississippi (Mr. TAYLOR) which expands the NFIP to include coverage for wind events.

Mr. Chairman, no Member of this House was more personally affected by the 2005 hurricanes than Congressman TAYLOR. I do not, and no one questions his sincerity or his commitment to assisting those who have lost everything they owned in these storms. While I share his concern over the rising costs and outright unavailability of homeowners' wind coverage in some areas, I have three principal objections to linking wind insurance to the reform of the National Flood Insurance Program.

First, expanding the program increases liabilities for taxpayers while decreasing options for customers or consumers. Properties located along the eastern seaboard and gulf coast represent $19 trillion of insured value. Shifting the risk on even a portion of these properties to the troubled NFIP could expose taxpayers to massive losses. The fact is that insurance will choose not to engage a competitor that does not pay taxes, has subsidized borrowing costs, and is not required to build a reserve surplus and is protected from most lawsuits, State regulation and enforcement.

Second, adding wind coverage to the NFIP will exacerbate the program's well-documented administrative problems. Both the Department of Homeland Security and GAO have criticized the NFIP for being understaffed, not having adequate flood maps and not collecting sufficient information on wind payments when claims were submitted for flood damage. Expanding the portfolio further before much-needed reforms are in place is premature.

Third, no consensus yet exists about the necessity or desirability of creating a Federal wind insurance program. In testimony before our committee, representatives of flood management groups, the insurance industry, environmental organizations, Treasury and FEMA all expressed agreement that a comprehensive study of the proposed wind insurance mandate should first be commissioned to provide Congress with a better understanding of the possible implications this expansion could have for consumers, NFIP and the market.

Mr. Chairman, we must not let the desire to meet every perceived problem with a new Government program drive us towards premature actions that yield unwanted consequences. The NFIP's mission should not be expanded, exposing taxpayers to massive new risks, until reforms are in place and adequate study has been conducted.

In addition to the above reservations, I have serious concerns with the effect the addition of wind coverage will have on communities that are now relying on NFIP. This program is already financially unstable, yet we are about to add $19 trillion of risk. Despite this fiscal instability, States like West Virginia, that I represent, will still rely on the program to provide assistance in the case of serious flooding. Thankfully, there have not been major problems this year, but since I was elected to Congress in 2000, there have been nine federally declared flooding disasters in West Virginia. In 2001 alone, FEMA provided $17 million in assistance to my State, and between 2004 and 2006 the National Flood Insurance Program received and paid more than $30 million in claims from West Virginia flood victims.

There are serious needs in West Virginia and across the Nation for the flood insurance program. We should be modernizing NFIP so it can become financially stable, not jeopardizing its existence by exposing it—and our taxpayers—to trillions of dollars of liability.

PAYING TRIBUTE TO THE LAS VEGAS CHAMBER OF COMMERCE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the Las Vegas Chamber of Commerce. The Las Vegas Chamber of Commerce has been serving the Las Vegas community as the ultimate business resource in Clark County since its inception in 1911. Their mission to strengthen, enhance and protect businesses, alongside their values of leadership, excellence, integrity, and innovation work together to convey their vision to be an advocate for the State of Nevada.

The Las Vegas Chamber of Commerce is the largest, most influential business organization in the state of Nevada and the third-largest local Chamber of Commerce in the United States. Its membership exceeds 6,700 members. 85 percent of these are small business owners with 25 or fewer employees.

The Las Vegas Chamber of Commerce is an organization of business leaders who work to improve their community and the area's business climate. They are governed by a volunteer board of trustees, and the chamber thrives off of the support and involvement of its members which is open to all businesses. The Las Vegas Chamber of Commerce provides for its members vast benefits such as networking opportunities, political advocacy, and heightened credibility to name a few. The Las Vegas Chamber of Commerce works diligently for its members by promoting a strong local community, providing opportunities for their businesses to grow, and enhancing commerce through community stewardship.

Madam Speaker, I am proud to honor the Las Vegas Chamber of Commerce. I would personally like to thank all of those participating for taking time out of their lives in order to come to Washington, DC and meet with Congressional Leadership. The dedication and service of the Las Vegas Chamber of Commerce should set an example for all businesses, and members of the community alike. I applaud all of their efforts and look forward to watching their future accomplishments.

IN HONOR OF BRANDON AND SPENCER WHALE

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. ALTMIRE. Madam Speaker, I rise today to honor Brandon and Spencer Whale, brothers from Ross Township, Pennsylvania. I met these two young men when they visited my office on behalf of the American Heart Association and was impressed to discover that, before the age of 10, they had both created inventions to improve the lives of hospital patients.

At only the age of 8, Brandon developed a medical device that is used to this day. Brandon made improvements to an electrode bracelet used to transmit a patient's vital heart data to the hospital from the patient's home. The standard bracelet was too big for his mother's small wrists, so Brandon discovered a way to modify the bracelet for different wrist sizes and enhance its conductivity.

Brandon's younger brother, Spencer, created a device to secure IV drip strands to children's toy cars. Spencer, at the age of 6, got the idea after watching parents push IV poles behind their kids while they raced through the hospital's play rooms in toy cars. Spencer found a way for the toy cars to bear the weight of the medical equipment and, as a result, all toy cars at Children's Hospital of Pittsburgh are now equipped with Spencer's IV holders.

Spencer and Brandon have been inducted into the National Gallery for Young Inventors. At the time of their induction they were the two youngest inventors ever inducted into the National Gallery for Young Inventors. They serve

as examples for children everywhere that anyone, no matter what age, can make a difference. I thank Brandon and Spencer for their contributions to the lives of hospital patients, and I wish them all the best in the years to come.

STATEMENT ON THE NAZI WAR CRIMES AND JAPANESE IMPERIAL GOVERNMENT RECORDS INTERAGENCY WORKING GROUP FINAL REPORT TO CONGRESS ON THE UNITED STATES KNOWLEDGE OF NAZI WAR CRIMES

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mrs. MALONEY of New York. Madam Speaker, on Friday, September 28th the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group presented to Congress its final report on the United States' knowledge of Nazi war crimes.

First, I want to thank the Archivist, Mr. Allen Weinstein, for serving as the chair of the Interagency Working Group. I would also like to thank his staff at the Archives for all of their hard work on this project throughout the years.

I am also grateful to the IWG's public members—Tom Baer, Richard Ben-Veniste and former Congresswoman Liz Holtzman. They have all performed a great service for our Nation. They undertook a 7-year, nearly $30 million, government-wide effort to locate, declassify, and make publicly available U.S. records of Nazi and Japanese war crimes. We now have their final report.

This project really was an example of government working well. So many different agencies and branches came together to work on it. I want to thank all of the government agencies—the FBI, CIA, Defense Department, Treasury Department, and others. Without their help, we wouldn't have a report in hand. This part of the process wasn't always easy going—this I realize—but so many staff members throughout all of these important agencies worked hard on this project. It would be impossible to name them all, but they all deserve our thanks.

I—and indeed the whole world—was shocked to discover that Kurt Waldheim, one-time U.N. Secretary General, was a Nazi. The critical question that followed was how much information did the U.S. Government have about Waldheim's actions during the war and before he became head of the U.N.? And why wouldn't they reveal it? I introduced the Nazi War Crimes Disclosure Act back in 1994 to get to the bottom of important questions like these. From the start, there was great opposition to the bill from the intelligence community. But in 1996 we were able to pass a Sense of Congress in support of the bill. And, with the help of former Senator DeWine and former Congressman Horn, the bill finally passed in 1998. Former counsel to Mr. DeWine, Louis DuPart also deserves credit and thanks for helping to write the bill that finally passed. Peter Levitas, another DeWine staffer, deserves thanks for helping to shepherd the bill through its different iterations.

In 2005, we expanded the War Crimes Disclosure Act to cover the Japanese crime documents, and extended it an additional 2 years to give the IWG more time to do its work. As a result of it, more than 8 million pages of government documents have been declassified and opened to the public.

The declassified records include the entirety of the operational files of the Office of Strategic Services—the predecessor agency of the CIA—and more than 163,000 pages of CIA materials of a type never before opened to the public.

One of the IWG's aims was to uncover documentation that would shed light on the extent to which the U.S. Government had knowingly used and protected Nazi and Japanese war criminals for intelligence purposes. In fact, the IWG found that there was a closer relationship between the U.S. Government and war criminals than previously known. This revelation, while difficult to accept, is crucial to the understanding of our Nation's history.

Researchers, private citizens, in fact anyone who is interested, are now able to comb through the documents that will bring us closer to the truth of the Holocaust. Moreover, as the Archivist of the United States, the Honorable Allen Weinstein explained when presenting to Congress IWG's final report, ''Perhaps more important even than the declassified records, this effort stands as a lasting testimony to the fact that declassifying significant documents such as these will not impede the operations of government. Indeed, the work of the IWG should set a new standard for declassification.''

In today's world, our government faces enormous pressure—not only from our own agencies but also from foreign intelligence agencies—to keep all records out of the public realm. In the end, disclosure of these files and records is better for our intelligence agencies and better for history.

