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No. 149

House of Representatives

The House met at 10 a.m.

The Reverend Elton Van Welton, Crossroads Baptist Church, Leesburg, Virginia, offered the following prayer:

Gracious Lord, Almighty God, we thank You this morning for Your divine blessings upon our country and upon our lives individually. With heartfelt concern, we remember those Americans serving our country in uniform today and pray for Your protective hand over them. Bless and love their families in their absence.

I ask, Lord, as our source of life and strength, that You will encourage and edify us all that we might remain faithful in the task that You have called us to. Lead today this Chamber and its Members in the pathway of humility. By Your spirit, guide them to take up the towel of leadership to meet the needs of our country by lifting up others more than themselves. Allow their lives as servant leaders to empower all Americans to live in like manner. This we pray in the name of our Lord and Saviour, Jesus Christ.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. SALAZAR) come forward and lead the House in the Pledge of Allegiance.

Mr. SALAZAR 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.

WELCOMING THE REVEREND ELTON VAN WELTON

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

Mr. WOLF. Madam Speaker, I rise today to extend a warm welcome to our guest chaplain, the Reverend Elton Van Welton of Leesburg, Virginia.

Reverend Van Welton is the senior pastor of Crossroads Baptist Church. In the two short years he has been at Crossroads, the church membership has grown dramatically, and its rate of financial giving to world missions to the poor and to the hungry has increased by over 500 percent. He has also worked to establish many local ministries, such as Saving Addicts for Eternity, which partners with local Narcotics Anonymous groups to provide spiritual guidance to those struggling with addiction.

Pastor Van Welton first joined the ministry in 1999 after receiving a master's in divinity from Southeastern Baptist Theological Seminary. Before his career as a pastor, Reverend Van Welton received his juris doctorate from Regent University and was a practicing attorney in the Commonwealth of Virginia before he received his call to the ministry.

I commend Rev. Van Welton for his dedication to spreading the word of the gospel and for his faithful service to our community in northern Virginia. It is a blessing to have him here today to serve as our guest chaplain.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 13. Joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

PRESIDENT BUSH'S PROPOSED VETO

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

Mr. DEFAZIO. Madam Speaker, after running up more debt than the 42 Presidents who preceded him, \$3.2 trillion borrowed and spent, \$9 trillion total debt on the backs of the American people, presiding over a doubling of our international debt to more than \$2.2 trillion, last week he proposed that we should borrow and spend another \$190 billion on the war in Iraq, nearly 600 since he launched this unnecessary war.

Subsidies to Big Oil, scandals about no-bid contracts, the President has rediscovered his long-lost, inner-fiscally conservative self. He's going to cast the first veto of his Presidency on a bill that would spend money, after an orgy of borrowing, spending and misspending on many dubious things. His target, 10 million low-income kids.

The President stands on principle. Or is it he's standing on a pile of campaign cash contributed by the insurance industry to the Republicans?

EARMARK REFORM

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

Mr. FLAKE. Mr. Speaker, it's no secret that earmarks are not fairly distributed. But with the new disclosure rules in place this year, for the first time it's been documented. In an analysis of House-passed appropriation bills, CQ Weekly and Taxpayers for

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



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Common Sense found that a disproportionate share of earmarks went to relatively few Members of Congress.

Now, obviously Federal priorities are not concentrated in the districts of appropriators and leadership. Those Members are simply in a better position to steer Federal money home. That's hardly a defensible way of spending taxpayer money.

I've often said that we had higher aspirations when we were elected than to grovel for crumbs that fall from the appropriators' table. But given the lopsided share of earmarks that appropriators got this year, here's hoping that enough Members will finally say, why bother, and we can finally end this practice.

SCHIP

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

Mr. EMANUEL. Mr. Speaker, the President has asked for another 190 billion more dollars for the war in Iraq. That's 190 billion more dollars for more of the same.

For 41 days for the cost of the war, 10 million American children would get their health care. For 1 month for the cost of the war, 7½ million American children would get their health care. And for 1 week for the cost of this war, 2½ million would get their health care.

The President is asking for an open-ended, open-wallet commitment to Iraq, and the American children get an empty stocking.

Meanwhile, under the President's own plan, 1 million American children would lose their health care, according to the experts. Nearly 1 million children would create a very long line in America's emergency rooms. The emergency rooms are President Bush's answer to America's health care crisis.

Seventy-two percent of Americans support our reauthorization of the children's health care bill. The President and 15 Republicans stand in the way of 10 million children receiving the health care that we receive here as Members of Congress.

There have been three vetoes in President Bush's term: one to end the war, one to permit stem cell research, and now one to allow 10 million children to get their health care. That says it all about President Bush.

EARMARK REFORM

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Mr. Speaker, the majority party ascended to power with a promise that they would make this Congress the most open and ethical Congress ever. Most open and ethical indeed.

Perhaps the majority party should have said something like, We will be open and ethical when it suits our purpose. That wouldn't have been a catchy

phrase maybe on the campaign trail, but at least it would have been honest.

For instance, the majority promised to clean up the earmarking process, but so far that, too, has been a hollow promise.

Recently, we had the SCHIP and it was riddled with hidden earmarks. And yet not one sponsor of these provisions has ever been identified, and they have denied that there's any earmarks in them whatsoever.

Now the Republican Party has now offered a simple resolution to clean up the process of earmarks, but not a single Democrat has signed on to this resolution.

I call on my colleagues on the other side of the aisle, in the majority, to allow for a real debate on ethics and earmarks. Let the House debate H.R. 479 so that we can have an open and honest discussion and we can truly get to what you promised, an open and ethical Congress.

CHIP

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

Ms. SCHWARTZ. Mr. Speaker, today the President has before him legislation to strengthen and expand CHIP for 10 million children of hardworking American families. And if the President lives up to his promise, he will veto this important bill and turn his back on American families.

The President's veto makes it clear that he simply does not understand the financial struggles of working families in this country who are unable to afford health care for their children. The President's veto makes it clear that health care for America's children simply is not his priority.

CHIP, the public-private partnership, has enabled millions of American children and hardworking lower-income, middle-income families in this country to afford high-quality private health coverage. Our Nation's Governors, business community, health care providers, children's advocates, insurance industry, labor unions, religious leaders, parents and grandparents support this affordable commonsense plan. All but the President and his Republican allies in Congress support extending CHIP to more of America's uninsured children.

The President's veto is shortsighted, callous and wrong. We must override the President's veto and vote for health care for America's children.

□ 1015

ENSURE THAT FREEDOM AND FAIRNESS REMAIN ON OUR RADIO AIRWAVES—SUPPORT THE BROADCASTER FREEDOM ACT

(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, the enmity that exists between American talk radio and the Democratic Congress came into high relief this Monday as leaders in the Senate engaged in repeated and distorted personal attacks of a prominent American commentator.

Now, while many see this as more politics as usual in Washington, DC, I see something more. I believe these attacks on talk radio are a precursor for returning censorship to the airwaves of America in the form of the Fairness Doctrine.

This week Congressman GREG WALDEN and I requested that the Democratic leaders bring the Broadcaster Freedom Act to the floor of this Congress immediately and take the power away from the FCC in this or any future administration to regulate the airwaves of America. The Broadcaster Freedom Act is cosponsored by 203 Members of Congress, and it enjoys broad bipartisan support.

The freedom of the press should not be a partisan issue. Let's reject the attacks on American radio personalities and ensure that the Fairness Doctrine stays on the ash heap of broadcast history, where it belongs.

THE PRESIDENT'S VETO OF THE SCHIP EXTENSION

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

Ms. SCHAKOWSKY. Mr. Speaker, the deed is done. The President just vetoed the Children's Health Insurance Program. He is asking for \$190 billion for the war in Iraq and Afghanistan and yet vetoed \$35 billion that would provide health care to 10 million low-income American children over the next 5 years.

Let's be perfectly clear. The President is refusing to spend \$7 billion a year on children's health while insisting on \$10 billion a month in Iraq. The President and Republicans in Congress say that we can't afford this bill, but where were the fiscal conservatives when the President demanded hundreds of billions of dollars for the war in Iraq? He along with many of the Republicans in Congress are willing to throw these hundreds of billions of dollars into a disastrous war, and yet when it comes to providing health care to children, they say we don't have the money.

The truth is we do have the money and, in fact, the children's health bill is fully paid for, unlike the half a trillion dollars we have already spent on this war.

It is time for us to say you are either for covering uninsured American children or you are with a President who prefers to spend this money on an endless war.

VETERANS FUNDING

(Mrs. DRAKE asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. DRAKE. Mr. Speaker, I have joined several of our colleagues in a letter requesting that the Senate majority leader end the partisan wrangling and move forward with the veterans appropriations bill.

Our veterans have always been willing to man the front lines in the defense of this Nation and deserve to be honored for their service. From 2001 through 2006, this House increased funding for our veterans from \$48 billion to \$70 billion. This year the House came together in a bipartisan manner to increase funding for our veterans by an additional \$6 billion.

This is why I am so disturbed to read in Roll Call that Democratic leaders have made "a decision to delay sending the veterans bill to the President so they can use it as leverage to pass other spending bills."

In my mind, veterans and especially those waiting for services at VA facilities or working to secure their VA benefits are not bargaining chips. They are heroes. And we should not allow partisanship to interfere with our commitment to protecting their best interests.

HOUSE REPUBLICANS SHOULD WALK AWAY FROM PRESIDENT BUSH ON CHILDREN'S HEALTH CARE

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

Mr. TOWNS. Mr. Speaker, last week most of the Republicans once again marched in lockstep with the Bush administration. I have just been informed that the President has vetoed the CHIP bill. That is a shame and it is a disgrace. Despite the fact that this Democratic Congress crafted a bipartisan bill with Republican input, most Republican Members chose to ignore the health care needs of 10 million children. It is a shame and a national disgrace.

The Children's Health Insurance Program has helped our Nation reduce the number of uninsured children. During each of the 8 years of the program, the number of uninsured children decreased, but over the last 2 years these numbers have actually gone up. Based on these troubling trends, this Democratic Congress did not believe that a straight reauthorization was enough. We needed to strengthen the CHIP program, and that is exactly what we did.

And now I have been informed that the President has vetoed it. That's a disgrace.

SUPPORT OUR VETERANS

(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, this Democrat-led Congress

has yet to send one spending bill to the President. In particular, they have failed to pass funding for our veterans, and because of their inaction, our veterans are being shortchanged and denied needed resources and benefits.

Despite widespread support for the Veterans' Affairs spending bill, the majority is refusing to take final action. This delay is jeopardizing our ability to get the necessary funding and resources to those who need it most. The bill includes \$4.1 billion for VA hospitals and clinics, \$600 million for posttraumatic stress disorder and traumatic brain injury care, \$2.9 billion for mental health and substance abuse treatment for veterans, and \$480 million for research into prosthetics for wounded warriors and amputees.

We can all agree that our veterans deserve our utmost support, and as a grateful 30-year member of the American Legion, it is time for Democrats to work with Republicans for our veterans.

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

THE PRESIDENT'S VETO OF CHILDREN'S HEALTH BILL

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

Mr. CARNAHAN. Mr. Speaker, during a speech at the Republican National Convention in 2004, President Bush 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 programs." But instead the President, just minutes ago, vetoed health insurance for 10 million low-income children.

The President's objections were without merit and did not warrant a veto. The bill does not expand the CHIP program. Instead, it maintains current eligibility requirements while enrolling more uninsured children. It is not a move towards "socialized health care." States will continue to receive funding through block grants, which nearly all States use. And this investment in the health care of our Nation's children is fully paid for, unlike the President's ongoing Iraq funding requests.

Mr. Speaker, I sincerely had hoped the President would have a change of heart and fulfill his promise to enroll children in this health care program. But he failed to do so. Now every Member of this House must vote to override the President to provide for the health care of America's children.

STOP PLAYING POLITICAL GOTCHA AND START SERVING THE AMERICAN PEOPLE

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

Mr. AKIN. Mr. Speaker, one of the things that I think most people in politics know is that the ratings of Congressmen are very, very low. And perhaps part of the reason for that is the public can see that we are playing more political gotcha than we are in really solving problems.

Today we have just seen an example of that as Democrat after Democrat condemned the President for this SCHIP bill, which has all these little hidden gizmos, among other things that we are going to provide health care to the children of illegal immigrants. It is a massive expansion of basically Hillary socialized medicine. And yet we are going to use this children's health issue as a way to play political gotcha.

We don't need to do that with the veterans bill. The House and the Senate have both approved funding for veterans, which comes down to \$18.5 million of extra money for veterans hospitals, for prosthetics, for our wounded soldiers. Those bills are just sitting, waiting.

Are we going to use that as another way of doing political gotcha, or shall we just start solving problems and serving the American people?

Mr. Speaker, for the past few years we have heard the Democrats in Congress say they support our troops and veterans even if they do not support the war in Iraq.

Yet, many of those brave veterans who served in Iraq, as well as other military campaigns, are being denied as much as \$18.5 million a day in veteran's care that was promised to them.

The Democrat majority has delayed a vote on a bill to fund veterans care. These delays are denying our veterans millions of dollars that would fund prosthetics for our wounded warriors and amputees.

Are the Democrats hoping to save a vote on veteran's health for later in the year? Maybe, they plan to attach wasteful earmarks to that bill?

Members of Congress, you can't say that you support our troops and veterans if you won't fund their care. It's time we make good on our promises. Give our veterans what they need.

DEMOCRATIC ACCOMPLISHMENTS PRIORITIZING THE NEEDS OF VETERANS AND SOLDIERS

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

Mr. ALTMIRE. Mr. Speaker, this Democratic Congress has a strong record of delivering on our promise to the American people and providing real and meaningful change. And we have done so in a fiscally responsible way, instituting pay-as-you-go, deficit reduction discipline.

One area where we have made real progress for the American people is by supporting the men and women who serve our Nation in the Armed Forces. Under Democratic control, this House provided substantially more than the President requested for the new M-

RAP vehicles proven to save lives in Iraq. We voted to give our troops a pay raise that the President called "unnecessary." We strengthened military health care with the Wounded Warriors Act to clean up the inadequate care of wounded soldiers at Walter Reed and other facilities. And the Democratic House voted to provide the largest increase in funding for VA health care in the history of this country.

Mr. Speaker, these investments that support our veterans and troops overseas are just a few examples of how our Democratic Congress is taking America in a new direction.

ENERGY POLICY FOR THE FUTURE

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

Mr. BOUSTANY. Mr. Speaker, a new cellulosic ethanol plant recently began production in my district, which will use high-energy sugar cane to yield ethanol. It is yet another reminder of the importance of domestic energy production not only for southwest Louisiana but for our entire Nation.

But we must recognize that we have a strategic dependence on fossil fuels and foreign oil. The farm bill currently working its way through Congress should not pick winners or losers but encourage innovation and entrepreneurship. It is a critical piece to our national energy plan with renewable agri-based energy solutions.

Home-grown energy as a part of our national energy strategy reduces our dependence on foreign energy supplies, helps the environment, and will promote our rural communities and keep them strong.

This Democratic Congress has failed to produce a viable energy policy. I challenge the Democratic leadership to work with us in Congress to produce such a viable energy policy.

NOW IT'S CHOLERA

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

Mr. McDERMOTT. Mr. Speaker, let me talk about a surge in Iraq the President is not talking about. An outbreak of cholera is spreading across the country, harming and killing innocent Iraqi people. Five hundred new cases were confirmed in Kirkuk in the last 5 days.

The World Health Organization says there have only been 12 deaths so far, but there are 3,000 confirmed cases and 30,000 more Iraqis are sick. As a medical doctor, let me tell you that cholera is caused by human waste contaminating the water supply. In other words, the sewage treatment plants that we were supposed to rebuild that worked prewar are still not working after the surge. And innocent Iraqis are suffering.

When a Seattle church group sent me to visit Iraq in 2002, they asked me to

see firsthand how Iraqi children were suffering from the effects of the first war in 1990, the subsequent economic sanctions and how their suffering would only get worse in a new war. They were right.

Cholera is the latest example of a failed war. Instead of talking about the surge, the President should be talking about the scourge of cholera.

HIGH-TECH BOUNTY HUNTING

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

Mr. POE. Mr. Speaker, high-tech bounty hunting is now occurring in the United States. The Internet allows law enforcement to track down known sex offenders in the United States. States can find convicted sex offenders that must register under the new Adam Walsh Child Safety Act. Failure of a child molester to register is a Federal crime.

So these convicted sex offenders who do not register with local authorities are now being arrested using LexisNexis Internet tracking.

Florida police were hunting for a known sex offender. They traced him to Illinois, but Illinois officials claimed the offender was dead. The Internet search tools tracked the child molester to Indiana, where he was arrested for absconding and for failure to register as a known sex offender.

Studies show that convicted sex offenders often remain dangerous and become recidivists once released from prison. Sex offenders are now being held accountable for failing to register; law enforcement is informed of known sex offenders' whereabouts; future recidivism is prevented; and, meanwhile, children are safer because of high-tech bounty hunting.

And that's just the way it is.

□ 1030

IT'S TIME TO HOLD DEFENSE CONTRACTORS ACCOUNTABLE FOR THEIR ACTIONS

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

Mr. MORAN of Virginia. Mr. Speaker, there are as many private contractors in Iraq as U.S. soldiers on the ground. Outsourcing our military should be a cause for concern for all Americans, but the recent uncovering of indiscriminate hostility toward Iraqi civilians and unprovoked killings by security contractors in Iraq is a siren warning that demands immediate attention.

Blackwater, a company that has reaped over \$110 million from the taxpayers since 2006 in U.S. contracts, offers one of the most egregious examples of what is wrong with our occupation of Iraq.

Last week, Blackwater security protecting State Department officials

opened fire in a Baghdad neighborhood, and in what appears to be an unprovoked incident, Blackwater guards killed at least 11 innocent Iraqi civilians and wounded 12 others. But because of a decree delivered in 2004 by our Ambassador Paul Bremer on his last day on the job, these contractors are granted immunity from Iraqi law and will likely face no charges at home.

This lack of accountability is anathema to our fundamental principle of equal justice under the law and exemplifies why the occupation of Iraq has been such a failure.

BIPARTISAN COOPERATION ON IRAQ IS THE BEST WAY FORWARD

(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, yesterday in this House, we took a great first step forward, I think, in finding bipartisan common ground on the way forward in Iraq with the passage of H.R. 3087.

The issue of our troop presence in Iraq has caused great debate across our country; it has polarized this Congress and our Nation. I believe this first step is a demonstration that a bipartisan way forward can happen. In fact, it must happen for the good of our Nation and our ultimate success in Iraq. We can draw that day closer if we in this Congress and we in America continue to work together to forge consensus instead of resorting to partisan attacks.

The report of General Petraeus and Ambassador Crocker last month has given us reason for hope that progress is being made and our troops can begin returning home. As our troops so bravely continue their mission, let us continue ours and build upon the momentum that we started yesterday in this House. Let us all hope that the day is coming soon when our troops, who have protected our Nation and exported liberty, freedom and democracy, will come home. We owe them nothing less than our best effort to make this hope a reality.

PRESIDENT'S VETO THREAT OF CHILDREN'S HEALTH INSURANCE BILL

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

Mr. CLAY. Mr. Speaker, yesterday this Congress sent the President bipartisan legislation to reauthorize and strengthen the Children's Health Insurance Program. This bill will provide 10 million low-income children with health care coverage, including 4 million uninsured children who are currently eligible for the program but not yet covered. Unfortunately, President Bush just vetoed this bipartisan legislation.

The President's opposition to this bill puts him squarely in the minority.

The legislation has received overwhelming support from a wide variety of groups such as the AMA. A new Washington Post/ABC News poll shows that 72 percent of Americans support the reauthorization of the CHIP program.

Mr. Speaker, I am heartened that 45 of my Republican colleagues in this body joined Democrats in passing this critical legislation. However, if the President wants to veto it, I hope other House Republicans will stand with America's children instead of with the President and vote to strengthen the CHIP program.

BURKE COUNTY FOCUSES ON EDUCATION

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

Mr. MCHENRY. Mr. Speaker, the strength of a community is best judged by how it deals with and faces adversity. Burke County, North Carolina exemplifies and illustrates how strong communities defeat hardship by channeling their efforts and resources for improvement.

When unemployment nearly quadrupled in 5 years, my constituents there banded together to build a better future. They recognize that an educated workforce is the key to economic growth, so they developed a plan to ensure that all high school graduates in the county have the opportunity to go to the local community college for a 2-year degree. Western Piedmont Community College is that college where they are offering it.

Through the hard work of Arrick Gordon and the Burke Alliance for Youth, the Burke Education Endowment Program is nearly at that goal. This weekend, the Overmountain Jamboree and Barbecue Cookoff, which will combine two powerful forces, North Carolina barbecue and country music, will be held this weekend in Morganton, and that will raise the final sum needed to provide that much-needed education to the local youth. It shows the strength of the community, and it shows the strength of the people of North Carolina.

BLACKWATER USA

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

Ms. WATSON. Mr. Speaker, yesterday's hearing in the Government Reform Committee left me with many concerns. I am concerned about Blackwater's role when they get involved in U.S. military operations.

In April and November of 2004, Blackwater personnel attached themselves to U.S. troops and engaged enemy positions. These actions may have set a bad precedent and may have been a catalyst that led to the September 16 shooting death of Iraqi civilians.

I also am concerned about Blackwater's unprecedented rise in procurement of Federal Government contracts. Initially, Blackwater was awarded no-bid contracts for security services in August of 2003 and June of 2004 worth more than \$73 million, and the President just today vetoed a bill for children's health that was worth \$11 billion.

HOUSE GOP GIVES PRESIDENT BLANK CHECK ON WAR FUNDING BUT NICKEL AND DIMES CHILDREN'S HEALTH

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

Mr. HODES. Mr. Speaker, when it comes to funding the war in Iraq, President Bush and the House Republicans are willing to write blank checks for billions of dollars with absolutely no questions asked. After billions misspent and mismanaged, the President is preparing a new war funding request for the upcoming year that is expected to cost the American taxpayer another \$190 billion. Contrast that with the disregard both the President and the majority of House Republicans have shown towards bipartisan legislation that would ensure that 10 million low-income children have access to health insurance.

President Bush has just vetoed a bill that would invest \$35 billion more in the CHIP program over the next 5 years and allow us to reach 4 million more children who are already eligible for the program. House Republicans will now have to decide if they will once again stand with a President who suffers from misguided priorities or if they will listen to the American people's will.

I say to my friends on the other side of the aisle, it's time to stand up for our kids and stand down from a discredited President.

PRIVATE SECURITY CONTRACTORS IN IRAQ

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

Mr. HALL of New York. Mr. Speaker, I rise today to decry our unprecedented use of unaccountable private security contractors in Iraq.

By some estimates, there are over 50,000 private security personnel working in Iraq. These contractors operate outside U.S. and Iraqi law, raising animosity toward Americans in the field and losing us hearts and minds in Iraq.

The activities of one of the most prominent contractors, Blackwater, highlight why they are a counterproductive influence in Iraq, and their activities must be curtailed.

Two weeks ago, Blackwater personnel guarding a State Department group were involved in a shootout that resulted in the deaths of as many as 17

Iraqis. Yesterday, the Government Reform Committee disclosed that Blackwater has been involved in 195 escalation of force incidents since 2005; and in 80 percent of those, Blackwater fired the first shots. These incidents, combined with others, clearly indicate that we need to stop putting contractors in Iraq and bring those there under control, which is why I have introduced legislation to freeze the number of contractors operating in Iraq at September 1 levels. And I am a proud cosponsor of the bill we will vote on today, the MEJA Expansion Act, to bring these contracts under control.

PROVIDING FOR CONSIDERATION OF H.R. 2740, MEJA EXPANSION AND ENFORCEMENT ACT OF 2007

Ms. SUTTON. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 702 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 702

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous

question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 2740 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mr. SALAZAR). The gentlewoman from Ohio (Ms. SUTTON) is recognized for 1 hour.

Ms. SUTTON. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SUTTON. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

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

(Ms. SUTTON asked and was given permission to revise and extend her remarks.)

Ms. SUTTON. H. Res. 702 provides for consideration of H.R. 2740, the Military Extraterritorial Jurisdiction Act Expansion and Enforcement Act of 2007, under a structured rule.

The rule provides for 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule makes in order and provides appropriate waivers for three amendments.

Mr. Speaker, I rise today in support of this rule and the underlying bill which helps to address one of the most disturbing and pressing issues to come before the Congress this year, the lack of oversight and accountability of contractors abroad and here at home. And it is vital that we are passing the MEJA Expansion and Enforcement Act today to address at least one of these critical issues.

Currently, there are estimated to be at least 180,000 contractors working in Iraq under contracts awarded by the Department of Defense, the State Department, the U.S. Agency for International Development, and other Federal agencies. Yet under current law, only contractors working for the Department of Defense can be held responsible for crimes they commit while working in Iraq, Afghanistan and elsewhere throughout the world.

At present, the Military Extraterritorial Jurisdiction Act, MEJA, leaves felonies committed by contractors working for other Federal Departments unpunished. This is unfair and unacceptable, and this Congress must act to ensure that justice is not a selective American principle.

Our current law has given private mercenary armies like Blackwater

USA free rein to do as they please without fearing the repercussions. And as we have seen, that unbridled freedom from any accountability has resulted in sometimes egregious criminal behavior. But under the MEJA Expansion and Enforcement Act, Federal contractors working for every Department and agency will be held responsible for criminal acts. It will also direct the FBI to establish units to investigate crimes committed by contract personnel operating abroad.

Mr. Speaker, it simply makes no sense to hold contractors to a different standard than American citizens living at home or even the brave soldiers who risk their lives every day in Iraq. It is a travesty of justice that we allow private armies to evade punishment for serious crimes, especially considering we have prosecuted our soldiers for the very similar actions.

□ 1045

In a recent incident that has received significant scrutiny, Blackwater guards were involved in a September 16 shootout in Baghdad that left 11 Iraqis dead and a number wounded. This event spurred such a tremendous public outcry that Secretary of State Condoleezza Rice had to apologize to Iraqi Prime Minister Nouri al Maliki.

And we have learned from reports compiled by Blackwater themselves that since 2005, its employees have been involved in at least 195 incidents in Iraq that involved the firing of shots by Blackwater guards. Blackwater's contract with the State Department stipulates that Blackwater may only engage in defensive use of force. However, in the vast majority, over 80 percent, of these shooting incidents, Blackwater's own reports revealed that its guards fired the first shots. In one incident that has recently come to our attention, Blackwater guards shot a civilian bystander in the head. In another, State Department officials report that Blackwater sought to cover up a shooting that killed a seemingly innocent bystander.

Since the wars in Iraq and Afghanistan began, and despite numerous instances where the military has found probable cause that a crime has been committed and has referred the case to the Justice Department, there has been only one successful prosecution of a civilian contractor for wrongdoing.

Without fear of reprisal, these reckless contractors have operated with no regard for the private property of innocent Iraqi citizens. In a November 2005 incident, a Blackwater motorcade collided with 18 different vehicles. Written statements from team members were determined to be invalid, and a Blackwater contractor on the mission stated his tactical commander "openly admitted giving clear direction to the primary driver to conduct these acts of random negligence for no apparent reason."

Mr. Speaker, we have seen the number of contractors increase exponen-

tially as the Bush administration has placed an unnecessary strain on our Armed Forces through the war in Iraq. In 2001, Blackwater had less than \$1 million in Federal contracts. By 2006, that figure had grown to over half a billion dollars, an increase of more than 80,000 percent. Today, there are approximately 180,000 Federal contractors in Iraq alone, a number greater than the American military presence. Because of the President's policy of escalation in Iraq, we have become more reliant on these contractors to protect American interests there. For every Blackwater mercenary the United States Government hires to protect embassy officials, Blackwater charges \$1,222 per day, which is over six times more than the cost of an equivalent American soldier.

Mr. Speaker, the lack of oversight of Federal contractors committing crimes overseas is an example of how the system of Federal contracting is broken. Earlier this year, this Congress got off to a strong start by passing H.R. 1362, the Accountability in Contracting Act which helped restore integrity to the contracting process. I am also proud to be the sponsor of H.R. 2198, the Contractor Accountability Act, which will require the head of every agency and department to ensure that every Federal contract recipient is fulfilling their obligations after they are awarded that contract. It requires that every Federal agency and department awarding contracts submit a report on the status of those contracts to Congress. This is the type of oversight and accountability that is necessary to ensure that the problems that are happening in Iraq with Federal contractors and here at home can finally be put to an end.

Today, with the passage of the MEJA Expansion and Enforcement Act, we are addressing a critical loophole in our contracting crisis by ensuring that those contractors who commit crimes are held accountable for their actions. What we seek to do today is simple but important. The MEJA Expansion and Enforcement Act will hold Federal contractors operating overseas to the same standards we hold ourselves and to which we hold our brave troops. And let's be clear. This bill does not prevent contractors from using force if the situation calls for it. Our bill simply allows contractors to be punished for committing acts of murder and other felonies. Nobody should be immune from the law. This legislation will ensure that no one, even if he is a private contractor in Iraq, is.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentlewoman from Ohio (Ms. SUTTON) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

Mr. Speaker, let me begin by saying this rule provides for the consideration of H.R. 2740, the MEJA Expansion and

Enforcement Act. This bill is an attempt to ensure that all Federal civilian contractors can be prosecuted for crimes they commit abroad. The issue before us today is not, Mr. Speaker, a policy decision to determine whether or not contractors should be in Iraq, but, rather, the issue is whether the principle of current law should be applied to civilian contractors.

Yesterday, Mr. Speaker, Mr. FORBES, the ranking member of the Subcommittee on Crime, Terrorism and Homeland Security in the Judiciary Committee testified before the Rules Committee that while the intent of this legislation is right, this bill is very, very poorly drafted. During markup of the bill by the House Judiciary Committee, Mr. FORBES and other Republicans on the Judiciary Committee raised concerns with Members on the other side of the aisle. Republicans agreed that they would work to move this legislation forward because of assurances made by the majority members of the committee that their concerns would be worked out. Mr. FORBES testified before the Rules Committee that his main concerns with the bill were a lack of clear definitions, vague language and Federal mandates on the FBI without additional resources.

Mr. Speaker, a manager's amendment was submitted to the Rules Committee and it wasn't until after the Rules Committee amendment deadline had passed Monday evening that Mr. FORBES found that none of the concerns raised by Republicans were addressed in the manager's amendment. At this point, of course, it was too late for Mr. FORBES and other Members to submit amendments. Had they tried to submit amendments to the Rules Committee past the deadline, they likely would have been turned away at the Rules Committee door, just as many Members, including myself, have been this Congress.

Yesterday, the ranking member, Mr. DREIER, attempted to provide an open rule for consideration of this bill. An open rule would have allowed any Member of the House of Representatives an opportunity to come forward and amend the bill, and especially those members of the Judiciary Committee that felt that they were left out of this process. However, the Democrat-controlled Rules Committee rejected this idea on a party line vote of 8-4.

Mr. DREIER then attempted to allow Mr. FORBES to offer an amendment on the floor today to make changes to the bill in order to restore the commitment that was once made by the Democrat majority. But I am disappointed that this attempt was also rejected on a party line vote of 8-4.

Mr. Speaker, the underlying bill was reported by the Judiciary Committee over 2 months ago and yet the Democrat majority failed to make good on their commitment to address the reasonable and entirely justifiable concerns raised by Republicans.

Mr. Speaker, contractor accountability is an issue that should be discussed and addressed in a bipartisan manner. But there are legitimate concerns with the way this bill was drafted. Unfortunately, this rule denies Members, including all Republicans, an opportunity to improve the underlying bill. Because the Rules Committee has once again chosen to stifle bipartisanship and deliberation by bringing forth this restrictive rule, I must urge my colleagues to oppose this rule, House Resolution 702.

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

Ms. SUTTON. Mr. Speaker, before I yield time to the distinguished gentlewoman from California, I would just like to say that in the process of this bill coming forward, not a single Republican offered an amendment in the committee. Though the committee reported the bill by voice vote, not a single person voted "no." Only one Republican offered an amendment for the floor, and it had nothing to do with the scope of the bill and was nongermane.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentlewoman yield?

Ms. SUTTON. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I appreciate the gentlewoman yielding. She was in the committee yesterday when Mr. FORBES testified. I would hope that the gentlewoman would agree with me that when Mr. FORBES testified under questioning from me asking if he felt that he had assurances that these issues would be worked out from the time that the committee passed the bill out of committee in August until now, and he said that he felt that that commitment was a strong commitment, and therefore, he didn't offer any amendments.

Now, would the gentlewoman agree with me that that was what Mr. FORBES said?

Ms. SUTTON. I thank the gentleman for his question.

I think that the important thing here to look at is there was an opportunity for the Republican side to offer amendments, and only one was offered yesterday in committee. There was an opportunity, obviously, for those to be presented.

Mr. HASTINGS of Washington. Will the gentlewoman further yield on that point?

Ms. SUTTON. Certainly.

Mr. HASTINGS of Washington. I appreciate the gentlewoman for yielding.

Mr. Speaker, I just want to say under questioning when I asked Mr. FORBES, because he stated that the deadline had passed when the manager's amendment which did not address their concerns was introduced, he then, of course, would be prohibited from offering amendments. I asked him if there were an opportunity in the next 24 hours, i.e., from yesterday until today, could they prepare amendments to address these concerns, he said, "Yes."

I hope that the gentlewoman will agree with me that that is what he said

yesterday in front of the Rules Committee.

Ms. SUTTON. Reclaiming my time, Mr. Speaker, the reality of this is there was an opportunity to offer amendments as explained. Somebody did offer an amendment. Unfortunately, that amendment was nongermane.

At this point I would like to yield 4 minutes to the gentlewoman from California (Ms. MATSUI), a distinguished member of the Committee on Rules.

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me time.

I rise today in strong support not only of this bill but also of increased accountability in Iraq. From the outset, this misguided war has been characterized by gray areas, gray areas of policy, of motivation and of legitimacy. One consequence of these gray areas has been the collapse of law and order in Iraq. Many military contractors, contractors paid by our government, contribute to the chaos there.

Mr. Speaker, the Iraq war is a first major conflict in which private contractors perform tasks typically done by uniformed military. Employees from companies like Blackwater provide security for military and political figures. They protect buildings. Rumors have swirled that they may soon guard military convoys.

Mr. Speaker, private contractors acting in military roles should be held to the same standards as our armed services. They should not have free rein to shoot, maim and kill people in the name of security. If they act illegally, they must be punished accordingly. This, Mr. Speaker, is what law and order means. We cannot convince the world that we value peace and security if American contractors are undermining it in Iraq. It is hypocritical for us to ask Iraqis to obey the rule of law when we do not demand the same from the contractors we are paying. Like all of my colleagues, I want our brave young men and women in Iraq to be as safe as they can be. The legislation before us today will help restore the trust of the Iraqi public and of the international community.

During World War II, only 5 percent of our in-theater forces were private contractors. Today, we have just as many contractors in Iraq as we do American soldiers, contractors who are not accountable to the American people but who are paid for by the American people. Crimes committed by these contractors are the reason why this bill is so long overdue. It finally holds contractors accountable for their actions. But the larger issue is that our men and women in uniform are overburdened. Our military is in danger of collapsing under the strain of a never-ending war. This is one of the many reasons why we must change course in Iraq.

That, Mr. Speaker, is my objective. It is the objective of a clear majority in the House. It is the will of the American people. We must do everything we

can to increase oversight of contractors. This legislation is a step in the right direction.

I urge my colleagues to take this step today so that in the coming days, we can finally change our Nation's course in Iraq.

□ 1100

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to make the point once again, the reason that there were no Republican amendments that were submitted to the Rules Committee is because there was a clear, clear understanding when the bill was passed out of the Judiciary Committee that the issues and concerns that were raised by the Republicans would be addressed in a bipartisan way, and the vehicle by which they would be addressed was a manager's amendment, which is a normal process when you bring bills to the floor. That commitment was apparently not fulfilled.

By the time that the manager's amendment was drafted, with the idea that supposedly in a bipartisan way these issues would be addressed, it was too late for any Republican to offer an amendment because it was past the deadline that was put in place by this new majority on the Rules Committee. Therefore, there was no chance for Republicans to submit any amendments. Therefore, there were no amendments that were submitted.

So I just wanted to set the record straight, Mr. Speaker, that the reason that there were no Republican amendments submitted to the Rules Committee is because a promise and a commitment was broken between August 2 and October 2, yesterday, when we met on this bill.

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

Ms. SUTTON. Mr. Speaker, at this time I yield 4 minutes to the author of the bill, the gentleman from North Carolina (Mr. PRICE).

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 6 minutes.

Mr. PRICE of North Carolina. Mr. Speaker, I thank my colleagues for yielding.

Mr. Speaker, I came to the floor to be a resource in this rules debate, but not to take on the role of a Rules Committee member. Since the gentleman has raised the issue of the kinds of amendments that were or were not proposed and the kind of accommodations that were or were not made, I think perhaps I can respond in a helpful way.

The approach that we have taken to this bill has been to invite and respond to critiques that various stakeholders might have of the way we were approaching this. The gentleman is probably aware we had a manager's amendment in committee that accommo-

dated legitimate concerns. Perhaps that was one factor producing an approval by the committee without dissent. We have a manager's amendment today that is similarly taking into account a number of the concerns that have been raised. We have been open to suggestions.

The amendment that the gentleman is referring to, however, the Forbes amendment, was not of the character that one would normally include in a manager's amendment. I think we have been clear all along that the kinds of amendments that would be appropriate for consideration in that technical vein would not include amendments that went to the very heart of the bill, such as an amendment that would compromise the FBI role in the legal regime we are setting up.

Mr. HASTINGS of Washington. Mr. Speaker will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, I appreciate the gentleman yielding for this exchange, because I think it is important. This issue is very, very important because we are talking about ultimately a portion of the security of our country, and I think we need to address that in a bipartisan way.

I am simply pointing out, in testimony yesterday in front of the Rules Committee, Mr. FORBES was given the assurance when the bill left the Judiciary Committee, and I don't think that the gentleman is on the Judiciary Committee, but he felt that he had a commitment that those concerns be addressed.

Now, having concerns addressed and being totally satisfied are two different things. If they weren't satisfied, then you could offer an amendment to make the adjustments and you could debate those issues. The point I am making is that Mr. FORBES felt that the commitment that was given to him to make those adjustments and those concerns were not fully addressed; therefore, he didn't submit any amendments to the bill. I am not suggesting that all of his concerns should be in the manager's amendment; I am simply suggesting that he was denied the opportunity, in his mind, to have these concerns addressed.

Mr. PRICE of North Carolina. Mr. Speaker, reclaiming my time, the gentleman will understand that I am not in a position to give the blow-by-blow account in either the Judiciary Committee or the Rules Committee, but I will convey my understanding, because I think it is important to do that.

We are talking here about an amendment that Mr. FORBES wrote, which as I understand it would compromise the bill by stripping out the requirement for FBI units to be pre-positioned on the ground to investigate alleged criminal behavior.

I am characterizing the amendment because I did not ever have the text of the amendment. I don't think anyone

did. It was sprung on the Rules Committee yesterday. It would seem to me, with all due respect, that if there were a concern that the manager's amendment might not be adequate, particularly on a matter of this scope, which is way beyond the usual scope of a manager's amendment, Mr. FORBES might have circulated a draft of a possible amendment, so that it could be discussed rationally in the Rules Committee if the manager's amendment somehow fell short. My understanding is that this was not done.

Mr. HASTINGS of Washington. Mr. Speaker, if the gentleman will yield further, I just want to, Mr. Speaker, tell my colleagues that there was no Forbes amendment in front of the Rules Committee, so I can't even pass judgment whether it addressed the concerns that he had. He did not submit an amendment to the Rules Committee. He did not submit an amendment to the Rules Committee because he was given the assurances that the concerns that were raised when the bill came out of committee would be addressed.

While the gentleman is probably talking about a potential amendment, nobody on the Rules Committee saw the amendment, because the amendment was not submitted to the Rules Committee because he felt his concerns were not addressed.

Mr. Speaker, I thank the gentleman for allowing me to clarify that. When he talks about the Forbes amendment, there is, or was no Forbes amendment in front of the Rules Committee yesterday.

Mr. PRICE of North Carolina. Mr. Speaker, that is true. It is a hypothetical. I am giving my understanding as to the content of that amendment. But the point is, I would say this subject matter is not the stuff of a potential manager's amendment, and if there was some kind of concern about what the manager's amendment would contain, the prudent course would have been to have some kind of draft that the gentleman and others could have looked at so that the Rules Committee could have acted on it intelligently.

My main point, Mr. Speaker, is to say that our approach to this bill all along has been nonpartisan. We have had good bipartisan cooperation and support every step of the way. We have accommodated in manager's amendments, in the committee and here today, the legitimate concerns that were raised. I simply want to register the hope that that pattern of partisan cooperation can continue as we debate this bill.

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

Mr. Speaker, again, I just want to reiterate, without beating this to death, that not a single Republican amendment was offered in committee. There was opportunity to provide amendments yesterday in the Rules Committee. This is an important bill that we need to stay focused on the substance of as well.

Mr. Speaker, at this time it is an honor to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman yielding me time. I do think the admonition is important to focus on the substance of this legislation. The Rules Committee, as she points out, wasn't given an alternative and there is nobody in this Chamber, I think, that has a better, more well-deserved reputation for being a thoughtful, bipartisan Member to try and solve problems than our colleague, the primary sponsor of this legislation, the gentleman from North Carolina (Mr. PRICE). I am privileged to be a cosponsor of the legislation with him.

Mr. Speaker, this is an opportunity for this Chamber to focus on an important area of accountability. We have in the newspapers, not just this week, we have had accounts going on not just for months, but from the outset of this war about the trend to outsource fundamental functions that heretofore have been the province of United States soldiers. It has had significant consequences. We are now finding, as a result of some of the hearings, that there have been repeated instances of violence. We are finding that there is no good remedy currently under the law. There is basically no clear line of authority to get back to be able to exercise the oversight and accountability of the security function that has been outsourced.

What Mr. PRICE has offered up is a small part of moving in the direction that we should have done from the outset. I would hope that we can get past the discussion on the rule. I plan on supporting it and look forward to a vigorous debate on the floor to open up this question of accountability for a war that is outsourced, for costs that are five times what an American soldier would do to provide exactly the same function. With the American soldier at one fifth the cost of a mercenary there is a clear line of authority. If something goes sideways, we know what is going to happen.

Mr. PRICE has offered up legislation that gets us started in that direction. It is a thoughtful, bipartisan, narrowly crafted effort. It is not the whole answer, but it moves us in the right direction. I would strongly urge that my colleagues support the rule, support the underlying bill, and get us moving into an important area of debate, accountability and responsibility. Our failure in this area is going to have serious consequences for years to come. We are already seeing this with the Iraqi Government. We are seeing it in terms of problems on the ground. We are seeing questions that are being asked, answers demanded by Americans and Iraqis alike. Working together on this bill is a first step towards remedying that situation.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would agree with the previous speaker, my friend from Oregon, that the sponsor of this bill, the gentleman from North Carolina (Mr. PRICE), is a very, very thoughtful individual. I have worked with him on some issues, and I would agree with that. I think Members would also agree with me when I say that the gentleman from Virginia (Mr. FORBES) is also a very thoughtful individual and somebody that you can work with on a bipartisan basis.

When somebody like Mr. FORBES comes to the Rules Committee and tells us that he was given a commitment about concerns that he felt needed to be addressed in this legislation and was given the assurances that they would be addressed, not necessarily solved but at least be addressed, I think you would have to say that he was acting in very good faith. I think this sends a very, very strong message for Members that want to work in a bipartisan way and then get treated as Mr. FORBES said he was treated. I think that is not good for the institution.

So I just want to, Mr. Speaker, reiterate once again what happened. The reason that there were no amendments substantive to the issue of the concerns that were submitted by Republicans to the Rules Committee is because the ranking member on the subcommittee dealing with this issue felt that the commitments that were given to him were not carried out. There were no, apparently, discussions of what was going into the manager's amendment.

Again, I am not suggesting Mr. FORBES would have been totally happy, but he could have offered an amendment to address those concerns. He was denied that opportunity simply, simply because he felt the commitment that was given to him when the bill came out of the Judiciary Committee was not carried through.

So it is for that reason, that reason that we probably won't have as robust a debate on this issue, and in all likelihood we won't have the kind of legislation that needs to go forward in a bipartisan manner on something where everybody agrees that the intent of this legislation is what everybody agrees on a bipartisan basis needs to happen. I regret that. It is for that reason that I ask my colleagues to vote "no" on the rule.

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

Ms. SUTTON. Mr. Speaker, I am the last speaker at this time on my side, so I will reserve my time.

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

Mr. Speaker, for the past several weeks my colleagues on the Rules Committee and I have called for a vote on the previous question and will be doing so again today. Why? Because we are concerned that the House rules are flawed when it comes to the enforceability of earmarks.

Republican Leader BOEHNER has a proposal that will improve the House

rules and allow the House to debate openly and honestly the validity and accuracy of earmarks contained in all bills. I am asking that my colleagues vote "no" on the previous question so that I can amend the rule to allow the House to immediately consider House Resolution 479 introduced by Republican Leader BOEHNER.

By defeating the previous question, the House will still be able to consider the MEJA Expansion and Enforcement Act today, but will also be able to address earmark enforceability in order to restore the credibility of the House. I am hopeful today will be the day my colleagues will defeat the previous question and, in doing so, will send a strong message to American taxpayers that this House is serious when it comes to earmark transparency.

□ 1115

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted in the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to oppose the previous question and the restrictive rule.

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

Ms. SUTTON. Mr. Speaker, I want to congratulate the distinguished gentleman from North Carolina on this strong bipartisan bill. The MEJA Expansion and Enforcement Act is critical, commonsense legislation to hold contractors responsible for criminal behavior, just like we hold our troops responsible for crimes when they are committed, and just like we hold American citizens responsible for following the law.

Those who argue against this measure seem willing to tolerate lawlessness in countries where our military is seeking to restore justice. The truth is, every time we see an incident with an Iraqi civilian being killed and American contractors escaping accountability, our men and women in uniform suffer. They see support from the insurgents rise and they lose the trust of the Iraqi people.

Our troops are not responsible for the strain that the President has placed on our Armed Forces which has led to the need for mercenaries to carry out missions that our troops capably handle, and it is tragic that the troops are targeted for the negligence of private contractors. We owe it to our troops and the Iraqi people to ensure that contractors are held to the same standards of justice as everybody else. Only then will we see a true deterrent to vigilante behavior and reckless actions by private citizens working overseas for our Federal agencies and Departments.

It is simple, Mr. Speaker. The MEJA Expansion and Enforcement Act extends policies that are in place for the

Department of Defense to contractors for other agencies.

And let's be clear: Nobody is accusing every single contractor of committing the criminal acts we have talked about today. But when a contractor does commit a crime, they must be punished and we must have consequences to serve as a deterrent. It should not be controversial to punish people for committing murder and other felonies. This is a giant loophole in our law that is hurting our reputation abroad, hurting our troops in the field and is making a mockery of the American sense of justice.

I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 702 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommend.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the

vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SUTTON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Washington. 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, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 928, IMPROVING GOVERNMENT ACCOUNTABILITY ACT

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 701 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 701

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except

those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. During consideration in the House of H.R. 928 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1 hour.

Ms. SUTTON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 701.

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

There was no objection.

Ms. SUTTON. Mr. Speaker, House Resolution 701 provides for consideration of H.R. 928, the Improving Government Accountability Act. The rule provides for 1 hour of general debate controlled by 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 makes in

order the Oversight and Government Reform Committee reported substitute. The rule makes in order all five germane amendments that were submitted to the Rules Committee.

Mr. Speaker, I rise today in favor of the rule and in favor of H.R. 928, the Improving Government Accountability Act. I am very proud to be a Member of this new Congress because over the last 9 months we have made huge strides to better our great country.

We have empowered our workers. We have fought to lift up our citizens. And today, I am proud to join my colleagues once again as we press for greater government accountability and work to restore the trust of the American people in this great institution.

Mr. Speaker, the bill before us today will amend the Inspector General Act of 1978 to ensure necessary government oversight and strengthen the role of the Inspectors General.

Next year will mark the 30th anniversary of the Inspector General Act. Offices of Inspector General now exist in more than 60 Federal Departments and agencies where they work to combat waste, fraud and abuse.

The Inspectors General have many vital tasks. They act as government watchdogs, conducting audits and examining complaints from agency employees. They actively promote efficiency in government programs, and encourage employee disclosure of waste and fraud.

Our bill today acts to strengthen and clarify their tenure, resources, authority, oversight and autonomy. It is an important action that we are taking today. Unfortunately, Mr. Speaker, in recent years, politics has crept into the inner workings of the Inspectors General leaving the door open for political pressure and influence to prejudice the job that they are supposed to perform.

Under President Bush, only 18 percent of the Inspectors General have audit experience while 64 percent have political experience. This is in comparison to President Clinton who appointed far more, 66 percent, of Inspectors General with audit experience versus only 22 percent with political experience.

And what's more, over one-half of the IGs appointed by President Bush had made contributions to his campaign or to other Republican candidates and over one-third had worked in a Republican White House prior to their appointment; whereas none of the IGs appointed by President Clinton had worked in a Democratic White House.

These statistics are concerning because the hallmark of Inspectors General must be their independence from the departments and agencies within which they are housed. This independence is crucial because the inspectors are charged with submitting reports to the agency heads and to Congress regarding any failures on the part of their agencies.

When this independence is compromised, the missions and goals of the

Inspectors General lose credibility. Their work is critical to ensuring that taxpayer dollars are being used wisely and that our government is working efficiently and effectively.

The Improving Government Accountability Act will strengthen the independence of these important watchdogs. First, it clarifies when the inspectors can be removed from their posts. Under current law, they have limited protection from removal from office. In fact, inspectors that are appointed by the President can be removed by the President without cause. The only requirement is that the President must report the removal to Congress after the removal has already been accomplished. It is much more difficult to be independent when you know that the head of the Department that you are critically evaluating can remove you and that there are no checks on that power.

Our bill specifies that they may only be removed before the end of their term for permanent incapacity, inefficiency, neglect of duty, malfeasance or conviction of a felony, or conduct involving moral turpitude. This takes the politics out of a position and a decision-making process where it never should have been in the first place.

Under this new law, removal of an Inspector General must be communicated to both Houses of Congress at least 30 days before that inspector's removal.

Mr. Speaker, the bill before us today encourages inspectors to remain in office for at least 7 years by setting a fixed term of office and allowing the inspectors to be renewed at the completion of their term. This allows for greater continuity and increased independence on the part of the inspectors.

Under this legislation, an Inspector General will be allowed to submit budget requests directly to the Office of Management and Budget. This is a vital change. Inspectors General must not be at the mercy of administration officials who have the unbridled power to cut their budget because of disagreement over their findings or improper political influence. Budget autonomy is crucial to the independence of these inspectors.

Further, H.R. 928 establishes the Council of the Inspectors General on Integrity and Efficiency. This council's task will be to increase the professionalism and effectiveness of the Inspectors General staff. The council will seek out fraud, waste and abuse in Federal programs.

Today, through the Improving Government Accountability Act, we will give the Inspectors General more power to do their job and, more importantly, to do so with heightened independence and integrity.

The trust of the American people is a precious thing. The bill today guarantees that our departments and agencies are worthy of that trust.

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

Mr. SESSIONS. Mr. Speaker, I rise today in opposition to this modified

closed rule that waives important portions of the Congressional Budget Act.

Last night in the Rules Committee, we learned that this special rule finds yet another way for the majority to break regular order. By waiving section 306 of the Congressional Budget Act, this rule undermines the integrity of the budgeting process by allowing legislation within the Budget Committee's jurisdiction to be considered by the House without the Budget Committee's review.

My friend from Pasco, Washington, DOC HASTINGS, asked the acting chairman of the committee, Mr. MCGOVERN, if the rule being considered does indeed waive this budget rule that protects taxpayers and Members of this House of Representatives. The answer came back simple and clear: Yes, the rule waives this commonsense provision.

□ 1130

I wish that I could say that I am surprised by the Democrat leadership's decision to find yet another way to toss House rules and procedures out the window. Unfortunately, this is precisely what has come to be known as, and to expect from, the new broken promise Democrat majority.

Mr. Speaker, the legislation before us has the noble goal of strengthening and clarifying the authority, tenure, resources, oversight and independence of the Inspectors General in the various Federal Departments and agencies.

Many of the issues addressed by the legislation today enjoy bipartisan support and are of great importance to me and a huge number of my colleagues on the Republican side of the aisle. The bill establishes a council to identify, review and plan to promote efficiency and address waste, fraud and abuse. It provides for greater integrity by establishing a new committee to investigate allegations of wrongdoing and to report on their efforts to the executive branch and to Congress.

It requires reports to Congress on the cooperation of all Federal agencies with the General Accountability Office and requires that semiannual inspection and evaluation reports, in addition to audit reports, be submitted to Congress.

Despite all of the noble goals of this legislation, I do regret that this bill was not crafted in closer coordination with the administration to resolve some of the outstanding issues that prevent it from being signed into law.

Like me, the administration has publicly stated its strong support for the work of Inspectors General and their overall mission to improve agency performance and to eliminate waste, fraud and abuse. However, the administration strongly objects to some of the provisions included in this legislation that are likely unconstitutional.

The end-run contained in this legislation around article II of the Constitution, which our Founding Fathers provided to the executive branch to ensure that all of our Nation laws are faithfully executed, guarantees that this

bill will not only be vetoed by the President but would also be overturned by the Supreme Court if this bill were ever passed by the House and the Senate.

Also, by requiring Inspectors General to circumvent the long-standing and constitutionally based budgeting process that currently exists, without even including the House Budget Committee in the decisionmaking process, is a thinly veiled political stunt intended to draw a veto threat from the President and to create a false disagreement over this bill when it is clear that both Republicans and Democrats support reducing waste, fraud and abuse at each of our Federal agencies.

Mr. Speaker, I insert in the RECORD a copy of the administration's statement of policy regarding their position on this legislation.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, October 1, 2007.

STATEMENT OF ADMINISTRATION POLICY

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

The Administration appreciates the work of inspectors general (IGs) and their mission to improve agency performance and eliminate waste, fraud, and abuse. IGs play an important role in Executive Branch efforts to measure and achieve success in program performance. Each agency's Office of Inspector General (OIG) fills a vital role in these efforts by reviewing operations and making recommendations for improvements and corrective actions. By providing objective information to promote strong management, decision-making, and accountability, OIGs contribute to the success of each agency and the Federal government as a whole. The Administration strongly supports efforts to ensure that IGs have: the skills and training they need to perform their duties; fair pay; findings and recommendations that are transparent to the public; and access to necessary legal advice.

H.R. 928, the "Improving Government Accountability Act," would further some of these objectives. However, the Administration strongly objects to provisions that are inconsistent with these goals, and with broader policy considerations and constitutional requirements. If H.R. 928 were presented to the President in its current form, the President's senior advisors would recommend that he veto the bill.

H.R. 928 would permit the President to remove IGs only for cause. The Administration strongly objects to this intrusion on the President's removal authority and his ability to hold IGs accountable for their performance. The responsibility to "take Care that the Laws be faithfully executed"—which Article II vests solely in the President—includes the responsibility to supervise and guide how IGs and other executive branch officers investigate and respond to allegations of wrongdoing within the executive branch. IGs already have the independence necessary to perform their investigative functions with respect to individual agencies, because agency heads generally may not supervise IGs' conduct of investigations. H.R. 928's attempt to extend this current independence to include independence from supervision by the President does not en-

hance the function of IGs and raises grave constitutional concerns.

The Administration also strongly opposes provisions that would authorize IGs to circumvent the President's longstanding, and constitutionally based, control over executive branch budget requests by allowing IGs to submit their budget requests directly to Congress and by requiring the President to include each IG's request as a separate line item in the President's annual budget request. Since its inception, the current executive branch coordination process has worked well for both the President and the Congress. The process is deliberative and results in an agency and government-wide coordinated submission that accounts for long-range planning and priorities.

IGs have been a part of this process since their creation in 1978, and there is no evidence that the current process results in budgets that fail to enable appropriate IG performance.

The Administration also objects to provisions that would establish within the Executive Branch a freestanding, independent Council of the Inspectors General on Integrity and Efficiency. A similar council already exists under Executive Orders. Statutory codification of such a council would impede the President's ability to react swiftly and effectively to problems with IGs or with the Council itself. Furthermore, the council provisions in H.R. 928 raise constitutional questions because they restrict the President's authority to nominate individuals to serve on the Council and contain ambiguous definitions of offices and their respective roles and responsibilities. Finally, it is critical that disclosure protections regarding the Witness Security Program apply to the Department of Justice's Inspector General's internal investigative procedures and release of information, since the release of specific information related to the program could endanger the program's means and methods, personnel, and the continued safety of the program's protected witnesses.

Mr. Speaker, I oppose the majority's unwillingness to work with the administration in a bipartisan way to create a bill that all Members of this body can support and that would also pass constitutional muster. I also oppose the Democrat leadership's willingness to once again subvert regular order for political purposes and to prevent my colleague from The Woodlands in Texas, Congressman KEVIN BRADY, from having an opportunity to offer his amendment to provide additional review of the work product of our Federal agencies.

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

Ms. SUTTON. Mr. Speaker, I would inquire of the gentleman from Texas if he has any remaining speakers.

Mr. SESSIONS. I appreciate the gentlewoman engaging me at this time. Mr. Speaker, I would inform my colleague that I do not have any additional speakers.

Ms. SUTTON. Okay. I'm the last speaker for my side, so I will reserve my time until the gentleman has closed for his side and yielded back his time.

Mr. SESSIONS. Mr. Speaker, I thank the gentlewoman from Ohio and enjoy working with her.

Mr. Speaker, I will be asking Mem-

bers to oppose the previous question so that I may amend the rule to allow for consideration of H. Res. 479, a resolution that I like to call the Earmark Accountability Rule.

During last year's campaign and again at the beginning of this Congress, promises were made to the American people and to the new minority about the Democrats' supposedly new and improved earmark rules. As the year has worn on, however, I have noticed that while the Democrats' rules changes may sound good as a cynical sound bite for the evening news, they haven't actually accomplished much since the majority has repeatedly turned the other way when it comes to their own actual enforcement.

We continue to see nondisclosed earmarks appearing in all sorts of bills, and even the House Parliamentarian has determined that the hastily drafted and passed Democrat earmark rule "does not comprehensively apply to all legislative propositions at all stages of the legislative process."

I will insert this letter from the House Parliamentarian, JOHN SULLIVAN, to the Rules Committee chairman, LOUISE SLAUGHTER, into the RECORD at this point.

HOUSE OF REPRESENTATIVES,
OFFICE OF THE PARLIAMENTARIAN,

Washington, DC, October 2, 2007.

Hon. LOUISE MCINTOSH SLAUGHTER,

Committee on Rules, House of Representatives,
Washington, DC.

DEAR CHAIRWOMAN SLAUGHTER: Thank you for your letter of October 2, 2007, asking for an elucidation of our advice on how best to word a special rule. As you also know, we have advised the committee that language waiving all points of order "except those arising under clause 9 of rule XXI" should not be adopted as boilerplate for all special rules, notwithstanding that the committee may be resolved not to recommend that the House waive the earmark-disclosure requirements of clause 9.

In rule XXI, clause 9(a) establishes a point of order against undisclosed earmarks in certain measures and clause 9(b) establishes a point of order against a special rule that waives the application of clause 9(a). As illuminated in the rulings of September 25 and 27, 2007, clause 9(a) of rule XXI does not comprehensively apply to all legislative propositions at all stages of the legislative process.

Clause 9(a) addresses the disclosure of earmarks in a bill or joint resolution, in a conference report on a bill or joint resolution, or in a so-called "manager's amendment" to a bill or joint resolution. Other forms of amendment—whether they be floor amendments during initial House consideration or later amendments between the Houses—are not covered. (One might surmise that those who developed the rule felt that proposals to amend are naturally subject to immediate peer review, though they harbored reservations about the so-called "manager's amendment," i.e., one offered at the outset of consideration for amendment by a member of a committee of initial referral under the terms of a special rule.)

The question of order on September 25 involved a special rule providing for a motion to dispose of an amendment between the Houses. As such, clause 9(a) was inapposite. It had no application to the motion in the first instance. Accordingly, Speaker pro

tempore Holden held that the special rule had no tendency to waive any application of clause 9(a). The question of order on September 27 involved a special rule providing (in pertinent part) that an amendment be considered as adopted. Speaker pro tempore Blumenauer employed the same rationale to hold that, because clause 9(a) had no application to the amendment in the first instance, the special rule had no tendency to waive any application of clause 9(a).

The same would be true in the more common case of a committee amendment in the nature of a substitute made in order as original text for the purpose of further amendment. Clause 9(a) of rule XXI is inapposite to such an amendment.

In none of these scenarios would a ruling by a presiding officer hold that earmarks are or are not included in a particular measure or proposition. Under clause 9(b) of rule XXI, the threshold question for the Chair—the cognizability of a point of order—turns on whether the earmark-disclosure requirements of clause 9(a) of rule XXI apply to the object of the special rule in the first place. Embedded in the question whether a special rule waives the application of clause 9(a) is the question whether clause 9(a) has any application.

In these cases to which clause 9 of rule XXI has no application in the first instance, stating a waiver of all points of order except those arising under that rule—when none can so arise—would be, at best, gratuitous. Its negative implication would be that such a point of order might lie. That would be as confusing as a waiver of all points of order against provisions of an authorization bill except those that can only arise in the case of a general appropriation bill (e.g., clause 2 of rule XXI). Both in this area and as a general principle, we try hard not to use language that yields a misleading implication.

I appreciate your consideration and trust that this response is to be shared among all members of the committee. Our office will share it with all inquiring parties.

Sincerely,

JOHN V. SULLIVAN,
Parliamentarian.

Mr. Speaker, even the nonpartisan House Parliamentarian acknowledges what Republicans have been saying since January: that the so-called Democrat earmark rule has more holes than a bowl of Cheerios and that earmark abuse by the broken promise Democrat majority continues to run rampant.

This rules change would simply allow the House to debate openly and honestly about the validity and accuracy of earmarks contained in all bills, not just appropriations bills.

If we defeat the previous question, we then can address that problem today and restore this Congress' nonexistent credibility when it comes to the enforcement of its own rules.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material appear in the CONGRESSIONAL RECORD just prior to the vote on the previous question.

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

There was no objection.

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

Ms. SUTTON. Mr. Speaker, in 1978, the House committee that was then known as Government Operations envi-

sioned Inspectors General as watchdogs to bring accountability and oversight to our agencies. Now, almost 30 years later, we act to update and improve this valuable program.

This important bill will not only bring enhanced continuity and accountability to the Inspectors General; it will strengthen their most important quality: their independence from the Departments and agencies that they inspect.

The American people should have the utmost faith that their precious taxpayer dollars are being used in the most efficient manner. This bill ensures the accountability that our citizens demand and which they deserve.

I urge a "yes" vote on the previous question and on the rule.

The material referred to previously by Mr. SESSIONS is as follows:

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote; the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

AMENDMENT TO H. RES. 701 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit.

Ms. SUTTON. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on H. Res. 701 will be followed by 5-minute votes on adoption of H. Res. 701, if ordered; ordering the previous question on H. Res. 702, by the yeas and nays; adoption of H. Res. 702, if ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 192, not voting 24, as follows:

[Roll No. 932]
YEAS—216

Abercrombie	Blumenauer	Chandler
Ackerman	Boren	Clarke
Allen	Boswell	Clay
Altmire	Boucher	Cleaver
Andrews	Boyd (FL)	Clyburn
Arcuri	Boyda (KS)	Cohen
Baca	Brady (PA)	Conyers
Baird	Braley (IA)	Cooper
Baldwin	Brown, Corrine	Costa
Bean	Butterfield	Costello
Becerra	Capps	Courtney
Berkley	Capuano	Cramer
Berman	Cardoza	Crowley
Berry	Carnahan	Cuellar
Bishop (GA)	Carney	Cummings
Bishop (NY)	Castor	Davis (AL)

Davis (CA) Kucinich
 Davis (IL) Lampson
 Davis, Lincoln Langevin
 DeFazio Lantos
 DeGette Larsen (WA)
 DeLauro Larson (CT)
 Dicks Levin
 Doggett Lewis (GA)
 Donnelly Lipinski
 Doyle Loebsock
 Edwards Lofgren, Zoe
 Ellsworth Lowey
 Emanuel Mahoney (FL)
 Engel Markey
 Eshoo Marshall
 Etheridge Matheson
 Farr Matsui
 Fattah McCarthy (NY)
 Filner McCollum (MN)
 Giffords McDermott
 Gillibrand McGovern
 Gonzalez McIntyre
 Gordon McNERney
 Green, Al McNulty
 Green, Gene Meek (FL)
 Grijalva Meeks (NY)
 Gutierrez Melancon
 Hall (NY) Michaud
 Hare Miller (NC)
 Harman Miller, George
 Hastings (FL) Mitchell
 Herseth Sandlin Mollohan
 Hill Moore (KS)
 Hinchey Moore (WI)
 Hinojosa Moran (VA)
 Hirono Murphy (CT)
 Hodes Murphy, Patrick
 Holden Murtha
 Holt Nadler
 Honda Napolitano
 Hooley Neal (MA)
 Hoyer Oberstar
 Insole Obey
 Israel Oliver
 Jackson (IL) Ortiz
 Jackson-Lee Pallone
 (TX) Pascrell
 Johnson (GA) Pastor
 Johnson, E. B. Payne
 Kagen Peterson (MN)
 Kanjorski Pomeroy
 Kaptur Price (NC)
 Kennedy Rahall
 Kildee Rangel
 Kilpatrick Reyes
 Kind Richardson
 Klein (FL) Rodriguez

NAYS—192

Aderholt Crenshaw
 Akin Culberson
 Alexander Davis (KY)
 Bachmann Davis, David
 Bachus Davis, Tom
 Baker Deal (GA)
 Barrow Dent
 Bartlett (MD) Diaz-Balart, L.
 Barton (TX) Diaz-Balart, M.
 Biggert Doolittle
 Bilbray Drake
 Bilirakis Dreier
 Blackburn Duncan
 Blunt Ehlers
 Boehner Emerson
 Bonner English (PA)
 Bono Everett
 Boozman Fallin
 Boustany Feeney
 Brady (TX) Ferguson
 Broun (GA) Flake
 Brown (SC) Forbes
 Brown-Waite, Fortenberry
 Ginny Fossella
 Buchanan Foxx
 Burgess Franks (AZ)
 Burton (IN) Frelinghuysen
 Buyer Gallegly
 Calvert Garrett (NJ)
 Camp (MI) Gerlach
 Campbell (CA) Gilchrist
 Cannon Gingrey
 Cantor Gohmert
 Capito Goode
 Carter Goodlatte
 Castle Granger
 Chabot Graves
 Coble Hall (TX)
 Cole (OK) Hastings (WA)
 Conaway Hayes

McHugh
 McKeon
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moran (KS)
 Murphy, Tim
 Musgrave
 Myrick
 Neugebauer
 Nunes
 Pearce
 Pence
 Peterson (PA)
 Petri
 Pickering
 Platts
 Poe
 Porter
 Price (GA)
 Price (OH)
 Putnam
 Radanovich
 Ramstad

NOT VOTING—24

Barrett (SC)
 Bishop (UT)
 Carson
 Cabin
 Davis, Jo Ann
 Delahunt
 Dingell
 Ellison
 Frank (MA)
 Hastert
 Higgins
 Jefferson
 Jindal
 Jones (OH)
 Lee
 Lynch
 Maloney (NY)

□ 1202

Messrs. RYAN of Wisconsin, CAS-
 TLE, and HALL of Texas changed their
 vote from “yea” to “nay.”

So the previous question was ordered.
 The result of the vote was announced
 as above recorded.

The SPEAKER pro tempore. The
 question is on the resolution.
 The resolution was agreed to.

A motion to reconsider was laid on
 the table.

PROVIDING FOR CONSIDERATION
 OF H.R. 2740, MEJA EXPANSION
 AND ENFORCEMENT ACT OF 2007

The SPEAKER pro tempore. The un-
 finished business is the vote on order-
 ing the previous question on House
 Resolution 702, on which the yeas and
 nays were ordered.

The Clerk read the title of the resolu-
 tion.

The SPEAKER pro tempore. The
 question is on ordering the previous
 question.