Madam Speaker, the best chapters of our history provide a model for great democracy and leadership. Our worst chapters show us the dark consequences of apathy and intolerance.

A TRIBUTE TO DANIEL ''PANADERO'' OCHOA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. LANTOS. Madam Speaker, I rise today to honor one of the most successful participants in a U.S. sponsored program for former gang members, who was brutally murdered in the prime of his life. On September 17 in Guatemala City, Daniel de Jesus Ochoa Vasquez was shopping with his wife when unknown assailants came from behind and shot him in the head, killing him instantly.

Five years ago, Daniel Ochoa sought refuge at a home for at-risk youth run by the Alliance for the Prevention of Crime, an initiative begun with support from the U.S. Agency for International Development, USAID. He left his gang, and soon graduated to teaching other at-risk youth the baking skills he had learned there, thus gaining the nickname ''Panadero,'' or ''Baker''. Like many of the estimated 14,000 youths involved in gangs in Guatemala, Daniel Ochoa grew up in poverty, and lacked family support and educational or economic opportunities. He soon turned to gangs for social support, a source of livelihood, and protection. His father abandoned his family when his mother was pregnant with their third child; he grew up in a neighborhood without potable water or electricity; dropped out of school after the fourth grade to work full time as a bricklayer's assistant at age 11. By age 13 he joined the M18 gang. In the 5 years he spent in the gang, he landed in prison 12 times, turning 18 in a jail cell. He explained that his last time in jail scared him enough that he decided to leave the gang. Many gang members who decide to leave their past life behind take refuge in a church; Daniel left on his own accord, at considerable risk to himself.

Last year Daniel was selected as 1 of the 10 members of the ''Desafio 10: Paz para los Ex'' (''Challenge 10: Peace for Ex Gang Members'') reality TV show, a program through which USAID and the Guatemalan private sector helped former gang members find new ways to make a living. With ongoing support from USAID's Youth Alliance program, ''Panadero'' established and ran a successful shoe repair and shine business in which he took great pride. He had gone back to school and planned to attend college with the money he earned from his shop. He impressed many people with his honesty, hard work, and courage. Daniel provided authentic testimony that it is possible for a young man to turn his life around if he has the will and is given an opportunity. He gladly shared his story with such visitors in the hope that other youths would continue to be given such opportunities for a new life, and that USAID and other donor agencies would continue to reach out to at-risk youth. As one of those who worked with him said, ''Through his example 'Panadero' has confirmed the value of working with youths who have abandoned gangs and decided to take a new path in life.''

Daniel's finest hour was his trip last May to Washington to address a group of business leaders and policymakers, including Guatemala's Vice President Eduardo Stein, at the Guatemalan Embassy. With the help of the U.S. Embassy in Guatemala, Daniel obtained a last minute Department of Homeland Security waiver to allow him a visa to travel. Daniel's talk motivated the Guatemalan Embassy to begin to raise funds for a tattoo removal project. Daniel may have been killed because he was mistaken for a gang member: a possibility, because of the tattoos on his hands and neck, which he had hoped to have removed.

Daniel once said that he did not want to be just ''a former gang member,'' and he achieved that goal. A week before his death, Daniel volunteered as an election observer with Mirador Electoral, a Guatemalan civic coalition that monitors elections. Mirador Electoral has demanded an investigation into his death. He showed that an ''ex'' can be an active as well as law-abiding citizen. He sought a better life not just for himself and his family, but also for Guatemala. Daniel Ochoa was not only a rehabilitated ex-gang member; he was a rehabilitated human being.

HONORING THE CONTRIBUTION OF BLACK PIONEER ALTHEA GIBSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. RANGEL. Madam Speaker, I rise today to introduce a story from the New York CARIB News of September 18, 2007 entitled, ''Black Pioneer Althea Gibson''.

This article highlights the accomplishments of Althea Gibson, the admirable tennis player who in spite of adversity reached great success, leaving a great legacy to the sport. Ms. Gibson became the first African American- male or female- to win the US. National Championships, which until then was a segregated tournament and she made history by not only breaking the color barriers but by winning the Grand Slam.

Ms. Gibson continued to leave her mark in tennis by winning the 1956 French Open, again, becoming the first black woman to win the Grand Slam event. Following those enormous achievements she continued to excel in important international tennis tournaments such as Wimbledon and the US. Championships.

In recognition of her incredible contribution to the sport of tennis and to society, the U.S. Tennis Association hosted a tribute to her life at the US. Open in New York in late August. The champion died in 2003 but continues to be admired and to be an inspiration to women throughout the world.

I applaud Ms. Althea Gibson for her great contribution to the sport of tennis and for the undeniable strength she endured to excel in a time when she was denied opportunity because of the color of her skin.

BLACK PIONEER ALTHEA GIBSON

(By Roy S. Johnson)

Fifty years ago, in the late summer of 1957, Althea Gibson made history as she captured the U.S. National Championships title on the grass courts of Forest Hills. With that win, the 30-year-old Gibson became the first African American—male or female—to win that most prestigious Grand Slam tennis tournament crown.

Just three years after the great Jackie Robinson had broken the color barrier in baseball, Gibson broke tennis' color barrier when she played in the 1950 U.S. Championships. Until then, tennis had been a segregated sport, with Blacks playing on their own tour—similar to the Negro Baseball Leagues—under the auspices of the American Tennis Association. Her participation at Forest Hills that year was facilitated, in part, by Alice Marble, one of the top players of that era, who wrote an editorial in a national magazine calling for the sport to allow her to compete.

That she did. Tall and lean, Gibson's look and her game resembled that of the elder Williams sister.

''Very graceful, very smooth,'' says former tennis star, now U.S. Fed Cup captain Zina Garrison, who befriended Gibson in the legend's later years and became a confidante. ''She glided around the court. When you look at Venus [Williams], Althea was very much like her.''

Six years after her Grand Slam debut, well before the tide of civil rights began to rise throughout America, Gibson made history once again—this time in magnificent fashion—by winning the 1956 French Open to become the first Black to win a Grand Slam event. The next year, she won Wimbledon and the U.S. Championships, then successfully defended both titles the following year. Gibson teamed with Angela Buxton, a Jewish player from Briton, to win the 1956 doubles championships at the French and Wimbledon. Both women experienced discrimination by their fellow players, but after their triumph at the All-England tennis club, a British newspaper touted: ''Minorities win.''

All told, Gibson, the daughter of South Carolina sharecroppers, won five Grand Slam singles titles and six Grand Slam doubles crowns, but her impact on tennis—and society—cannot be measured in mere trophy counts. She was a trailblazer of remarkable heart and courage, marking a path for those who would follow her, carrying herself with that special grace and dignity known only to true champions.

''Althea made tennis a better place, by opening doors and opening minds,'' said USTA president and chairman Jane Brown Grimes. ''For that, all of us owe Althea Gibson a debt of gratitude.''

In recognition of Gibson's myriad contributions to the sport of tennis and to society at large, the U.S. Tennis Association this year hosted a very special tribute to the late champion, who passed away in 2003 following a long illness. On an extraordinary evening of history and emotion, African-American women who are pioneers in their own fields, and the elite from the world of tennis, gathered to honor and celebrate one of their own. Call her tennis's own Jackie Robinson.

The event, entitled ''Breaking Barriers,'' was held on the opening night, Aug. 27 of the 2007 U.S. Open at the USTA Billie Jean King National Tennis Center in Queens, NY. It commemorated the 50th anniversary of Gibson's pioneering triumph at the 1957 U.S. National Championships (now known as the U.S. Open), and also provided a stage for Gibson's induction into the prestigious U.S. Open Court of Champions. But the evening proved to be so much more—an acknowledgement of the over- sight of having never before recognized Gibson as a barrier-breaking pioneer, and a unique first-time celebration of the historic firsts achieved by other prominent African-American women.

Nearly two dozen Black women pioneers attended the tribute, including Olympians Jackie Joyner-Kersee (first Black to win back-to-back Olympic gold medals in the Heptathlon) and Dr. Debi Thomas (first Black Winter Olympics medal winner), astronaut Dr. Mae Jemison (the first Black female astronaut), gospel singer Yolanda Adams (first Black female to win the Contemporary/Inspirational Artist award at American Music Awards) and Ambassador Carol Moseley-Braun (first Black female U.S. Senator).

Billie Jean King, whose own pioneering efforts on behalf of female athletes were celebrated at this venue last year, was part of the tribute, as was New York City Mayor Michael Bloomberg and Rachel Robinson. Jackie Robinson's widow. Aretha Franklin, the first Black woman inducted into the Rock & Roll Hall of Fame, performed at the tribute.

Other trailblazing Black women attending were former poet laureate Nikki Giovanni (the first Black woman to receive the Rosa Parks Woman of Courage award), former Washington, D.C., mayor Sharon Pratt (first to be elected mayor of a major U.S. city), actress Phylicia Rashad (first to win a Tony for best performance in a play), Essence chairwoman Susan L. Taylor (first recipient of the Henry Johnson Fisher award), and businesswoman Sheila Crump Johnson (first to have a stake in three professional sports franchises).

''Althea Gibson dreamed the impossible and made it possible,'' said Johnson, who was a BET founder. ''She was one of the first African-American women in sports to say, 'Why not me?' She empowered generations [of Black women] to believe in themselves, emboldened us to achieve and attain the unattainable. Her drive, spirit and passion continue to set an example for us today.''

''I will always be grateful to her for having the strength and the courage to triumph in extreme adversity,'' said Venus Williams, a six-time Grand Slam singles champion, who also participated in the tribute. ''Her accomplishments set the stage for my success, and through players like me, Serena and many others to come, her legacy will live on.''

REMEMBRANCE OF WALT CROWLEY

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. McDERMOTT. Madam Speaker, Seattle recently lost a prominent and much loved citizen, Walt Crowley. I would like to insert in the RECORD a statement on his passing from HistoryLink, an impressive organization Walt helped to found.

REMEMBERING WALT

Walt Crowley, visionary cofounder of HistoryLink.org, passed away on September 21, 2007. Looking back at the rich tapestry of his life and work, one sees that it would take an encyclopedia to document how much of an effect he had upon the city of Seattle and on the state of Washington. Fortunately—and thanks to his efforts—we can do that here at HistoryLink.org, the Online Encyclopedia of Washington State History.

Walt moved to Seattle at the age of 14, when Boeing hired his father. Many of the friends and colleagues who knew him the longest probably met him during his days at the Helix, Seattle's first underground newspaper, for which Walt wrote, cartooned, edited, and even sold copies of out on the street. Whether it was at a social gathering, during a street march, on the campaign trail, or even in the midst of riots, Walt touched the lives of many people, and made numerous friendships that lasted for decades.

Walt's passion for civic activism led to a career in city politics. During a sit-in protest at Seattle City Hall, Mayor Wes Uhlman was so impressed with the young man's wit and political savvy that he hired him. Over the next few years, Walt worked in various city departments, most notably as deputy director of the Office of Policy and Planning, where he often advocated for historic preservation. His love for Seattle grew, based on his awareness of its past.

THE WRITE STUFF

His skills as a writer opened up new vistas in his career when he formed Crowley Associates Inc. along with Marie McCaffrey, whom he would later marry. The two collaborated on books about the Seattle Aquarium and Pioneer Square, and provided writing and advertising services to numerous political campaigns, voter initiatives, and labor unions. Walt also wrote articles for the Seattle Weekly and was brought further into the public eye when he was hired to conduct biweekly ''Point-Counterpoint'' debates with conservative activist John Carlson on KIRO-TV News.

But it was the history muse that inspired Walt's greatest creative output. His introduction to historical research came when he was hired to write a history of the Rainier Club. He followed this with books about Seattle University, Metro Transit, and Group

Health Cooperative, as well as two of his proudest accomplishments, Rites of Passage: A Memoir of the Sixties in Seattle and The National Trust Guide: Seattle.

In 1997, he and local historian Paul Dorpat, a dear friend and colleague from their days together at the Helix, tossed around the idea of publishing an encyclopedia of King County history. A book of this size and scope had not been published since Clarence Bagley's tome, written more than 70 years before. Worried that such a venture might prove to be too unwieldy, Walt's wife, Marie, suggested that an online encyclopedia would be a more suitable way to keep and maintain the historical record. Work soon began, and the rest is history . . . or shall we say, HistoryLink.

MAKING HISTORY

When HistoryLink launched in 1998, it was the first encyclopedia of community history created expressly for the Internet—an accomplishment that made Walt exceedingly proud. But being the first meant blazing trails where no historians had gone before, not only in designing and organizing the online encyclopedia, but also in competing for funding in a dot-com world. Walt always referred to our efforts as ''venture socialism.''

Helped along by a hand-picked staff—many of whom still write, edit, and contribute to the site—as well as by a topnotch board of trustees, HistoryLink.org grew to become a success, and in 2003 expanded its coverage statewide. Today it receives more than four million hits a month. It is read by students, teachers, journalists, genealogists, history buffs, and anybody who wants to know more about the people and events that shaped Washington's growth and development.

Besides penning some of HistoryLink's books, Walt wrote a large number of essays and editorials on topics that appealed to his interests, including state politics, political shifts, mayoral transitions, municipal ownership, civil violence, Seattle's neighborhoods, streetcars, monorails, aviation, the Space Needle, and even flying saucers. With such a wealth of Walt's words and knowledge and insight contained in our site, we here at HistoryLink.org take comfort in the fact that as we continue to grow and expand our content, we will never lose his voice—even though we have lost a colleague, a mentor, and most of all, our friend.

COMMENDING THE 1ST BRIGADE COMBAT TEAM/34TH INFANTRY DIVISION OF THE MINNESOTA NATIONAL GUARD

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 1, 2007

Ms. McCOLLUM of Minnesota. Mr. Speaker, today I rise strong support of H. Con. Res. 185. I join the gentleman from Minnesota, Mr. WALZ in offering this resolution. Our entire State joins together in welcoming home the 2,600 members of the Minnesota National Guard's 1st Brigade Combat Team, 34th Infantry Division who recently returned from Iraq.

During the 22-month deployment of the 1/34th BCT, these courageous citizen soldiers served Minnesota and our Nation with honor and dignity. Their service frequently put them in harm's way, and we are grateful for their safe return to their families. Since the war in Iraq began our friends, families and neighbors who serve in the National Guard and Reserves have seen their dual roles as citizen soldiers expand as they have been called to serve in deployments across the world even as they continue the most important mission of all, protecting us in our communities here at home.

The men and women of the 1/34th have demonstrated an exceptional commitment to our country—a commitment to serve and a willingness to sacrifice in combat operations. Their 22-month activation in Iraq was the longest tour of any military unit to have served in Iraq thus far. These Minnesota soldiers have completed some of the most grueling combat assignments. We should also pause to remember the brave members of this unit who made the ultimate sacrifice during their deployment. Their service and sacrifice will never be forgotten.

My office stands ready to assist all military personnel and their families. I believe strongly that our Federal Government must keep its promise to all those who have served. Providing the necessary healthcare, education, and disability benefits to meet the needs of our veterans is both a responsibly and a moral obligation.

Regardless of where individuals stand on the issues that face this Nation in Iraq we all must continue to support the men and women who volunteer to serve in the U.S. Armed Forces all around the world.

As we welcome home members of the 1/34th, we must also keep in our thoughts and prayers the many active duty military personnel, Reservists and Minnesota Guard members who continue to serve in harm's way in Iraq, Afghanistan, Kosovo, and elsewhere around the world. I commend each and every one of them for their strength, courage and dedication.

I would like to thank my colleague from Minnesota, Mr. WALZ, for bringing this important resolution to the House floor, and for his service to this country. I commend members of the Minnesota National Guard's 1st Brigade Combat Team, 34th Infantry Division.

TAIWAN PLANE SALES

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. GARRETT of New Jersey. Madam Speaker, despite recent aggressive behavior from China, Taiwan's democracy has continued to grow and flourish. I am pleased that this House can come together today in support of Taiwan.

China's industrial buildup in the last decade has been unprecedented. While Chinese citizens have been taking advantage of their increased economic freedom, the Chinese government has been using this economic growth to build up their military and position new and dangerous weapons along the Taiwan Strait.

The Taiwanese request to purchase 66 F–16 fighter planes will assist them in countering the growing threat of Chinese militarism. These weapons will allow the Taiwanese to balance the threat of hundreds of Chinese fighters and bombers that are stationed just on the other side of the Strait.

We have always stood by our friends in Taiwan and today we call on the President to ensure that that relationship stays as strong as ever. This House supports protecting the freedom of the Taiwanese people. Today, Taiwan is proof that a nation can successfully move from one-party rule to democracy and maintain its dynamic economy. I am hopeful that Chinese citizens can one day experience the same liberty as their counterparts in Taiwan.

WHY INTEGRATION MATTERS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. RANGEL. Madam Speaker, I rise today to introduce two stories written in the Washington Post on September 25, 2007 entitled, ''A Little Rock Reminder'' and ''The Legacy of Little Rock'', in recognition of the 50th anniversary of the integration of the school system of Little Rock, AR, by a brave group of Black children who came to be known as ''The Little Rock Nine''.

Integration has been a long and difficult process here in the United States. Only 50 years have passed since President Dwight Eisenhower decided to send soldiers to protect and defend the newly acquired rights of nine Black students to go to a previously all White school. Those brave Black students who endured the difficulties of starting the process of desegregation in schools in 1957 should be remembered and appreciated today, on the anniversary, and everyday.

It has been proven that integration is a key factor in the success of our society. A school where all races and nationalities work together is giving their students more than classes; they are teaching them the correct way to live, in harmony with the world. In addition it has been proven that an integrated learning environment leads to greater academic success.

Our society today still has a long way to go but it is a much healthier one than 50 years ago. These children were brave enough to understand what their parents and other leaders of their community knew—that they deserve the same rights as the next one; they too are citizens of the United States and all it represents. Their efforts need to be commended.