This will be a 5-minute vote.
 The vote was taken by electronic de-
 vice, and there were—yeas 218, nays
 192, not voting 22, as follows:

[Roll No. 933]

YEAS—218

Abercrombie Boucher
 Ackerman Boyd (FL)
 Allen Boyda (KS)
 Altmire Brady (PA)
 Andrews Braley (IA)
 Arcuri Brown, Corrine
 Baca Butterfield
 Baird Capps
 Baldwin Capuano
 Bean Cardoza
 Becerra Carnahan
 Berkeley Carney
 Berman Castor
 Berry Chandler
 Bishop (GA) Clarke
 Bishop (NY) Clay
 Blumenauer Cleaver
 Boren Clyburn
 Boswell Cohen

Smith (TX) Doyle
 Souder Edwards
 Stearns Ellsworth
 Sullivan Emanuel
 Terry Engel
 Thornberry Eshoo
 Tiahrt Etheridge
 Tiberi Farr
 Turner Fattah
 Upton Filner
 Walberg Giffords
 Walden (OR) Gillibrand
 Walsh (NY) Gonzalez
 Wamp Gordon
 Weldon (FL) Green, Al
 Weller Green, Gene
 Westmoreland Grijalva
 Whitfield Gutierrez
 Wicker Hall (NY)
 Wilson (NM) Hare
 Wilson (SC) Harman
 Wolf Hastings (FL)
 Young (AK) Herseth Sandlin
 Young (FL) Hill
 Hinchey
 Hinojosa
 Hirono
 Hodes
 Holden
 Holt
 Honda
 Hooley
 Hoyer
 Insole
 Israel
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Johnson (GA)
 Johnson, E. B.
 Kagen
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 Larsen (WA)
 Larson (CT)

NAYS—192

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 Blackburn
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 Brown (SC)
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 Musgrave Rogers (KY)
 Myrick Rogers (MI)
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 Nunes Ros-Lehtinen
 Pearce Roskam
 Pence Royce
 Peterson (PA) Ryan (WI)
 Petri Sali
 Pickering Saxton
 Platts Schmidt
 Poe Sensenbrenner
 Porter Sessions
 Price (GA) Shadegg
 Pryce (OH) Shays
 Putnam Shimkus
 Radanovich Shuster
 Ramstad Simpson
 Regula Smith (NE)
 Rehberg Smith (NJ)
 Reichert Smith (TX)
 Renzi Souder

Stearns
 Sullivan
 Terry
 Thornberry
 Tiahrt
 Tiberi
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 Turner
 Upton
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 Walsh (NY)
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 Meeks (NY)
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 Michaud
 Miller (NC)
 Miller, George
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)

Moran (VA)
 Murphy (CT)
 Murphy, Patrick
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 Radha
 Napolitano
 Neal (MA)
 Oberstar
 Obey
 Oliver
 Ortiz
 Pallone
 Pascrell
 Pastor
 Payne
 Peterson (MN)
 Pomeroy
 Price (NC)
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 Rangel
 Reyes
 Richardson
 Rodriguez
 Ross
 Rothman
 Roybal-Allard
 Ruppberger
 Rush
 Ryan (OH)
 Salazar
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schwartz
 Scott (GA)
 Scott (VA)
 Serrano
 Sestak

Shea-Porter
 Sherman
 Shuler
 Sires
 Skelton
 Slaughter
 Smith (WA)
 Taylor
 Snyder
 Solis
 Spratt
 Stark
 Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Thompson (CA)
 Thompson (MS)
 Tierney
 Towns
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velazquez
 Visclosky
 Walz (MN)
 Wasserman
 Schultz
 Watson
 Watt
 Waxman
 Weiner
 Welch (VT)
 Wexler
 Wilson (OH)
 Woolsey
 Wu
 Wynn
 Yarmuth

Shuster
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 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Souder
 Stearns
 Sullivan
 Terry
 Thornberry
 Tiahrt
 Tiberi
 Turner
 Upton
 Walberg
 Walden (OR)
 Walsh (NY)
 Wamp
 Weldon (FL)
 Weller
 Barrett (SC)
 Carson
 Cubin
 Davis, Jo Ann
 Delahunt
 Dingell
 Ellison
 Ellsworth

Westmoreland
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Young (AK)
 Young (FL)
 Paul
 Perlmutter
 Pitts
 Space
 Tancredo
 Waters

NOT VOTING—22

Barrett (SC) Hastert
 Carson Higgins
 Cubin Jindal
 Davis, Jo Ann Jones (OH)
 Delahunt Lee
 Dingell Maloney (NY)
 Ellison Marchant
 Frank (MA) Waters

McMorris
 Rodgers
 Paul
 Perlmutter
 Pitts
 Space
 Tancredo
 Waters

McCarthy (NY)
 McCollum (MN)
 McDermott
 McGovern
 McIntyre
 McNeerney
 McNulty
 Meek (FL)
 Meeks (NY)
 Melancon
 Michaud
 Miller (NC)
 Miller, George
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)

Rothman
 Roybal-Allard
 Ruppberger
 Rush
 Ryan (OH)
 Salazar
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schwartz
 Scott (GA)
 Scott (VA)
 Serrano
 Sestak

NOT VOTING—22

Frank (MA)
 Hastert
 Higgins
 Jindal
 Jones (OH)
 Klein (FL)
 Lee
 Maloney (NY)
 Paul
 Perlmutter
 Pitts
 Space
 Tancredo
 Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1211

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Ms. SUTTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 193, not voting 22, as follows:

[Roll No. 934]
 AYES—217

Abercrombie
 Ackerman
 Allen
 Altmire
 Andrews
 Arcuri
 Baca
 Baird
 Baldwin
 Barrow
 Bean
 Becerra
 Berkley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boren
 Boswell
 Boucher
 Boyd (FL)
 Boyda (KS)
 Brady (PA)
 Braley (IA)
 Brown, Corrine
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Castor

Chandler
 Clarke
 Clay
 Cleaver
 Clyburn
 Arcuri
 Cohen
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cramer
 Crowley
 Cuellar
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis, Lincoln
 DeFazio
 DeGette
 DeLauro
 Dicks
 Doggett
 Donnelly
 Doyle
 Edwards
 Emanuel
 Engel
 Eshoo
 Ethridge
 Farr
 Fattah

Filner
 Giffords
 Gillibrand
 Gonzalez
 Gordon
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hall (NY)
 Hare
 Harman
 Hastings (FL)
 Herstein Sandlin
 Hill
 Hinchey
 Hinojosa
 Hirono
 Hodes
 Holden
 Holt
 Honda
 Hooley
 Hoyer
 Inslee
 Doyle
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Johnson (GA)
 Johnson, E. B.
 Kagen

Everett
 Fallin
 Feeney
 Ferguson
 Flake
 Forbes
 Fortenberry
 Fossella
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garrett (NJ)
 Gerlach
 Gilchrest
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 Lewis (CA)
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 McCotter
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 McHenry
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 McKeon
 McMorris
 Rodgers
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moran (KS)
 Murphy, Tim
 Musgrave
 Myrick
 Neugebauer
 Nunes
 Pearce
 Pence
 Peterson (PA)
 Petri
 Pickering
 Platts
 Poe
 Porter
 Price (GA)
 Pryce (OH)
 Putnam
 Radanovich
 Ramstad
 Regula
 Rehberg
 Reichert
 Renzi
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Roskam
 Royce
 Ryan (WI)
 Sali
 Saxton
 Schmidt
 Sensenbrenner
 Sessions
 Shadegg
 Shays
 Shimkus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1218

So the resolution was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on October 3, 2007, I inadvertently failed to vote on rollcall votes 932, 933, and 934. Had I voted, I would have voted "yea" on 932, "yea"; on 933, and "yea" on 934.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

GENERAL LEAVE

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 928.

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

There was no objection.

IMPROVING GOVERNMENT ACCOUNTABILITY ACT

The SPEAKER pro tempore. Pursuant to House Resolution 701 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 928.

□ 1220

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 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, with Mr. BAIRD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New York (Mr. TOWNS) and the gentleman from Virginia (Mr. TOM DAVIS) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. TOWNS. Mr. Chairman, at this time I yield 3 minutes to the chairman of the full committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank Chairman TOWNS for yielding to me.

I rise in strong support of H.R. 928, the Improving Government Accountability Act. It is a bipartisan bill. It was favorably reported by the Oversight Committee on August 2, 2007, with strong support from Members across the political spectrum.

There is a simple reason why this bill has so much support. It strengthens the Inspectors General, who are the first line of defense against waste, fraud and abuse in Federal programs.

The last 6 years have given us examples of Inspectors General at their best and at their worst. Stuart Bowen, the Special Inspector General for Iraq Reconstruction, has uncovered fraud and saved American taxpayers hundreds of millions of dollars. Clark Kent Erving and Richard Skinner, the former and current IGs for the Department of Homeland Security, have identified billions in wasteful spending in the new Department. Glenn Fine at the Department of Justice, Earl Delvaney at Interior, and Brian Miller at the General Services Administration have all reported courageously on abuses within the agencies they oversee. These and other IGs have fought waste, fraud and abuse and saved the taxpayers cumulatively billions of dollars.

Yet there are also IGs who seem more intent on protecting their departments from political embarrassment than on doing their jobs. Our Oversight Committee is investigating allegations that the State Department IG has blocked investigations into contract fraud in Iraq and Afghanistan. The Energy and Commerce Committee documented serious abuses by the former IG in the Commerce Department. And the Science Committee has identified serious questions raised about the close relationship of the NASA IG to agency management.

This bill strengthens the good IGs by giving them greater independence. Under this legislation, they can only be removed for cause, not for doing their job. And they will now have new budgetary independence.

At the same time, the legislation enacts in statute new mechanisms for holding bad IGs to account. The legislation establishes an "Integrity Committee" that will investigate allegations that IGs have abused the public trust.

There have been several key champions of this bill. Representative COO-

PER has worked tirelessly on this issue for years and deserves our thanks for his efforts. I would also like to acknowledge Subcommittee Chairman TOWNS for his tremendous leadership in moving this legislation forward and Ranking Member TOM DAVIS for his commitment to strong IGs and his many helpful contributions.

H.R. 928 would make needed improvements to the IG Act, and I urge all Members to support it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I again want to thank Mr. COOPER for introducing this legislation and working with us as it moved its way through the subcommittee and committee process; Mr. TOWNS for his leadership; and the chairman of the full committee, Mr. WAXMAN, for his leadership as well.

Today, we take up H.R. 928, the Improving Government Accountability Act of 2007. This legislation is intended to enhance the independence of Inspectors General throughout the government to improve their ability to monitor and oversee executive branch operations.

Since the enactment of the Inspector General Act of 1978, Inspectors General throughout the government have played an integral role in identifying waste and mismanagement in government. IGs have also been instrumental in aiding Congress and the executive branch to make government more efficient and effective.

We all agree IGs should operate independently, free from political interference. After all, both agency heads and Congress often rely on IG reports to provide frank assessments of the effectiveness of Federal programs.

However, Inspectors General should also be part of an agency's management structure, part of a team, albeit with some independence, rather than a "fourth branch" of the Federal Government. If we separate the IGs from the day-to-day operations of the agencies they oversee, IGs will cease to perform a constructive, integrated role and instead will become Monday morning quarterbacks with their function solely second-guessing decisions made by agencies.

Many of the provisions in H.R. 928 will help to enhance the effectiveness of the IGs in overseeing Federal agencies and programs. I am concerned that certain provisions of the legislation go further than I would like in isolating IGs, removing them from the agency decision-making process.

For example, during committee consideration of the legislation, I offered an amendment to exempt smaller agency IGs from the "for cause" removal provision in the bill, thereby reserving the "for cause" removal threshold only for Cabinet-level agency IGs. The purpose of this amendment, which was adopted, I might add, with the help of my friends on the other side, was to strike an appropriate balance between

the need to ensure independence of our Inspectors General while at the same time preserving the President's authority over employers and officers of the executive branch.

I also have concerns with a provision that's in the current bill authorizing IGs to independently submit their budget requests to Congress outside of the traditional Federal budget process. My concerns with this new authority pertain more to the logistical nightmare this creates rather than any particular objection to increased IG independence. After all, having 60 separate budgets for individual offices accompanying the President's annual budget submission to Congress will only add unnecessary confusion to the already confusing Federal budget process. So when Members get the President's budget, under the way the law is currently written, they get the Federal budget submitted by the President and then 60 separate requests from IGs.

Now, I intend to offer an amendment, which I am hopeful the other side will accept, which goes at least part of the way toward addressing the legitimate concerns raised by the administration but getting to the points that the author of this bill wanted to get as well.

In closing, I believe the underlying legislation improves the laws governing our IGs. I think some additional changes need to be made as it moves forward, but I very much appreciate Mr. COOPER's efforts on this bill and his initiative in trying to identify these problems as we move through.

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

Mr. TOWNS. Mr. Chairman, I yield myself such time as I may consume.

H.R. 928, the Improving Government Accountability Act, focuses on the important role of the Inspector General in providing independent oversight within Federal agencies. By investigating and reporting waste, fraud and abuse to both agency leaders and to the Congress, Inspectors General play a critical role in maintaining checks and balances in the Federal Government.

When Congress created the Inspectors General nearly 30 years ago, the idea was that having independent officials inside the Federal agency would help detect and prevent wasteful spending and mismanagement. This concept has been a tremendous success. Investigations by IGs have resulted in the recovery of billions of dollars from companies and individuals who defrauded the Federal Government.

□ 1230

These investigations have led to thousands of criminal prosecutions, contractor debarments, employee suspensions, and in some instances, dismissals.

In sum, the work of IGs to expose criminal and abusive action in government has gone a long way to create the cleaner and more efficient government the taxpaying public expects and deserves.

Of course, even the best systems need some improvement from time to time, and that is the reason for this bill today, to effectively carry out that mission. Inspectors General must be independent and objective, which requires that they be insulated from improper management and political pressure.

To preserve the credibility of the office, Inspectors General must also perform their duties with integrity and apply the same standards of conduct and accountability to themselves as they apply to the agencies that they audit and investigate.

In recent years, there have been several episodes which raised questions about the independence and accountability of IGs. These episodes have been well documented in hearings of the Oversight Committee as well as other standing committees of the House. In some instances, IGs who are seen as too aggressive in pursuing waste at their agencies had their budget cut or were threatened with dismissal. In other cases, IGs who abused their authority remained in office in part because there were no statutory standards or procedures for removal. This bill is designed to address both of those problems. H.R. 928 creates fixed terms of office for Inspectors General and specific reasons for their removal. It allows IGs to submit their budget requests directly to the Congress. The bill establishes an Inspector General council and sets procedures for investigation of potential IG misconduct. And the bill increases the rank and pay of IGs as well.

This is a strong bill and a necessary bill. Passing this bill will send a message that Congress values the work of the Inspectors General and the oversight that they provide.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me talk, first of all, about what the legislation does. It establishes a 7-year term of office for the over 60 Inspectors General in the Federal Government. This gives them continuity from administration to administration, so they're not political lackeys, they are professionals. It limits the President's authority to remove a Senate-confirmed IG, and that's about half of them, except on certain grounds; for example, permanent incapacity, inefficiency, neglect of duty, malfeasance, conviction of a felony, or conduct involving moral turpitude. That gives the IGs independence from pressure from the appointing administration.

At the smaller agencies, a different standard applies. There, an IG can be removed, but it will require 30-day advance notification to Congress before an agency head removes the agency's IG.

The legislation also authorizes IGs to submit their budget requests to Congress independent of the President's budget submission. This is something

that I'm going to have an amendment on later that I think will clarify it.

This also codifies an executive order establishing the Council of the Inspectors General on Integrity and Efficiency. This is a coordinating council of Federal IGs, as well as an integrity committee to investigate allegations of wrongdoing by IGs. And unfortunately, we see that; these people are human beings as well.

It increases the salary of IGs and prohibits IGs from receiving bonuses. It enhances IG power by granting limited personnel authority, expanded subpoena authority, and increased ability to deputize IG agents.

It strengthens the GAO's authority to conduct investigations, for sworn testimony it requires congressional notification of agency noncooperation, and it expands IG ability to pursue false claims and recoup losses resulting from fraud.

Now, the administration has issued a negative statement of policy on this for two reasons. One, they don't like the limitation on the President's authority to remove executive branch officials. On that, I think we have gone overboard, working together, both parties, to try to put reasonable limitations, but at the same time maintaining a higher level of independence for IGs than you will find at other levels. And I think institutionally, as Members of this House, the changes in this bill I think are worth supporting, I would oppose the administration in that. The second concern is the independent submission of the IG's budget to Congress, and we are offering an amendment to try to clarify that, which I will speak on later.

Once again, this legislation was introduced by Representative Jim Cooper from Tennessee in February. It was approved by our committee by a voice vote in August. In addition to a substitute offered by Representative COOPER, which made a number of technical changes, the committee did adopt an amendment offered by me to limit the application of removal for cause in a way that I think we are all comfortable with.

So, again, I want to thank the players who have brought this to this stage.

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

Mr. TOWNS. Mr. Chairman, I yield 5½ minutes to the gentleman from Tennessee, who has been very instrumental in bringing forth this legislation, Mr. COOPER.

Mr. COOPER. I would first like to thank the subcommittee chairman, my friend, Mr. TOWNS, for doing an outstanding job on this and other legislation. I want to thank the ranking member, Mr. DAVIS, who has been particularly accommodating in working on this bill to do a better job for the Federal taxpayer. That's what this is all about, making government work better. If there has ever been a good government measure, this is it.

I also want to thank the full committee chairman, Mr. WAXMAN, who

was so helpful in so many ways, and the outstanding staff of this committee, the Government Reform Committee. There is none better on the Hill, perhaps in the history of the Hill, so we are very proud of their work.

Finally, let me thank my personal staff, my legislative director, Cicely Simpson. She has been a tireless champion of this bill, and even her predecessor, Anne Kim.

Sadly, this good government measure has taken years to come to the floor and to be passed by the House of Representatives, but now we're making progress, and the Federal taxpayer will benefit as a result.

Now, why do I say this is such a good government measure? There are some 58 IGs scattered throughout the Federal Government. They are the fiscal watchdogs for the taxpayer. They are the first line of defense against fraud, waste and mismanagement in Federal Government. These IGs and their staff save many, many times more money than their salary cost or their benefit cost. These are the folks who see the fraud first and catch it before it gets too big.

Let me give you an example. In today's Washington Post, there is a new GAO study that comes out and it says, Federal officials too often flying first and business class, GAO finds, their leg room and your tax dollars.

The GAO has found that \$146 million was spent just in the last year for improper Federal first class and business travel. They could go through agency after agency naming executives who have abused the Federal credit card. This is an outrage. Now, by Federal standards, this is a relatively small outrage, but this is the sort of stuff that needs to be caught and caught early.

This is also why we need Inspector General independence, because they're not going to be popular when they point out to their agency head or other senior officials in Federal Government that they shouldn't have been flying first class. That endangers the IG's position because that is not a popular thing to do.

One of the folks here was caught flying his entire family of eight from Washington, D.C. to Eastern Europe first class. That's wrong. And I'm sure the Federal executive wanted to take his whole family first class, but these are Federal tax dollars at stake.

So this is a very important bill. It is very important to update the original IG legislation. It has been on the books since 1978. Problems have occurred since then, and now we will fix those problems.

Now, it has been noted here today by the ranking member, and I appreciate his courage in opposing the administration veto on this, the veto threat. A SAP has been issued, a Statement of Administration Policy, and in my opinion, at least, the grounds for this threatened veto are remarkably flimsy. So I hope that the Members listening

back in their offices and their staff, particularly across the aisle, will pay close attention to the reasons that the administration says it objects to this reform legislation and to figure out whether those reasons are really valid.

There are two fundamental grounds. First of all, they object to "for cause" dismissal. I think perhaps the Bush administration feels this is somehow aimed at them. It's not. Everyone knows that by the time this legislation is fully administered, the next administration will be in place. This legislation is really designed to help all administrations, whatever their political stripe. So it's very important to realize that the "for cause" language that the administration objects to has already been removed at the urging of the ranking member, due to his excellent amendment in committee, for half of the IG agencies. It only remains for the Cabinet-level agencies. Why? Because those folks should have a 7-year term and have full political independence so that they can make the tough calls, even if it means denying a Cabinet Secretary first-class airfare to Europe. They need independence.

The second grounds that the administration has posed for objecting to this legislation is they shouldn't have separate budget submissions. Now, I was down eating lunch with one of my colleagues a few minutes ago, and he had the mistaken notion that somehow this would be an entire separate budget for the entire agency. That's not true. This is just the IG's own budget for the IG and his or her staff. So that's a very modest request, that the IG cannot be pressured by the agency head. So that, to me, also is a pretty flimsy ground for objecting to this legislation.

So, I would urge all Members to take a close look. This is good government legislation. This will save the taxpayer billions of dollars, according to the committee report. Just last year, IG recommendations saved \$9.9 billion in audit recommendations and \$6.8 billion in investigative recoveries. That's \$15 billion-plus for the Federal taxpayer. We need to be saving much more money like this, and IGs and this bill can do it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, may I inquire as to how much time is remaining.

The CHAIRMAN. The gentleman from Virginia has 23½ minutes remaining.

Mr. TOM DAVIS of Virginia. I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS), a cosponsor of this bill.

Mr. SHAYS. I thank the gentleman for yielding.

I want to first congratulate Mr. COOPER for moving forward with this legislation and reaching out to both sides of the aisle to sponsor it. This is, in fact, two days in a row that we've seen a nice bipartisan bill coming to the floor of the House, and I want to thank Mr. COOPER for his reaching out to both sides of the aisle and for his good work

over many, many years on substantive issues like this.

I want to say as well that the GAO, which was the General Accounting Office, now the Government Accountability Office, and the Inspectors General have done excellent jobs. We have turned to them, particularly in our Government Reform Committee, continually. But I think this truly does strengthen the bill, and I thank Mr. TOWNS, who has been a long-time member of the committee, for marshalling this important bill through.

The bottom line for me is, Inspectors General already do a very good job, except in one or two places where they feel a little too encumbered by the management to be as independent as we would like them to be. This guarantees that every department will be a bit more independent. And all the reasons that my ranking member, who has been so instrumental in legislation like this and helpful in bringing this bill out, all the reasons he pointed out, I just will emphasize, though, the one that I like the best is the independence of this office.

Mr. TOWNS. Mr. Chairman, I yield 3 minutes to Mr. YARMUTH, the gentleman from Kentucky.

Mr. YARMUTH. I thank the gentleman.

Mr. Chairman, I rise today in strong support of H.R. 928, the Improving Government Accountability Act.

Because America's Founders were freshly freed from the shackles of British oppression when they formed this Nation, safeguards against the consolidation of power into the hands of a few can be found everywhere in the Constitution, beginning with article I; 220 years later, we still must strive for those checks and balances in order to form the more perfect union the Founding Fathers envisioned.

For nearly 30 years, 1978's Inspector General Act provided much of the oversight required for our government to function as the Forefathers imagined, but today, some Inspectors General would rather impede oversight than conduct it. What else should we expect when we have no protections from the protectors?

We have unaccountable appointees in nearly every executive Department and agency, and many serve not to prevent corruption but to preserve it. These are not cases of individuals merely failing to fulfill their job descriptions, but actually instigating the waste, fraud and abuse the American people pay them to ward off. These unchecked appointees have hindered valid investigations, siphoned tax dollars for personal pleasures, and refused to uphold accountability for fellow political appointees. Honest civil servants who have dedicated their lives to improving our government are victims of intimidation, threats and termination. And despite these blatant offenses, our hands are tied. There is no line of defense for the American people.

We have gone far astray from the noble aims of this Republic. And let me

be clear, this is not a simple case of a few bad apples. The abuses within the Inspectors General offices were invited by the cracks in a failing structure, and they will continue to grow unless we, in this body, take steps to fix the crumbling construction.

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The Improving Government Accountability Act begins to correct these weaknesses and in so doing fulfills the intent of the Inspector General Act of 1978 and once again upholds the integrity of this Nation's proud creation. The Founders were very clear from the first article of the Constitution in which they granted all legislative powers not to an executive with a consolidated power, but to the Congress.

I strongly urge my colleagues to join me in utilizing the authority to preserve the checks and balances that our Constitution's crafters held so dear.

Mr. TOM DAVIS of Virginia. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Virginia has 21½ minutes. The gentleman from New York has 15½ minutes.

Mr. TOM DAVIS of Virginia. I reserve the balance of my time.

Mr. TOWNS. I have no further speakers.

Mr. TOM DAVIS of Virginia. If the gentleman has no further speakers, I will take a minute and sum up and yield back.

Let me just say again, I want to thank the author of this legislation. I want to thank Mr. TOWNS for moving this through subcommittee and Chairman WAXMAN. I just want to note, for IGs to work successfully, they need to work with their agencies. I think however we write the law, the President that appoints and the Senate that confirms, we need to look for more accountants.

Frankly, we have seen a surge of people coming out of the U.S. Attorney's offices, and they make this more adversarial than it needs to be. A good IG is going to work with their agency to identify waste, fraud and abuse, not enter into a gotcha mentality. For government to work, you need them all working together. You need an independent IG, there is no question about that. But the person in that office ought to be right there with the agency head making sure that things work. That doesn't always happen. I don't think we can write any law that makes that happen. That is going to depend on the goodwill of the people, the agency heads and the IGs working together. But I think this legislation goes a long way toward establishing that independence, giving the IG the authority that they need. But the rest is going to be up to the appointing President and the confirming Senate to get the right people in these jobs, professionals who want to be a part of government and making it work efficiently for the taxpayer.

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

Mr. TOWNS. Mr. Chairman, I think this legislation is a giant step in the right direction. I would like to thank the chairman of the full committee, Congressman WAXMAN. I would like to thank Congressman DAVIS, the ranking member. I would like to thank subcommittee ranking member, Congressman BILBRAY from California. Of course, I would like to thank Mr. COOPER for all of his work on this legislation. And I would like to thank the staff for all of their work in terms of making certain that we were able to come today. I want to thank the sponsors for this bill. Mr. COOPER and I and our colleagues across the aisle have been very open to getting input and making changes to this bill. This is what the legislative process is all about, exchanging ideas, sharing information, and trying to improve the legislation. I think the end result in this bill will increase the Office of Inspector General and give them the kind of independence that they need to be able to do the efficient work that is so required. I am excited about the possibilities, of course, and I encourage all my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support of H.R. 928, the Improving Government Accountability Act. I would like to thank my colleague, Congressman COOPER, for introducing this important legislation, as well as the Chairman of the House Oversight and Government Reform Committee, Congressman WAXMAN, for his leadership in bringing this important issue to the floor.

Mr. Chairman, Inspectors General play a vital role for the U.S. taxpayer. Their work is crucial in preventing and detecting waste, fraud, and abuse in federal programs. In 2006 alone, audits by Inspector General offices resulted in potential savings from audit recommendations of \$9.9 billion and criminal recoveries of \$6.8 billion. However, in order to effectively carry out their mission, Inspectors General must be independent and objective, which requires that they be insulated from improper management and political pressure.

The legislation we have before us today contains a number of important provisions designed to enhance the effectiveness and independence of Inspectors General, as well as provisions to enhance the accountability of the entire Inspector General system. It updates the Inspector General Act of 1978 to promote independence and accountability for Inspectors General in executive branch departments and agencies.

Mr. Chairman, there are many badly needed reforms to the Inspector General system that this legislation directly addresses. It defines the terms of office for Inspector Generals as fixed seven-year terms, helping to insulate Inspectors General from political retribution. It goes on to enumerate conditions for removal of Inspectors General, who currently serve at the pleasure of their appointing authorities, allowing for their termination before the end of their terms only for serious cause, such as malfeasance, permanent disability, inefficiency, neglect of duty, or conviction of a fel-

ony. Both of these provisions will go a long way in enhancing the ability of Inspectors General to remain politically independent.

In addition, this legislation requires Inspectors General to submit their budgets to the Office of Management and Budget (OMB) and Congress. This provision is intended to deter officials in their respective agencies from slashing their funding in retaliation for unfavorable audits, further enhancing the independence of Inspectors General.

Mr. Chairman, recently, concerns have been raised about possible misconduct by certain Inspectors General. This legislation, therefore, includes provisions to raise the level of accountability of the Inspectors General system. To cite a recent example, last week seven current and former members of the State Department's Inspector General office alleged that Inspector General Howard Krongard repeatedly thwarted investigations into alleged contact fraud in Iraq and Afghanistan, including refusing to send investigators to Iraq and Afghanistan to investigate \$3 billion worth of State Department contracts. These employees allege that Krongard's partisan political ties have led him to thwart these investigations in order to protect the Bush Administration from political embarrassment.

Mr., Chairman, as you are well aware, these are extremely serious accusations that go deep into the heart of our Inspector General system. If those we are entrusting to remain independent and objective are instead being swayed by political ties, then our Inspector General system is broken. In the wake of the recent Baghdad shootout involving U.S. contractors from the private firm Blackwater USA, in which 17 people were killed and 24 were injured, it is imperative that all agencies sending contractors to Iraq and Afghanistan be able to maintain sufficient oversight of these contracts. If Inspectors General cannot do their job because of political pressure or affiliation, it is our responsibility to fix the Inspector General system.

To do so, this bill contains provisions to hold Inspectors General themselves accountable for their decisions and actions. It also provides a mechanism for investigating and resolving allegations of misconduct by Inspectors General. The bill creates an Inspectors General Council and requires the Council to appoint an Integrity Committee, chaired by the Council's FBI representative. This Integrity Committee shall investigate any allegations of wrongdoing made against Inspectors General or their senior staff members and report substantiated allegations to the executive branch. Reports of Integrity Committee investigations must be submitted to both the Executive Chairperson of the Council and to Congress.

Mr. Chairman, we rely on the system of Inspectors General, and on the individuals who serve in this capacity, to serve as the principal watchdogs of the nation's major federal agencies. In 2006 alone, audits by Inspector General offices resulted in potential savings from audit recommendations of \$9.9 billion and criminal recoveries of \$6.8 billion. To effectively carry out this crucial mission, it is imperative that Inspectors General remain independent and objective, which in turn requires that they be insulated from improper management and political pressure.

This legislation is a crucial step forward. By enhancing the independence of the Inspectors General and improving the accountability of

the Inspector General system overall, this legislation will have a positive impact on the integrity and accountability of our government. I strongly support this legislation, and I urge my colleagues to do the same.

Mrs. MALONEY of New York. Mr. Chairman, I rise today in strong support of H.R. 928, the "Improving Government Accountability Act." I commend Chairman WAXMAN for his leadership on the Oversight and Government Reform Committee, of which I am a member, and for his efforts to ensure that the government is working for the American people. This legislation includes provisions of a bill that I introduced earlier this year which will provide for the enhanced protection of the Internal Revenue Service and its employees.

In 1998, Congress passed the Internal Revenue Service Restructuring and Reform Act, which created the Treasury Inspector General for Tax Administration (TIGTA). The legislation gave TIGTA the responsibility for protecting the Internal Revenue Service (IRS) against external attempts to corrupt or threaten IRS employees. At the same time, it excluded the provision of providing "physical security" from TIGTA's responsibilities.

Prior to the enactment of this law, the former IRS Inspection Service had been responsible for protecting the IRS against external attempts to corrupt or threaten IRS employees. The IRS Inspection Service was responsible for providing armed escorts for IRS employees who were specifically threatened or who were contacting individuals designated as "Potentially Dangerous Taxpayers." The law transferred most of those duties to the new Treasury Inspector General for Tax Administration. Inexplicably, "physical security" was excluded from TIGTA's statutory responsibilities.

In its current statutory mission, TIGTA investigates all allegations of threats or assaults involving IRS employees and assists U.S. Attorneys' offices with appropriate prosecutions. However, if TIGTA determines that any of the threats or assaults it investigates call for the provision of physical security, the language of the 1998 law precludes TIGTA from taking action.

Authorizing TIGTA to have armed escort authority would be both more efficient and more effective in advancing tax administration and ensuring the safety of IRS employees.

I want to thank Chairman WAXMAN and Ranking Member DAVIS for their support of this provision, and I urge my colleagues to support H.R. 928.

Mr. TOWNS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H. R. 928

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 "Improving Government Accountability Act".

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

- Sec. 1. Short title; table of contents.
 Sec. 2. Enhancing independence of Inspectors General.
 Sec. 3. Direct submission of budget requests to Congress.
 Sec. 4. Establishment of Council of the Inspectors General on Integrity and Efficiency.
 Sec. 5. Pay and bonuses of Inspectors General.
 Sec. 6. Miscellaneous enhancements.
 Sec. 7. Program Fraud Civil Remedies Act.
 Sec. 8. Application of semiannual reporting requirements with respect to inspection reports and evaluation reports.

SEC. 2. ENHANCING INDEPENDENCE OF INSPECTORS GENERAL.

(a) REMOVAL FOR CAUSE.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b) by adding at the end the following: “An Inspector General may be removed from office prior to the expiration of his or her term only on any of the following grounds:

- “(1) Permanent incapacity.
 “(2) Inefficiency.
 “(3) Neglect of duty.
 “(4) Malfeasance.
 “(5) Conviction of a felony or conduct involving moral turpitude.”; and

(2) in section 8G(e) by striking “an Inspector General” and all that follows through the period at the end and inserting the following: “the head of a designated Federal entity intends to remove an Inspector General from office or transfer an Inspector General to another position or location within such designated Federal entity, the head of such entity shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress at least 30 days before such removal or transfer.”.

(b) ESTABLISHMENT OF TERMS OF OFFICE.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3 by adding at the end the following:

“(e)(1) The term of office of each Inspector General shall be seven years. An individual may serve for more than one term in such office. Any individual appointed and confirmed to fill a vacancy in such position, occurring before the expiration of the term for which his or her predecessor was appointed, shall be appointed and confirmed for a full seven-year term.

“(2) An individual may continue to serve as Inspector General beyond the expiration of the term for which the individual is appointed until a successor is appointed and confirmed, except that such individual may not continue to serve for more than 1 year after the date on which the term would otherwise expire under paragraph (1).”; and

(2) in section 8G(c) by inserting “(1)” after “(c)”, and by adding at the end the following:

“(2) The term of office of each Inspector General shall be seven years. An individual may serve for more than one term in such office. Any individual appointed to fill a vacancy in such position, occurring before the expiration of the term for which his or her predecessor was appointed, shall be appointed for a full 7-year term.”.

(c) APPLICATION.—The amendments made by this section shall apply to any Inspector General appointed on or after the date of the enactment of this Act.

SEC. 3. DIRECT SUBMISSION OF BUDGET REQUESTS TO CONGRESS.

Section 6 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(f)(1) For each fiscal year, an Inspector General may transmit an appropriation estimate and request to the Director of the Office of Management and Budget and to the appropriate

committees or subcommittees of the Congress, in addition to any appropriation estimate and request submitted to the head of the establishment concerned.

“(2) The President shall include in each budget of the United States Government submitted to the Congress—

“(A) a separate statement of the amount of appropriations requested by each Inspector General who has submitted an appropriation estimate under paragraph (1); and

“(B) a statement comparing each such appropriation estimate and request submitted by an Inspector General and the funds requested by the head of the establishment concerned.”.

SEC. 4. ESTABLISHMENT OF COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.

(a) ESTABLISHMENT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by redesignating sections 11 and 12 in order as sections 12 and 13, and by inserting after section 10 the following new section:

“ESTABLISHMENT OF THE COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY

“SEC. 11. (a) ESTABLISHMENT.—There is established as an independent entity within the executive branch the Inspectors General Council (in this section referred to as the ‘Council’). The Council’s mission shall be to increase the professionalism and effectiveness of personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce in the offices of the Inspectors General.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Council shall consist of the following members:

“(A) All Inspectors General whose offices are established under—

“(i) section 2; or

“(ii) section 8G.

“(B) The Inspectors General of the Central Intelligence Agency and the Government Printing Office.

“(C) The Controller of the Office of Federal Financial Management.

“(D) A senior level official of the Federal Bureau of Investigation designated by the Director of the Federal Bureau of Investigation.

“(E) The Director of the Office of Government Ethics.

“(F) The Special Counsel of the Office of Special Counsel.

“(G) The Deputy Director of the Office of Personnel Management.

“(H) The Deputy Director for Management of the Office of Management and Budget.

“(2) CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

“(A) EXECUTIVE CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall be the Executive Chairperson of the Council.

“(B) CHAIRPERSON.—The Council shall elect one of the Inspectors General referred to in paragraph (1)(A) or (B) to act as Chairperson of the Council. The term of office of the Chairperson shall be two years.

“(3) FUNCTIONS OF CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

“(A) EXECUTIVE CHAIRPERSON.—The Executive Chairperson shall—

“(i) preside over meetings of the Council;

“(ii) provide to the heads of agencies and entities represented on the Council summary reports of the activities of the Council; and

“(iii) provide to the Council such information relating to the agencies and entities represented on the Council as will assist the Council in performing its functions.

“(B) CHAIRPERSON.—The Chairperson shall—

“(i) convene meetings of the Council—

“(I) at least six times each year;

“(II) monthly to the extent possible; and

“(III) more frequently at his or her discretion;

“(ii) exercise the functions and duties of the Council under subsection (c);

“(iii) appoint a Vice Chairperson to assist in carrying out the functions of the Council and act in the absence of the Chairperson, from a category of Inspectors General described in subparagraph (A)(i), (A)(ii), or (B) of subsection (b)(1), other than the category from which the Chairperson was elected;

“(iv) make such payments from funds otherwise available to the Council as may be necessary to carry out the functions of the Council;

“(v) select, appoint, and employ personnel as needed to carry out the functions of the Council subject to the availability of appropriations and the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates;

“(vi) to the extent and in such amounts as may be provided in advance by appropriations Acts, enter into contracts and other arrangements with public agencies and private persons to carry out the functions and duties of the Council;

“(vii) establish, in consultation with the members of the Council, such committees as determined by the Chairperson to be necessary and appropriate for the efficient conduct of Council functions; and

“(viii) prepare and transmit a report annually on behalf of the Council to the President on the activities of the Council.

“(c) FUNCTIONS AND DUTIES OF COUNCIL.—

“(1) IN GENERAL.—The Council shall—

“(A) continually identify, review, and discuss areas of weakness and vulnerability in Federal programs and operations with respect to fraud, waste, and abuse;

“(B) develop plans for coordinated, Government-wide activities that address these problems and promote economy and efficiency in Federal programs and operations, including interagency and inter-entity audit, investigation, inspection, and evaluation programs and projects to deal efficiently and effectively with those problems concerning fraud and waste that exceed the capability or jurisdiction of an individual agency or entity;

“(C) develop policies that will aid in the maintenance of a corps of well-trained and highly skilled Office of Inspector General personnel;

“(D) maintain an Internet Web site and other electronic systems for the benefit of all Inspectors General, as the Council determines are necessary or desirable;

“(E) maintain one or more academies as the Council considers desirable for the professional training of auditors, investigators, inspectors, evaluators, and other personnel of the various offices of Inspector General; and

“(F) make such reports to the Congress as the Chairperson determines are necessary or appropriate.

“(2) ADHERENCE AND PARTICIPATION BY MEMBERS.—Each member of the Council should, to the extent permitted under law, and to the extent not inconsistent with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions, adhere to professional standards developed by the Council and participate in the plans, programs, and projects of the Council.

“(3) EXISTING AUTHORITIES AND RESPONSIBILITIES.—The creation and operation of the Council—

“(A) shall not affect the preeminent policy-setting role of the Department of Justice in law enforcement and litigation;

“(B) shall not affect the authority or responsibilities of any Government agency or entity; and

“(C) shall not affect the authority or responsibilities of individual members of the Council.