[From the Washington Post, Sept. 25, 2007]

A LITTLE ROCK REMINDER: NINE PIONEERS SHOWED WHY SCHOOL INTEGRATION MATTERS

(By Juan Williams)

Fifty years ago this week, President Dwight Eisenhower risked igniting the second U.S. civil war by sending 1,000 American soldiers into a Southern city. The troops, with bayonets at the end of their rifles, provided protection for nine black students trying to get into Little Rock's Central High School. Until the soldiers arrived, the black teenagers had been kept out by mobs and the Arkansas National Guard, in defiance of the Supreme Court's 1954 ruling ending school segregation.

The black children involved became the leading edge of a social experiment. Their lives offer answers to the question of what happens to black children who attend integrated schools, a question underscored by the recent Supreme Court ruling that voluntary school integration plans in Louisville and Seattle are unconstitutional.

The June decision said a focus on mixing students based on their skin color violates every student's right to be judged as an individual without regard to race. The ruling

confirmed a political reality: America long ago lost its appetite for doing whatever it takes—busing, magnet schools, court orders—to integrate schools. The level of segregation in U.S. public schools has been growing since 1988, reversing the trend toward integration triggered by Brown v. Board of Education.

The movement away from school integration is glaring. The Civil Rights Project found in 2003 that the nation's 27 biggest school districts were ''overwhelmingly'' segregated with black and Latino students. Nationwide today, almost half of black and Latino children are in schools where less than 10 percent of the students are white. Those essentially segregated schools have a large percentage of low-income families and, according to researchers, ''difficulty retaining highly qualified teachers.'' Meanwhile, the average white student attends a school that is 80 percent white and far more affluent than the schools for minority students.

This trend toward isolation of poor and minority students has consequences—half of black and Latino students now drop out of high school.

Integrated schools benefit students, especially minorities. Research on the long-term outcomes of black and Latino students attending integrated schools indicates that those students ''complete more years of education, earn higher degrees and major in more varied occupations than graduates of all-black schools.''

That conclusion is reflected in the lives of the Little Rock Nine, who represent the black middle class that grew rapidly as better schools became open to black people during the 1960s and '70s.

Ernest Green, 65, who became the first black student to graduate from Central High, is the most prominent of the nine. He earned a master's degree in sociology and worked in the Carter and Clinton administrations. He is director of public finance in Washington for Lehman Brothers.

Melba Pattillo Beals, 65, chairs the African American history department at Dominican University in River Forest, IL, and wrote an award-winning book about her experiences at Central High; Elizabeth Eckford, 65, is a probation officer in Arkansas; Gloria Ray Karlmark, 64, moved to Sweden to work for IBM and later founded and edited the magazine Computers in Industry; Carlotta Walls LaNier, 64, started a real estate company in Colorado; Terrence Roberts, 65, is a psychologist in California; Jefferson Thomas, 64, fought in Vietnam and worked in government in Ohio for nearly 30 years; Minniejean Brown Trickey, 66, worked in the Clinton administration and is a visiting writer at Arkansas State University; and Thelma Mothershed Wair, 66, became a teacher.

Part of their success comes from their ability to mix easily with black and white people and to comfortably join the social and professional networks that segregation kept from black people. In fact, most of the nine worked in mostly white organizations. And four of the nine married white people (three black women married white men, and one black man married a white woman).

In her book ''Turn Away Thy Son,'' Arkansas native Elizabeth Jacoway notes that the nine never take a group picture with white spouses or mixed-race children. Jacoway believes they don't want to take away from black pride in their achievement or reignite segregationist fears about interracial sex.

Terrence Roberts, who went on to become a psychology professor, thinks ''fear of black people in the family'' is still a driving force pulling Americans away from integrated schools. Ernest Green, whose first wife was white, calls it the ''zipper issue. . . sex and race are highly combustible.''

The interracial daughter of Minniejean Brown Trickey, Spirit Trickey, works as a Park Service tour guide at a memorial to the events at Central High. She says visitors regularly ask why so many of the nine broke the taboo against interracial marriage.

''My answer is that the Little Rock Nine followed the principles of nonviolence,'' she said. ''They married who they fell in love with. But it is telling that so many people ask about it. It tells me where we are today.''

[From the Washington Post, Sept. 25, 2007]

THE LEGACY OF LITTLE ROCK: FIFTY YEARS AGO, HE AND 8 OTHERS BECAME THE FACES OF INTEGRATION. NOW HE IS A SIGN OF ITS SUCCESS.

(By Avis Thomas-Lester)

Ernest G. Green Jr. sees much of the world now from a top floor comer office on K Street, just blocks from the White House and a very long way from where he started.

His BlackBerry holds the phone numbers of powerful men: former president Bill Clinton; Robert L. Johnson, founder of Black Entertainment Television and co-owner of the Charlotte Bobcats; former ambassador Andrew Young; and three candidates for president of the United States.

He spends his days negotiating multimillion-dollar deals as managing director of public finance for Wall Street stalwart Lehman Brothers with clients including the City of New York and the State of Connecticut. He has a big house in Northwest Washington, ''a beautiful wife, three wonderful kids'' and a lot of gratitude for the circumstances that catapulted him from segregated Little Rock into U.S. history as one of nine students to integrate Central High School 50 years ago today.

''It has been a tremendous boost for me,'' said Green, who turned 66 on Saturday. ''It provided me with opportunities I never would have otherwise had. I had a tremendous window into the last half of 20th century.''

Green returned to his home town this weekend for events commemorating the 50th anniversary of the desegregation of Central High. Five decades ago, Green and eight other students were escorted into the school by the U.S. Army's 101st Airborne Division under orders from President Dwight Eisenhower after Gov. Orval Faubus used the state's National Guard to block the integration effort.

In the year that followed, Green and the others, who came to be known as the Little Rock Nine, were tripped on the stairs, attacked in the halls and pushed out of lunchroom lines. Teachers and administrators largely ignored them. The few white students who befriended them were subjected to ill treatment as well.

''Clearly, none of us anticipated that it would be as difficult as it was,'' said Green, the first of the nine to graduate. ''But once we got there, all nine of us knew how important it was to stay. Backing down was not an option.''

His story is a testament to the potential of forced integration, a remedy widely debated now as many urban school districts become resegregated. Green said people miss out when they don't mingle with those who are different from themselves. ''We need to make sure children understand that they are more similar than different.''

Green never set out to become an icon of the civil rights movement, with a movie made of his life and a congressional medal to his name. What he did, he said, was simply step out of his comfort zone.

''Too many blacks today,'' he said, ''opt for comfort over taking a chance that might change their lives. We have to work hard to break through our comforts.''

Many wouldn't consider a childhood in the segregated South a comfortable place, but Green has fond memories of growing up at the comer of 21st and Pulaski. His father, Ernest Sr., who died when Green was 13, was a janitor at the post office; his mother, Lothaire, taught in Little Rock schools for 43 years.

He, his sister, Treopia, and his brother, Scott, learned about taking a stand from their mother. In the 1940s, she supported the efforts of black teacher Susie Morris, who, with NAACP Legal Defense Fund attorney Thurgood Marshall, sued the Little Rock schools, demanding equal pay. His mother opened their home to Marshall when he was in town working on the case.

Green grew up riding past the impressive edifice of Central High School, considered the best school in town. The name was stamped into the secondhand books that taught him U.S. history, algebra and chemistry. As a member of the marching band—he played tenor saxophone—at segregated Horace Mann High School, he had marched on Central's field.

''We didn't have a stadium, so the black schools played on the field one night and the white schools another,'' he recalled.

Green was 13 when the U.S. Supreme Court, acting on arguments by Marshall, outlawed school segregation in the Brown v. Board of Education case. Even so, many officials in Southern states vehemently refused to carry out the order.

No such sentiment was evident in Little Rock in 1957, which had a progressive reputation, Green said. Blacks owned businesses. There was a thriving black middle class. The public libraries and city buses were integrated, as was the University of Arkansas campus. Several Arkansas school districts had voluntarily integrated.

It was against this backdrop that the Little Rock school board decided to integrate.

''I heard about it on the radio that they were looking for students interested in going to Central,'' said Minnijean Brown Trickey, another of the Little Rock Nine. ''It started off that there were 23 of us, but by the time we got to school that first day, there were only nine.''

It was Green's idea to attend Central High, and his mother, like the other parents, supported the decision. ''They had some idea of what it would do to change the opportunities for all the black folks in Little Rock if we were able to integrate the school,'' he said.

Green said they were all thunderstruck by the level of resistance.

''We didn't think there would be a confrontation,'' he said. ''Orval Faubus was regarded as a progressive white Southerner. My mother had voted for him as governor. He didn't have an image of being a firebrand segregationist or racist.''

On Sept. 4, the students were denied entry by guardsmen and racists yelling epithets. After the NAACP took the case to court, they were allowed in on Sept. 23 but had to leave early because of fears of violence. Two days later, with an escort from the 101st Airborne, they were admitted.

For four weeks, things were relatively quiet. Soldiers escorted the nine black students to class. Many avid segregationists kept their children at home.

''Once they saw we weren't leaving, they started to trickle back in,'' Green said. Soon, the harassment started.

As the only senior, Green was a prominent target.

''It seemed to me that one of the things that would drive them crazy was if I were to be successful,'' he recalled. ''So I was determined to stick it out that whole year.''

Each morning, the black students would gather at one of their homes or at the home

of Daisy Bates, the legendary Arkansas NAACP president, and her husband, L.C. Bates, founder of the Arkansas State Press, the state's leading black newspaper.

The hostility didn't subside until the day before Green's graduation.

''There were a number of white kids who got up the nerve to come over and congratulate me for getting through the year,'' he said.

The principal urged Green to take his diploma and go home without attending the commencement ceremony.

''Local authorities were afraid there would be some attempt to do physical harm to me, but I was convinced that I had angels looking over me,'' Green said. ''I figured I had gone through [too much] not to enjoy the benefits of the service.''

As it turned out, Martin Luther King Jr., who had gained prominence with the Montgomery bus boycott 2 years earlier, was in Arkansas.

''He came up the evening of the ceremony to sit with my mother, aunt and family,'' Green said. ''I didn't know he was in the audience until after the ceremony was over.''

The next five decades of Green's life have, in many ways, been defined by that year at Central High.

He devoted himself to civil rights causes. At Michigan State University, which he attended on a full scholarship, he became president of the school's NAACP chapter and often protested the policies of the university's president, John Hannah. Thirty years later, he learned that Hannah had personally arranged for his scholarship.

After earning bachelor's and master's degrees, Green moved to New York and worked with civil rights leaders A. Philip Randolph and Bayard Rustin to recruit minorities into the building trades. In 1977, he was tapped by President Jimmy Carter as assistant secretary of labor for employment and training. He later formed a minority consulting company with Alexis Herman, who would be named Clinton's labor secretary.

In 1987, capitalizing on the relationships he made in public service, he took a position with Lehman Brothers as an investment banker; his projects included underwriting municipal debt with governmental agencies and nonprofit organizations. Again, he drew on his experience at Central High.

''It made me a tougher negotiator, able to control my emotions and able to handle the ups and down of business and life,'' he said.

The years have brought proud moments: In 1999, Clinton awarded Green and the rest of the Little Rock Nine the Congressional Gold Medal. There have also been humbling times: In 2002, Green was sentenced to 90 days of home detention and given a $10,000 fine for failing to declare and pay taxes on income he received as part of a planned business venture.

Today, he works passionately to help young people. He noted that last week, 50 years after he entered Central High, black activists were gathered in Jena, La., to protest the treatment of six black youths arrested after a racially tinged brawl.

''A lot of people don't realize,'' he said, ''that there is still racial injustice in this country.''

IN MEMORY OF HERBERT D. KATZ

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today in memory of south Florida philanthropist, prominent attorney, and real estate developer, Herbert D. Katz.

Mr. Katz was a well-known member of the community, involved with numerous causes and organizations. A longtime Hollywood and Fort Lauderdale resident, Mr. Katz graduated from Wharton School of Finance at the University of Pennsylvania with a bachelor's degree in 1951, and Harvard Law School in 1954. From 1954–1957 he served in the U.S. Coast Guard, was appointed to be a member of the United States Holocaust Memorial in 1988 by President Reagan, was President of the Jewish Federation of Broward County from 1974–1976, and chaired the United Jewish Appeal's, UJA, Retirement Committee from 1986–1989.

A highly recognized donor to numerous causes, especially in the Jewish community, Mr. Katz went on to support and serve on the boards of many philanthropic organizations including the Israel Education Fund of UJA, American-Israel Public Affairs Committee, AIPAC, the Washington Institute for Near East Policy, the Center for Judaic Studies at the University of Pennsylvania, and the American Friends of Hebrew University, just to name a few. He and his wife were instrumental in helping to finance the building in Davie, bearing their names, that houses the Jewish Federation of Broward County. They also established the coveted Herb and Ellie Katz Leadership Development Award, presented each year by the Jewish Federation of Broward County.

In addition to his wife Eleanor, Mr. Katz is survived by 5 children—Laura, Thomas, Sally, Walter and Daniel, and 8 grandchildren. This was a man whose presence will be greatly missed throughout south Florida.

HONORING THE LIFE OF ARMY CAPTAIN MARIA INES ORTIZ OF CAMDEN, NEW JERSEY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. ANDREWS. Madam Speaker, I rise today to honor the bravery, compassion, and selflessness of U.S. Army Captain Maria Ines Ortiz, from Camden, New Jersey who was killed in Baghdad, Iraq on July 10, 2007. Captain Ortiz was assigned to the 28th Combat Support Hospital, 3rd Medical Command in Baghdad's ''Green Zone.'' Her death marks the first combat related casualty of an army nurse since the Vietnam War.

Captain Ortiz was born in Camden, New Jersey but spent most of her childhood in Bayamon, Puerto Rico. Her career in army medicine began in 1991 when she enlisted in the United States Army Reserve. Captain Ortiz's first two years of active duty included service in Honduras, South Korea, and eventually Walter Reed Army Hospital in Washington DC. These experiences helped to solidify her resolve to become a registered nurse, a goal she achieved in 1999, earning a degree in nursing from the University of Puerto Rico.

After subsequently being commissioned as an Army officer, Captain Ortiz worked as a dialysis nurse at Walter Reed for 2 years then served as chief nurse at the Kirk U.S. Army Health Clinic for 18 months before being sent to Iraq last fall. She had a smile that lit up the hallways and won the hearts of the medical staff in every hospital she worked. If a patient required extra attention, she worked late. If a colleague was feeling down, she was there to comfort and support that colleague.

Maria Iris Ortiz is a true hero in every sense of the word. She will be remembered for her exceptional devotion. Madam Speaker, I commend Captain Maria Iris Ortiz for her selflessness and courage in making the ultimate sacrifice to her country.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Ms. LEE. Madam Speaker, due to the passing of my father, on Monday, October 1, 2007 I missed rollcall vote nos. 924, 925 and 926. Had I been present, I would have voted ''aye'' on H. Con. Res. 185, H.R. 2276, and H.R. 3325.

ACKNOWLEDGING NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. SCOTT of Georgia. Madam Speaker, In 1945, Congress enacted a law declaring the first week in October of each year as ''National Employ the Physically Handicapped Week,'' in order to educate the American public about issues related to disability and employment. From there, the week expanded into a month designated ''National Disability Employment Awareness Month.'' And today, I am so pleased to acknowledge and praise those who work to further the necessary awareness of those individuals and American workers who live with a disability.

The American worker has enough to handle and manage as it is, but the employee who lives with a disability copes with other barriers many of us will never experience. I commend the work these groups are doing to ensure these individuals, completely capable of employment, find that employment and are not discriminated against. However, there is much work to do. The employment rate of working age people with disabilities remains only half that of people without disabilities. These numbers are far too low and this population has for far too long been a group unable to rise above the employment and earnings gaps. There is a benefit to us all for working toward inclusion of more and more disabled workers. Again, I am pleased to celebrate ''National Disability Employment Awareness Month'' this October and will continue my ongoing efforts in Congress to ensure equality for all, making the barriers facing individuals with disabilities once and for all a thing of the past.

ON THE INTRODUCTION OF THE LARRY S. PIERCE POST OFFICE ACT

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. McCARTHY of California. Madam Speaker, I rise today in strong support of legislation I introduced to designate the United States Postal Service facility located at 427 North Street in Taft, California as the ''Larry S. Pierce Post Office.''

U.S. Army Staff Sergeant Pierce was born in Oklahoma in 1941. As a young child his family moved to Taft, California, which I represent. SSG Pierce attended Taft City Schools and would have graduated from Taft Union High School with the Class of 1959, but decided to serve his country by joining the U.S. Army in 1958. SSG Pierce served with the 1st Battalion (Airborne), 503rd Infantry, 173rd Airborne Brigade in the Vietnam War.

On September 20, 1965 near Ben Cat in Vietnam, SSG Pierce, while leading his reconnaissance platoon, was ambushed by hostile forces. SSG Pierce and his squad successfully routed the hostile forces from their location. During pursuit of the enemy, SSG Pierce heroically sacrificed his own life to save the lives of his fellow soldiers by throwing himself on an antipersonnel mine as it exploded.

In February 1966, President Lyndon B. Johnson posthumously awarded SSG Pierce the Medal of Honor on behalf of the United States Congress. SSG Pierce's Medal of Honor citation notes in part his ''conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty,'' his ''inspiring leadership and personal courage,'' and his ''profound concern for his fellow soldiers'' acting with ''extraordinary heroism, at the cost of his life'' to save the lives of his fellow soldiers, which reflects the ''highest traditions of the U.S. Army'' and ''great credit upon himself and the Armed Forces of his country.''