“(d) INTEGRITY COMMITTEE.—

“(1) ESTABLISHMENT.—The Council shall have an Integrity Committee, which shall receive, review, and refer for investigation allegations of wrongdoing that are made against Inspectors General and certain staff members of the various Offices of Inspector General.

“(2) MEMBERSHIP.—The Integrity Committee shall consist of the following members:

“(A) The official of the Federal Bureau of Investigation serving on the Council, who shall serve as Chairperson of the Integrity Committee.

“(B) 3 or more Inspectors General described in subparagraph (A) or (B) of subsection (b)(1) appointed by the Chairperson of the Council, representing both establishments and designated Federal entities (as that term is defined in section 8G(a)).

“(C) The Special Counsel of the Office of Special Counsel.

“(D) The Director of the Office of Government Ethics.

“(3) LEGAL ADVISOR.—The Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, or his designee, shall serve as a legal advisor to the Integrity Committee.

“(4) REFERRAL OF ALLEGATIONS.—

“(A) REQUIREMENT.—An Inspector General shall refer to the Integrity Committee any allegation of wrongdoing against a staff member of his or her office, if—

“(i) review of the substance of the allegation cannot be assigned to an agency of the executive branch with appropriate jurisdiction over the matter; and

“(ii) the Inspector General determines that—

“(I) an objective internal investigation of the allegation is not feasible; or

“(II) an internal investigation of the allegation may appear not to be objective.

“(B) STAFF MEMBER DEFINED.—In this subsection the term ‘staff member’ means—

“(i) any employee of an Office of Inspector General who reports directly to an Inspector General; or

“(ii) who is designated by an Inspector General under subparagraph (C).

“(C) DESIGNATION OF STAFF MEMBERS.—Each Inspector General shall annually submit to the Chairperson of the Integrity Committee a designation of positions whose holders are staff members for purposes of subparagraph (B).

“(5) REVIEW OF ALLEGATIONS.—The Integrity Committee shall—

“(A) review all allegations of wrongdoing it receives against an Inspector General, or against a staff member of an Office of Inspector General; and

“(B) refer to the Chairperson of the Integrity Committee any allegation of wrongdoing determined by the Integrity Committee to be meritorious that cannot be referred to an agency of the executive branch with appropriate jurisdiction over the matter.

“(6) AUTHORITY TO INVESTIGATE ALLEGATIONS.—

“(A) REQUIREMENT.—The Chairperson of the Integrity Committee shall cause a thorough and timely investigation of each allegation referred under paragraph (5)(B) to be conducted in accordance with this paragraph.

“(B) RESOURCES.—At the request of the Chairperson of the Integrity Committee, the head of each agency or entity represented on the Council—

“(i) may provide resources necessary to the Integrity Committee; and

“(ii) may detail employees from that agency or entity to the Integrity Committee, subject to the control and direction of the Chairperson, to conduct an investigation pursuant to this subsection.

“(7) PROCEDURES FOR INVESTIGATIONS.—

“(A) STANDARDS APPLICABLE.—Investigations initiated under this subsection shall be conducted in accordance with the most current Quality Standards for Investigations issued by the Council or by its predecessors (the Presi-

dent’s Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency).

“(B) ADDITIONAL POLICIES AND PROCEDURES.—The Integrity Committee, in conjunction with the Chairperson of the Council, shall establish additional policies and procedures necessary to ensure fairness and consistency in—

“(i) determining whether to initiate an investigation; and

“(ii) conducting investigations;

“(iii) reporting the results of an investigation; and

“(iv) providing the person who is the subject of an investigation with an opportunity to respond to any Integrity Committee report.

“(C) REPORT.—With respect to any investigation that substantiates any allegation referred to the Chairperson of the Integrity Committee under paragraph (5)(B), the Chairperson of the Integrity Committee shall—

“(i) submit to the Executive Chairperson of the Council a report on the results of such investigation, within 180 days (to the maximum extent practicable) after the completion of the investigation; and

“(ii) submit to Congress a copy of such report within 30 days after the submission of such report to the Executive Chairperson under clause (i).

“(8) NO RIGHT OR BENEFIT.—This subsection is not intended to create any right or benefit, substantive or procedural, enforceable at law by a person against the United States, its agencies, its officers, or any person.

“(e) APPLICATION.—The provisions of this section apply only to the Inspectors General (and their offices) listed in subsection (b)(1)(A) and (B).”

(b) EXISTING EXECUTIVE ORDERS.—Executive Order 12805, dated May 11, 1992, and Executive Order 12993, dated March 21, 1996, shall have no force or effect.

(c) CONFORMING AMENDMENTS.—

(1) INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in sections 2(1), 4(b)(2), and 8G(a)(1)(A) by striking “section 11(2)” each place it appears and inserting “section 12(2)”; and

(B) in section 8G(a), in the matter preceding paragraph (1), by striking “section 11” and inserting “section 12”.

(2) TITLE 31, U.S.C.—Section 1105(a) of title 31, United States Code, is amended by striking the first paragraph (33) and inserting the following:

“(33) a separate appropriation account for appropriations for the Inspectors General Council, and, included in that account, a separate statement of the aggregate amount of appropriations requested for each academy maintained by the Inspectors General Council.”

SEC. 5. PAY AND BONUSES OF INSPECTORS GENERAL.

(a) PROHIBITION OF CASH BONUS OR AWARDS.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“(f) An Inspector General (as defined under section 8G(a)(6) or 11(3)) may not receive any cash award or cash bonus, including any cash award under chapter 45 of title 5, United States Code.”

(b) INSPECTORS GENERAL AT LEVEL III OF EXECUTIVE SCHEDULE.—

(1) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“(g) The annual rate of basic pay for an Inspector General (as defined under section 11(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

(2) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by strik-

ing the item relating to each of the following positions:

(A) Inspector General, Department of Education.

(B) Inspector General, Department of Energy.

(C) Inspector General, Department of Health and Human Services.

(D) Inspector General, Department of Agriculture.

(E) Inspector General, Department of Housing and Urban Development.

(F) Inspector General, Department of Labor.

(G) Inspector General, Department of Transportation.

(H) Inspector General, Department of Veterans Affairs.

(I) Inspector General, Department of Homeland Security.

(J) Inspector General, Department of Defense.

(K) Inspector General, Department of State.

(L) Inspector General, Department of Commerce.

(M) Inspector General, Department of the Interior.

(N) Inspector General, Department of Justice.

(O) Inspector General, Department of the Treasury.

(P) Inspector General, Agency for International Development.

(Q) Inspector General, Environmental Protection Agency.

(R) Inspector General, Export-Import Bank.

(S) Inspector General, Federal Emergency Management Agency.

(T) Inspector General, General Services Administration.

(U) Inspector General, National Aeronautics and Space Administration.

(V) Inspector General, Nuclear Regulatory Commission.

(W) Inspector General, Office of Personnel Management.

(X) Inspector General, Railroad Retirement Board.

(Y) Inspector General, Small Business Administration.

(Z) Inspector General, Tennessee Valley Authority.

(AA) Inspector General, Federal Deposit Insurance Corporation.

(BB) Inspector General, Resolution Trust Corporation.

(CC) Inspector General, Central Intelligence Agency.

(DD) Inspector General, Social Security Administration.

(EE) Inspector General, United States Postal Service.

(3) SAVINGS PROVISION.—Nothing in this subsection shall have the effect of reducing the rate of pay of any individual serving as an Inspector General on the effective date of this subsection.

(c) INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity (as those terms are defined under section 8G of the Inspector General Act of 1978) shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, comparable to those of a majority of the senior staff members of such designated Federal entity (such as, but not limited to, a General Counsel, Deputy Director, or Chief of Staff) that report directly to the head of such designated Federal entity. The head of a designated Federal entity shall set the annual rate of basic pay for an Inspector General (as defined under such section 8G) 3 percent above the annual rate of basic pay for senior staff members classified at a comparable grade, level, or rank designation (or, if those senior staff members receive different rates, the annual rate of basic pay for a majority of those senior staff members, as determined by the head of the designated Federal entity concerned).

SEC. 6. MISCELLANEOUS ENHANCEMENTS.

(a) OFFICES AS DISCRETE AGENCIES.—Section 6(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

“(d)(1)(A) For purposes of applying the provisions of law identified in subparagraph (B)—

“(i) each Office of Inspector General shall be considered to be a separate agency; and

“(ii) the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions.

“(B) This paragraph applies with respect to the following provisions of title 5, United States Code:

“(i) Subchapter II of chapter 35.

“(ii) Sections 8335(b), 8336, 8414, and 8425(b).

“(iii) All provisions relating to the Senior Executive Service (as determined by the Office of Personnel Management), subject to paragraph (2).

“(2) For purposes of applying section 4507(b) of title 5, United States Code, paragraph (1)(A)(ii) shall be applied by substituting ‘the Council of the Inspectors General on Integrity and Efficiency (established by section 11 of the Inspector General Act) shall’ for ‘the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office.’”.

(b) SUBPOENA POWER.—Section 6(a)(4) of the Inspector General Act of 1978 (5 U.S.C. App.), is amended—

(1) by inserting “in any medium (including electronically stored information, as well as any tangible thing)” after “other data”; and

(2) by striking “subpena” and inserting “subpoena”.

(c) LAW ENFORCEMENT AUTHORITY FOR DESIGNATED FEDERAL ENTITIES.—Section 6(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1) by striking “appointed under section 3”; and

(2) by adding at the end the following:

“(9) In this subsection the term ‘Inspector General’ means an Inspector General appointed under section 3 or an Inspector General appointed under section 8G.”.

(d) AUTHORITY OF TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION TO PROTECT INTERNAL REVENUE SERVICE EMPLOYEES.—Section 8D(k)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “and the providing of physical security”.

(e) AMENDMENT RELATING TO AUTHORITY OF COMPTROLLER GENERAL TO ADMINISTER OATHS.—Section 711 of title 31, United States Code, is amended in paragraph (4) by striking “when auditing and settling accounts” and inserting “upon the specific approval only of the Comptroller General or the Deputy Comptroller General”.

(f) AMENDMENTS RELATING TO COMPTROLLER GENERAL REPORTS.—

(1) Section 719(b)(1) of title 31, United States Code, is amended—

(A) by striking “and” at the end of subparagraph (B);

(B) by striking the period and inserting “; and” at the end of subparagraph (C); and

(C) by adding at the end the following new subparagraph:

“(D) for Federal agencies subject to sections 901 to 903 of this title and other agencies designated by the Comptroller General, an assessment of their overall degree of cooperation in making personnel available for interview, providing written answers to questions, submitting to an oath authorized by the Comptroller General under section 711 of this title, granting access to records, providing timely comments to draft reports, adopting recommendations in reports, and responding to such other matters as the Comptroller General considers appropriate.”.

(2) Section 719(c) of such title is amended—

(A) by striking “and” at the end of paragraph (2);

(B) by striking the period and inserting “; and” at the end of paragraph (3); and

(C) by adding at the end the following new paragraph:

“(4) as soon as practicable when an agency or other entity does not, within a reasonable period of time after a request by the Comptroller General, make personnel available for interview, provide written answers to questions, or submit to an oath authorized by the Comptroller General under section 711 of this title.”.

SEC. 7. PROGRAM FRAUD CIVIL REMEDIES ACT.

Section 3801(a)(1) of title 31, United States Code, is amended by striking “and” after the semicolon at the end of subparagraph (C), by adding “and” after the semicolon at the end of subparagraph (D), and by adding at the end the following:

“(E) a designated Federal entity (as such term is defined under section 8G(a)(2) of the Inspector General Act of 1978).”.

SEC. 8. APPLICATION OF SEMIANNUAL REPORTING REQUIREMENTS WITH RESPECT TO INSPECTION REPORTS AND EVALUATION REPORTS.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a)(6)—

(A) by inserting “, inspection report, and evaluation report” after “audit report”; and

(B) by striking “audit” the second place it appears;

(2) in each of subsections (a)(8), (a)(9), (b)(2), and (b)(3)—

(A) by inserting “, inspection reports, and evaluation reports” after “audit reports” the first place it appears; and

(B) by striking “audit” the second place it appears; and

(3) in subsection (a)(10) by inserting “, inspection report, and evaluation report” after “audit report”.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-358. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-358.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. CONYERS:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 9. AMENDMENTS TO SPECIAL PROVISIONS CONCERNING THE DEPARTMENT OF JUSTICE.

(a) AMENDMENT TO REQUIREMENT RELATING TO CERTAIN REFERRALS.—Section 8E(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking paragraph (3).

(b) CONFORMING AMENDMENTS.—Section 8E of such Act is further amended

(1) in subsection (b)—

(A) by striking “and paragraph (3)” in paragraph (2);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) by redesignating paragraph (5) as paragraph (4) and in that paragraph by striking “(4)” and inserting “(3)”; and

(2) in subsection (d), by striking “, except with respect to allegations described in subsection (b)(3).”.

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

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

I urge support for my amendment to provide the Inspector General of the Department of Justice the power to investigate allegations of wrongdoing by attorneys in that department.

And so I put forward to the committee a commonsense proposal that merely gives the Inspector General the tools that he or she may need to root out and report on waste, fraud and abuse. Whether we have a Democratic or Republican administration, I believe we should have strong and vigorous oversight of the Department of Justice. At present, however, the Department of Justice Inspector General is limited in his ability to investigate allegations of misconduct.

Instead, present law, to the surprise of many, requires that all allegations of wrongdoing by the Department of Justice attorneys be investigated not by the Inspector General but by the department's Office of Professional Responsibility. The department's Inspector General should have the same power. Inspectors General have throughout the government to investigate without limitation any and all allegations of wrongdoing that arise in that department.

The Office of Professional Responsibility is supervised by the Attorney General. It is absolutely contrary to human experience to believe that the counsel to the Office of Professional Responsibility can aggressively investigate them. It is vital that investigations of these officials, and other high-level officials in the department, be conducted by the statutorily independent Inspector General who is required to be confirmed by the United States Senate. That is the thrust of the idea I propose in this first amendment.

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

Mr. JORDAN of Ohio. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. JORDAN of Ohio. I want to thank the Chair of the committee and Congressman COOPER and Congressman TOWNS for all their work and our ranking member of the committee on the bill. But, Mr. Chairman, I rise in opposition to the amendment. It is unfortunate in a bill that has been worked on by both sides so well that we have an amendment now that I think is going to be somewhat divisive. But I believe the amendment may arise from the U.S. Attorney's investigation that consumed so much of our time earlier in this session, particularly the time on

the Judiciary Committee. That investigation showed no wrongdoing in the dismissal of U.S. Attorneys and no undermining of the institutions of the Department of Justice.

As time drags on, though, people wonder, why did we spend so much time on this issue? Maybe the majority feels the need to show some results. Perhaps that is why we have this amendment before us today. But the U.S. Attorney's investigation did not show any need to realign the responsibilities of the Office of Professional Responsibility and the Office of the Inspector General. It certainly did not show that OIG should swallow up OPR, which would be the effective result of the amendment before us this afternoon. On the contrary, these offices have quietly gone about their investigative activities and we have seen no great difficulties arise from the exercise of their duties.

But apart from the U.S. Attorney's investigation, the amendment clearly is unwise for other reasons. Both OPR and OIG are needed in their current structure. OPR was established to ensure that the Department of Justice's thousands of attorneys follow all applicable professional rules of conduct. OIG performs an equally critical but very different function of pursuing investigations into general criminal wrongdoing and general administrative misconduct by the Department.

This important distinction calls for two different offices to work on these two issues. As conferees underscored when Congress created the Office of Inspector General in the 1980s: "The conferees do not intend that the IG should render judgments on the exercise of prosecutorial or litigative discretion in a particular case or controversy. Unless a unique set of circumstances dictate otherwise, the conferees intend that reviews of such prosecutorial or other litigative discretion in a particular case or controversy is an appropriate role for, and may be delegated by, the Attorney General."

The Attorney General has delegated that authority to OPR. No basis exists to question this policy today. Unlike OIG, OPR is staffed and led entirely by career lawyers. Political background cannot be considered when appointing anyone to a position in the Office of Professional Responsibility. Thousands of current and former Department lawyers can attest that OPR's independence is undisputed and that the Office of Professional Responsibility has never allowed the manner in which it investigates or the results it reaches to be influenced by any political appointee in the Department. Any Attorney General or Deputy Attorney General being investigated by the Office of Professional Responsibility is automatically recused from participating in the matter. The most recent example of this is the U.S. Attorney's investigation itself.

I only scratch the surface of the reasons to preserve OPR as it is. As any-

one with substantial experience knows, this office can be relied upon to make the hard calls and find attorney misconduct when it has occurred, enabling the Department of Justice to take the proper disciplinary action.

I would call the House's attention again to the need for legislation to address serious crime issues. Republicans have introduced those bills but they continue to languish. Responsible citizens don't want to hear that their loved ones or their neighbors were hurt or killed because the majority in Congress could not bear to solve the Nation's problems with the opposing party's solutions or to turn away from the hunt for political victims.

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

Mr. CONYERS. Mr. Chairman, could you advise us how much time remains on each side.

The CHAIRMAN. The gentleman from Michigan has 2½ minutes remaining. The gentleman from Ohio has 1½ minutes remaining.

Mr. CONYERS. Mr. Chairman, I would begin first by yielding 1 minute to the subcommittee Chair, EDOLPHUS TOWNS of New York.

Mr. TOWNS. Mr. Chairman, this is a very good amendment. It is especially important that the Department of Justice IG have the authority to examine a broad range of issues in that Department. Considering all the problems that congressional investigations have recently uncovered, I think that this is a very timely amendment. I really feel that we should aggressively get behind it and support it and encourage our colleagues also to support it.

Mr. JORDAN of Ohio. Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time.

I want all the Members to make sure they understand that the Office of Professional Responsibility is accountable to the Attorney General, and when we are investigating the U.S. assistant attorneys or attorneys in the Department of Justice, he is investigating his own shop.

The second point is that their inspection, their investigations, are confidential. The Inspector General, the IG, requires a public disclosure of what he found. So this isn't a matter of trying to justify anything about the U.S. Attorneys action.

I would like my good friend from Ohio to know that this is something that has been discussed. The Inspector General for DOJ, Glenn Fine, has testified before the Senate Homeland Security and Government Affairs Committee and made it very clear that these matters of public interest that require reports that are institutional should by all means go through this route rather than be shunted off to a private investigatory committee inside the Department of Justice.

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It is an anomaly that we hope to correct. It doesn't reflect poorly on any-

body. As a matter of fact, this will be for future Departments of Justice. We are not going to go back over anything that we have covered before.

Mr. Chairman, I urge that the membership support this very modest amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. JORDAN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TOM DAVIS
OF VIRGINIA

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-358.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TOM DAVIS of Virginia:

Page 4, starting on line 20, strike "may" and all that follows through line 25 and insert the following: "shall inform the appropriate committees or subcommittees of the Congress if the budget request submitted by the head of the establishment would substantially inhibit the Inspector General from performing the duties of the office."

Page 5, line 2, strike "Congress—" and all that follows through line 10 and insert the following: "Congress a separate statement of the amount of appropriations requested by each Inspector General."

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from Virginia (Mr. TOM DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as currently drafted, the Improving Government Accountability Act would authorize Inspectors General throughout the government, and more than 60 of these offices exist, to directly submit their budget requests to Congress. By doing so, this legislation would circumvent the longstanding process under which Presidents submit to the Congress a budget proposal on behalf of the executive branch.

While I understand the sponsor's intent in authorizing independent budget submissions by IGs, I have concerns with the way the authority is currently constructed. Our concerns pertain more to the logistical nightmare than any particular objection to increased IG independence.

First of all, according to the Congressional Research Service, no other offices or agencies within the executive

branch currently are authorized by statute to independently submit their budgets to Congress. H.R. 928 would not simply make an exception for one uniquely situated office, it would make an exception for all of the more than 60 IG offices currently in government. In other words, the President's annual budget would be accompanied by 60 separate IG budgets. This is inefficient; it is disorganized and unproductive.

Second, I am concerned that by authorizing IGs to submit their budgets independently to Congress, we are encouraging them to submit their wish lists to Congress rather than submitting budgets that take into account the limited resources that are available to agencies.

It doesn't take an active imagination to envision the increased government spending that this would cause. After all, if an IG submits its wish list to Congress, will Members of Congress have the stomach to appropriate an amount less than an IG requests? If we do, we could be painted as antioversight, a label none of us are interested in.

Because of these concerns, I have filed an amendment proposing an alternative approach to the budget issue. This amendment would authorize Inspectors General to notify Congress if the budget request submitted by the agency head would substantially inhibit the IG's ability to perform his or her duties. The President would be required to include in his budget submission the original amount requested by each IG.

This approach would give additional information to Congress, which is the intent, I think, of the legislation. It also encourages IGs to speak out if their agencies try to stifle the IG's independence by reducing the IG's budget request. But it would stop short of authorizing all 60 IGs to separately submit their own budget request to Congress outside of the traditional Federal budget process.

I think this amendment is a reasonable compromise which carefully balances the need for IG independence with the need for streamlined budget authority. We have enough problems enacting the Federal budget every year; we don't need to create 60 new ones. I urge my colleagues to support this amendment.

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

Mr. TOWNS. Mr. Chairman, I would like to claim the time in opposition.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. TOWNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am opposed to the amendment, I think. I am not sure. Let me ask some questions and then I can make up my mind.

As I understand it, under your amendment, the gentleman from Virginia (Mr. TOM DAVIS), each Inspector General's appropriations request as

originally made to his or her agency head would be noted in the President's budget submission to Congress.

Mr. Chairman, is that correct?

Mr. TOM DAVIS of Virginia. Mr. Chairman, if the gentleman will yield, that is correct. Let me just add, I think that was the intent of the legislation, to make sure that the IGs weren't stifled and that Congress gets their eyes on that original request, and it would allow that.

Mr. TOWNS. Mr. Chairman, reclaiming my time, with that in mind, I do support the amendment, and, of course, I am prepared to accept the amendment. It achieves the goal of the budget provision in this bill, which is to expose whether IGs are having their budgets slashed in retaliation of their investigations.

I look forward to working with you as this bill moves through the legislative process to clarify the language of the amendment to ensure that its intent is fulfilled.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I am not going to talk anybody out of it, so I yield back as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS). The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. MILLER OF NORTH CAROLINA

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-358.

Mr. MILLER of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. MILLER of North Carolina:

Page 2, beginning on line 12, strike "adding at the end the following: 'An'" and insert "striking 'the reasons for any such removal to both Houses of Congress.'" and inserting the following: "in writing the reasons for any such removal to both Houses of Congress and to the Inspector General of the establishment at least 30 days before such removal. An".

Page 3, line 2, strike ";" and insert the following:

"(6) Knowing violation of a law, rule, or regulation.

"(7) Gross mismanagement.

"(8) Gross waste of funds.

"(9) Abuse of authority."; and

Page 3, line 11, insert after "Congress" the following: "and to the Inspector General of the entity".

Page 5, starting on line 22, strike "increase" and all that follows through line 26 and insert the following: "coordinate and enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs."

Page 10, line 11, insert "and professional standards" after "policies".

Page 11, after line 20, insert the following:

"(d) ADMINISTRATIVE PROVISIONS.—

"(1) DIRECTOR OF OMB.—The Director of the Office of Management and Budget shall provide the Council with such administrative support as may be necessary for the performance of the functions of the Council.

"(2) HEADS.—The head of each establishment and designated Federal entity represented on the Council shall provide the persons representing the establishment or entity with such administrative support as may be necessary, in accordance with law, to enable the persons representing the establishment or entity to carry out their responsibilities."

Page 12, line 8, strike "3 or more" and insert "4".

Page 13, line 19, after "General" insert the following: ", acts with the knowledge of the Inspector General, or against whom an allegation is made because such allegation is related to an allegation against the Inspector General, except that if an allegation concerns a member of the Integrity Committee, that member shall recuse himself from consideration of the matter".

Page 14, strike lines 8 through 14 and insert the following:

"(B) refer any allegation of wrongdoing to the agency of the executive branch with appropriate jurisdiction over the matter; and

"(C) refer to the Chairperson of the Integrity Committee any allegation of wrongdoing determined by the Integrity Committee to be potentially meritorious that cannot be referred to an agency under subparagraph (B)."

Page 14, line 20, strike "(5)(B)" and insert "(5)(C)".

Page 16, strike lines 5 through 18 and insert the following:

"(8) REPORT.—

"(A) For allegations referred under paragraph (5)(C), the Chairperson of the Integrity Committee shall make a report containing the results of his investigation and shall provide such report to members of the Integrity Committee.

"(B) For allegations referred under paragraph (5)(B), the head of an agency shall make a report containing the results of the investigation and shall provide such report to members of the Integrity Committee.

"(9) ASSESSMENT AND FINAL DISPOSITION.—

"(A) With respect to any report received under paragraph (8), the Integrity Committee shall—

"(i) assess the report;

"(ii) forward the report, with the Integrity Committee recommendations, including those on disciplinary action, within 180 days (to the maximum extent practicable) after the completion of the investigation, to the Executive Chairperson of the Council and to the President (in the case of a report relating to an Inspector General of an establishment or his staff) or the head of a designated Federal entity (in the case of a report relating to an Inspector General of such an entity or his staff) for resolution; and

"(iii) submit to Congress a copy of such report and recommendations within 30 days after the submission of such report to the Executive Chairperson under clause (ii).

"(B) The Chairperson of the Council shall report to the Integrity Committee the final disposition of the matter, including what action was taken by the President or agency head."

Page 16, after line 18, insert the following:

"(10) ANNUAL REPORT.—

"(A) MATTERS COVERED.—The Council shall submit to Congress and the President by December 31st of each year a report on the activities of the Integrity Committee during the preceding fiscal year. The report shall include the following:

"(i) The number of allegations received.

"(ii) The number of allegations referred to other agencies, including the number of allegations referred for criminal investigation.

"(iii) The number of allegations referred to the Chairperson of the Integrity Committee for investigation.

“(iv) The number of allegations closed without referral.

“(v) The date each allegation was received and the date each allegation was finally disposed of.

“(vi) In the case of allegations referred to the Chairperson of the Integrity Committee, a summary of the status of the investigation of the allegations and, in the case of investigations completed during the preceding fiscal year, a summary of the findings of the investigations.

“(vii) Other matters that the Council considers appropriate.

“(B) REQUESTS FOR MORE INFORMATION.—The Council shall provide more detailed information about specific allegations upon request from any of the following:

“(i) The chairman or ranking member of the Committee on Oversight and Government Reform of the House of Representatives.

“(ii) The chairman or ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate.

“(iii) The chairman or ranking member of the congressional committees of jurisdiction.”

Page 16, line 19, strike “(8)” and insert “(11)”.

Page 17, strike lines 4 through 6 and insert the following:

(b) EXECUTIVE ORDERS AND POLICIES AND PROCEDURES.—

(1) EXISTING EXECUTIVE ORDERS.—Executive Order 12805, dated May 11, 1992, and Executive Order 12993, dated March 21, 1996, shall have no force or effect.

(2) POLICIES AND PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Inspectors General Council shall adopt policies and procedures to implement this section and the amendments made by this section. To the maximum extent practicable, the policies and procedures shall include all provisions of Executive Orders 12805 and 12933 (as in effect before the date of the enactment of this Act).

Page 21, after line 12, insert the following:

(3) ADDITIONAL CONFORMING AMENDMENT.—Section 194(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(b)) is amended by striking paragraph (3).

Page 22, insert after line 10 the following:

(d) SAVINGS PROVISION FOR NEWLY APPOINTED INSPECTORS GENERAL.—The provisions of section 3392, title 5, United States Code, other than the terms “performance awards” and “awarding of ranks” in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

Page 24, insert after line 3 the following:

(d) QUALIFICATIONS OF INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Section 8G(c)(1) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by this Act, is further amended by striking the period and inserting “without regard to political affiliation, and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, over the last year and a half, the Science and Technology

Committee’s Subcommittee on Investigations and Oversight, which I chair, has been reviewing the work of the Office of the Inspector General of NASA and a related investigation of the NASA IG by the President’s Council on Integrity and Efficiency’s Integrity Committee, the procedure actually for investigating IGs themselves.

I appreciate Mr. TOWNS and Mr. COOPER, knowing my interest in this issue, including me very graciously in discussions of this legislation, and I commend them for their work on this legislation.

The purpose of this amendment is to smooth the transition between the old law and the new and to make sure that we do not disrupt some of the work of IGs that is now going well in our effort to get in place reforms to improve the work of IGs.

I fully support the goal of this legislation to make sure that Inspectors General are independent, that they can act without fear of political reprisal, and to accomplish that by establishing a set term. This amendment accomplishes other purposes perfectly consistent with that overall goal of the legislation.

First, it establishes the same qualifications for the selection of Inspectors General of the designated Federal agencies that are not subject to confirmation by the other body. There is no reason that there should be any different qualifications, and this brings the qualifications for those Inspectors General into line with the qualifications of those confirmed by the other body.

Second, the amendment expands the goals for removal of the Inspectors General, with criteria that the Inspectors General themselves, the IGs themselves, have agreed to should be the basis for removal, and would not undermine their independence by being a threat to their independence; so, removal for improper grounds. The additional grounds, and these are in the regulations now, the rules now: knowing violation of the law, rule or regulation; gross mismanagement; gross waste of funds; and abuse of authority. Those criteria for removal do increase the President’s flexibility to get out of office inept or abusive Inspectors General.

Third, the amendment incorporates several provisions of two executive orders pertaining to the work of IGs, executive orders 12805 and 12993, which would no longer be in effect under this legislation, to maintain certain policies and procedures that are working well and make sure that there is not a gap when there are no procedures in place and to make sure that we will not have to recreate those procedures under the new legislation. It also directs the new council, the new Inspectors General council, to incorporate as much of the established policies that are working well as possible into the new rules. Again, those rules are developed by the IGs themselves over the

years. They work very well. They do not need to be disrupted.

Fourth, the transparency of the Integrity Committee’s investigations, the work of inspecting the Inspectors General themselves, the investigations into the investigators, has been a problem. This amendment would require the council to submit to Congress a report of their work in inspecting the work, to investigating the work of Inspectors General.

Finally, the amendment requires the office of OMB, the Office of Management and Budget, OMB, to continue to provide the Inspectors General council with the administrative support that the PCIE now has.

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

Mr. COOPER. Mr. Chairman, I ask unanimous consent to take the time in opposition to the gentleman’s amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to congratulate my friend, the gentleman from North Carolina, because he has been an excellent Member of this body for some time and has worked on the Science Committee and has contributed greatly to the work of this body. I am particularly grateful for his work on the IG issue.

I want to make it crystal clear to my colleagues on both sides of the aisle that the gentleman’s amendment essentially makes it easier to fire IGs. I support that. I think the gentleman’s reasoning is sound.

I also think it is very important that Members on the other side the aisle realize that this largely should eliminate the President’s veto threat, because the primary grounds in this Statement of Administration Policy for opposing this bill is that IGs may be too hard to fire. Well, the gentleman’s helpful amendment adds additional grounds that makes it easier to get rid of errant IGs if they knowingly violate the law, rule or regulation, if they are guilty of gross mismanagement, gross waste of funds or abuse of authority. So that should obviate the administration’s objections to this bill.

Mr. Chairman, I hope by accepting the gentleman from North Carolina’s amendment we cannot only promote the cause of good government, we can also get the folks at OMB and in the administration to relax and realize what a good bill this is. So I would urge a huge and bipartisan majority vote for this legislation thanks to the gentleman’s amendment.

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

Mr. MILLER of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. Mr. Chairman, this is a well thought-out amendment. I want to

commend the gentleman from North Carolina for this. It makes it clear that the bill is not intended to protect poorly performing IGs from removal.

There was some question about an IG who managed his office so poorly that it caused most of the senior career staff to quit, and then the IG would still be there. At least this amendment addresses that issue as well by adding gross mismanagement and gross waste of funds and abuse of authority as grounds for removal. This amendment clarifies that an IG who is not an effective leader can be removed for that reason.

We also support the technical and procedural changes that Mr. MILLER has included in this amendment. This is a very, very good amendment, and I hope that it has support coming from both sides of the aisle, because this is an amendment that is long overdue.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MILLER OF NORTH CAROLINA

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-358.

Mr. MILLER of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MILLER of North Carolina:

Page 4, after line 12, insert the following new paragraph:

(c)(1) in section 3(a), by inserting after the first sentence the following: "A committee of Inspectors General of the Inspectors General Council established under section 11 shall review nominations in light of these requirements, and the results of the committee's review shall be provided to the Senate prior to the confirmation process."

(2) in section 8G(c), by adding at the end the following: "The head of the designated Federal entity shall ask the committee of Inspectors General referred to in section 3(a) for a report on the qualifications of each final candidate for Inspector General and shall not appoint an Inspector General before reviewing such report."

Page 4, line 13, strike "(c)" and insert "(d)".

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would require the Council of the Inspectors General on Integrity and Efficiency to appoint a committee of Inspectors General to review the integrity, the experience, the reputation, all of the qualifications of anyone the President appoints to serve as an Inspector General and to provide a report

of that evaluation to the other body, to the relevant committee of the other body, before any confirmation hearings. It provides a similar procedure for agency heads who appoint Inspectors General without confirmation by the other body.

The amendment does not create any new bureaucracy. It uses an existing office or an office that will exist under this legislation. The evaluation of that committee is not binding in any way. It simply is an unbiased, informed evaluation that would be helpful to the other body in their consideration of confirmation of anyone appointed as an Inspector General to serve as an Inspector General, just as the American Bar Association's evaluations on the qualifications of judicial nominees are helpful in confirmation.

□ 1315

Mr. Chairman, most Presidential appointments are policy positions for which loyalty to the President is a proper consideration. In fact, it is a necessity. It is a requirement. And the other body has traditionally deferred to the President's judgment in confirmation. If the President wants to appoint a political operative, if he wants to appoint some political poohbah's worthless, otherwise unemployable brother-in-law, the other body usually goes along so the President can have his own people in policy positions.

As the debate on this bill has made very clear, Inspectors General are not jobs like that. Inspectors General are not the President's people. They are to be watchdogs who report both to the agency head and to Congress. They are not the President's people. IGs are not the President's people. They are our people, too. Congress needs to rely on the work of IGs in our oversight duties. IGs are Congress's people as much as they are the President's people.

The statute says now that IGs should be objective and independent and they are to be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration or investigation. In other words, Mr. Chairman, IGs can't just be some poohbah's worthless brother-in-law.

This amendment provides the other body with an informed evaluation of the integrity and qualifications of any potential IG to assure that IGs are up to the job, they understand what their job is, they are to identify waste, fraud, abuse or general inefficiency, and report to the agency head and to Congress without fear or favor. IGs must report with rigorous honesty even if their reports cause political embarrassment; especially when their reports cause political embarrassment.

This amendment will return to an earlier tradition of consulting well-regarded IGs before an appointment of an IG for suggestions of who would be good for that job.

Mr. Chairman, we have departed from that tradition, to our detriment. This amendment will return us to that tradition.

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

Mr. TOWNS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. TOWNS. Mr. Chairman, the committee also supports this amendment by Mr. MILLER. One of the problems that we have seen is that recent IG appointments have had far more experience in politics than they have had in investigating and auditing.

The council created by this amendment is advisory, but it will provide an independent evaluation of whether a candidate for appointment has the professional background and experience to succeed in the IG role. This information should be valuable to the President and to the Senate as they fill IG vacancies.

Mr. Chairman, I think this is a fine amendment and I am hoping that both sides of the aisle will support it. This is what strengthening legislation is all about, dialogue on both sides and then supporting. So I am hoping this amendment gets a strong, strong vote. It is a good amendment.

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

Mr. MILLER of North Carolina. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. GILLIBRAND

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-358.

Mrs. GILLIBRAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mrs. GILLIBRAND:

At the end of the bill add the following new section (and conform the table of contents):

SEC. 9. INFORMATION ON WEBSITES OF OFFICES OF INSPECTORS GENERAL.

(a) DEFINITION.—In this section, the term "agency" has the meaning provided the term "Federal agency" under section 11(5) of the Inspector General Act of 1978 (5 U.S.C. App.).

(b) DIRECT LINKS TO INSPECTORS GENERAL OFFICES.—

(1) IN GENERAL.—Each agency shall establish and maintain on the homepage of the website of that agency a direct link to the website of the Office of the Inspector General of that agency.

(2) ACCESSIBILITY.—The direct link under paragraph (1) shall be obvious and facilitate accessibility to the website of the Office of the Inspector General.

(C) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—

(1) POSTING OF REPORTS AND AUDITS.—The Inspector General of each agency shall—

(A) not later than 1 day after any report or audit (or portion of any report or audit) is made publicly available, post that report or audit (or portion of that report or audit) on the website of the Office of the Inspector General; and

(B) ensure that any posted report or audit (or portion of that report or audit) described under subparagraph (A)—

(i) is easily accessible from a direct link on the homepage of the website of the Office of the Inspector General;

(ii) includes a summary of the findings of the Inspector General; and

(iii) is in a format that—
(I) is searchable, sortable, and downloadable; and

(II) facilitates printing by individuals of the public who are accessing the website.

(2) OPTION TO RECEIVE RELATED INFORMATION.—The Inspector General of each agency shall provide a service on the website of the Office of the Inspector General through which—

(A) an individual may elect to automatically receive information (including subsequent reports or audits) relating to any posted report or audit (or portion of that report or audit) described under paragraph (1)(A); and

(B) the Inspector General shall electronically transmit the information or notice of the availability of the information to that individual without further request.

(3) REPORTING OF WASTE, FRAUD, AND ABUSE.—

(A) IN GENERAL.—The Inspector General of each agency shall establish and maintain a direct link on the homepage of the website of the Office of the Inspector General for individuals to report waste, fraud, and abuse.

(B) ANONYMITY.—The Inspector General of each agency shall take such actions as necessary to ensure the anonymity of any individual making a report under this paragraph.

(d) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head of each agency and the Inspector General of each agency shall implement this section.

The CHAIRMAN. Pursuant to House Resolution 701, the gentlewoman from New York (Mrs. GILLIBRAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. GILLIBRAND. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to thank Congressman COOPER for his leadership on this bill and for his constant effort to promote accountability and transparency in the Federal Government. I also want to thank Chairman TOWNS and Chairman WAXMAN for moving this legislation through committee and for their support of my amendment.

I rise today to offer an amendment to save the taxpayers money by increasing transparency, accountability and oversight over Federal agencies' spending practices. We all know that the U.S. Government spends too much of our constituents' hard-earned taxes in ways that are not always the most efficient manner.

For too long, Federal agency spending has been left unchecked with little

public scrutiny on the findings of the Inspectors General investigations. It is time to shine some light on how the government is spending your money.

When the Inspector General Act of 1978 became law, the Internet did not exist and people did not have personal computers. Now, 30 years later, the Internet has grown into one of the many mediums where Americans receive information, and it is time that we bring this law up to date so the American people and the media will be able to easily find audits and reports that Inspectors General issue, and for Americans to have the ability to anonymously report waste, fraud and abuse that may be occurring in the Federal Government.

Inspectors General are an important part of every Federal agency, and I am pleased that this legislation will decrease the amount of waste of taxpayer dollars. In 2006, the work by Inspectors General resulted in \$9.9 billion in potential savings from audit recommendations; \$6.8 billion in investigative recoveries; 6,500 indictments and criminal information; 8,400 successful prosecutions; and 7,300 suspensions or debarments. This legislation will yield even more savings to the American people by allowing Inspectors General to be more independent and accountable.

Mr. Chairman, my amendment simply requires Inspectors General to do something that is very commonplace in the 21st century: making information easily accessible online.

My amendment would require the IG of each agency to post, within one day after being made publicly available, all reports and audits on the Web site of the Office of Inspector General. The report or audit must be easily accessible and include a summary of the findings of the IG. The IG of each agency must provide a service on their Web site to allow individuals to receive information when a new audit or report is made available on their Web site. And the IG of each agency must establish a process that allows individuals to anonymously report waste, fraud and abuse that may be occurring in a Federal agency.

It is important to remember that the American people voted for change last November. They voted for more accountability, more fiscal responsibility, and for the new Congress to clean up Washington.

My commitment to my constituents is that I will offer a transparent and accountable office to them. I am one of a handful of Members in the House to post my public schedule online every day and was one of the first, next to Mr. COOPER, to post a list of all earmark requests online. I do this because I have found that it allows my constituents more information which allows me to better represent them here in Washington.

With a \$9 trillion debt, it is clear that the Federal Government spends too much. The fiscal year 2008 budget is

\$2.9 trillion, and if that is indeed what we will spend, then it is important that the money is spent responsibly.

My upstate New York constituents pay too much in taxes to Washington, and it is an insult to them when the Federal Government squanders their hard-earned money. This amendment will save taxpayers money, increase government oversight and accountability, and promote transparency in government. I urge all my colleagues to vote "aye" on the amendment.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, although I am not opposed, I would like to claim the time in opposition.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Chairman, this amendment would require agencies to include links on their Web pages to their IG's Web page. In addition, this amendment would require IGs to make public reports and audits conducted by the Inspector General immediately available on their Web sites, and it would require links for individuals interested in reporting waste, fraud and abuse.

To the extent any of this is not currently being done by agencies and IGs, I am fully supportive of Congress requiring such information to be made available in order to increase the transparency of Federal Government operations. We are prepared to support the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. Mr. Chairman, I rise to support the amendment. I think it is a very good amendment because it deals with waste, fraud and abuse. I think anything that strengthens this bill, I am for. There is no question about it, my colleague from New York definitely improves the legislation. Therefore, I am in total support of the amendment, and would encourage my colleagues to do likewise.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield back the balance of my time.

Mrs. GILLIBRAND. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. GILLIBRAND).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 192, not voting 28, as follows:

[Roll No. 935]

AYES—217

Abercrombie	Green, Gene	Neal (MA)
Ackerman	Grijalva	Norton
Allen	Gutierrez	Oberstar
Altmire	Hall (NY)	Obey
Andrews	Hare	Olver
Arcuri	Harman	Ortiz
Baca	Hastings (FL)	Pallone
Baird	Herseht Sandlin	Pascarell
Baldwin	Hill	Payne
Barrow	Hinchev	Peterson (MN)
Bean	Hirono	Pomeroy
Berkley	Hodes	Price (NC)
Berry	Holden	Rahall
Bishop (GA)	Holt	Rangel
Bishop (NY)	Honda	Reyes
Blumenauer	Hooley	Richardson
Bordallo	Hoyer	Rodriguez
Boren	Inslee	Ross
Boswell	Israel	Rothman
Boucher	Jackson (IL)	Roybal-Allard
Boyd (FL)	Jackson-Lee	Ruppersberger
Boyd (KS)	(TX)	Rush
Brady (PA)	Jefferson	Ryan (OH)
Braley (IA)	Johnson (GA)	Salazar
Brown, Corrine	Johnson, E. B.	Salazar
Butterfield	Jones (OH)	Sánchez, Linda
Capps	Kagen	T.
Capuano	Kanjorski	Sanchez, Loretta
Cardoza	Kaptur	Sarbanes
Carnahan	Kennedy	Schakowsky
Carney	Kildee	Schiff
Castor	Kilpatrick	Schwartz
Chandler	Kind	Scott (GA)
Christensen	Kucinich	Scott (VA)
Clarke	Lampson	Serrano
Clay	Langevin	Sestak
Cleaver	Lantos	Shea-Porter
Clyburn	Larsen (WA)	Sherman
Cohen	Larson (CT)	Shuler
Conyers	Levin	Sires
Cooper	Lewis (GA)	Smith (WA)
Costa	Lipinski	Snyder
Costello	Loeb sack	Solis
Courtney	Lofgren, Zoe	Space
Cramer	Lowey	Spratt
Crowley	Mahoney (FL)	Stark
Cueellar	Maloney (NY)	Stupak
Cummings	Markey	Sutton
Davis (AL)	Marshall	Tanner
Davis (CA)	Matheson	Tauscher
Davis (IL)	Matsui	Taylor
Davis, Lincoln	McCarthy (NY)	Thompson (CA)
DeFazio	McColum (MN)	Thompson (MS)
DeGette	McDermott	Tierney
DeLauro	McGovern	Towns
Dicks	McIntyre	Udall (CO)
Doggett	McNerney	Udall (NM)
Donnelly	McNulty	Van Hollen
Doyle	Meek (FL)	Velázquez
Edwards	Meeks (NY)	Visclosky
Ellison	Melancon	Walz (MN)
Ellsworth	Michaud	Wasserman
Engel	Miller (NC)	Schultz
Eshoo	Miller, George	Waters
Etheridge	Mitchell	Watson
Farr	Mollohan	Watt
Fattah	Moore (KS)	Waxman
Filner	Moore (WI)	Weiner
Frank (MA)	Moran (VA)	Welch (VT)
Giffords	Murphy (CT)	Wilson (OH)
Gillibrand	Murphy, Patrick	Woolsey
Gonzalez	Murtha	Wynn
Gordon	Nadler	Yarmuth
Green, Al	Napolitano	

NOES—192

Aderholt	Bishop (UT)	Brown-Waite,
Akin	Blackburn	Ginny
Alexander	Blunt	Buchanan
Bachmann	Bonner	Burgess
Bachus	Bono	Burton (IN)
Baker	Boozman	Buyer
Bartlett (MD)	Boustany	Calvert
Barton (TX)	Brady (TX)	Camp (MI)
Biggert	Brown (GA)	Campbell (CA)
Bilbray	Brown (SC)	Cannon
Bilirakis		Cantor

Capito	Issa	Pryce (OH)
Carter	Johnson (IL)	Putnam
Castle	Johnson, Sam	Radanovich
Chabot	Jones (NC)	Ramstad
Coble	Jordan	Regula
Cole (OK)	Keller	Rehberg
Conaway	King (IA)	Reichert
Crenshaw	King (NY)	Renzi
Culberson	Kingston	Reynolds
Davis (KY)	Kirk	Rogers (AL)
Davis, David	Kline (MN)	Rogers (KY)
Davis, Tom	Knollenberg	Rogers (MI)
Deal (GA)	Kuhl (NY)	Rohrabacher
Dent	LaHood	Ros-Lehtinen
Diaz-Balart, M.	Lamborn	Roskam
Doolittle	Latham	Royce
Drake	LaTourette	Ryan (WI)
Dreier	Lewis (CA)	Sali
Duncan	Lewis (KY)	Saxton
Ehlers	Linder	Schmidt
Emerson	LoBiondo	Sensenbrenner
English (PA)	Lucas	Sessions
Everett	Lungren, Daniel	Shadegg
Fallin	E.	Shays
Feeney	Mack	Shimkus
Ferguson	Manzullo	Shuster
Flake	Marchant	Simpson
Forbes	McCarthy (CA)	Smith (NE)
Fortenberry	McCaull (TX)	Smith (NJ)
Fortuño	McCotter	Smith (TX)
Fossella	McCrery	Souder
Fox	McHenry	Stearns
Franks (AZ)	McHugh	Sullivan
Frelinghuysen	McKeon	Terry
Gallely	McMorris	Thornberry
Garrett (NJ)	Rodgers	Tiahrt
Gerlach	Mica	Tiberi
Gilchrest	Miller (FL)	Turner
Gingrey	Miller (MI)	Upton
Gohmert	Miller, Gary	Walberg
Goode	Moran (KS)	Walden (OR)
Goodlatte	Murphy, Tim	Walsh (NY)
Granger	Musgrave	Wamp
Graves	Myrick	Weldon (FL)
Hall (TX)	Neugebauer	Weller
Hastings (WA)	Nunes	Westmoreland
Hayes	Pearce	Whitfield
Heller	Pence	Wicker
Hensarling	Peterson (PA)	Wilson (NM)
Herger	Petri	Wilson (SC)
Hobson	Pickering	Wolf
Hoekstra	Platts	Young (AK)
Hulshof	Poe	Young (FL)
Hunter	Porter	
Inglis (SC)	Price (GA)	

NOT VOTING—28

Barrett (SC)	Emanuel	Paul
Becerra	Faleomavaega	Perlmutter
Berman	Hastert	Pitts
Boehner	Higgins	Skelton
Carson	Hinojosa	Slaughter
Cubin	Jindal	Tancredo
Davis, Jo Ann	Klein (FL)	Wexler
Delahunt	Lee	Wu
Diaz-Balart, L.	Lynch	
Dingell	Pastor	

□ 1350

Mrs. MILLER of Michigan and Mr. FEENEY changed their vote from “aye” to “no.”

Mr. SERRANO changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 935, had I been present, I would have voted “aye.”

Mr. HINOJOSA. Mr. Chairman, on rollcall No. 935, I was at CHCI Luncheon downtown. Had I been present, I would have voted “aye.”

Mr. PASTOR. Mr. Chairman, on rollcall No. 935, I was detained at my office. Had I been present, I would have voted “aye.”

Mr. EMANUEL. Mr. Chairman, I was absent from the Chamber for rollcall vote 935 on October 3, 2007. Had I been present, I would have voted “aye.”

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROSS) having assumed the chair, Mr. BAIRD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 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, pursuant to House Resolution 701, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. TOM DAVIS OF VIRGINIA

Mr. TOM DAVIS of Virginia. Mr. Speaker, I offer a motion to recommit. The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TOM DAVIS of Virginia. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tom Davis of Virginia, moves to recommit the bill H.R. 928 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 9. ANNUAL INSPECTOR GENERAL PERFORMANCE REVIEWS OF FEDERAL PROGRAMS AND AGENCIES.

(a) PRINCIPLE DUTY.—Section 4 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following new subsection:

“(a) It shall be the principle duty and responsibility of each Inspector General, with respect to the establishment within which his Office is established, to review annually the operations, efficiency, and effectiveness of all Federal programs within such establishment and submit to the Congress and the President not later than September 1 of each year recommendations, accompanied by proposed legislation, on whether an abolishment, reorganization, consolidation, or

transfer of existing Federal programs and agencies is necessary—

“(1) to reduce Federal expenditures;

“(2) to increase efficiency of government operations;

“(3) to eliminate overlap and duplication in Federal programs and offices;

“(4) to abolish agencies or programs that no longer serve an important governmental purpose; and

“(5) to identify reductions in amounts of discretionary budget authority or direct spending that can be dedicated to Federal deficit reduction.”; and

(3) in subsection (c)(1) (as so redesignated), by striking “(a)(1)” and inserting “(b)(1)”.

(b) CONFORMING AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is further amended—

(1) in section 8(d), by striking “section 4(d)” and inserting “section 4(e)”;

(2) in section 8D(k)(2)(A), by striking “section 4(d)” and inserting “section 4(e)”.

Mr. TOM DAVIS of Virginia (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr. Speaker, this motion to recommit would require all agency Inspectors General to report annually to Congress and to the President whether the IG believes an abolishment, reorganization, consolidation or transfer of existing Federal programs and agencies is necessary to reduce Federal expenditures, increase efficiency of government operations, eliminate overlap and duplication in Federal programs and offices, abolish agencies or programs which no longer serve an important governmental purpose, or identify reductions in amounts of discretionary budget authority or direct spending which can be dedicated to Federal deficit reduction.

The IGs would be required to accompany those reports with proposed legislation in order to encourage Congress to act on those recommendations.

This legislation is borne out of frustration. How many more times are we going to hear about redundancy in Federal programs without doing anything about it? We have the IGs. We have made them more independent as a result of this. Let's utilize that expertise for suggestions in how we can reduce waste, fraud and abuse in government.

How many more times are we going to have to hear about the 70 programs located throughout 13 Federal agencies providing substance abuse prevention services for our youth? The over 90 early childhood programs scattered among 11 Federal agencies and 20 offices? The 40 different programs in the Federal Government having job training as their main purpose? The 86 teacher training programs in nine Federal agencies? The 50 different Federal homeless assistance programs adminis-

tered by eight different agencies? The more than 17 Federal agencies monitoring and enforcing over 400 U.S. trade agreements? The 17 Federal Departments and agencies operating a total of 515 Federal research and development laboratories? Or the eight different Federal agencies administering 17 different programs just in the area of rural water and wastewater systems, each with its own set of regulations?

After all, the primary reason all these Federal programs exist in the first place is because Congress has this bad habit of haphazardly establishing new programs to achieve short-term solutions whenever a problem arises.

In fact, Paul Volcker, Donna Shalala and Frank Carlucci all testified before our committee in 2003 about a National Commission on Public Service report that they had recently released. The report concluded that, over the years, the ad hoc layering of agencies, Departments, and programs greatly complicated management, expanded the influence of powerful interests and diminished coherent policy direction. The Federal Government today is a layered jumble of organizations with muddled public missions.

Congress is as much to blame for this problem as anyone else. Admitting we have a problem is the first step in recovery. I am here to help our colleagues understand we have a problem. The extent of overlap and duplication in government is an issue the Committee on Government Reform has spent years investigating. Our hearings have focused on a range of Federal program areas, from child welfare programs to intelligence operations to Federal food safety oversight.

This motion to report forthwith, so it doesn't kill the bill, it reports right back, would provide a tool which could assist the Congress and the President in identifying ways to streamline government operations and make them as efficient and effective as possible. The motion to recommit should appeal to all Members who believe there are inefficiencies in the Federal Government requiring attention. All after, Congress never has and never will be a management body. We need the assistance, and this legislation does it, of independent, outside observers to tell us what programs we created years ago are not an efficient or effective use of taxpayer funds.

We have given the Inspectors General here authority and independence to call the balls and strikes and to make government more efficient. Let's utilize that. Let's help us make government more efficient. Let's support the motion to recommit.

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

Mr. WAXMAN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker, I share the goals expressed by my friend and

colleague, Mr. DAVIS, the gentleman from Virginia, but I oppose it as a motion to recommit, because this bill is about Inspectors General, and their job is to weed out waste, fraud and abuse.

But if this motion to recommit would identify that their primary job, if this motion passes, would be to identify programs that aren't working and then to recommend changes in them. Well, that's a worthwhile thing for them to do, but that should not be and is not their primary job.

□ 1400

The principal duty of the IGs is to do the work of an independent watchdog, to find out if there's waste, fraud and abuse. This would turn it into their principal duty to do an annual report on abolishing and reorganizing programs in agencies. They would have to do an annual report on reorganization. Well, that is going to be a lot of busywork.

If you like government bureaucracy, then vote for the motion to recommit. But if you like the idea of independent Inspectors General looking out for waste, fraud and abuse as their prime job, then I would urge Members to vote “no.”

But I want to indicate to my colleagues that whether this motion to recommit passes or is defeated, I want to work with the sponsor of this motion to recommit to achieve our shared objectives. Oftentimes, we have waste, fraud and abuse because the objectives of the agency need to be changed. And we want those recommendations to come before us.

I'd like to yield whatever time he may consume to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I speak as a Blue Dog Democrat, and I'm proud to see progressives and Blue Dogs, Democrats and Republicans coming together on this important good government cause. We've been working on it for 4 years now, and now it's about to pass. We're about to send it to the Senate, hopefully, with a huge vote, because Members on both sides of the aisle can agree that we need to cut out waste, fraud and abuse in government, and there's no better group to do it than our Inspectors General. That's what this bill does, empower Inspectors General. So I want to thank the chairman, Mr. WAXMAN, for his outstanding work with our ranking member. We've done a great job of moving this and other important legislation before Congress.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for his comments. I urge all Members to support the bill and to vote against the motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 274, nays 144, not voting 14, as follows:

[Roll No. 936]

YEAS—274

Aderholt	Farr	McCaul (TX)
Akin	Fattah	McCotter
Alexander	Feeney	McCreery
Altmire	Ferguson	McHenry
Andrews	Flake	McHugh
Bachmann	Forbes	McIntyre
Bachus	Fortenberry	McKeon
Baird	Fossella	McMorris
Baker	Fox	Rodgers
Barrow	Franks (AZ)	McNerney
Bartlett (MD)	Frelinghuysen	Melancon
Barton (TX)	Gallegly	Mica
Bean	Garrett (NJ)	Miller (FL)
Biggert	Gerlach	Miller (MI)
Bilbray	Giffords	Miller (NC)
Bilirakis	Gilchrest	Miller, Gary
Bishop (UT)	Gillibrand	Mitchell
Blackburn	Gingrey	Mollohan
Blumenauer	Gohmert	Moore (KS)
Blunt	Goode	Moran (KS)
Boehner	Goodlatte	Murphy (CT)
Bonner	Granger	Murphy, Patrick
Bono	Graves	Murphy, Tim
Boozman	Hall (NY)	Musgrave
Boren	Hall (TX)	Myrick
Boswell	Harman	Neugebauer
Boustany	Hastert	Nunes
Boyd (FL)	Hastings (WA)	Oberstar
Boyd (KS)	Hayes	Obe
Brady (TX)	Heller	Ortiz
Broun (GA)	Hensarling	Pearce
Brown (SC)	Herger	Pence
Brown-Waite,	Herseth Sandlin	Peterson (MN)
Ginny	Hill	Peterson (PA)
Buchanan	Hobson	Petri
Burgess	Hodes	Pickering
Burton (IN)	Hoekstra	Platts
Buyer	Holden	Poe
Calvert	Hooley	Pomeroy
Camp (MI)	Hulshof	Porter
Campbell (CA)	Hunter	Price (GA)
Cannon	Inglis (SC)	Pryce (OH)
Cantor	Issa	Putnam
Capito	Johnson (IL)	Radanovich
Carney	Johnson, Sam	Rahall
Carter	Jones (NC)	Ramstad
Castle	Jordan	Regula
Chabot	Kagen	Rehberg
Chandler	Kaptur	Reichert
Coble	Keller	Renzi
Cole (OK)	Kind	Reynolds
Conaway	King (IA)	Rodriguez
Cooper	King (NY)	Rogers (AL)
Costa	Kingston	Rogers (KY)
Costello	Kirk	Rogers (MI)
Courtney	Klein (FL)	Rohrabacher
Cramer	Kline (MN)	Ros-Lehtinen
Crenshaw	Knollenberg	Roskam
Cuellar	Kuhl (NY)	Ross
Culberson	LaHood	Royce
Davis (KY)	Lamborn	Ryan (WI)
Davis, David	Lampson	Salazar
Davis, Lincoln	Langevin	Sali
Davis, Tom	Latham	Saxton
Deal (GA)	LaTourette	Schmidt
DeFazio	Lewis (CA)	Sensenbrenner
Dent	Lewis (KY)	Sessions
Diaz-Balart, L.	Linder	Sestak
Diaz-Balart, M.	Lipinski	Shadegg
Doggett	LoBiondo	Shays
Donnelly	Loeb	Shea-Porter
Doolittle	Lofgren, Zoe	Shimkus
Drake	Lowey	Shuler
Dreier	Lucas	Shuster
Duncan	Lungren, Daniel	Simpson
Edwards	E.	Skelton
Ehlers	Mack	Smith (NE)
Ellsworth	Mahoney (FL)	Smith (NJ)
Emerson	Manzullo	Smith (TX)
English (PA)	Marchant	Souder
Etheridge	Marshall	Space
Everett	Matheson	Stearns
Fallin	McCarthy (CA)	Stupak

Sullivan	Walberg	Wicker
Taylor	Walden (OR)	Wilson (NM)
Terry	Walsh (NY)	Wilson (OH)
Thornberry	Walz (MN)	Wilson (SC)
Tiahrt	Wamp	Wolf
Tiberi	Weiner	Yarmuth
Turner	Weldon (FL)	Young (AK)
Udall (CO)	Weller	Young (FL)
Upton	Westmoreland	
Van Hollen	Whitfield	

NAYS—144

Abercrombie	Hare	Payne
Ackerman	Hastings (FL)	Price (NC)
Allen	Hinche	Rangel
Arcuri	Hinojosa	Reyes
Baca	Hirono	Richardson
Baldwin	Holt	Rothman
Becerra	Hoyer	Roybal-Allard
Berkley	Inslee	Ruppersberger
Berman	Israel	Rush
Berry	Jackson (IL)	Ryan (OH)
Bishop (GA)	Jackson-Lee	Sánchez, Linda
Bishop (NY)	(TX)	T.
Boucher	Jefferson	Sanchez, Loretta
Brady (PA)	Johnson (GA)	Sarbans
Brady (IA)	Johnson, E. B.	Schakowsky
Brown, Corrine	Jones (OH)	Schiff
Butterfield	Kanjorski	Schwartz
Capps	Kennedy	Scott (GA)
Capuano	Kildee	Scott (VA)
Cardoza	Kilpatrick	Serrano
Carnahan	Kucinich	Sherman
Castor	Lantos	Sires
Clarke	Larsen (WA)	Slaughter
Clay	Larson (CT)	Smith (WA)
Cleaver	Levin	Snyder
Clyburn	Lewis (GA)	Solis
Cohen	Lynch	Spratt
Conyers	Maloney (NY)	Stark
Crowley	Markley	Sutton
Cummings	Matsui	Tanner
Davis (AL)	McCarthy (NY)	Tauscher
Davis (CA)	McCollum (MN)	Thompson (CA)
Davis (IL)	McDermott	Thompson (MS)
DeGette	McGovern	Tierney
DeLauro	McNulty	Towns
Dicks	Meek (FL)	Udall (NM)
Doyle	Meeke (NY)	Velázquez
Ellison	Michaud	Visclosky
Emanuel	Miller, George	Wasserman
Engel	Moore (WI)	Schultz
Eshoo	Moran (VA)	Waters
Finer	Murtha	Watson
Frank (MA)	Nadler	Watt
Gonzalez	Napolitano	Waxman
Gordon	Neal (MA)	Welch (VT)
Green, Al	Olver	Wexler
Green, Gene	Pallone	Woolsey
Grijalva	Pascarell	Wu
Gutierrez	Pastor	Wynn

NOT VOTING—14

Barrett (SC)	Dingell	Paul
Carson	Higgins	Perlmutter
Cubin	Honda	Pitts
Davis, Jo Ann	Jindal	Tancredo
Delahunt	Lee	

□ 1423

Mr. INSLEE changed his vote from “yea” to “nay.”

Messrs. WILSON of Ohio, WEINER, FARR, Ms. SHEA-PORTER, Mrs. LOWEY, Mr. COURTNEY, Ms. ZOE LOFGREN of California, Messrs. RAHALL, TAYLOR and OBERSTAR changed their vote from “nay” to “yea.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. TOWNS. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report H.R. 928 back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 9. ANNUAL INSPECTOR GENERAL PERFORMANCE REVIEWS OF FEDERAL PROGRAMS AND AGENCIES.

(a) PRINCIPLE DUTY.—Section 4 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following new subsection:

“(a) It shall be the principle duty and responsibility of each Inspector General, with respect to the establishment within which his Office is established, to review annually the operations, efficiency, and effectiveness of all Federal programs within such establishment and submit to the Congress and the President not later than September 1 of each year recommendations, accompanied by proposed legislation, on whether an abolishment, reorganization, consolidation, or transfer of existing Federal programs and agencies is necessary—

“(1) to reduce Federal expenditures;

“(2) to increase efficiency of government operations;

“(3) to eliminate overlap and duplication in Federal programs and offices;

“(4) to abolish agencies or programs that no longer serve an important governmental purpose; and

“(5) to identify reductions in amounts of discretionary budget authority or direct spending that can be dedicated to Federal deficit reduction.”; and

(3) in subsection (c)(1) (as so redesignated), by striking “(a)(1)” and inserting “(b)(1)”.

(b) CONFORMING AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is further amended—

(1) in section 8(d), by striking “section 4(d)” and inserting “section 4(e)”; and

(2) in section 8D(k)(2)(A), by striking “section 4(d)” and inserting “section 4(e)”.

Mr. TOM DAVIS of Virginia (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 11, not voting 17, as follows:

[Roll No. 937]

YEAS—404

Abercrombie	Akin	Altmire
Ackerman	Alexander	Andrews
Aderholt	Allen	Arcuri

Baca Ellsworth
 Bachus Emanuel
 Baird Emerson
 Baker Engel
 Baldwin English (PA)
 Barrow Eshoo
 Bartlett (MD) Etheridge
 Barton (TX) Everett
 Bean Fallin
 Becerra Farr
 Berkley Fattah
 Berman Feeney
 Berry Ferguson
 Biggert Filner
 Bilbray Flake
 Billirakis Forbes
 Bishop (GA) Fortenberry
 Bishop (NY) Fossella
 Bishop (UT) Foxx
 Blackburn Frank (MA)
 Blumenauer Frelinghuysen
 Blunt Gallegly
 Bonner Garrett (NJ)
 Bono Gerlach
 Boozman Giffords
 Boren Gilchrest
 Boswell Gillibrand
 Boucher Gohmert
 Boustany Gonzalez
 Boyda (KS) Goode
 Brady (PA) Goodlatte
 Brady (TX) Gordon
 Braley (IA) Granger
 Brown (SC) Graves
 Brown, Corrine Green, Al
 Brown-Waite, Ginny Green, Gene
 Buchanan Grijalva
 Burgess Gutierrez
 Burton (IN) Hall (NY)
 Butterfield Hall (TX)
 Buyer Hare
 Calvert Harman
 Camp (MI) Hastert
 Campbell (CA) Hastings (FL)
 Cannon Hastings (WA)
 Cantor Hayes
 Capito Heller
 Capps Hensarling
 Capuano Herger
 Carnahan Herseht Sandlin
 Carney Hill
 Carter Hinchey
 Castle Hinojosa
 Castor Hirono
 Chabot Hobson
 Chandler Hodes
 Clarke Hoekstra
 Clay Holden
 Cleaver Holt
 Clyburn Honda
 Coble Hoolley
 Cohen Hoyer
 Cole (OK) Hulshof
 Conaway Hunter
 Conyers Inglis (SC)
 Cooper Inslee
 Costa Israel
 Costello Issa
 Courtney Jackson (IL)
 Cramer Jackson-Lee (TX)
 Crenshaw Jefferson
 Crowley Johnson (GA)
 Cuellar Johnson (IL)
 Cummings Johnson, E. B.
 Davis (AL) Johnson, Sam
 Davis (CA) Jones (NC)
 Davis (IL) Jones (OH)
 Davis (KY) Jordan
 Davis, David Kagen
 Davis, Lincoln Kanjorski
 Davis, Tom Kaptur
 DeFazio Keller
 DeGette Kennedy
 DeLauro Kennedy
 Dent Kilpatrick
 Diaz-Balart, L. Kind
 Diaz-Balart, M. King (IA)
 Dicks King (IA)
 Doggett King (NY)
 Donnelly Kingston
 Doolittle Kirk
 Doyle Klein (FL)
 Drake Kline (MN)
 Dreier Knollenberg
 Duncan Kucinich
 Edwards Kuhl (NY)
 Ehlers LaHood
 Ellison 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)
 Maloney (NY)
 Manzullo
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul (TX)
 Gordon
 McCollum (MN)
 McCotter
 McCrery
 McDermott
 McGovern
 McHenry
 McHugh
 McIntyre
 McKeon
 McMorris
 Rodgers
 McNeerney
 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
 Obey
 Olver
 Ortiz
 Pallone
 Pascrell
 Pastor
 Payne
 Pearce
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Platts
 Poe
 Pomeroy
 Porter
 Price (GA)
 Price (NC)
 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
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Salazar
 Sali
 Sanchez, Linda T.
 Sanchez, Loretta
 Sarbanes
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sestak
 Shadegg
 Shays
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Solis
 Watson
 Solis
 Souder
 Space
 Spratt
 Salazar
 Stark
 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
 Velázquez
 Visclosky
 Walberg
 Walden (OR)
 Walsh (NY)
 Walz (MN)
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Welch (VT)
 Weldon (FL)
 Weller
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (OH)
 Wilson (SC)
 Wolf
 Woolsey
 Wu
 Wynn
 Yarmuth
 Young (AK)
 Young (FL)

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-62)

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

To the House of Representatives:
 I am returning herewith without my approval H.R. 976, the "Children's Health Insurance Program Reauthorization Act of 2007," because this legislation would move health care in this country in the wrong direction.

The original purpose of the State Children's Health Insurance Program (SCHIP) was to help children whose families cannot afford private health insurance, but do not qualify for Medicaid, to get the coverage they need. My Administration strongly supports reauthorization of SCHIP. That is why I proposed last February a 20 percent increase in funding for the program over 5 years.

This bill would shift SCHIP away from its original purpose and turn it into a program that would cover children from some families of four earning almost \$83,000 a year. In addition, under this bill, government coverage would displace private health insurance for many children. If this bill were enacted, one out of every three children moving onto government coverage would be moving from private coverage. The bill also does not fully fund all its new spending, obscuring the true cost of the bill's expansion of SCHIP, and it raises taxes on working Americans.

Because the Congress has chosen to send me a bill that moves our health care system in the wrong direction, I must veto it. I hope we can now work together to produce a good bill that puts poorer children first, that moves adults out of a program meant for children, and that does not abandon the bipartisan tradition that marked the enactment of SCHIP. Our goal should be to move children who have no health insurance to private coverage, not to move children who already have private health insurance to government coverage.

GEORGE W. BUSH.

THE WHITE HOUSE, October 3, 2007.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

MOTION OFFERED BY MR. HOYER

Mr. HOYER. Madam Speaker, I have a privileged motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Hoyer moves that further consideration of the veto message and the bill, H.R. 976, be postponed until October 18, 2007.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. HOYER) is recognized for 1 hour.

NAYS—11

Bachmann Deal (GA)
 Boehner Franks (AZ)
 Broun (GA) Gingrey
 Culberson Marchant
 Sessions
 Shuster
 Westmoreland

NOT VOTING—17

Barrett (SC) Delahunt Paul
 Boyd (FL) Dingell Perlmutter
 Cardoza Higgins Pitts
 Carson Jindal Pryce (OH)
 Cubin Lee Tancredo
 Davis, Jo Ann Oberstar

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1432

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BACHMANN. Mr. Speaker, on rollcall vote 937, I was recorded as "nay." It was my intention to have voted "yea." I would like the RECORD to reflect my support of H.R. 928.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 928, IMPROVING GOVERNMENT ACCOUNTABILITY ACT

Mr. TOWNS. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 928, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mrs. TAUSCHER). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOYER. Madam Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Texas (Mr. BARTON), and pending that, I yield myself such time as I may consume.

Mr. BARTON of Texas. Madam Speaker, I ask unanimous consent that of the 30 minutes yielded me, 15 minutes of that be yielded to the ranking member of the Ways and Means Committee, Mr. MCCRERY.

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

There was no objection.

Mr. HOYER. Madam Speaker, earlier today, the President of the United States, in defiance of bipartisan majorities in the House and Senate, and in defiance of the will of a great majority of Americans, vetoed fiscally responsible legislation that would ensure that 10 million children in our Nation receive health insurance coverage. That's approximately 4 million more children than are covered under the highly successful Children's Health Insurance Program today.

I remind the Members of the House that that program was adopted in 1997 by a Republican-controlled Congress with strong Democratic support, a bipartisan program. Let us be clear, this is a defining moment for this Congress and for a President who has labeled himself a compassionate conservative.

The President's veto, my colleagues, must not stand. The President wrongly claims that this bipartisan legislation is fiscally irresponsible. But the truth is the Children's Health Insurance Program legislation, forged by Members on both sides of this aisle, is paid for. It does not add to the deficit or to the debt. Moreover, President Bush, whose policies over the last 6 years have instigated record budget deficits and spiraling debt, should not be lecturing anyone on the issue of fiscal discipline. This administration, I suggest to all of us, has pursued and enacted the most fiscally irresponsible policies perhaps in American history. In fact, even as the President vetoed this CHIP legislation, all of it paid for, he has asked Congress to approve another \$190 billion to protect Baghdad and its environs. Mr. President, we need to protect the children of Bowie, of New York, of Peoria, of Miami, of California.

In fact, even as the President vetoed, as I said, this legislation, he sent to us a \$190 billion request for more money for the war in Iraq, the civil war in Iraq, a place where, very frankly, it is far past time where the people of Iraq took the responsibility to defend and secure their country.

This legislation that the President has vetoed is about securing the health of America's children. With this veto, the President is playing politics, pure and simple.

After running up record deficits in debt, he is now trying to establish his fiscal bona fides with his conservative political base by denying health services to children.