SSG Pierce would have been 66 years old this year, and is survived by his wife Verlin, who currently lives in Bakersfield, California, and his children Teresa, Kelley, and Gregory. My legislation is a fitting honor for this Vietnam War hero, who sacrificed his life to save the lives of fellow soldiers, by naming the post office in his hometown of Taft in his memory.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. PUTNAM. Madam Speaker, on September 26, 2007 I was unavoidably detained and missed rollcall votes No. 912 and No. 913. Had I been present, I would have voted:

Rollcall vote No. 912: ''aye.''

Rollcall vote No. 913: ''nay.''

EFFORTS TO COMBAT TUBERCULOSIS

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 2, 2007

Mr. VAN HOLLEN. Madam Speaker, I rise today to address a deadly epidemic that is facing our planet today—tuberculosis. We have learned that no country, no matter how advanced its health infrastructure, is no longer immune from tuberculosis (TB).

Fortunately, through the generosity of the Bill & Melinda Gates Foundation, and leadership in the U.S. Congress, we can make a major difference in developing urgently needed tools to fight this problem. On September 18, the Gates Foundation announced new funding in the fight to stop TB by granting $280 million to several organizations creating new tools to curb this disease, including the largest single award to any research or product development organization—$200 million to the Aeras Global TB Vaccine Foundation, which is located in my congressional district.

Those who live in the developing countries know this disease every day. This global epidemic has confronted us in several ways in the last few months. The case of the airline passenger infected with drug-resistant tuberculosis reminded Americans how vulnerable we all are to a disease we thought was a problem of the past or an affliction just affecting the developing world. In this truly global world, diseases such as tuberculosis know no boundaries.

The statistics are staggering. TB kills 1.6 million people per year, or 4,400 every single day. It is the largest killer worldwide of women of reproductive age and of people with HIV/AIDS. TB bacilli are in the bodies of one out of every three people in the world today. This devastating disease is challenging the best health systems and is threatening the lives of thousands in the developing world.

But Congress is not sitting still in the face of such troubling events. Just recently, the Senate Foreign Relations Committee and the House Foreign Affairs Committee reported out the Stop TB Now Act of 2007, which commits this country to a new recognition of the threat of TB and a larger effort to finally rid this planet of this scourge. And the House provides $313 million for global TB efforts in its FY 2008 State-Foreign Operations Appropriations bill.

These efforts follow the bold, innovative, heartfelt, and committed leadership of the Bill & Melinda Gates Foundation. As important as the Gates Foundation's latest $280 million investment in tuberculosis is, it is not enough. A new vaccine candidate must go through large and expensive clinical trials, involving thousands of people and costing over hundreds of millions of dollars.

Private philanthropy cannot be the only solution to this important challenge. It is only right that the United States government, and other donor governments, step up to the plate and finish the job.

Vaccines are the key to ending epidemics. They are among the most medically and economically effective health interventions available. The United States already funds research to develop much-needed vaccines for HIV/AIDS, malaria, and other global diseases. Funding TB vaccine development is a logical and humanitarian next step for us to take. European donors are already contributing to this fight; for example, the government of the Netherlands has made a sizable commitment of approximately $25 million to the Aeras Global TB Vaccine Foundation for vaccine development. The United States should shoulder our fair share of this important shared mission.

I urge my colleagues to appropriate the necessary resources to complete this vital work and follow the outstanding leadership demonstrated by the Gates Foundation's generous investment in TB research.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S12389–S12451

Measures Introduced: Four bills and four resolutions were introduced, as follows: S. 2125–2128, S. Res. 341–343, and S. Con. Res. 48. **Page S12433**

Measures Passed:

Hispanic Heritage Month: Senate agreed to S. Res. 342, recognizing Hispanic Heritage Month and celebrating the heritage and culture of Hispanic Americans and their immense contributions to the Nation. **Page S12447**

National Mammography Week: Senate agreed to S. Res. 343, designating October 19, 2007, as "National Mammography Day". **Pages S12447–48**

United States Transportation Command Anniversary: Committee on Armed Services was discharged from further consideration of S. Res. 319, expressing the sense of the Senate regarding the United States Transportation Command on its 20th anniversary, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S12448–49**

Brown (for Durbin) Amendment No. 3138, of a technical nature. **Page S12449**

International Emergency Management Assistance Memorandum of Understanding: Senate passed S.J. Res. 13, granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding. **Pages S12449–50**

Measures Considered:

Department of Defense Appropriations Act: Senate began consideration of H.R. 3222, making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, taking action on the following amendments proposed thereto: **Pages S12393–S12417**

Adopted:

Inouye (for Baucus) Amendment No. 3120, to make available from Research, Development, Test, and Evaluation, Army, $1,000,000 for the Smart Data Project: Real Time Geospatial Video Sensor Intelligence program. **Pages S12415, S12416**

Inouye (for Roberts) Amendment No. 3125, to make available from Research, Development, Test, and Evaluation, Air Force, $1,000,000 for Materials Integrity Management Research for Air Force Systems. **Pages S12415, S12416**

Inouye (for Kohl/Kennedy) Amendment No. 3128, to make available from Research, Development, Test, and Evaluation, Navy, $2,000,000 for the DDG–51 Class Modernization-Hybrid Propulsion Permanent Magnet Drive System. **Pages S12415–16**

Inouye (for Lott) Modified Amendment No. 3124, to make funds available from Other Procurement, Air Force, to accelerate the deployment of the Associate Intermodal Platform pallet system. **Page S12416**

Rejected:

Boxer Modified Amendment No. 3126, to prohibit waivers for enlistment in the Armed Forces of individuals with certain felony offenses. (By 53 yeas and 41 nays (Vote No. 360), Senate tabled the amendment.) **Pages S12408–15**

Pending:

Graham Amendment No. 3117, to improve the security of United States borders. **Pages S12406–07**

Gregg Amendment No. 3119 (to Amendment No. 3117), to change the effective date. **Pages S12407–08**

Sanders Amendment No. 3130, to increase, with an offset, the amount appropriated for Operation and Maintenance, Army National Guard, by $10,000,000. **Page S12414**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, October 4, 2007. **Pages S12416–17**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, October 3, 2007; provided that there be 30 minutes of debate prior to a vote on or in relation to Graham Amendment No. 3117 (listed above); provided further, that the second-degree amendment be withdrawn, no other amendment be in order to the amendment

prior to the vote, and that the time be equally divided and controlled between Senators Graham and Inouye, or their designees; that upon the use or yielding back of time, Senate vote on or in relation to the amendment. **Page S12451**

Messages from the House: **Page S12432**

Measures Referred: **Page S12432**

Measures Read the First Time: **Pages S12432, S12450–51**

Executive Communications: **Pages S12432–33**

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Statements on Introduced Bills/Resolutions: **Pages S12435–43**

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Notices of Intent: **Page S12446**

Notices of Hearings/Meetings: **Page S12446**

Authorities for Committees to Meet: **Pages S12446–47**

Privileges of the Floor: **Page S12447**

Record Votes: One record vote was taken today. (Total—360) **Page S12415**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:16 p.m., until 9:30 a.m. on Wednesday, October 3, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12451.)

Committee Meetings

(Committees not listed did not meet)

NATIONAL FLOOD INSURANCE PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the National Flood Insurance Program, focusing on the National Flood Insurance Program's financial structure, the extent of compliance with mandatory requirements, the status of map modernization efforts and Federal Emergency Management Agency (FEMA)'s oversight of the program, after receiving testimony from David I. Maurstad, Assistant Administrator and Federal Insurance Administrator, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security; Orice Williams, Director, Financial Markets and Community Investments, Government Accountability Office; Chad Berginnis, Ohio Emergency Management Agency, Columbus, on behalf of the Association of State Floodplain Managers, Inc., Donald L. Griffin, Property Casualty Insurers Association of America, Des Plaines, Illinois; Gerald E. Galloway, University of Maryland, College Park; J. Robert Hunter, Consumer Federation of America, Washington, D.C.; Mark Davey, Fidelity National Property and Casualty Insurance Group, Jacksonville, Florida; and Vince Malta, Malta and Co., Inc, San Francisco, California, on behalf of the National Association of Realtors.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Andrew R. Cochran, of Virginia, to be Inspector General, Environmental Protection Agency, John S. Bresland, of New Jersey, to be Chairperson and a Member, and Charles Russell Horner Shearer, of Delaware, to be a Member, each of the Chemical Safety and Hazard Investigation Board, and Thomas C. Gilliland, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority, who was introduced by Senators Chambliss and Isakson, after the nominees testified and answered questions in their own behalf.

Also, Committee concluded a hearing to examine the nominations of William H. Graves, of Tennessee, and Susan Richardson Williams, of Tennessee, each to be a Member of the Board of Directors of the Tennessee Valley Authority.