Mr. President, it won't work. Mr. President, it shouldn't work. Mr. President, it is not compassionate, nor is it common sense.

Senator HATCH, no one's idea of a liberal or of a Democratic spinmeister, said on the Senate floor last week, and I quote, "It is unfortunate that the President has chosen to be on what, to me, is clearly the wrong side of the issue." That was Senator HATCH.

I hope all of us in this body, Republican and Democrat, decide, when this vote comes up, to determine whether or not the Congress should make policy or whether we will be subservient to the President's veto in protecting children.

I hope all of us, Republican and Democrat, liberal, moderate and conservative, will join together to respond to the children of this country and their families who agonize about not having the health insurance they need so that their children can be kept healthy.

Senator ROBERTS of Kansas remarked, another leader in the Republican Party, "I am not for excessive spending and strongly oppose the federalization of health care. And if the administration's concern with this bill were accurate, I would support a veto, but bluntly put," said Senator ROBERTS from Kansas, who served in this body, "the assertions of the President," he said, "are wrong." Technically, he said that the premises were inaccurate.

Madam Speaker, this legislation is not only supported by majorities in the House and Senate, it is supported by doctors, nurses, private insurers, children's advocates, 43 Governors. The list goes on and on and on. But most importantly, most importantly, it's supported by the parents of children who are working, working hard every day, playing by the rules. Perhaps both are working, if they're fortunate to have two parents in the home, or a single parent, mom or dad, working hard, but making too little to afford insurance and working for an employer who can't give them insurance. Most of all, that is the constituency, that is the voice we ought to hear, that is why we ought to override this veto.

According to an ABC News-Washington Post poll released just this week, 72 percent of Americans, including 61 percent of Republicans, support this legislation, 69 percent of independents. What is perhaps most stunning of all is that, with this veto, the President has violated his own pledge at the Republican National Convention in 2004. You've heard me say this before, but let me say it again: "In a new term we will lead an aggressive effort to enroll millions of children who are eligible but not signed up for government programs." "We will not allow," said the President, "a lack of attention or information to stand between these children and the health care they need." Mr. President, that is what you have done by this veto, stood between those children and the insurance they need.

I urge my colleagues, override this veto, support this motion, and on October 18 let us vote for the children.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, there is politics being played in this body this afternoon, but it's not by the President of the United States.

When the SCHIP bill was up for reauthorization back in early September, people like myself asked that we have a regular process, have some time to review the bill, have some markups, learn what was in it, since we had gotten it the night before about midnight.

Mr. HOYER. Will my friend yield just for a technical matter?

Mr. BARTON of Texas. I yield to the gentleman from Maryland.

Mr. HOYER. Madam Speaker, I ask unanimous consent that the remainder of my time be equally divided and controlled by the gentleman from New Jersey (Mr. PALLONE) and the gentleman from California (Mr. STARK).

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

There was no objection.

□ 1445

Mr. BARTON of Texas. At that time, we were told that we didn't have time for that, that we had to move that bill before September 30 so that the children of America wouldn't lose their health insurance. Well, that bill, the CHAMP Act, passed this body. It never was brought up in the other body. Thankfully, it is gone. So you would think that with the continuing resolution that passed last week, we would now have some time to look at the SCHIP issue on a bipartisan basis here in the House and come up with a compromise that could be passed and signed by the President before the continuing resolution expires on, I think, November 16.

What we are being told today is that since the President vetoed the bill, we don't want to vote on the veto today, we want to postpone it, I believe, until October 18. Now, why is that? If it was such a rush last month, you would think that it would still be a rush now and they would want to get the veto out of the way and then work together to come up with a bill that the President would sign. So it would seem to me that the Democrats are saying, Well, let's have a 2-week period here to try to play politics with this.

I think that is wrong. I checked with the Parliamentarian about when was the last time a motion to postpone a veto was authorized by the House. It is not done very often. The last time was 1996. So I would hope we would defeat this motion to postpone and let me offer a substitute motion to refer the veto to the committee of jurisdiction. We then could have a process, have a bipartisan compromise, and bring it up within 2 weeks and vote for it, send it

to the other body and send it to the President, and I bet he would sign it. That is what we should be doing, not voting to postpone a veto vote which we know when that veto vote comes, we will sustain the President's veto.

With that, Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from California has 12 minutes. The gentleman from New Jersey has 12 minutes. The gentleman from Texas has 12½ minutes. The gentleman from Louisiana has 15 minutes.

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

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

Mr. STARK. I just want to remind my colleagues that we are dealing with a President who has a very short memory. Just 2 days ago, he proclaimed October 1 as Child Health Day 2007. Today, he just trashed that. I don't know what he thought he was doing when he talked about improving the lives of children and preventing and reducing the cost of disease and promoting community health, because he is just following a position that denies 1 million kids the right to health care.

So I hope, Mr. President, that you certainly don't proclaim a Protect Congress Day, or we are all in deep trouble.

This veto of the Children's Health Insurance Program compromise legislation is finally showing the American people the President's true priorities. He is a war President. All he cares about is war and more war. The previous speaker on our side talked about \$190 billion for the war in Iraq, and these funds aren't paid for. They add to the deficit. In addition to our children having to look around for health care, they are going to have to look around to pay for that illegal war.

Simultaneously voting to extend a State Children's Health Insurance Program would be a good program. We would extend health care to nearly 4 million children, and the President is cutting a million off that cost a fraction of his illegal war. It is fully paid for and doesn't increase the deficit one penny. It passed both the House and the Senate with strong bipartisan majorities.

What's wrong with our Republican minority? Why do they insist on denying 1 million children, kicking them off the rolls of SCHIP? Why do they scorn in the face of 43 of the Nation's Governors who have written to the President and argued against his vetoing this bill?

President Bush says he has his own plan. I don't know if he had that when he declared October 1 as Child Health Day. Whatever that plan is, it would cause millions of children to lose their health care. My own Republican Governor, Arnold Schwarzenegger, estimates that the President's plan would cause 1 million children to be denied health care in California by the year 2012.

This is a matter of life and death for our children's insurance. Children with health care do better in school, in life, and have their illnesses caught before it is too late. Ladies and gentlemen, the axis of evil is not just in the Middle East. It is right down here on Pennsylvania Avenue.

I urge my colleagues to reject the President's veto, have a compromise bill to assure the health of America's children and make sure that that is put ahead of some obscure, extreme, radical ideology.

Madam Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to not address the President in the second person but, rather, to address their remarks to the Chair.

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

Madam Speaker, I am only going to make one point during my brief remarks, and then I am going to ask unanimous consent to turn over the time for allocation of time to Mr. CAMP.

The point that I want to make is that the President's veto will be sustained, and that should allow the opportunity for Democrats and Republicans to sit down in this House and listen to each other as far as how we can reach a compromise on this important legislation.

I was a Member of the House back in 1996 when we passed welfare reform for the third time. We had a Republican majority and a Democratic President. The Democratic President vetoed welfare reform twice. Basically, he told us, the majority Republicans, Look, I want Democrats to be at the table to try to get a compromise on this important legislation. That is what ultimately occurred. The President signed welfare reform on the third try. Then, in 1997, we had the Balanced Budget Act. There were considerable Medicare reforms in that act. President Clinton said the same thing. He said, Look, I want Democrats at the table. We allowed them to the table. I was in the room when Democrats, Republicans and a member of the Clinton administration sat down together to hash out the details, very nitty-gritty details, of the Medicare portion of the BBA.

That is what should happen now with SCHIP. SCHIP was passed in 1997, as part of that 1997 effort, as a bipartisan effort. It should remain a bipartisan initiative. Unfortunately, the minority in this House and in the House of Representatives was excluded from the outset from discussions regarding the SCHIP legislation. The Senate, yes, had more of a bipartisan discussion. We were never included in that discussion, either. So we think we deserve, and I think the President thinks we deserve, a seat at the table to discuss this very important issue. I hope that is what finally emerges from this veto.

I don't know why the majority wants to postpone the override vote for over 2 weeks. It just doesn't make sense to me if you want to get this done in a rational, reasonable manner this calendar year. It seems to me you would want to have the override vote immediately so we could get right on with the business of trying to compromise and give the President something that he could sign. I don't know why they are not doing that. But, in any event, at the end of this road when we sustain the veto, I am very hopeful that the majority now will act as the majority back in 1996 and 1997 did and give us all a seat at the table so we can work this out.

With that, Madam Speaker, I would ask unanimous consent that Mr. CAMP be allowed to allocate the remainder of my time.

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

There was no objection.

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

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

Madam Speaker, the Children's Health Insurance Program Reauthorization Act passed the House and the Senate with overwhelming bipartisan support. I would stress "bipartisan" because I listened to the gentleman from Louisiana. He neglects to mention that Republicans were at the table, Senator GRASSLEY, Senator HATCH, and certainly a large number of Republicans who voted for this as well in the House of Representatives. The bill also has overwhelming support with the American people.

Yet this is a bill that the President has been threatening to veto since this summer. I don't know what happened to the President's compassion or sense of social justice. I don't think he understands the negative impact his veto will have on the millions of children who would be denied regular visits to see the doctor because he refused to sign this bill into law.

Now, let's review who stands for what. Under the bipartisan bill that the President vetoed this morning, 4 million previously uninsured low-income children, many of whom are in working families, I know there was a reference to welfare from the gentleman from Louisiana. I don't think he was referencing these kids or their families because these are working families. But 4 million previously uninsured low-income children who are in working families would get health coverage under this bill. A total of 10 million children would have their health coverage secured.

Under the bipartisan bill, the vast majority of children covered are the lowest income children who are today uninsured. According to the CBO, under the bipartisan bill, about 84 percent of the uninsured children who would benefit live in families with incomes below \$40,000 a year. In addition,

1.7 million uninsured children who are eligible for Medicaid but otherwise would be uninsured would gain coverage under the agreement. Most of these would likely be children living in families with incomes below \$20,000 a year. Under the bipartisan bill, States would have new tools to conduct outreach and enrollments. States could use express-lane, one-stop-shopping at places like schools, community centers and hospitals to get children covered.

The President, while he recently put out a regulation that would actually block schools from helping to sign low-income, uninsured children up for coverage, he put out another regulation that would force children to go an entire year, that is one whole year, without insurance coverage before their parents could sign them up for CHIP. That is 1 year of earaches, strep throat, asthma, diabetes and toothaches that would be treated in emergency rooms rather than the doctor's office. The President talked about how kids can go to the emergency room. Well, has he been to an emergency room lately? I was at one in my district last weekend. It is not a great place for a kid to visit. It is a scene of trauma. People who have overdosed on alcohol and drugs. Most emergency rooms are overwhelmed with real emergencies and have few resources to treat people who need regular family care.

The President makes \$400,000 a year. He is guaranteed health care for life. He has a government doctor that is at his immediate call. Yet today this President has denied millions of low-income children and working families the opportunity to get even basic health care. Working Americans understand the struggle families have to make ends meet and afford health care coverage for their children. But the President and very few, because I am not talking about all Republicans, but very few of my colleagues on the other side of the aisle appear to be the only people in America who do not understand the challenges these families face or the importance of securing affordable coverage for their children.

It is a sad day, Madam Speaker, for America that the President vetoed this bill. But there is an opportunity over the next 2 weeks, because I want everyone to support this motion, but in about a week or two, we are going to have a vote on the floor. I would urge all those on the other side of the aisle who did not vote for this bill to use that time to reconsider and think about these kids when they go and cast their vote and vote to override this veto by the President.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Before I yield to Mr. DEAL, I want to ask the distinguished subcommittee chairman a question if I could, and I will do it on my time.

Why are we postponing for 2 weeks?

□ 1500

Mr. PALLONE. I would hope that the Members on the other side of the aisle,

including the ranking member, who I have a great deal of respect for, would use the time to contemplate, perhaps go to an emergency room.

Mr. BARTON of Texas. Madam Speaker, reclaiming my time, we are not postponing for any substantive reason; we are just postponing for political reasons.

Mr. PALLONE. Madam Speaker, it is not a political reason if you use the time to think about what this is all about. That is what I would urge you to do.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Madam Speaker, let me thank my colleague from Texas for yielding.

Madam Speaker, I remind my colleagues that we created the SCHIP program 10 years ago in a bipartisan way to help insure low-income children who did not have access to high quality health insurance. Republicans continue to believe that we ought to have this program and that we ought to find a way to ensure low-income children have access to the kind of quality health care that our children enjoy.

This move today to delay the override of this veto is the most partisan political activity I have seen in this Congress all year. If you're really serious about trying to help children get access to low-cost health care, make sure that they have the insurance they need, we would have the veto override today, we would have it right this minute, and then we would start to sit down in a bipartisan way and work out our differences and ensure that we get low-income kids the kind of health care that they need.

Madam Speaker, yes, there are differences over this program. Some believe that having adults, and in some States, almost half the people involved in the program are adults, let's make sure that low-income kids, the target of this program, is met. But, no, we are not going to do that, unfortunately. We are going to do what the American people have said they are sick and tired of; we are going to do political games. That is what this delay is intended to do, to allow more time for the political games to go on, exactly what the American people have said they are sick and tired of.

Madam Speaker, I think we should have the vote today. Let's just go ahead and have the vote. We are going to sustain the President's veto. Then let's sit down together and do what the American people expect of us, and that is to make sure that this program is continued and children's health care in America is taken care of.

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

Madam Speaker, I intend to recognize in a moment Ms. SHEA-PORTER from New Hampshire, but pending that, a couple of comments.

Madam Speaker, I would like to suggest that the 45 Republicans who voted

for our bill, if they are being disregarded by Republican leadership, we have a lot of room over here and would welcome them on our side. I also suggest to the distinguished ranking member of the Energy and Commerce Committee, while his 2-year-old may not be ready for it yet, as somebody who is raising two children who are now 6, the reason we are waiting is for what we call in our household a "time-out." You go to your room and think about the mistake you made, and when you're ready to apologize and come back and set things straight, you can come out of your room. That is what the 2-week period is all about.

Mr. BARTON of Texas. Madam Speaker, if the gentleman will yield, my 2-year-old hasn't needed a time-out yet.

Mr. STARK. He will.

Madam Speaker, I yield 1 minute to the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. Madam Speaker, Americans are divided over many issues, but we are not divided over health care for our children. We are a good people, and we want our children to have health care. None of us want to see children in this country without health care; none, except for the President and his Republican supporters in Congress, that is.

Madam Speaker, the President and his supporters in Congress want to take hardworking American tax dollars and spend them, but not on the kids; no, in Iraq, in the middle of a civil war, with the \$190 billion, which is the President's new request for Iraq, as he turns around to the children and the hardworking families of America and says, Just don't get sick, kids.

Mr. President, that is not acceptable.

Mr. CAMP of Michigan. Madam Speaker, I yield 4 minutes to the distinguished whip, the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, like others, I am disappointed we are not going forward today to sustain the President's veto, an outcome that I think no matter how much time anybody has in the timeout chair will be the result. If we were moving forward today and sustaining the veto, then we could get together and try to have a bill that does what I think all of us want to do.

Madam Speaker, all of us don't want to do everything, but all of us do want to do some things. We all want a program that meets the needs of poor kids first. That is why when we put this in place in 1997, we said, look, kids, whose families are at the poverty level or below, they have access to Medicaid. But what about people who are kids whose parents are working, and working in jobs where they don't likely have access to insurance? Let's prioritize those kids.

Madam Speaker, as a minimum, whatever we do as we move forward, let's have a standard that the States

have to meet, the administration proposed 95 percent, Mr. BARTON proposed 90 percent, but some percentage of kids whose families are in those jobs that may not have access to insurance. Before we go on and just simply talk about insuring kids, this should be a program that is focused on poor kids, not a program that is on more kids.

Madam Speaker, some of our friends say, well, if a program that would give health care to poor kids is a good thing, a program that would give health care to all kids or more kids must be a great thing. It is just simply not accurate. Things that destroy the private insurance market, things that don't meet the needs of the program before you move on to do more are not the kinds of things we ought to be focused on.

We need to be sure that we are covering people who are uninsured, not people who are insured, and then moving from insurance to government-paid health care, Washington-based health care. There are going to be situations, I guarantee, if we start insuring all the kids in America, or all the kids that this bill says that we are going to insure, where moms are going to wind up in houses that have both a mom and dad as the only person not insured.

Madam Speaker, think with me for just a minute. Dad has a job; insurance comes with dad's job. The government comes in and says we are going to insure the kids. Who gets left out then? It's mom. Our mom has a job, and while she is struggling with the job, she has to figure out how to insure herself and the kids, because insurance didn't come with the job. Then the government decides to insure the kids, and mom says, well, maybe I don't need insurance anymore.

Some of our friends will say, well, that is why we are insuring adults. This should not be a program about insuring adults. One of the reasons this program hasn't worked as well as it should have is too many States move to insuring adults before they would insure poor kids.

Madam Speaker, let's get on with this debate. I regret the fact that we are not able to start tomorrow because we went ahead and did today what is going to happen in two weeks. But let's get on with this debate. Let's be sure we provide a stable funding source for a program for poor kids and we put poor kids first in a program that is supposed to be about helping kids whose families are working, but working in jobs that aren't likely to have insurance.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the majority whip, the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Madam Speaker, I thank my colleague for yielding at this time.

Madam Speaker, I rise today on behalf of the 112,000 uninsured children in my home State of South Carolina and the millions of other uninsured chil-

dren across the country. Many of the uninsured children in my home State come from lower-income and working families, most of whom devote nearly all of their earnings to providing their children the basic necessities, such as shelter, food and clothing. Without CHIP, most of these families would not be able to provide their children with the health care they deserve.

Madam Speaker, in vetoing this bill, President Bush has shown the American people that his priorities are not with our Nation's uninsured; his priorities are not with the millions of families struggling to make ends meet. This President will have you believe that it is more important to reach out to America's millionaires and billionaires because, according to the President, they are the ones who are being left behind, not our children, not our uninsured, and not our hardworking families.

Madam Speaker, by opposing this legislation, the President is rebuking an overwhelming majority of Americans. CHIP has broad bipartisan support in the Senate and House, and 43 Governors and 300 advocacy groups have endorsed this legislation.

Support for this bill is high because it seeks to do what is right. It is right to insure children from poor and low-income families. It is right to extend coverage to 2.4 million minority children.

So I encourage my colleagues to do what is right and support this legislation. In doing what is right, you will be standing up for the uninsured. In doing what is right, you will be standing up for millions of hardworking American families. In doing what is right, you will be putting the needs of our children first.

Mr. BARTON of Texas. Madam Speaker, I yield 2½ minutes to the distinguished subcommittee ranking member from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, the State Children's Health Insurance Plan, there ought to be something that we can agree on. The first is that the program ought to be for children. And yet we are told that in the bill the President has rightfully vetoed, in 5 years there will be 780,000 adults still in a children's health program.

Secondly, this program ought to be, as its primary target was, for children below 200 percent of poverty. We know that in States that have gone above the 200 percent level, they have left behind up to a quarter of their children in their State that are below 200 percent of poverty, and there is nothing in this bill that requires them to go back and make sure that they enroll those children. In fact, this legislation repeals the outline that CMS had put out to require 95 percent saturation of children below 200 percent of poverty. So there is no effort to go back and do what the program was designed to do, and that is to help those between the 100 and 200 percent of poverty.

Madam Speaker, the third thing is that we all ought to agree that Medicaid and SCHIP ought to be for Americans, for American children. The change that this bill puts into place will allow people who are not qualified under our current law for Medicaid or SCHIP to become eligible. CBO says that the Federal cost of that alone is \$3.7 billion.

I think the last thing we ought to agree on is that we should not take a major step toward socializing health care in this country. This bill does nothing to prevent States from having what is called "income disregards." That is, if a State says, well, we just won't count what it costs for housing, we won't count what it costs for food, we won't count what it costs for transportation in computing your percent of poverty eligibility, then you can go up to 800 percent of poverty. And that certainly distorts the program.

Madam Speaker, lastly, we want to talk about time and the use of time. We knew 10 years ago that this bill was going to expire at the end of last month. This was a 10-year authorization bill. We knew in 1997 when it was put in place that it was going to expire at the end of September of this year. We knew 9 months ago when this Congress went into session that unless something was done, the legislation was going to expire the end of September. And yet only at the last minute was legislation presented in this House, with no legislative hearing, and then asked to be voted on, and not a single House Republican participated in the conference committee report that we are now being asked to sustain and to agree to at this point.

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

Mr. CAMP of Michigan. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, House Republicans strongly support the SCHIP program, and, as many speakers have said, this program was created on a bipartisan basis 10 years ago. We are advocating that the program remain what it was intended to be, and that was a program that helps low-income children who cannot otherwise get health insurance.

Had we been able to sit down on a bipartisan basis anytime over the past 9 months, I am convinced that we could have come to an agreement that reauthorizes this important program without turning it into a massive expansion of government-controlled health care. Instead, the majority first produced a massive expansion of SCHIP, partially paid for by cuts to Medicare.

Madam Speaker, fundamentally, the majority chose to shortchange the most vulnerable members of our society, seniors and the disabled, in order to force middle and upper middle-class families out of private health insurance and into a government program.

□ 1515

Then the majority was confronted with the reality that Members of the

other body would not cut Medicare, so they passed the Senate's version of SCHIP. That bill, instead of cutting government funds for seniors and the disabled to expand SCHIP as a middle-class entitlement, raised taxes on the working poor to expand SCHIP.

Now the majority is again forced to face reality. In order for a bill to become law, it must be signed by the President of the United States, and this President's position is clear: SCHIP should help low-income kids first. Before you expand coverage to families earning \$62,000 or \$83,000 a year, 300 or 400 percent of the poverty level, you need to cover children in families earning less than 200 percent a year. That is about \$42,000 a year. That is just common sense, and is true to the original bipartisan spirit of the SCHIP program.

I hope we will be able to come to an agreement and not have the majority just simply roll over our legitimate concerns about this legislation. We need to sit down together to help low-income children, to fix the loophole that makes it easier for illegal immigrants to get government benefits, and to ensure that the SCHIP program is funded on a sound and honest basis. I look forward to that discussion.

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

Mr. BARTON of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Tennessee (Mrs. BLACKBURN), a member of the committee.

Mrs. BLACKBURN. I thank the gentleman from Texas.

Madam Speaker, this veto will be sustained, and I hope it will allow us to return to the core issue of discussing health care for children, needy, poor American children. That is what our focus should be. It should not be about a secret, giant step towards nationalized health care. It shouldn't be about health care for adults or for middle-class families. It should be about meeting the needs of poor American children. That's what the program was set up to do.

Unfortunately, as H.R. 976 is constructed, we are only talking about 800,000 additional children. For all of the hype, for all of the talk, that is what you are talking about. We have seen numerous gimmicks used to try to make this bill work. We have heard about income disregards today. Now, in this bill, there are provisions that would allow you to go to 800 percent of the Federal poverty level. So instead of addressing the needs of poor American children, what we are talking about is providing coverage for families making over \$206,500 a year. Madam Speaker, that is not the original intent of this program.

Another budget gimmick, in mid-2012, all of a sudden the funding is going to be cut 80 percent.

Madam Speaker, what is going to happen to SCHIP in mid-2012? How are we going to meet the needs of those

children? This is what we need to do; return to the core issue, strip away all of these attached issues, and get back to what we need to do to be certain that we meet the needs of poor American children, not provide health care to illegal immigrants, not provide health care for the middle class.

SCHIP is about those children that are of the working poor, 200 percent of the poverty level. It is a program that deserves to be reinstated under the same rules that it was put in place in 1997.

Mr. STARK. Madam Speaker, I always thought that 800 percent of poverty was a Republican, but I am happy to recognize the distinguished gentleman from Wisconsin (Mr. KAGEN) for 1 minute.

Mr. KAGEN. Madam Speaker, this morning President Bush said "no" to 95,000 children in Wisconsin and to millions more across the Nation. His veto of the SCHIP bill is morally unacceptable. It is unacceptable to me as a father, as a husband, and as a physician. And to everyone living in Wisconsin and across this Nation who has a human heart. What kind of Nation are we when a President turns away a child in need? And what kind of Nation will we become if we remain on this partisan path?

My friends, this administration no longer represents our traditional American values, for no one anywhere in these United States believes we should abandon children in need. We need a President who believes in children and taking care of ordinary people and the needs of our children, our senior citizens, and the needs of America first.

Madam Speaker, today, right here and right now, we must begin to work together and build a better future for all of us, especially our children on whose future we depend.

Mr. CAMP of Michigan. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY), a distinguished member of the Ways and Means Committee.

Mr. BRADY of Texas. Madam Speaker, it is bad enough that Congress continues to play politics with the war, now they are playing politics with little kids.

Despite broad bipartisan support for children's health insurance, this new leadership has settled on a divisive scheme to score political points rather than sit down and work out a reasonable solution.

Make no mistake, earlier you heard somebody say this is just a time-out. It's not a time-out. It's a cop-out. It's a cop-out to all the political hacks in Washington who want to spend 2 weeks covering your television sets and our newspapers and radio airwaves with their misleading ads rather than sitting down with us.

Meanwhile, the working poor who are parents are wondering if they are going to have any insurance for their kids past Christmastime. It doesn't have to

be this way. I was here in Congress when we started this program. We sat down together with President Clinton and worked out a good program. There are a lot of us Republicans willing to do the same today.

I am hopeful that President Bush's veto will finally move our Democrat friends to stop playing political games with our kids, to sit down and pay for this bill and make it a reasonable one, end the abuses we all know are there and move this bill in a way that the President can sign it because our kids need this bill and we need to stop. It is shameful these political games we are playing here today.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Madam Speaker, we have 46 million Americans that are uninsured, of which a large number are children. I have heard individuals come up and talk about the undocumented individuals. They are not covered by this particular piece of legislation.

If you live in rural America, if you live in rural Texas, you don't have access to insurance coverage. If you are not working for the government and if you are just working for a small company, you don't have access. If you make \$20,000 or \$40,000 a year, that is not sufficient to be able to cover your children. That is why we need a program that allows an opportunity for our young people to be able to get coverage.

These are Americans who are working hard. These are Americans who don't qualify for Medicaid because they are not poor enough and they are paying their taxes. These are Americans that don't qualify for Medicare because they're not old enough. Yet, they find themselves working hard every single day and are not able to cover their children.

We have to do the right thing. We have to make sure that we pay for those youngsters and allow an opportunity for them to have access. After all, they are the ones that are paying the taxes. They are the ones out there working hard, and yet they don't have their kids insured.

Mr. BARTON of Texas. Madam Speaker, I yield myself 15 seconds.

One of the speakers on the majority side several speakers ago from the great State of Wisconsin was talking about the children. In his home State, they cover 110,000 adults and only 56,000 children under SCHIP.

The SPEAKER pro tempore. The gentleman from Texas has 4¾ minutes remaining. The gentleman from Michigan has 6½ minutes. The gentleman from New Jersey has 5 minutes remaining. The gentleman from California has 6 minutes remaining.

Mr. STARK. Madam Speaker, I am honored to yield 1 minute to the distinguished Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding and thank him for his tremendous work on

behalf of health care for all Americans in our country and in this case for our children. I commend Mr. PALLONE for his leadership as well, and the distinguished chairmen, Mr. RANGEL and Mr. DINGELL.

I salute the bipartisan vote that we had in the Congress to send the SCHIP legislation to the President of the United States. It was strong and bipartisan. It was about the children. And I also salute the strong vote in the United States Senate. I commend Senators HATCH and GRASSLEY for lending their weight and bipartisanship to this important legislation. They joined Senators ROCKEFELLER and BAUCUS on this important issue.

Madam Speaker, as we all know and has been spoken already, today the President of the United States missed an opportunity to say to the children of America your health and well-being are important to us, so important that we are making you a priority. Today, the President said "no" to bipartisan legislation that would have extended health care to 10 million American children for the next 5 years.

The President said "no" to giving assurances to America's working families that if they work hard and play by the rules, we are their partners in raising the next generation of Americans and investing in the future.

In his speech and his veto statement, the President indicated we were doing something in this bill that we were not, that we were expanding eligibility. No, we were just enrolling all of the children who are eligible. In fact, we didn't have enough money to enroll all of them, but as many as could be afforded by a bill that could receive bipartisan support.

The President said that we are moving toward socialized medicine and that he supports private medicine. Well, so do we, and this is about private medicine. It is about children being able to get insurance so they can have health care. The fact is that 72 percent of the children on SCHIP receive their health care through private insurance programs.

I think the strongest indication of the President's commitment to this initiative came when he was Governor of Texas. At that time the State of Texas ranked 49th in its participation in SCHIP in meeting the needs of the children of Texas.

SCHIP started as a bipartisan initiative with a Democratic President, President Clinton in the White House and a Republican Congress which came together in a bipartisan way in order to provide for the needs of our children. Once again with the reauthorization of the bill, we have come together in a bipartisan way to provide for the needs of our children.

Sadly, following true to form, this form in Texas, 49th in the country, and how could Texas be 49th in the country with all of the pride that Texas takes in its stature, its size, its commitment to the future, its large number of beau-

tiful and diverse children, that it would allow 48 States to be ahead of them in meeting the health needs of America's children from poor working families.

What I know will happen today is that we will vote for a time certain in 2 weeks for us to bring up the override of the veto. At that time I hope that with the 43 Governors across the country, Democrats and Republicans alike, with bipartisan overwhelming support in the House and Senate, with every organization from AARP to YMCA and everything alphabetically in between, including the Catholic Hospital Association, Families USA, and the American Medical Association talking about private medicine, and the list goes on, that Members will listen, at least listen to those who care about children, who have standing in caring about children because I believe every person in this Congress cares about children, and I think it would be important for us to hear the voices of those who on a day-to-day basis try to help families who need some assistance in meeting the health needs of their children.

So, my colleagues, this is, as Mr. HOYER said, a defining moment for the Congress of the United States. The President has said "no." This Congress must not take "no" for an answer, and I urge my colleagues to vote "aye" on a time certain when we can take up the override of the President's veto of the State Children's Health Insurance Program, an initiative to provide 10 million children health care, health insurance for 5 years. The difference between us and the President is 41 days in Iraq. For 41 days in Iraq, 10 million children can receive health care for 1 year.

□ 1530

Let's get our priorities in order. Let's recognize that the strength of our country, in addition to being defined by military might, is defined by the health and well-being of the American people, starting with our children.

Mr. CAMP of Michigan. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I thank the gentleman very much for the time.

Madam Speaker, we've heard a lot of comments from our friends on the other side of the aisle about what the President meant by his veto. Well, let's talk for a moment what we mean by the action we're going to take.

We're going to postpone action on the veto override. We're going to postpone for 2 weeks a significant decision which will allow us to begin, on a bipartisan basis, to answer this question. I'm not sure I have seen a more cynical move in the House in my 13 years here. Maybe there has been one, but none comes to mind here.

But we have such a priority to name post offices after eminent people this week, but we don't have the time to stay here to work on this issue. No,

we're going to postpone our override of the President's veto because somehow we, in some silly way, say we need a time-out. We don't need a time-out. We need a time-in. We need to work.

There are many things the American people are concerned about. One is health care for those poor children. That's why this program was established some 10 years ago. But the American people are also concerned about budgets that are out of control, and one of the reasons you have a budget out of control is because we take worthy programs that were designed for a specific purpose and we expand them and distort them beyond all recognition and have a program that is sold as for the children, that in some States has more adults on it than children, has more adults before you've registered the children, has gone beyond focusing on the poor children, is a program that is going to bankrupt this country because you see that repeated again and again and again.

Cynicism, cynicism is postponing the action on this floor. Last time I checked, we're not going to be here tomorrow. Last time I checked, we're going to be out of here by 7 o'clock tonight, but we don't have time to deal with this veto override so we can get about the business of truly dealing with a bipartisan approach to dealing with children's health.

That's the message here, not defining what the President's veto is, but by our actions defining who and what we are.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania, who's been an outstanding proponent of the SCHIP bill, Mr. ALTMIRE.

Mr. ALTMIRE. Madam Speaker, I thank the gentleman.

Madam Speaker, today the President showed that he fails to understand the struggle before Pennsylvania's working families when he vetoed a bipartisan, fiscally responsible bill to provide health care to 10 million children, including 320,000 in Pennsylvania, and in justifying his veto, all he offers is the same tired rhetoric, too expensive.

Well, our bill pays for itself at no additional cost to the taxpayer and doesn't add one penny to the Federal deficit.

Socialized medicine? The SCHIP bill continues a State-administered block grant that's delivered in the private market, and the private insurers and the American Medical Association have endorsed this bill.

A subsidy for wealthy families? Well, most children covered live in families that earn less than \$40,000 a year, and these are working families that we're talking about, working families that work hard and play by the rules but can't afford health care for their children.

I encourage my colleagues on both sides of the aisle to join the majorities in both the House and the Senate, the 43 Governors and 68 Senators, and join us in support of this bill.

Mr. BARTON of Texas. Madam Speaker, I yield myself 15 seconds.

Our speaker talked about Texas's rank in terms of SCHIP. In the first year that SCHIP was in law, Texas is a biennial State in terms of its legislature so we weren't able to get the program up and running. But in the second biennium, we did get it up and running under then-Governor Bush's leadership. Texas now ranks third in terms of the number of absolute children, and I would say in the top five in terms of percentage of eligible children, under SCHIP.

Mr. STARK. Madam Speaker, I am happy to yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, there is absolutely nothing cynical about the delay. My Republican friends need some time to get their facts straight. I really get tired about hearing these phony arguments.

We're going to be covering some adults. Why are we covering some adults? Because the Republican administration granted State waivers for some States to be able to deal with some experiments to add to them, and this legislation stops the ability to grant those waivers that the Bush administration enacted.

We're talking about it should be just poor children, and somehow I heard somebody talk about \$200,000 levels. Hogwash. There was one State that requested a waiver, New York, that would have taken it up to \$83,000. That was denied. There are a number of States, with the approval of the Bush administration, that have raised the levels. New Jersey at \$63,000 still doesn't hit their median income. Only one out of 10 of these children are in family incomes of over \$40,000.

You need 2 weeks to get your facts straight.

Mr. CAMP of Michigan. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Madam Speaker, I thank my colleague for his leadership and for yielding.

As a physician, I recognize clearly the imperative of all having health insurance, and I strongly support providing low-income kids with greater access to health care coverage, which is why I support a positive bipartisan reauthorization of SCHIP.

The problem is that's not what this bill is, and today, we're debating a 2-week delay. Now, there's no reason for a delay. It delays solving the problem, and it delays providing health care to some needy youngsters.

But I welcome this time because it gives Americans more time to realize this is all about politics. It gives Americans more time to realize that the bill is paid for with 22 million new smokers. It gives the American people more time to realize that the bill covers kids in higher-income families before lower-income families. It gives the American people the opportunity to understand

the irresponsible and cynical nature of this bill.

We're sent here to solve challenges, Madam Speaker, and I call on my colleagues to work positively together now. Let's cover kids most in need now. Vote "no" on the postponement now.

Mr. PALLONE. Madam Speaker, I reserve my time.

Mr. BARTON of Texas. Madam Speaker, I'm the last speaker, so I reserve my time.

The SPEAKER pro tempore. The Chair will recognize Members to close in the following order: Mr. CAMP of Michigan, Mr. STARK of California, Mr. BARTON of Texas, and lastly, Mr. PALLONE of New Jersey.

Mr. CAMP of Michigan. Madam Speaker, we're not quite ready to close yet on my time. I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Madam Speaker, I thank the gentleman for yielding.

As a physician who's treated many uninsured patients, I have to say that there's a profound difference between coverage and access to care. Yes, you need coverage, but it doesn't necessarily equate to access.

Clearly, we've got a number of uninsured children in Louisiana. We have 107,000 on SCHIP but 91,000 who currently qualify who are not on SCHIP.

I asked the question why. I offered an amendment in this process to try to get the States to certify, to give reasons and to take steps to clear up this problem, to get those who currently qualify onto the rolls, to let this program work for those it's intended to; yet this amendment wasn't even allowed through the rules process. So this has not been an open and thorough debate on this problem.

We need to get away from our dug-in positions on different sides of this and really work hard on this health care access issue to solve it. It's got to be bipartisan. That's the only way it's going to work.

Mr. STARK. Madam Speaker, I'm happy to yield 1 minute to the distinguished gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Madam Speaker, President Kennedy once said, To govern is to choose. \$700 billion for the war in Iraq but no health care for America's children. \$50 billion in subsidies for big oil companies, but no to health care for America's children. \$8 billion in no-bid contracts and lost in waste, fraud and abuse in Iraq, but no to America's children. Billions of dollars for schools and roads and clinics in Iraq, but no to health care for America's children.

Today, the President told millions of children and their families that they're on the bottom of his priority list.

Now, I used to work in the White House. I know it can be quite isolating. I just never knew it was this isolating. When 45 Republican House Members, 18 Republican Senate Members, Gov-

ernors who are Republicans, Democrats come together, build this type of consensus, it's time for the President to see what the American people see, that this is the right health care.

You have the same health care for you and your families that we are trying to provide for these 10 million children whose parents work full-time.

Delores Sweeney in my district works in an insurance company, has three children, and she's trying to get the health care for her children that she cannot get in the private insurance place.

This is right for Delores Sweeney. It's right for your kids. Let's make it right for America. Vote "yes."

Mr. CAMP of Michigan. I've no further time to yield, Madam Speaker. We're prepared to close. I would ask my colleagues on the other side, are we prepared to close as a group?

Mr. PALLONE. Madam Speaker, I do have some additional speakers, and I yield 1 minute to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Madam Speaker, I rise today in strong opposition to the President's veto of the KidsCare bill, known as SCHIP here in Washington. His refusal to provide funding to over 82,400 uninsured children in the State of Arizona is simply unconscionable.

Today, in my State, one out of every five kids currently has no health insurance. We rank among the five highest States in the entire country.

By vetoing the KidsCare bill, this President proves that his priorities are not in line with the American people, are not in line with the people from my home State of Arizona.

I urge my colleagues on both sides of the aisle to continue to support this fiscally responsible legislation passed by Congress with bipartisan support. It is critically important that the President does not fail the kids of Arizona, the kids of our country and, hence, fail our future.

Mr. BARTON of Texas. Madam Speaker, I am prepared to close when it is time to close.

Mr. STARK. Madam Speaker, I am delighted to yield 1 minute to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Madam Speaker, I thank the gentleman for yielding.

Let me ask you this: If you were walking down the street and you saw a child injured on the side of the road, would you stop? Would you do everything necessary to help that child? I think everyone on this floor today has a simple answer to that question. Of course we would.

So why don't we also agree that for the millions of sick children around this country who have no access to health insurance or preventative health care, that we don't have a similar duty to do everything in our power to help them get healed?

That, to me, is the definition of compassionate government. And don't let

anybody tell you that these kids have access to health care and their parents are just negligent. The truth is that health care availability is shrinking, and the number of children who get sick because they can't get health care is growing.

And just like we have a moral obligation to help that injured child, we have a similar moral obligation to help heal a child who lies sick in their bed simply because their family cannot afford a doctor.

I don't understand why the President won't help that child, but I hope that together, by overriding his veto, we will.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I think the issue of providing health coverage to 10 million children is important enough to give our constituents adequate time to weigh in on it.

Let them consider whether they want to spend \$7 billion a year to provide health care to 10 million uninsured children, an amount equivalent to 2½ weeks spent on the Iraq war.

Insure our children for \$7 billion a year? President Bush runs for the veto pen. \$10 billion a month for Iraq? The President asks for \$190 billion more.

I urge my colleagues to take this time to listen to their constituents. Look into the eyes of an uninsured child. That child could be sitting next to yours or your grandchild in school.

And remember, unlike the war funding which is all on credit cards, this bill is actually paid for. This is an offer, as someone running for reelection, you can't afford to refuse.

□ 1545

Mr. STARK. Madam Speaker, I am delighted to yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Madam Speaker, for 6½ years this President was not concerned about fiscal responsibility, but today he claims to get the picture. However, what he claims is clearly in conflict with the facts.

Our SCHIP is fiscally responsible, it's compassionate, and it makes sense. And it's what the American people want. We are determined to override the President's veto, because it is the responsibility of this body to take care of the children of this country. This isn't about ideology, as the President wants, but about practicality. It's about doing what it will take to fulfill the responsibility to the next generation of our country.

We will override this veto and give health care to our children. I can tell you something, anyone who votes against SCHIP will answer to his or her constituents in November.

Mr. BARTON of Texas. Madam Speaker, I have had an additional speaker show up, so if it would be appropriate, I would yield 1 minute to Mr. KINGSTON of Georgia.

Mr. KINGSTON. I thank the gentleman for yielding.

One thing you can always count on in Washington is whenever we pass any legislation, it's always going to be in the name of the children, or the seniors or Mama or puppies or clean air or all things small and beautiful. In fact, the Speaker of the House the other day used the word "children" in her speech 44 different times, because politicians are always altruistic with other people's money.

Now, the SCHIP program was designed to help the working poor, not to help people who make \$82,000 a year, who might not be rich, but they are certainly not poor. It is designed for American children. It wasn't designed for illegal aliens and yet the Democrats have thrown out the citizenship test. That's the last thing we need is more benefits for illegal aliens.

And then there will be 780,000 adults on this program. This is the children's health care program. While the Democrats will tell you, well, that's only 30 percent, it should be 100 percent children.

The President is right in vetoing this sham.

Mr. PALLONE. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. I thank the gentleman for yielding time.

Madam Speaker, I rise today in support of postponing consideration of the vote to override President Bush's veto of the SCHIP Reauthorization Act.

We have a momentous opportunity here. Yet today the President chose to deny health care to millions of poor and uninsured children. In the State of California, 50 percent of those children that are enrolled happen to be of Hispanic descent.

What message is he giving to those children? While the bill may not be perfect, I think it's still a step forward in the right direction for our country and for the communities of color that it will serve and for our children, our very, very poorest children.

In the coming weeks, I urge our colleagues to stand up for the health and well-being of our children of working families and to reject the President's misguided, immoral and fundamentally flawed veto.

I join with my colleagues today in asking that we postpone, call a timeout, so that he can think about this and his party. We must do the right thing for our children, those who are the most vulnerable in our population.

Mr. CAMP of Michigan. Madam Speaker, I am prepared to close. I have no further speakers.

PARLIAMENTARY INQUIRY

Mr. LEWIS of California. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. LEWIS of California. Madam Speaker, I believe under the rules, in consultation with the minority, that the majority does control the calendar; is that correct?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. LEWIS of California. Parliamentary inquiry. Who controls the calendar? That is a parliamentary inquiry. The legislative calendar.

The SPEAKER pro tempore. The gentleman should consult with the leadership.

Mr. LEWIS of California. By what?

The SPEAKER pro tempore. The gentleman should consult the majority leadership.

Mr. LEWIS of California. Right, by a majority decision, which means essentially the Speaker's office, but nonetheless, that's interpretation.

Presuming that what you said is correct, that majority decision can set this bill when they wish to, including the middle of October, if they wish to; is that correct?

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

Mr. LEWIS of California. I think it is. It is asking about process and the procedure of the House.

I beg your pardon. I don't do this very often.

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry. The gentleman is advised to consult with the leadership.

Mr. LEWIS of California. I think it is very important, Madam Speaker, that this parliamentary inquiry be, at the least, responded to partially.

The SPEAKER pro tempore. If the gentleman will state a parliamentary inquiry.

Mr. LEWIS of California. I am about to do that. It is very clear to you, Madam Speaker, I am sure, and anybody listening, that the leadership wants to delay this until October 15 for political purposes, and they are partisanizing this for no reason.

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

The Chair recognizes the gentleman from California.

Mr. STARK. Madam Speaker, are we closing?

The SPEAKER pro tempore. The gentleman from California has 1 minute remaining.

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

Mr. CAMP of Michigan. Madam Speaker, I am prepared to close.

I yield myself such time as I may consume.

The SPEAKER pro tempore. The gentleman is recognized for 2½ minutes.

Mr. CAMP of Michigan. Madam Speaker, this is a disappointing day. Instead of sending the President a bill he could sign, the majority chose to ignore calls for bipartisanship and chose to ignore the kids they proclaim to champion.

And what is their reaction to this forewarned veto? Did the majority immediately reach out to build consensus? No. Compromise? No.

Instead, the majority decided to stall, to put off dealing with the veto and put off finding a solution.

I ask one simple question: How does stalling a renewal of SCHIP for partisan gain meet the needs of low-income kids? SCHIP can be renewed without extending benefits to people making \$82,000, without extending benefits to adults, without going down the path of government-controlled health care.

We can renew SCHIP without raising taxes, without cutting Medicare, without assuming there will be 22 million new smokers, and without cutting funds in year 6 by 80 percent and pushing the program off a budgetary cliff.

It's time for this Congress to get its priorities right to determine if we are results or rhetoric, if we are for kids or campaign tricks.

Let's pass a new SCHIP program, and let's send the President a bill he will sign.

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

Mr. STARK. Madam Speaker, I am happy to recognize the gentleman from Texas (Mr. DOGGETT) for the remaining time to close for our side.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 minute.

Mr. DOGGETT. The Republicans charge that we want to help so many children with no insurance and that we want to allow them so much time to reconsider their indifference. We plead guilty as charged.

This President? It's like the book title, Dead Certain but also Dead Wrong.

The only question is how many children will be dead or will suffer with disease and disability until enough Members of this Congress are willing to stand up to the President and stand up for children.

President Bush has ideological blinders. He is never around the children of the working poor, the child who sobs with an earache, the child who moans as a result of an abscessed tooth, who has no antibiotics for a strep throat, and the poor parent who lacks the ability to do something about it.

The President's veto today is neither sound fiscal policy nor good medicine, and his solution that these Republicans embrace of "just go to the emergency room" is neither compassionate nor conservative.

Mr. BARTON of Texas. Madam Speaker, I yield myself the balance of my time to close.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 3½ minutes.

Mr. BARTON of Texas. Madam Speaker and distinguished Members of the House of Representatives, I have in my hand a letter dated September 27 from myself and the majority of the Republicans on the Energy and Commerce Committee asking Speaker PELOSI to refer the SCHIP bill to the Energy and Commerce Committee so

that we truly could have a bipartisan compromise.

If we could defeat this motion to postpone the veto, we could then move to a motion to refer the bill to the committee and honor the letter that I have sent to our distinguished Speaker.

We are going to sustain the President's veto whenever that vote occurs. In the history of the Republic, there have been over 2,000 vetoes of bills. Only 106 of those vetoes have been overridden. This will not be 107.

We will sustain the veto when that vote occurs and then hopefully we will begin the bipartisan process that should have begun back in January when the new majority took over.

When that day comes, the debate is not going to be about whether there should be a SCHIP program. There should be. The debate is not going to be whether we should cover low-income children. We already do that under Medicaid. The debate is not going to be whether we should cover children between 100 and 200 percent of poverty. We already do that.

The debate is going to be, should we cover adults? Most Republicans say no, we should not cover adults. The debate is going to be about illegal residents of our country. Should we cover illegal residents? Most Republicans are going to say no. I am not sure what our friends on the majority side are going to say. They may say no, they may say yes, they may say both. We are going to have that debate.

There are 78 million children in America. As far as we can tell, when you compare the numbers between the majority side and the minority side and the President's numbers, we are really having the debate about between 1.2 million and 800,000 children in America today that for some reason are not covered, and they fall within the income eligibility levels that we all tend to agree on, which is at least up to 200 percent, maybe 250 percent of poverty.

So we will focus the debate at some point in time, and at that point in time, we will have a bipartisan compromise. The President wants to reauthorize SCHIP. The Republicans want to reauthorize SCHIP. We just don't want to cover high-income Americans, we don't want to cover illegal residents, and we, the Republicans, don't want to cover adults.

Let's vote not to postpone the veto. Let's have the veto today and then begin the process that should have begun back in January of this year.

HOUSE OF REPRESENTATIVES,

COMMITTEE ON ENERGY AND COMMERCE,

Washington, DC, September 27, 2007.

Hon. NANCY PELOSI,

Speaker of the House, House of Representatives,
The Capitol, Washington, DC.

DEAR MADAM SPEAKER: Circumstances have combined to present the House with an unusual opportunity to restore a part of the usual process by which legislation, major and minor, is produced by the House in normal times.

As you know, legislation reauthorizing the State Children's Health Insurance Program

(SCHIP) was approved on Tuesday night by a margin that plainly implies our House will sustain the anticipated veto. As you also know, that legislation was the product of decisions which largely ignored the regular and established legislative process. In our committee, we had a single general hearing on children's health. There was no legislative hearing on the House SCHIP bill, and no markup by our Health Subcommittee. The full committee markup was restricted to reading the legislation because the 500-page bill had only been revealed to most of us at 20 minutes to midnight on July 24, just 10 hours before the markup was scheduled to open. Then on the House floor, amendments were barred.

Strategic errors by the majority generated House and Senate bills so distinctly different that a conference committee to work out the differences was deemed impossible. Thus the House was required to consider a take-it-or-leave-it patchwork of private agreements in lieu of a normal conference report. As you know, House Republicans were denied access to any part of the negotiations. That solution was said to be "creative" by a prominent member of your party.

We opposed the SCHIP bill that came to us on Tuesday, and not only because of the terrifically flawed process; you supported it, and we think largely because you are proud of the bill's content. Yet we gather from your remarks that you and many other Democrats also believe the makeshift bill we passed Tuesday night is hardly perfect, and could be improved dramatically.

It seems to us that until November 16, when the temporary extension of SCHIP under the continuing resolution expires, we have a second chance to get both the process and the policy right.

All Republicans have ever wanted was a fair opportunity to understand, debate and affect the legislation in a positive way. During the crafting and passage of both the CHAMP Act and the House-Senate package of amendments, none of these possibilities were available to Republicans or, for that matter, to most Democrats. That failing can be revisited and remedied if you are willing to respond to the inevitable requirement for an SCHIP extension by conducting a normal legislative hearing and a traditional markup.

Given a common-sense opportunity to actually read and comprehend a bill reauthorizing SCHIP—surely a handful of days could be permitted and please, this time without a midnight document delivery—our strong preference would be to stand and debate, then let the votes decide the outcome. All you need do is convene the relevant committees between now and November 16 to do the work they were designed to do.

Second chances on legislation always seem possible, but never seem practical. We're about to have a practical second chance to do it right. While Democrats control a majority of the votes, no Democrat we know claims to have a monopoly on good ideas.

Madam Speaker, SCHIP should never have become the intensely partisan issue that it did become. A time will come, however, when no more political advantage can be wrung from it. We think that time is nearly upon us, and we should use it to achieve a bipartisan bill through a cooperative effort. Still, Democrats and Republicans do have different views and if our principles cannot be reconciled through good-faith bipartisanship, an honest airing of facts accompanied by actual amendments and real votes cannot help but produce a better bill than the one we passed on Tuesday night. Whether intended to produce bipartisan agreement or a clash of values, a legislative hearing would lay the groundwork for a formal markup. Such a process can occur if the

chairmen of the Energy and Commerce and the Ways and Means committees can be prevailed on to take the requisite steps, and only you can accomplish that task.

We hope you can find a way to agree that good process will produce better legislation, and that you will instruct the committees to conduct public hearings followed by fair, open markups of the SCHIP extension that will be required.

Sincerely,

Joe Barton, Ranking Member, Committee on Energy and Commerce; Nathan Deal, Ranking Member, Subcommittee on Health; Ralph Hall, Committee on Energy and Commerce; Ed Whitfield, Committee on Energy and Commerce; John Shadegg, Committee on Energy and Commerce; Steve Buyer, Committee on Energy and Commerce; Joe Pitts, Committee on Energy and Commerce; Lee Terry, Committee on Energy and Commerce; J. Dennis Hastert, Committee on Energy and Commerce.

John Shimkus, Committee on Energy and Commerce; Chip Pickering, Committee on Energy and Commerce; George Radanovich, Committee on Energy and Commerce; Greg Walden, Committee on Energy and Commerce; Mike Rogers, Committee on Energy and Commerce; Sue Myrick, Committee on Energy and Commerce; Michael Burgess, Committee on Energy and Commerce; John Sullivan, Committee on Energy and Commerce; Marsha Blackburn, Committee on Energy and Commerce.

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

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 1 minute.

Mr. PALLONE. Madam Speaker, I listened to my colleague from Texas, and he talks about process. The fact of the matter here, this is not a process issue. These are the kids that are not insured, are eligible, and we need to cover them.

The President of the United States and my colleague on the Republican side does not want to spend and provide the extra money to cover these kids that need insurance. If anything, the President's proposal and his directive would actually put more roadblocks and bureaucracy in the way with his directive that says that kids have to stay uninsured for a year, for example, before they can even get into the program.

Let there be no mistake about what the President and the Republicans on the House side are trying to do today. They don't want these kids to be covered. They don't want to provide the money for them to be covered. They want to put roadblocks in the way and say they have to be out of insurance for a year.

I remember back in the spring when some of my colleagues on the other side from Georgia came here with their representatives from the Georgia government, and they said that they didn't have enough money to cover the kids, that we needed more money for this program. I don't understand how any of you can come here today and say you are trying to help. You're not.

I would urge my colleagues to vote for this motion.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I do not think I have to further remind this Congress about how far off base the President is over the State Children's Health Insurance Program.

The health care system is failing our Nation's children who are in need. Too many are without health insurance and do not receive the regular care they need.

For this President, the supposed evil of two million children possibly switching health coverage to state sponsored healthcare is enough to block coverage for six million additional poor children.

Seven hundred and fifty thousand children were added to the rolls of the uninsured last year and the number of employers that offer health benefits to the children of workers continues to shrink.

Yet the President stands firm to a proposal for SCHIP that would not even be able to maintain existing coverage and would impose unconscionable hurdles on families whose children need health care.

One must question the principles of this President. How, in good conscience, could he ask for an additional \$190 billion for a war that two-thirds of the American people oppose while calling \$5 billion for one of our nation's most successful programs reckless spending?

The American people deserve better and our Nation's children deserve the right to have health insurance.

Mr. DINGELL. Madam Speaker, the President's veto of a bipartisan plan to help 10 million children is incomprehensible. It willfully ignores the needs of low-income children and the recommendations of Congress, 43 State Governors, more than 300 coalition groups, and the vast majority of the American people.

Unlike America's children, the President has nothing to lose by vetoing this legislation. President Bush has government-run health insurance. But millions of American children do not have any coverage at all.

It saddens and baffles me to think that the President would not want to make health insurance for 10 million children a positive part of his legacy. I pledge to keep fighting for this bill and to protect America's most vulnerable children.

This matter is too important to the children of our Nation. I support the Leader's motion to postpone immediate consideration of the President's veto of H.R. 976 so that we may provide Members time to consider the magnitude of this vote.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to postpone.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. HOYER).

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

RECORDED VOTE

Mr. BARTON of Texas. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 222, noes 197, not voting 13, as follows:

[Roll No. 938]

AYES—222

Abercrombie	Gutierrez	Napolitano
Ackerman	Hall (NY)	Neal (MA)
Allen	Hare	Oberstar
Altmire	Harman	Obey
Andrews	Hastings (FL)	Olver
Arcuri	Hersteth Sandlin	Ortiz
Baca	Higgins	Pallone
Baird	Hill	Pascrell
Baldwin	Hinchev	Pastor
Barrow	Hinojosa	Payne
Bean	Hirono	Peterson (MN)
Becerra	Hodes	Pomeroy
Berkley	Holden	Price (NC)
Berman	Holt	Rahall
Berry	Honda	Rangel
Bishop (GA)	Hooley	Reyes
Bishop (NY)	Hoyer	Richardson
Blumenauer	Inslee	Rodriguez
Boren	Israel	Ross
Boswell	Jackson (IL)	Rothman
Boucher	Jackson-Lee	Royal-Allard
Boyd (FL)	(TX)	Ruppersberger
Boyda (KS)	Jefferson	Rush
Brady (PA)	Johnson (GA)	Ryan (OH)
Brale (IA)	Johnson, E. B.	Salazar
Brown, Corrine	Jones (OH)	Sánchez, Linda
Butterfield	Kagen	T.
Capps	Kanjorski	Sanchez, Loretta
Capuano	Kaptur	Sarbanes
Carnahan	Kennedy	Schakowsky
Carney	Kildee	Schiff
Castor	Kilpatrick	Schwartz
Chandler	Kind	Scott (GA)
Clarke	Klein (FL)	Scott (VA)
Clay	Kucinich	Serrano
Cleaver	Lampson	Sestak
Clyburn	Langevin	Shea-Porter
Cohen	Lantos	Sherman
Conyers	Larsen (WA)	Sires
Cooper	Larson (CT)	Skelton
Costa	Levin	Slaughter
Costello	Lewis (GA)	Smith (WA)
Courtney	Lipinski	Snyder
Cramer	Loeb sack	Solis
Crowley	Lofgren, Zoe	Space
Cuellar	Lowey	Spratt
Cummings	Lynch	Stark
Davis (AL)	Mahoney (FL)	Stupak
Davis (CA)	Maloney (NY)	Sutton
Davis (IL)	Markey	Tanner
Davis, Lincoln	Marshall	Tauscher
DeFazio	Matheson	Taylor
DeGette	Matsui	Thompson (CA)
DeLauro	McCarthy (NY)	Thompson (MS)
Dicks	McCollum (MN)	Tierney
Doggett	McDermott	Towns
Donnelly	McGovern	Udall (CO)
Doyle	McIntyre	Udall (NM)
Edwards	McNerney	Van Hollen
Ellison	McNulty	Velázquez
Ellsworth	Meek (FL)	Visclosky
Emanuel	Meeks (NY)	Walz (MN)
Engel	Melancon	Wasserman
Eshoo	Michaud	Schultz
Etheridge	Miller (NC)	Watson
Farr	Miller, George	Watt
Fattah	Mitchell	Waxman
Filner	Mollohan	Weiner
Frank (MA)	Moore (KS)	Welch (VT)
Giffords	Moore (WI)	Wexler
Gillibrand	Moran (VA)	Wilson (OH)
Gonzalez	Murphy (CT)	Woolsey
Green, Al	Murphy, Patrick	Wu
Green, Gene	Murtha	Wynn
Grijalva	Nadler	Yarmuth

NOES—197

Aderholt	Brady (TX)	Cole (OK)
Akin	Broun (GA)	Conaway
Alexander	Brown (SC)	Crenshaw
Bachmann	Brown-Waite,	Culberson
Bachus	Ginny	Davis (KY)
Baker	Buchanan	Davis, David
Bartlett (MD)	Burgess	Davis, Tom
Barton (TX)	Burton (IN)	Deal (GA)
Biggart	Buyer	Deaton
Billbray	Calvert	Diaz-Balart, L.
Bilirakis	Camp (MI)	Diaz-Balart, M.
Bishop (UT)	Campbell (CA)	Doolittle
Blackburn	Cannon	Drake
Blunt	Cantor	Dreier
Boehner	Capito	Duncan
Bonner	Carter	Ehlers
Bono	Castle	Emerson
Boozman	Chabot	English (PA)
Boustany	Coble	Everett

Fallin	LaTourette	Reynolds
Feeney	Lewis (CA)	Rogers (AL)
Ferguson	Lewis (KY)	Rogers (KY)
Flake	Linder	Rogers (MI)
Forbes	LoBiondo	Rohrabacher
Fortenberry	Lucas	Ros-Lehtinen
Fossella	Lungren, Daniel	Roskam
Fox	E.	Royce
Franks (AZ)	Mack	Ryan (WI)
Frelinghuysen	Manzullo	Sali
Gallely	Marchant	Saxton
Garrett (NJ)	McCarthy (CA)	Schmidt
Gerlach	McCaul (TX)	Sensenbrenner
Gilchrest	McCotter	Sessions
Gingrey	McCrery	Shadegg
Gohmert	McHenry	Shays
Goode	McHugh	Shimkus
Goodlatte	McKeon	Shuler
Granger	McMorris	Shuster
Graves	Rodgers	Simpson
Hall (TX)	Mica	Smith (NE)
Hastert	Miller (FL)	Smith (NJ)
Hastings (WA)	Miller (MI)	Smith (TX)
Hayes	Miller, Gary	Souder
Heller	Moran (KS)	Stearns
Hensarling	Murphy, Tim	Sullivan
Henger	Musgrave	Tancredo
Hobson	Myrick	Terry
Hoekstra	Neugebauer	Thornberry
Hulshof	Nunes	Tiahrt
Hunter	Pearce	Tiberi
Inglis (SC)	Pence	Turner
Issa	Peterson (PA)	Upton
Johnson (IL)	Petri	Walberg
Johnson, Sam	Pickering	Walden (OR)
Jones (NC)	Pitts	Walsh (NY)
Jordan	Platts	Wamp
Keller	Poe	Weldon (FL)
King (IA)	Porter	Weller
King (NY)	Price (GA)	Westmoreland
Kingston	Pryce (OH)	Whitfield
Kirk	Putnam	Wicker
Kline (MN)	Radanovich	Wilson (NM)
Knollenberg	Ramstad	Wilson (SC)
Kuhl (NY)	Regula	Wolf
LaHood	Rehberg	Young (AK)
Lamborn	Reichert	Young (FL)
Latham	Renzi	

NOT VOTING—13

Barrett (SC)	Delahunt	Paul
Cardoza	Dingell	Perlmutter
Carson	Gordon	Waters
Cubin	Jindal	
Davis, Jo Ann	Lee	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1625

Messrs. HOEKSTRA, SHAYS, and BOOZMAN changed their vote from “aye” to “no.”

Mr. RUPPERSBERGER changed his vote from “no” to “aye.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PERLMUTTER. Madam Speaker, due to a family emergency I missed the following votes on Wednesday, October 3, 2007. I would have voted as follows: Democratic Motion on Ordering the Previous Question on the Rule on the Improving Government Accountability Act (H. Res. 701)—“yea”; Democratic Motion on Ordering the Previous Question on the MEJA Expansion and Enforcement Act of 2007 (H. Res. 702)—“yea”; H. Res. 702—Rule providing for consideration of H.R. 2740—MEJA Expansion and Enforcement Act of 2007—“yea”; Conyers Amendment. Provides that the Department of Justice (DOJ) Inspector General is not required to refer to the

Counsel of the Office of Professional Responsibility (OPR) of DOJ, allegations of misconduct involving DOJ attorneys and related personnel where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice—“aye”; Motion to Recommit H.R. 928—“yea”; Final Passage of H.R. 928—Improving Government Accountability Act—“yea”; Democratic Motion to postpone the Vote to Override the President's Veto of the Children's Health Care bill until October 18, 2007—“aye.”

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the motion just considered.

The SPEAKER pro tempore (Ms. CLARKE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 2740.

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

There was no objection.

MEJA EXPANSION AND ENFORCEMENT ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 702 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2740.

□ 1626

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

Ladies and gentlemen of the House, we have never fought a war in which private contractors not only outnumber United States troops, as they do in Iraq, but perform many tasks that are very similar to those histori-

cally performed by our troops. A critical difference, however, is that these contractors, unlike our troops, are not subject to the requirements of military discipline and United States law governing the conduct of warfare. Further, they are also immune from Iraqi law.

As we know, last month contractors working for Blackwater allegedly opened fire in a Baghdad neighborhood, killing at least 11 Iraqi civilians. A witness told a CNN reporter, “Each of their four vehicles opened heavy fire in all directions. They shot and killed everyone in cars facing them and people standing on the street.” Another witness, whose youngest son was killed during the attack, likened the event to “hell, like a scene from a movie.”

This latest incident unfortunately evidences the fact that some of these contractors are abusing their power with impunity, subject to no law whatsoever, domestic or foreign. H.R. 2740 corrects this serious gap in current law.

Specifically, it amends the Military Extraterritorial Jurisdiction Act, known as MEJA, in three critical respects: First, it closes the legal gap in current law by making all contractors accountable for their actions. MEJA currently only extends U.S. Federal criminal jurisdiction to felony crimes committed overseas by contractors working on behalf of the Defense Department.

□ 1630

This measure specifies that the act would apply to all contractors, regardless of the agency for which they provide services.

Second, this measure requires that the Inspector General of the Justice Department examine and report on the Department's efforts to investigate and prosecute allegations of misconduct committed by contractors overseas.

Since the Iraq war started, the Department has failed to commence a single prosecution against a contractor under the Military Extraterritorial Jurisdiction Act. Sadly, last month's Blackwater incident was not the first time contractors have acted abusively without any accountability.

On Monday, we learned that Blackwater was involved in at least 195 shooting incidents in Iraq since the year 2005. And Blackwater isn't the only culpable company. In 2005, armed contractors from the Zapata contracting firm allegedly fired indiscriminately not only at Iraqi civilians, but also at United States Marines. In 2006, employees of Aegis, another security firm, posted a trophy video on the Internet that showed them shooting civilians. And employees of Triple Canopy, yet another contractor, were fired after alleging that a supervisor engaged in a “joyride shooting” of Iraqi civilians. These cases, and all like them, should be appropriately investigated and prosecuted, if warranted.

Third, H.R. 2740 establishes ground units of the Federal Bureau of Investigation to investigate allegations of

criminal misconduct by contractors. Notwithstanding the fact that more than 180,000 contractors are currently operating in Iraq, there is not a single investigative unit located in that country.

Pursuant to a directive of the administration, FBI agents are belatedly being sent to investigate the Blackwater crime scene in many instances where the evidence has long disappeared. Without a mandated investigating unit, the Justice Department lacks the ability or the incentive to respond effectively. And so, to our colleague from North Carolina, DAVID PRICE, the author of H.R. 2740, we fixed that shortcoming. And I acknowledge the sponsor for his sustained leadership on this important issue of ensuring that those acting in our name will be held legally accountable for their conduct.

This legislation is widely supported, including the Human Rights Watch, Human Rights First, the International Peace Operations Association, and Amnesty International.

The need for us remedying the problem described is extremely urgent. I urge my colleagues to join with me in support of its swift passage.

Madam Chairwoman, I reserve the balance of my time.

Mr. FORBES. Madam Chairwoman, I yield myself such time as I may consume.

Madam Chairwoman, when I walk into this great body, I understand often why our approval ratings are so low with the American people, because they tune in and they listen to our debates and they listen to us talk about problems, and then they actually read the legislation and they look at the proposed solutions and they scratch their heads and oftentimes say there's a huge disconnect between the two.

The other thing that they see is they see Members on this side of the aisle and certain Members on that side of the aisle who scratch our heads and wonder why we can't come together in a bipartisan manner to create solutions that actually work. And this piece of legislation is exactly why that isn't able to happen. Because when this bill came through the Judiciary Committee, the minority and the majority both agreed, it was voted out by voice vote because the intent that you will hear discussed today was supported by both the majority and the minority. But we were given assurances, and we certainly had the expectations, that the absolutely poor drafting of this legislation would be corrected before it came to the floor. And we had opportunities to do that, Madam Chairwoman, but they didn't happen.

And so today we have a bill that Members are in somewhat of a quandary over how they vote because they can either vote on this bill and vote against the bill to send a message to the Senate that it needs work and it needs to be corrected, even though they support the intent of the bill and

hope the Senate will do what we cannot do, and that is, correct the poor draftsmanship, or they can vote for the bill because they support the intent of the bill, and again, hope springs eternal, and hope that the Senate will be able to correct the poor draftsmanship and send us back a better bill in conference.

I am not going to suggest which way they should vote, but let me try to correct the disconnect between the problems that are alleged and the actual legislation, because it's an intent that's important for us to get right, but it's important for us to get right with proper drafting.

First of all, under MEJA, which was passed under the previous majority, let me tell you who was actually covered. Under that bill, which is the reach we have to reach out for individuals who may be Americans who do stuff that's wrong overseas under contracts at that time, every Member of the Armed Forces that was subject to the Uniform Code of Military Justice was covered. Every civilian employee of DOD was already covered. All the employees of every other Federal agency and every provisional authority who was supporting a mission of DOD was covered. Every contractor of DOD, covered. All contractors of any Federal agency or provisional authority supporting missions, and their employees, covered. The dependents of the members of the Armed Forces, covered. The dependents of the civilian employees of DOD, covered. And the dependents of DOD contractors, all covered under current legislation.

Now, what does this legislation purport to do? What it purports to do is to add contractors of other Federal agencies who are not supporting DOD missions but who work in, according to the language of the bill, close proximity to a contingency operation. Well, Madam Chairman, the problem is that we've actually reduced some of the jurisdiction as opposed to increased the jurisdiction under this particular legislation.

First of all, there is no defining of what "close proximity" actually means. And there is no carve-out for those who are supporting a DOD mission who might not be in close proximity to a contingency operation.

So, Madam Chairwoman, under the proposed legislation, if we have a contractor who was doing something that would have been covered because they were in support of a DOD mission, but let's say they were on a base in Germany, because they were not in proximity or close proximity to an area of contingent operations, under the previous jurisdiction they've been covered; under this jurisdiction they would no longer be covered. That's something that could have easily been corrected in the draftsmanship if we had been given the opportunity to do that prior to coming to the floor.

The second thing, Madam Chairwoman, is when it comes to intel-

ligence operations, which will now be brought under this particular bill, there is no carve-out under this bill for employees who may be working in operations that are involved in intelligence. If they are accused of doing a particular criminal act and they are then exposed and the linkage is because they're hired to do intelligence activities somewhere else, that entire network could then be exposed and the security of this country jeopardized, which certainly shouldn't be the intent of what we want. Again, that could have easily been corrected if we could have just written that in and corrected it before it came here.

The other thing, Madam Chairman, is there is no carve-out for residents and nationals of other countries. In the current bill there is, but under this particular legislation and the way this bill came to the floor, it may not be. We can actually have an employee of a company from another country, not even a resident of the United States, who could be employed by one of our corporations doing work for the United States, and because of the way this bill is drafted, when they say just because they're in the employ and they didn't put a scope of employment definition in the bill, then even if that person was outside of his employment, even if he was off the job, even if he wasn't working then, if he committed an act that might be a criminal offense in the United States, even if it wasn't a criminal offense in the country in which he did it, under this bill there would be jurisdiction, but there are all kinds of questions as to whether or not we could pick him up, arrest him and detain him.

The final thing, Madam Chairman, that could have easily been corrected and wasn't done is this bill sends the FBI to do these investigations in theater of operations, and there is no definition for what theater of operations actually is. We are now putting our agents in danger to do investigations in areas of military conflict where they primarily do investigations domestically at home, but we don't give them any funding to do it; we just mandate that they do it. And some of the estimates of cost that were given in the committee were as much as \$5 million just to do the investigations. That means that we will have FBI agents that will be doing investigations of employees who could be doing illegal activities overseas, but we may be taking them away from activities here domestically that they could be protecting American citizens here against terrorist activity, against gang activity and against things that are going on in the United States, and this bill doesn't give a dime of funding to do that.

So, Madam Chairman, this is a bill, the intent of which is a good intent; unfortunately, the draftsmanship is horrible. It is unfortunate that we couldn't have worked in a bipartisan way to have corrected those issues before they got to the floor.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I am now pleased to recognize the gentleman from North Carolina, whose interest in this subject matter began 3 years before he became chairman of the appropriations subcommittee, and I am happy to recognize him for as much time as he may consume.

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentleman.

I am pleased to rise as the initiator of this legislation to speak in favor of a long overdue solution to a problem with serious implications for our military and for our national security.

Put simply, this legislation ensures that the U.S. Government has the legal authority to prosecute crimes committed by U.S. contractor personnel working in war zones.

I want to first thank Chairman CONYERS and Chairman BOBBY SCOTT for their leadership in bringing this legislation to the floor today. There are many other Members on both sides of the aisle who worked on this issue, including the gentleman from Connecticut (Mr. SHAYS) who held an excellent series of hearings last year, and Mr. WAXMAN, who has focused his committee on the issue this year.

My bill would do two simple things: it would expand the Military Extraterritorial Jurisdiction Act, MEJA, to cover all contractors operating in war zones, and it would beef up the Department of Justice's enforcement of MEJA.

Madam Chairman, the word "accountability" is used a lot in this Chamber. Let me tell you what I think accountability should mean in this context. It should mean that we have the tools at our disposal to ensure that the criminal behavior of men and women working in our name and on our dime does not in any way damage our goals and objectives.