PREPARING THE NATIONAL CAPITAL REGION FOR A PANDEMIC

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine preparing the national capital region for a pandemic, after receiving testimony from Kevin Yeskey, Deputy Assistant Secretary, Director, Office of Preparedness and Emergency Operations, Office of the Assistant Secretary for Preparedness and Response, Department of Health and Human Services; Christopher T. Geldart, Director, Office of National Capital Region Coordination, Federal Emergency Management Agency, Department of Homeland Security; Colonel Robert P. Mauskapf, USMC (Ret.), Virginia Department of Health (VDH), Richmond; and Darrell L. Darnell, District of Columbia Homeland Security and Emergency Management Agency.

MINE SAFETY

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine issues and challenges facing current mine safety, after receiving testimony from Kevin G. Stricklin, Administrator, Coal Mine Safety and Health, Mine Safety and Health Administration (MSHA), Department of

Labor; Jeffery Kohler, Associate Director, Mine Safety and Health Research, National Institute of Occupational Health, Centers for Disease Control and Prevention, Department of Health and Human Services; Joseph Osterman, Managing Director, National Transportation Safety Board; Dennis O'Dell, United Workers of America, Fairfax, Virginia; Robert L. Ferriter, Colorado School of Mines, Golden; and Bruce Watzman, National Mining Association, Washington, D.C.

PRESERVING THE RULE OF LAW

Committee on the Judiciary: Committee concluded a hearing to examine preserving the rule of law in the fight against terrorism, after receiving testimony from Jack Landman Goldsmith, Harvard Law School, Cambridge, Massachusetts.

NOMINATION

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of Paul J. Hutter, of Virginia, to be General Counsel, Department of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 3717–3735; and 9 resolutions, H. Con. Res. 222–224; and H. Res. 699–700, 705–708 were introduced. **Pages H11170–71**

Additional Cosponsors: **Pages H11171–72**

Reports Filed: Reports were filed today as follows:

H.R. 1680, to authorize the Secretary of Homeland Security to regulate the sale of ammonium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists, with amendments (H. Rept. 110–357);

H. Res. 701, providing for consideration of the bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General and to create a Council of the Inspectors General on Integrity and Efficiency (H. Rept. 110–358);

H. Res. 702, providing for consideration of the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts (H. Rept. 110–359);

H. Res. 703, providing for consideration of the bill (H.R. 3648) to amend the Internal Revenue Code of 1986 to exclude discharges of indebtedness on principal residences from gross income (H. Rept. 110–360);

H. Res. 704, providing for consideration of the bill (H.R. 3246) to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation (H. Rept. 110–361);

H.R. 2895, to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families, with an amendment (H. Rept. 110–362); and

H.R. 3002, to establish a demonstration program to authorize the Secretary of Housing and Urban Development to guarantee obligations issued by Indian tribes to finance community and economic development activities, with an amendment (H. Rept. 110–363). **Page H11170**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cohen to act as Speaker Pro Tempore for today. **Page H11073**

Recess: The House recessed at 9:13 a.m. and reconvened at 10 a.m. **Page H11074**

United States Group of the NATO Parliamentary Assembly—Appointment: The Chair announced the Speaker's appointment of Representative Miller (FL) to the United States Group of the NATO Parliamentary Assembly to fill the existing vacancy thereon. **Page H11078**

Committee Election: The House agreed to H. Res. 699, electing Representative McCarthy (CA) to the Committee on Financial Services. **Pages H11081–85**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Awarding a congressional gold medal to Michael Ellis DeBakey, M.D.: S. 474, to award a congressional gold medal to Michael Ellis DeBakey, M.D.—clearing the measure for the President;

Pages H11078–81

Expressing heartfelt sympathy for the victims of the devastating thunderstorms that caused severe flooding during August 2007 in the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin: H.

Res. 657, amended, to express heartfelt sympathy for the victims of the devastating thunderstorms that caused severe flooding during August 2007 in the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin; **Pages H11081–85**

International Emergency Economic Powers Enhancement Act: S. 1612, to amend the penalty provisions in the International Emergency Economic Powers Act—clearing the measure for the President; **Pages H11085–87**

Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith: H. Res. 635, amended, to recognize the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and to commend Muslims in the United States and throughout the world for their faith, by a ⅔ yea-and-nay vote of 376 yeas with none voting ''nay'' and with 42 voting ''present'', Roll No. 928; **Pages H11087–90, H11126**

Agreed to amend the title so as to read: ''Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and expressing respect to Muslims in the United States and throughout the world on this occasion, and for other purposes.''. **Page H11126**

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: H. Res. 564, amended, to recognize that violence poses an increasingly serious threat to peace and stability in Central America and to support expanded cooperation between the United States and the countries of Central America to combat crime and violence; **Pages H11090–92**

Condemning the persecution of labor rights advocates in Iran: H. Con. Res. 203, amended, to condemn the persecution of labor rights advocates in Iran, by a ⅔ yea-and-nay vote of 418 yeas to 1 nay with 1 voting ''present,'' Roll No. 929; **Pages H11092–93, H11126–27**

Declaring that it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability: H. Res. 676, to declare that it shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability; **Pages H11094–96**

Providing compensation to relatives of United States citizens who were killed as a result of the bombings of United States Embassies in East Africa on August 7, 1998: H.R. 2828, amended, to provide compensation to relatives of United States citizens who were killed as a result of the bombings of United States Embassies in East Africa on August 7, 1998, by a ⅔ yea-and-nay vote of 409 yeas to 12 nays, Roll No. 930; **Pages H11096–99, H11127–28**

Ethiopia Democracy and Accountability Act of 2007: H.R. 2003, amended, to encourage and facilitate the consolidation of peace and security, respect for human rights, democracy, and economic freedom in Ethiopia; **Pages H11099–H11103**

200th Anniversary Commemoration Commission of the Abolition of the Transatlantic Slave Trade Act of 2007: H.R. 3432, amended, to establish the 200th Anniversary Commemoration Commission of the Abolition of the Transatlantic Slave Trade; **Pages H11103–07**

Agreed to amend the title so as to read: ''To establish the Commission on the Abolition of the Transatlantic Slave Trade.''. **Page H11107**

Amending the Congressional Accountability Act of 1995 to permit individuals who have served as employees of the Office of Compliance to serve as Executive Director, Deputy Executive Director, or General Counsel of the Office, and permitting individuals appointed to such positions to serve one additional term: H.R. 3571, to amend the Congressional Accountability Act of 1995 to permit individuals who have served as employees of the Office of Compliance to serve as Executive Director, Deputy Executive Director, or General Counsel of the Office, and to permit individuals appointed to such positions to serve one additional term; **Pages H11107–08**

Federal Protective Service Guard Contracting Reform Act of 2007: H.R. 3068, amended, to prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony; **Pages H11108–09**

Expressing the sense of Congress regarding the immediate and unconditional release of Daw Aung San Suu Kyi: H. Con. Res. 200, amended, to express the sense of Congress regarding the immediate and unconditional release of Daw Aung San Suu Kyi, by a ⅔ yea-and-nay vote of 413 yeas to 2 nays, Roll No. 931; **Pages H11109–16, H11128**

Agreed to amend the title so as to read: ''Expressing the sense of Congress regarding the immediate

and unconditional release of Daw Aung San Suu Kyi and the severely deteriorating human rights situation in Burma.". **Page H11128**

Requiring the President, in coordination with the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of United States Armed Forces in Iraq: H.R. 3087, amended, to require the President, in coordination with the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of United States Armed Forces in Iraq, by a ⅔ yea-and-nay vote of 377 yeas to 46 nays, Roll No. 927. **Pages H11116–25**

Agreed to amend the title so as to read: "To require the Secretary of Defense to submit to Congress reports on the status of planning for the redeployment of the Armed Forces from Iraq and to require the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and appropriate senior officials of the Department of Defense to meet with Congress to brief Congress on the matters contained in the reports.". **Page H11125**

Committee Resignation: Read a letter from Representative McCarthy (CA) wherein he resigned from the Committee on Natural Resources, effective today. **Page H11099**

Committee Resignation: Read a letter from Representative McCarthy (CA) wherein he resigned from the Committee on Agriculture, effective today. **Page H11099**

Recess: The House recessed at 1:33 p.m. and reconvened at 3 p.m. **Page H11109**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H11125, H11126, H11126–27 and H11128. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 11:20 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Sub committee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Food Aid Programs. Testimony was heard from Thomas Melito, Director, International Affairs and Trade, GAO; Mark Keenum, Under Secretary, Farm and Foreign Agricultural Service, USDA; Jim Kunder, Acting Deputy Administrator, U.S. Agency for International Development, Department of State; Josette Sheeran, Executive Director, United Nations World Food Programme; and public witnesses.

TELECOMMUNICATIONS COMPETITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled " Digital Future of the United States: Part VI: The Future of Telecommunications Competition." Testimony was heard from public witnesses.

FINANCIAL SYSTEM SYSTEMIC RISKS

Committee on Financial Services: Held a hearing entitled "Systemic Risk: Examining Regulators' Ability to React to Threats in the Financial System." Testimony was heard from. public witnesses.

CREDIT-BASED INSURANCE SCORES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Credit-Based Insurance Scores: Are They Fair?" Testimony was heard from J. Thomas Rosch, Commissioner, FTC; J. P. Schmidt, Commissioner of Insurance, State of Hawaii; Mike Kreidler, Commissioner of Insurance, State of Washington; and public witnesses.

ETHIOPIA DEMOCRACY AND HUMAN RIGHTS

Committee on Foreign Affairs: Subcommittee on Africa, and Global Health held a hearing on Ethiopia and the State of Democracy: Effects on Human Rights and Humanitarian Conditions in the Ogaden and Somalia. Testimony was heard from Jendayi Frazer, Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

LEVERAGING REMITTANCES

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing on Leveraging Remittances for Families and Communities. Testimony was heard from Paul J. Bonicelli, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development, Department of State; and public witnesses.

BRIEFING—CONTESTED ELECTION—13TH DISTRICT OF FLORIDA

Committee on House Administration: Election Task Force received a briefing on the Status of the Investigation into FL–13 Congressional District Contested Election. Testimony was heard from the following officials of the GAO: Nabajyoti Barkakati, Senior Level Technologist, Center for Technology and Engineering Applied Research and Methods; Gloria Jarmon, Congressional Relations; and Jan Montgomery, Office of the General Counsel.

U.S. TRUSTEE PROGRAM

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on the United States Trustee Program: Watchdog or Attack Dog? Testimony was heard from the following officials of the Administrative Office of the United States Courts: A. Jay Cristol, U.S. Bankruptcy Court, Southern District of Florida; and Eugene R. Wedoff, U.S. Bankruptcy Court, Northern District of Illinois; Clifford J. White, III, Director, Executive Office for United States Trustees, Department of Justice; and public witnesses.

FEDERAL GANG CRIME PREVENTION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on Gang Crime Prevention and the Need to Foster Innovative Solutions at the Federal Level. Testimony was heard from Representatives Schiff, Cummings, Baca, Lampson, McNerney, Dent and Reichert; Richard Roper, U.S. Attorney, Northern District of Texas; and public witnesses.

HARDROCK MINING AND MINING AND RECLAMATION ACT OF 2007

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 2262, Hardrock Mining and Reclamation Act of 2007. Testimony was heard from Jim Hanlon, Director, Office of Wastewater Management, EPA; Tony L. Ferguson, Director, Minerals Geology Management, Forest Service, USDA; Greg Lind, State Senator, Montana; Salvatore Lazarri, Specialist in Public Finance, Resources, Science and Industry Division, Congressional Research Service, Library of Congress; and public witnesses.

BLACKWATER USA'S IRAQ MISSION

Committee on Oversight and Government Reform: Held a hearing on Private Security Contracting in Iraq and Afghanistan. Testimony was heard from the following officials of the Department of State: Ambassador M. Satterfield, Special Adviser, Coordinator for Irag; Ambassador Richard J. Griffin, Assistant Secretary, Bureau of Diplomatic Security and Director, Office of Foreign Missions; and William H. Moser, Assistant Secretary, Logistics Management; and Erik Prince, Chairman and CEO, Blackwater, USA.

MORTGAGE FORGIVENESS DEBT RELIEF ACT OF 2007

Committee on Rules: Granted, by a non-record vote, a closed rule providing one hour of debate on H.R. 3648, to amend the Internal Revenue Code of 1986 to exclude discharges of indebtedness on principal residences from gross income, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule considers as adopted the committee amendment in the nature of a substitute, modified by the amendment printed in the committee report, and considers the bill, as amended, as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. Finally, the rule permits the Chair, during consideration of the bill, to postpone further consideration of it to a time designated by the Speaker. Testimony was heard from Representative Blumenauer.

REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ACT OF 2007

Committee on Rules: Granted, by a voice vote, a closed rule providing one hour of general debate on H.R. 3246, to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, modified by the amendment printed in the Rules Committee report, shall be considered as adopted. The bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended.

The rule provides one motion to recommit H.R. 3246 with or without instructions. Finally, notwithstanding the operation of the previous question, during consideration of H.R. 3246, the Chair may postpone further consideration until a time designated by the Speaker. Testimony was heard from Chairman Oberstar.

THE IMPROVING GOVERNMENT ACCOUNTABILITY ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 928, to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors

General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes, equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except clause 10 of rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Towns of New York and Tom Davis of Virginia.

MEJA EXPANSION AND ENFORCEMENT ACT OF 2007

Committee on Rules: Granted, by a vote of 8 to 4, a structured rule providing one hour of general debate on H.R. 2740, to require accountability for contractors and contract personnel under Federal contracts, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary shall be considered as an original bill for the purpose of further amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute except those arising under clause 10 of rule XXI. The rule makes in order only those amendments printed in the Rules Committee report. Such amendments may be offered only in the order printed in the report, only offered by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report except those arising under clause 9 or 10 or rule XXI. The rule provides one motion to recommit with or without instructions. Finally the rule permits the Chair, during consideration of the bill in the House, to postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Cohen, Filner, Schakowsky, Forbes and Brown-Waite of Florida.

NANOTECHNOLOGY EDUCATION

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on Nanotechnology Education. Testimony was heard from David Ucko, Deputy Division Director, Education and Human Resources Division on Research Learning, NSF; and public witnesses.

FIRE ADMINISTRATION REAUTHORIZATION

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on the United States Fire Administration Reauthorization: Addressing the Priorities of the Nation's Fire Service. Testimony was heard from Gregory B. Cade, Fire Administrator, U.S. Fire Administration, FEMA, Department of Homeland Security; Shyam-Sunder, Director, Building and Fire Research Laboratory, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

SAFE ROUTES TO SCHOOL

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing on The Federal Safe Routes to School Program. Testimony was heard from public witnesses.

BRIEFING—IRAN

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Iran. The Committee was briefed by departmental witnesses.

CIA ACTIVITY

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to hold hearing on CIA Activity, Part I. Testimony was heard from departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1297)*

H.R. 3668, to provide for the extension of transitional medical assistance (TMA), the abstinence education program, and the qualifying individuals (QI) program. Signed on September 29, 2007. (Public Law 110–90)

H.J. Res. 43, increasing the statutory limit on the public debt. Signed on September 29, 2007. (Public Law 110–91)

H.J. Res. 52, making continuing appropriations for the fiscal year 2008. Signed on September 29, 2007. (Public Law 110–92)

H.R. 3625, to make permanent the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency. Signed on September 30, 2007. (Public Law 110–93)

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 3, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine combating genocide in Darfur, focusing on the role of divestment and other policy tools, 9:30 a.m., SD–538.

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety, to hold hearings to examine the Nuclear Regulatory Commission's reactor oversight process, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Gail Dennise Mathieu, of New Jersey, to be Ambassador to the Republic of Namibia, William Raymond Steiger, of Wisconsin, to be Ambassador to the Republic of Mozambique, Dan Mozena, of Iowa, to be Ambassador to the Republic of Angola, and Eunice S. Reddick, of New York, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, 9 a.m., SD–419.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine Burma's saffron revolution, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, to hold hearings to examine pandemic influenza, focusing on state and local government efforts to prepare, 2:30 p.m., SD–342.

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine S. 772, to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads, 10:30 a.m., SD–226.

Special Committee on Aging: to hold hearings to examine veterans health, focusing on ensuring the care of aging heroes, 10 a.m., SR–325.

House

Committee on Agriculture, Subcommittee on Horticulture and Organic Agriculture, hearing to examine the joint performance of the Animal and Plant Health Inspection Service, USDA, Customs and Border Protection, U.S. Department of Homeland Security in protecting U.S. agriculture from foreign pests and diseases, 10 a.m., 1300 Longworth.

Committee on Education and Labor, hearing on Mine Safety: The Perspective of the Families at Crandall Canyon, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing on H.R. 1108, Family Smoking Prevention and Tobacco Control Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled "The Fight against Global Poverty and Inequality: The World Bank's Approach to Core Labor Standards and Employment Creation," 10 a.m., 2128 Rayburn.

Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "Need for Insurance Regulatory Reform," 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Europe, hearing on America's Role in Addressing Outstanding Holocaust Issues, 1 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness, and Response, hearing entitled "Practicing Like We Play: Examining Homeland Security Exercises," 10 a.m., 311 Cannon.

Committee on House Administration, hearing on The Importance of Poll Workers: Best Practices and Recommendations, 2 p.m., 1310 Longworth.

Committee on Natural Resources, hearing on H.R. 2837, Indian Tribal Federal Recognition Administrative Procedures Act, 10 a.m., 1324 Longworth.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on Energy Storage Technologies: State of Development for Stationary and Vehicular Applications, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on Internet Tax Moratorium, 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, hearing on Funding the VA of the Future, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis, and Counter Intelligence, executive, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Wednesday, October 3

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 3222, Department of Defense Appropriations Act, and after a period of debate, vote on or in relation to the Graham Amendment No. 3117.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 3

House Chamber

Program for Wednesday: Consideration of H.R. 928—Improving Government Accountability Act (Subject to a Rule) and H.R. 2740—MEJA Expansion and Enforcement Act of 2007 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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Congressional Record

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