□ 1645

It should also mean making sure that rogue actors, the bad apples in the bunch, are not able to act in ways that endanger our troops or our mission without fear of prosecution.

Our military is the best fighting force in the world today in large part because it is structured in a way that demands accountability, discipline and unity of action. Military commanders will universally tell you that accountability is critical to success because lapses in discipline or judgment can lead to defeat on the battlefield or can undermine popular support for the mission. So the military goes to great lengths to ensure accountability. There is a clear chain of command, extensive training on legal and illegal actions in war, and perhaps most importantly, clear consequences for violations.

During the war in Iraq alone, there have been over 60 courts martial and hundreds of nonjudicial punishments of military personnel under the Uniform Code of Military Justice. There is good

reason for this accountability. If a military servicemember unlawfully kills an innocent civilian or steals property or defiles a cultural icon, it contributes to popular outrage against American forces. It makes the military's mission more difficult. It undermines our national security. It could motivate insurgents and provide fodder for terrorist organizations.

What is more, if we can't ensure the rule of law for our own personnel, how can we credibly ask other nations, like Iraq, to uphold the rule of law when their own citizens commit crimes?

Unlike the military, there is no clear chain of command for contractors, little in the way of standards for training and vetting personnel, and often no legal accountability for misconduct. As the recent shooting incident involving Blackwater U.S.A. employees demonstrated, contractors can clearly act in ways that have serious implications for our national security. If we don't hold contract personnel accountable for misconduct as we do for our own military, we are not only failing to uphold moral responsibilities, we are endangering the men and women of our Armed Forces and we are undermining our Nation's credibility as a country that upholds the rule of law.

Now, it may be hard for some of us to believe that this gaping hole in the law exists. In fact, as my colleague from Virginia (Mr. FORBES) has stated, certain contractors, those working under the Department of Defense, are already covered by MEJA. But others are not.

I would like to know what the gentleman from Virginia would say to Secretary of State Condoleezza Rice at this very moment as she is contemplating what authority she has or can piece together to deal with the Blackwater incident of 2 weeks ago, if it turns out investigations show that prosecution is warranted? Contractors working under the Department of State or USAID, a category that includes most armed security contractors, are not now covered under this law.

Now, the law isn't the only problem. We also have seen a serious deficiency in enforcement. Even though MEJA does cover DOD contractors, I am not aware of a single case of violent contractor misconduct that has, in fact, been prosecuted in court. I have been told that MEJA has been applied in only one case in Iraq and Afghanistan, and that was a defense contractor convicted of child pornography.

There is nearly universal support for accountability for contractors and there is broad support for the approach taken by this bill. Leading human rights organizations like Amnesty International, Human Rights Watch, and Human Rights First support the bill, as do contractor associations such as the International Peace Operations Association.

My bill will improve the law and will improve enforcement. It will give our country the ability to hold contractors

accountable, which will enhance our national security and the safety of our troops, and it will ensure that our country remains a model of law and integrity for the rest of the world.

I urge my colleagues to support this legislation.

Mr. FORBES. Madam Chairman, I would have responded to the gentleman from North Carolina had he yielded to me when he asked me the question what I would do that we support the intent of this bill, but it doesn't justify writing a poor bill. It doesn't justify taking away existing jurisdiction. When we have contractors that are committing bad actions, whether they are in Iraq or whether they are in Germany, we want to hold them accountable. Why in the world we would draft legislation which could reduce that jurisdiction is beyond me.

I would like, Madam Chairman, to yield at this time 7 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank the gentleman from Virginia for yielding and I appreciate the fact that he is supporting this bill but that he is trying to point out areas that it could and should be improved, which is part of what should happen in the debate in Congress.

Mr. PRICE, I appreciate what you are attempting to do. I think your motives are where they need to be. I think you are trying to make sure that our country is being responsible in dealing with an issue that is very serious.

I do rise in support of this legislation which will provide, hopefully, greater accountability for unlawful acts contractors may commit abroad. I chaired the National Security, Emerging Threats and International Relations Subcommittee of the Government Reform Committee, or now the Government Oversight and Reform Committee, and the issue of private security contracts was the subject of a hearing we held in June of 2006. In addition, the Oversight and Government Reform Committee held a hearing on security contractors yesterday.

Private security contractors in Iraq do many of the jobs our military used to do and provide incredibly valuable services for our military. They build facilities and structures. They build roads and bridges. They build waterworks. They provide electricity. They deliver supplies to our troops. They are cooks. These are all things the military might have done in the past, but we think that is not a good use for the military. They also provide security, protective security. That is what they do. It is a distortion if the implication is that we have more contractors than military, that the contractors who are there are doing military work. A lot of them are just building things and guarding bases and all the things that I have just mentioned.

Now, there are several major challenges that have developed as our military has increased the use of private security contracting. The first problem

has to do with the transparency of contractor operations. A December 2006 report by Government Accountability Office, GAO, noted that the Department of Defense, DOD, “continues to have limited visibility over contractors because information on the number of contractors at deployed locations or the services they provide is not aggregated by any organization.” Now, this bill is not dealing with that.

Another problem is that private security contractors do not operate under any clear legal authority in foreign countries, which this legislation seeks to address. PSCs contracted through DOD are accountable under both the Uniform Code of Military Justice and under civilian law through the Military Extraterritorial Jurisdiction Act. The majority of private security contractors, however, are not contracted through DOD but through other agencies like USAID or the Department of Interior.

Now, regarding the contractor Blackwater U.S.A. which has come under scrutiny in recent weeks, these employees do extremely difficult jobs under very difficult circumstances. They risk their lives to protect Americans who are doing work in Iraq. I want to say it again. These are former, in most cases, military personnel, so somehow because they are no longer involved in the military, paid by the military, their lives don't seem to matter as much in this place.

Forty-one of Blackwater U.S.A. personnel have died taking a bullet for some American. It is amazing to me the number of men in Blackwater that have lost their lives and we never hear it on the other side of the aisle. Blackwater is evil. That is the way it appears in all the dialogue, all the press releases and so on. So when they were before our committee yesterday, we asked them a question: How many of the people you protected in 2004 were protected? Did any lose their lives or were any wounded? None lost their lives or were wounded. In 2005 did any lose their lives or were any wounded? None in 2005 lost their lives or were wounded. In 2006, we asked, did any of these individual lose their lives that they were protecting or were injured? Except for a concussion with IEDs, no one. Then in 2007, did any of these individuals you protected lose their lives or were injured? No one lost their lives. No one was injured.

But when we asked in 2004, did any of your Blackwater employees lose their lives? Yes. We asked in 2005, did any lose their lives? Yes. In 2006, did any lose their lives? Yes. In 2007, did any lose their lives? And the answer was yes. Forty-one of these individuals have lost their lives. They have protected USAID employees. They have protected other individuals who have to get outside the Green Zone. Yes, they have protected Members of Congress. But we are just a small part of their responsibility. They would take a bullet for us. And they have. I just

want to be on record that that is the case.

It is important that we resolve this issue and that we make sure that the lines are clear, but I will just end by saying this. I was going into Gaza City, and private contractors employed by USAID took me there. A month later, one of these vans was destroyed. I knew all four people in this van, and they were killed. A month before, they were trying to protect us. They are risking their lives. I would like very much if in this debate we could show a little respect for the 41 men and women in Blackwater who have lost their lives.

Finally, I am concerned about poor coordination between military and battlefield contractors.

A June 2006 GAO report found that:

“private security providers continue to enter the battle space without coordinating with the U.S. military, putting both the military and security providers at a greater risk for injury.”

Improved coordination is needed to provide PSCs guidance on rules of engagement, equipment needs, communication, and force protection expectations.

I recognize the Administration has some serious and valid concerns about this legislation.

It is concerned the jurisdiction of criminal prohibitions would depend on vague notions of “proximity” to poorly defined regions, and might give rise to litigation on jurisdictional issues.

It is also concerned that the expansion of extraterritorial jurisdiction would create Federal jurisdiction overseas in situations where it would be impossible or unwise to extend it.

Finally, the Administration is concerned about the additional burdens it will place on the FBI and Department of Defense.

In my judgment, the concerns raised by the Administration are items we can work on as this much-needed legislation works its way through the legislative process.

Mr. CONYERS. Madam Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding, because I would like to respond to what our friend from Connecticut has just said. I first of all appreciate his high-quality work on contracting for a long time and also his support of this bill.

I do want to respond, though, to what he said about contractors. I don't believe the gentleman has ever heard me in a blanket way condemn contractors or contracting. In fact, I honor the service and the sacrifice of contractors and contracting firms that have worked in the war zone.

Now, there are some bad actors and there are cases that need investigation and prosecution. But I would remind the gentleman that, in fact, Blackwater and the contractors' association support this bill. It is actually a protection for them, because it means they will get U.S. justice in the U.S., not justice in some other jurisdiction.

Mr. SHAYS. Madam Chairman, will the gentleman yield?

Mr. PRICE of North Carolina. I yield to the gentleman from Connecticut.

Mr. SHAYS. The bottom line is, Mr. PRICE, you are totally right. You have never been critical of these contractors. I just came from a hearing yesterday where everyone seems to be critical.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. CONYERS. Madam Chair, it is a pleasure to yield to the chairman of the Crime Committee in the Judiciary, Bobby Scott of Virginia, who has held hearings extensively on this matter and has worked closely with the gentleman from North Carolina. I am very pleased to yield him 5 minutes.

Mr. SCOTT of Virginia. Madam Chairman, I rise in support of H.R. 2740, the MEJA Expansion and Enforcement Act of 2007.

I would like to commend the chairman of the Judiciary Committee, Mr. CONYERS, and the author of the bill, the gentleman from North Carolina (Mr. PRICE), for their hard work on this bill.

We currently have a situation in which many military contractors act with impunity and no accountability because they operate outside of the jurisdiction of the United States criminal code because they are technically outside of the jurisdiction of the United States and outside of the Uniform Code of Military Justice because they are not in the military.

□ 1700

In Iraq, our troops have been supplanted by an army of contractors, which is estimated at 180,000, an extremely high number by any account. Last month we learned of a shooting incident involving a private contracting company, Blackwater, in which contractors allegedly shot and killed 11 or more innocent Iraqi civilians. Yesterday we learned that Blackwater was involved in at least 195 shooting incidents in Iraq since 2005. According to at least one report, their employees fired the first shots in more than 80 percent of these shooting incidences.

Madam Chairman, to provide much needed accountability and oversight for these contractors, the gentleman from North Carolina (Mr. PRICE) introduced H.R. 2740, the MEJA Expansion Enforcement Act of 2007. When MEJA was originally signed into law in 2000, it did provide the United States Federal Courts with jurisdiction over civilian employees, contractors and sub-contractors affiliated with the Defense Department who commit crimes overseas. The bill was later amended in 2005 to include employees of any Federal agency supporting the mission of the Department of Defense overseas.

This bill closes a loophole to make sure that all private security contractors, not just those contracted through the Department of Defense, are covered, to ensure that they are accountable under United States law. This

change would update the law to better reflect the current situation in Iraq and Afghanistan, in which a large number of contractors are present, with contracts written by a variety of different government agencies, including the Department of the Interior and Department of State.

Madam Chairman, H.R. 2740 also requires the Inspector General of the Justice Department to complete and submit a report about the identification and prosecution of alleged abuses in Iraq. This section is meant to address the lack of transparency in Department of Justice investigations and prosecutions. In some cases, the Army has investigated the circumstances behind some cases and found probable cause that a crime has been committed and referred the case to the Department of Justice for prosecution.

In one example, unfortunately, 17 pending cases of detainee abuse, including the abuse at Abu Ghraib prison by contractors, has remained in the U.S. Attorneys Office for the Eastern District of Virginia for 3 years. We are not told why these cases against civilian contractors have not been prosecuted or why they are being held up. In comparison, since the invasion of Iraq, there have been more than four dozen courts-martial commenced against uniformed personnel with respect to the law of war issues.

Finally, H.R. 2740 requires that the Federal Bureau of Investigation establish an investigative unit to investigate reports of criminal misconduct in regions in which contractors are working.

Madam Chairman, I would like to state for the record that at the subcommittee markup of this bill I agreed to work with my distinguished colleague from Virginia (Mr. FORBES), the ranking member, to address his concerns in the bill before it reached the full committee. We did work together and jointly offered a substitute amendment in the full committee that reflected this bipartisan agreement. The bill was then reported out of the committee on a voice vote, without further amendments. The manager's amendment, which will be offered in a few minutes, has additional recommendations from the ranking member.

Madam Chairman, H.R. 2740 is a necessary bill. It is long overdue. Accordingly, I urge my colleagues to support the legislation.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, once again we hear the intent, but why in the world we would want to reduce the current jurisdiction that we have, which is what we see reflected in this piece of legislation that could have been corrected, still is beyond me. If we have a contractor who is having employees doing illegal acts in a base in Germany in a mission for DOD, we would want to prosecute them every bit as much as we would if they were in Iraq. Why we

want to reduce that, I just don't understand.

Madam Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Madam Chairman, I wanted to stay on the floor, Mr. PRICE, to say to you that I have nothing but admiration for what you are doing and how you do it and the quality with which you are doing it, and I know you have never disparaged any of the Blackwater employees.

I just want to say I don't hear compliments, and I just feel obligated to come to this House floor and say to you that these are men and women who have given their lives for our country and to protect other Americans. I want to be on record, and I agree with you that even Blackwater itself thinks this legislation is positive, and I want to be on record as saying that so that they appreciate what you are attempting to do. I just want to add some balance to this debate.

Mr. CONYERS. Madam Chairman, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a distinguished member of the Judiciary Committee.

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

Ms. JACKSON-LEE of Texas. The recognition of the service of contractors such as Blackwater is a bipartisan recognition. For those of us who have traveled to Afghanistan and Iraq and a number of places around the world, we recognize the importance of contractors. So this is not an indictment overall of those who serve as asked by the United States of America. It is an indictment of the Department of Defense in the way these contracts are issued. It is an indictment of the incident that allegedly occurred where those Blackwater employees opened fire, killing 11 civilians, and each of the four vehicles opened their windows and began to blast at what appeared to be innocent civilians, even killing a little boy.

Yes, it did seem like hell. But, frankly, we do understand that their role is important. This legislation is fair. It has the parameters of helping companies like Blackwater to have order in the midst of, sometimes, disorder.

The legislation requires a report by the DOJ Inspector on Contractor Abuses Overseas and also requires the Inspector General of the Justice Department to submit a report to Congress. We should not be left out. We should be aware of what is going on, primarily because the actions of contractors impact not only the soldiers left behind, who then have to clean up what they have done, but also the diplomacy of the United States of America.

There is simply no excuse for the de facto legal immunity that our government has permitted for tens of thousands of armed private individuals working on our country's behalf in Iraq

and Afghanistan. Our soldiers are court-martialed, and our soldiers are sometimes the unpleasant beneficiaries of the actions of U.S. contractors.

The U.S. Government has a responsibility to hold the individuals carrying out its work to the highest standards of conduct and to ensure that these individuals protect human life and uphold the law. They have protected our diplomats. To that we say thank you. This responsibility does not disappear simply because such individuals are contractors instead of government employees. This legislation is especially timely in light of the new report by the Oversight and Government Reform Committee which documents numerous incidents of wrongdoing by Blackwater contractors in Iraq. As we have noted, Blackwater does good work. But incidents that have caused havoc need to be addressed. It can be addressed through this legislation.

Then I would simply like to say, as The Washington Post reported, Blackwater security contractors in Iraq have been involved in at least 195 escalation of force incidents since early 2005, including several previously unreported killings of Iraqi civilians.

My friends, this goes over all contractors. I hope that we will move forward to ensure that the DoD process is fair and that minority contractors can be involved. But this is a very important first step, and I thank the distinguished chairman of the committee for his great leadership on these many issues that come before our committee.

This is an important first step, because there are many contractors when you go to Iraq and Afghanistan, and many of them are contractors of the Department of Defense. There really is no tallying of who they are and what they are doing. In this instance, people are dying. And as Blackwater has often said, they are just defending their packages. Those packages are diplomats. We want them to defend them, but we would suggest that it is an important response to address how they do it.

The Washington Post article went on to state that according to the State Department, in one of the killings, Blackwater personnel tried to cover up what had occurred and provide a false report.

This will stop that. The next step will be to encourage the utilization of minority contractors never heard of by the Department of Defense. This is a clean way to clean up our backyard and to protect all of those who need to be protected. I ask my colleagues to support this legislation.

Madam Chairman, I rise in support of H.R. 2740, the "Holding Security Contractors in War Zones Overseas Accountable Act" (MEJA Expansion and Enforcement Act). This legislation is intended to ensure that all private security contractors in war zones overseas will be held accountable for criminal offenses committed. Under current law, only those contractors who are on contract with the Department

of Defense are indisputably subject to the jurisdiction of the federal courts. This legislation remedies that and other problems.

Madam Chairman, H.R. 2740 ensures that all U.S. security contractors in war zones overseas are held accountable. It does this by closing a loophole in current law in order to ensure that all U.S. private security contractors in war zones overseas are held accountable for criminal behavior. It gives U.S. federal courts jurisdiction over the actions by contractors working for any U.S. government agency in areas of foreign countries where U.S. military forces are conducting combat operations.

Specifically, the measure subjects employees of all such contractors to the same jurisdiction established by the Military Extraterritorial Jurisdiction Act (MEJA), which currently only covers members of the armed forces, civilian federal employees, and contractors who are on contract with the Department of Defense.

Another important feature of the legislation is the designation of the Justice Department as the lead agency in investigating contractor behavior. H.R. 2740 creates an FBI "theater investigative unit" for each theater of operations with which contracted employees are involved, to investigate any allegations of criminal misconduct by contractors, including reports of fatalities from the use of force by contractors. The unit would then refer cases that warrant further action to the Attorney General.

Additionally, the legislation requires a report by the DOJ Inspector General on contractor abuses overseas. The bill also requires the Inspector General of the Justice Department to submit a report to Congress regarding the identification and prosecution of alleged contractor abuses overseas. This requirement is intended to address the Justice Department's apparent failure to aggressively investigate and prosecute crimes committed by contractors over which the department already has jurisdiction (such as contractors working for the Department of Defense.)

Madam Chairman, there simply is no excuse for the de facto legal immunity that our government has permitted for tens of thousands of armed private individuals working on our country's behalf in Iraq and Afghanistan. The U.S. government has a responsibility to hold the individuals carrying out its work to the highest standards of conduct, and to ensure that these individuals protect human life and uphold the law. This responsibility does not disappear simply because such individuals are contractors instead of government employees.

Madam Chairman, this legislation is especially timely in light of the new report by the Oversight and Government Reform Committee which documents numerous incidents of wrongdoing by Blackwater contractors in Iraq. On September 16, Blackwater security contractors in Baghdad were involved in a shooting incident in which 11 Iraqi civilians were killed and many others injured. This incident is now under investigation. In addition, on October 1, the Oversight and Government Reform Committee released a report on the behavior of Blackwater contractors in Iraq which disclosed damaging new information. As the Washington Post (10/2/07) reported:

Blackwater security contractors in Iraq have been involved in at least 195 'escalation of force' incidents since early 2005, including several previously unreported killings of Iraqi civilians . . .

The Washington Post article went on to state that according to a State Department document, "in one of the killings Blackwater personnel tried to cover up what had occurred and provided a false report. In another case, the firm accused its own personnel of lying about the event. The State Department made little effort to hold Blackwater personnel accountable beyond pressing the company to pay financial compensation to the families of the dead."

Madam Chairman, the misconduct of military contractors working in Iraq, Afghanistan, and other foreign countries reflects poorly upon the United States and frequently is erroneously attributed by the people of the host country to our troops. As you can imagine, such misdirected anger and inflamed passion can lead them to take retaliatory actions which could imperil the safety of our troops. In my view, this is reason alone to support the bill, which I do strongly. I urge all my colleagues to join me in closing a loophole and ensure that all U.S. security contractors in war zones overseas can be held accountable for any criminal acts they commit overseas.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, once again we hear the reasons and the policy reasons why we would like to have legislation, but it doesn't suggest why we need poorly drafted legislation.

My good friend from Virginia, for whom I have the utmost respect, mentioned that there were 17 pending cases of detainee abuse, including some that occurred at Abu Ghraib prison in Iraq. But we already have jurisdiction for those. This isn't a bill that deals with prosecutorial discretion or whether or not we are going to have prosecutors prosecute those cases. This is a jurisdictional bill.

The second thing, my good friend mentioned the fact that some of the deficiencies in this bill were corrected by the manager's amendment. The only thing the manager's amendment has done is to say with our security concerns for our FBI agents, who normally do not do investigations in war zones, they do them domestically, we have a manager's amendment that says that they can request assistance from the Secretary of Defense.

Madam Chairman, requesting assistance and security and getting it are two different things. We had the ability to request bipartisan cooperation in re-drafting this legislation. It didn't happen.

So our concern, Madam Chairman, is not again all that we hear in the debate about getting at bad apples, but it is why we want to reduce the jurisdiction that we currently have for some of those bad apples; and, secondly, why we are going to expose and create vulnerabilities for our intelligence network and also for our FBI when it is so easily corrected, if we could just sit down and do that with the proper amendments.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Chairman, I appreciate the gentleman's courtesy, his leadership, that of the subcommittee Chair, and, of course, my friend and the lead sponsor of this legislation, the author, Mr. PRICE. I think there is no more conscientious and thoughtful legislator, and he has approached this in a very nonpartisan, methodical way.

Madam Chairman, I am concerned as I am listening here. I want to say, first of all, that I hope this is the first of a number of provisions that we have that deal with the netherworld of contracting and outsourcing this war. I think there are lots of opportunities to tighten down, to focus, to add accountability. But this is an important essential step. It is simple, and it should not be nearly as controversial as my friend from Virginia appears to make it.

First of all, I have heard him about 10 times talk about how somehow this is narrowing the scope of MEJA. Look at page 2 of the bill. It doesn't take anything away. It adds provisions. It adds provisions.

The notion somehow that we are not dealing with the problem in Germany I think misstates and betrays a lack of understanding about the difference between operations in a stable, established country and one that is in the theater of military operations. If somebody commits a crime in Germany, there will be an opportunity for that government to be able to deal meaningfully with it. That is not the case with a rogue contractor in Iraq, in a field of battle who shoots somebody and there is no established mechanism. It is absolutely apples and oranges.

I find curious an argument from our friends on the minority side that this cost a few million dollars to the FBI and there is no funding attached. This is the same party that for the last 11 years out of this committee, when they were in charge, had a litany of proposals that added costs to the judiciary and the FBI and the corrections system and never blinked an eye over burdening them.

This is a modest adjustment. It is within the scope of their duty. I strongly urge its approval.

□ 1715

Mr. FORBES. Madam Chairman, once again I scratch my head as I listen. The gentleman has just stated on the one hand that the legislation does not reduce the jurisdiction and then 30 seconds later he says, oh, but there are differences between the bases in Germany and the bases in Iraq and it's okay if we don't prosecute the ones in Germany. We can't have it both ways.

Madam Chairman, this significantly does do it. The bottom line on this is that we have created a new standard which is proximity to contingency operations before we could reach in and get those bad actors in Germany and

many of the bad actors that were in the contingency operation areas.

I want to emphasize again on the FBI, it's not that we mind the FBI doing the work. We want to make sure that they are secure when they do it, and give them the funds to do it because they are stretched so thin defending us here against terrorists and defending us against gang and other criminal activities here, that it makes no sense for us to mandate that they would take those resources and spend them overseas without giving them the funds to do it.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I am pleased to recognize the gentleman from Virginia, JAMES MORAN, for 1½ minutes.

Mr. MORAN of Virginia. I thank the chairman of the Judiciary Committee and Mr. PRICE for bringing this legislation forward. It is fully consistent with what the vast majority of this House voted for in the report language in the Defense appropriations bill. It needs to be done.

I have to tell you that after talking with so many soldiers in Iraq and those who have returned from Iraq, it is desperately urgent that we do it because things are out of control.

The fact is that many of these contractors, not all of them, but too many of them are acting with impunity. They tell me that they will work all day trying to communicate and working with the people in a village, trying to understand their customs and the like and show them respect, and then it is undermined by the actions of these security contractors who don't understand the language, who don't show the kind of respect that our soldiers do, who get paid almost three times what our soldiers get paid. It is undermining our mission in Iraq.

The fact is that this is not what America is about, conducting oneself with impunity. America is about equal justice under the law. It is about protecting the preciousness of human life, particularly innocent life.

It is not about outsourcing our inherent military functions, giving a contractor \$1 billion since 2004 and having 200 incidents of misconduct reported by that very contractor.

This legislation is necessary. Let's pass it overwhelmingly. Let's send that message to our soldiers.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, once again my good friend from Virginia talks about equal justice; we agree. He talks about not acting with impunity; we agree.

That's why this minority when it was the majority passed the MEJA legislation in the first place. That is why we have covered the DOD contractors, their employees and dependents and the Armed Forces members. All of these individuals are already covered at this point in time if they are supporting a mission of DOD.

And we agree, the American people and most people in this House want us to reach out and get the bad actors. The only thing that they don't want us to do in the process is, one, jeopardize the intelligence operations that we could have, which this bill could easily do.

Number two, they don't want us to divert resources here from the United States in dealing with terrorism and gang activities and criminal activities here, or put our FBI agents in harm.

The third thing they don't want us to do is let bad actors do these things in Germany and Haiti wherever they may be sent just simply because we couldn't get the drafting right.

That is our point that we have been saying from the beginning. It is easy to have equal justice, not let contractors act with impunity, but write it in a good, rational basis that can be enforceable and not the kind of drafting that we have had brought forward in this legislation.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY), cochair of the Progressive Caucus.

Ms. WOOLSEY. Madam Chairman, American contractors in Iraq have lived by their own rules for far too long. While American taxpayers fund the equipping and training of these private military contractors, companies like Blackwater continue to escape accountability to international, Iraqi or even American laws.

Today, the Democratic Congress will put an end to the question of whether we are training mercenaries and murderers in place of our Nation's warriors. By passing H.R. 2740, we can ensure that contractors in Iraq are held accountable under American criminal law. There is no excuse to allow private contractors and subcontractors to exist without legal accountability.

Madam Chairman, we must never forget that the way to end the abuses by contractors in Iraq is to bring our troops and our military contractors, 180,000 of them, home from Iraq as soon as practicable.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, once again we hear the words that we can and we must do this, and we agree. The only thing, we must do it with proper legislation. Once again, as we pointed out, I don't see how any Member of this Congress or many of our citizens across the country want us to take individuals who may be employees doing intelligence operations for us in any area, and simply because they have an allegation of a criminal act that may not even have been criminal in that area, that they may be doing it on an undercover basis, that we then have to have them exposed which this act could very easily do, and the linkage would only be because they were hired to do that

particular act; and, therefore, expose the entire network in that intelligence operation.

They are the kinds of things that we could easily correct so that we could do this legislation and accomplish the intent of the legislation.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. I only have one Member to speak, Mr. Ranking Member. Are you prepared to close?

Mr. FORBES. I will be happy to, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia.

Mr. FORBES. Madam Chairman, first of all, I am appreciative of all of the people who have worked on this legislation. I am appreciative of the comments we have had here. I think if we try to pick through the apples and the oranges and we look at what we have, we find that the intent of what we are trying to do is an intent that is shared by both sides of the aisle.

We don't want bad contractors. We don't want bad actors. We don't want people working in the name of the United States anywhere in the world that we aren't able to reach out and make sure that they are accountable. That's why this Congress previously on two different occasions has, one, passed the MEJA legislation and also expanded it. That's why we have already reached out and said if you are a member of the Armed Forces, we are going to reach out to you under MEJA and make sure that we hold you accountable.

That is why we have already said if you are an employee of DOD, we are going to reach out and hold you accountable. That is why we have already said if you are a civilian employee of any Federal agency in support of a DOD mission, we are going to hold reach out and hold you accountable. That is why we have already said if you are a contractor of DOD, we are going to reach out and hold you accountable. That's why we have said if you are a contractor of any other Federal agency and you are in support of a DOD mission, we are going to reach out and hold you accountable. That is why we have already said if you are a dependent of a member of the Armed Forces, we are going to hold you accountable. That is why we have already said if you are a dependent of a civilian employee of a DOD contractor, we are going to hold you accountable. Or if you are a dependent of a civilian employee of DOD, we are going to hold you accountable.

We do not have a problem, we encourage the reach-out, to hold accountable other contractors who might be working for other Federal agencies. But we think the wording in this bill, we could do much better. We hope that our friends in the Senate will sit down in a more bipartisan manner and correct those defects before this bill becomes law.

We believe a reading of the law does narrow the existing jurisdiction because we have added a phrase which is a limiter which means that it is within the proximity of the contingency operation. To many people listening to that debate, it is just words. But to the courts, it is litigation over what "proximity" means and it is a limiter which we believe could allow bad actors who could currently be brought under MEJA to escape liability.

In addition, we are very, very concerned in a world and in a day when we know that terrorists are out to get the United States that we not limit our intelligence operations. Why in the world we would want to expose some of those intelligence operations and the contractors that we have to hurting those intelligence networks when we could easily correct that is beyond me, especially in a day and age where we know that intelligence is so vitally important to the defense and the protection and the security of American citizens across the country.

Finally, Madam Chairman, it is of grave concern to us in what we are doing to the FBI, to enforce upon them, whereas before we have given them discretion. This is a mandate that they do investigations. It is a mandate that they furnish adequate personnel to do that. And to put them in a situation in a military conflict where they have to do these investigations is a concern for their security.

The second thing that it is a major concern of is diversion of assets that they are currently using in the United States to keep our citizens safe, to protect us from terrorists and gang activity, to protect us from other criminal activity here. If we are going to mandate that for them, at least let's put the funds there and make sure that we do it.

That is why I simply close the way I began by saying this is a bill that individuals will have to determine: Do they just simply want to vote for this bill in the hopes, and realizing that hope springs eternal, that perhaps the Senate can correct these defects before they become law and cast their vote because they agree, as I do, with the intent of this bill? Or do they cast a "no" vote even though they agree with the intent of the bill because they want to make sure that they have sent that signal over to our friends in the Senate that they want to protect our intelligence networks, protect the FBI, and make sure we expand, not decrease, the jurisdiction that we have.

With that, Madam Chairman, I yield back the balance of my time.

Mr. CONYERS. I thank the ranking member of the Crime Committee for his insightful remarks, and I now ask the gentleman from Pennsylvania (Mr. SESTAK) to conclude and close out the discussion. I remind our friends that he was a vice admiral in his former career, and we welcome him to close the debate.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 2½ minutes.

Mr. SESTAK. Madam Chairman, from when I joined up during Vietnam to when I retired last year from the military, I always watched with respect how when human nature can be at its worst in a war, in actual combat, that there were still rules of law that set the boundaries beyond which individual actions would be held accountable.

I also watched during those decades with interest as contractors became a more significant and important part of our military and its operations. But I viewed with concern the men and the women that we began to assign to military security operations in this latest conflict.

I say that because even though I know a number of them and served with them, they were now outside those rules of law. I think that this bill is an important step within a war zone to take them back within the same standards of accountability. I speak to this because there are in the military "forces" and "force." Our force is lethal. Our forces are comprised of individuals, and something we pride ourselves out there, which is often indistinguishable from civilians in a country we are, is that these forces, lethal on one hand, are also the GI that carries that candy bar and puts the ideals of America first and foremost.

□ 1730

So that's why I rise in support of this bill for the accountability that it brings, and I believe this is a first good step which should have been done earlier. But I also speak in support because it takes us another step hopefully towards another action that needs to be taken.

I remember speaking to the colonel after the four individuals at Blackwater were found outside Fallujah, and as they came back and had the remains, he said to me, "If only they had called me, I could have told them that that road was not secure that day."

And so, as war changes, it is important to bring not just better coordination but the accountability of the rule of law which have always bound our military well, that there are individual actions which cannot be outside those boundaries or they will be held accountable.

I praise you much for bringing this bill here today.

Mr. UDALL of Colorado. Madam Chairman, I rise in support of H.R. 2740, the MEJA Expansion and Enforcement Act. This bill would increase accountability for the actions of the estimated 180,000 contractors now working in Iraq.

The September 16 incident in Iraq—in which 17 Iraqis died when Blackwater security contractors were accused of shooting at civilians indiscriminately—is only the latest in a string of such incidents involving Blackwater. This week a House Committee reported that

Blackwater guards had engaged in 195 shooting incidents since early 2005, and in over 80 percent of those incidents, the Blackwater guards fired first. Several guards testified that Blackwater employees fired more often than the report states.

The good news is that the Defense Department, the State Department, and the FBI have all undertaken investigations and are viewing the September 16 incident more seriously than they have viewed other such incidents in the past—perhaps because of the Iraqi government's threat to ban Blackwater from the country.

But this incident highlights the many problems with private security contractors in Iraq. Contracting out inherently governmental security functions to private security firms is yet another example of the excessive outsourcing that has gone on in the Bush administration—and the billions in contract costs and lack of accountability that have followed as a result.

Initially these contractors were brought in to fulfill a temporary need, but now that Blackwater and other private firms are very much part of the fabric of the U.S. occupation of Iraq, we need to ensure that they are held accountable for their actions on the job.

One of Ambassador Paul Bremer's last actions as head of the Coalition Provisional Authority was to issue Order 17, which states that private contractors working for the United States or coalition governments in Iraq are not subject to Iraqi law. But as we have found, it's not clear to what degree they are subject to U.S. law either.

That's why the law needs to be clarified and expanded. The MEJA Expansion and Enforcement Act amends the Military Extraterritorial Jurisdiction Act to ensure that all contractors working in war zones—not just those working for the Department of Defense—are accountable under U.S. criminal law, and mandates that the FBI enforce MEJA by investigating and prosecuting offenses.

The point of this legislation is not simply to penalize those private security contractors who act as though they are above the law, though that would be the direct effect of this bill. The point is also to ensure that the actions of these contractors don't jeopardize their own safety and the safety of our military men and women in Iraq, who do operate under strict rules of engagement and who are held accountable for their actions.

Madam Chairman, I don't mean to diminish the risks faced by these contractors day in and day out. I understand that they are often forced to make split-second decisions that can mean life or death for themselves and for those around them. But as the events of September 16 have shown, the repercussions of these decisions can be far-reaching. There must be accountability and consequences for decisions made—whether in the middle of a war zone or under other circumstances. Private security contractors are not entitled to immunity from our laws. That's why I will support this bill today.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 2740

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 “MEJA Expansion and Enforcement Act of 2007”.

SEC. 2. LEGAL STATUS OF CONTRACT PERSONNEL.

(a) CLARIFICATION OF THE MILITARY EXTRATERRITORIAL JURISDICTION ACT.—

(1) INCLUSION OF CONTRACTORS.—Subsection (a) of section 3261 of title 18, United States Code, is amended—

(A) by striking “or” at the end of paragraph (1);

(B) by striking the comma at the end of paragraph (2) and inserting “; or”; and

(C) by inserting after paragraph (2) the following:

“(3) while employed under a contract (or subcontract at any tier) awarded by any department or agency of the United States, where the work under such contract is carried out in an area, or in close proximity to an area (as designated by the Department of Defense), where the Armed Forces is conducting a contingency operation.”.

(2) DEFINITION.—Section 3267 of title 18, United States Code, is amended by adding at the end the following:

“(5) The term ‘contingency operation’ has the meaning given such term in section 101(a)(13) of title 10.”.

(b) DEPARTMENT OF JUSTICE INSPECTOR GENERAL REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall submit to Congress a report in accordance with this subsection.

(2) CONTENT OF REPORT.—The report under paragraph (1) shall include—

(A) a description of the status of Department of Justice investigations of alleged violations of section 3261 of title 18, United States Code, to have been committed by contract personnel, which shall include—

(i) the number of complaints received by the Department of Justice;

(ii) the number of investigations into complaints opened by the Department of Justice;

(iii) the number of criminal cases opened by the Department of Justice; and

(iv) the number and result of criminal cases closed by the Department of Justice; and

(B) findings and recommendations about the number of criminal cases prosecuted by the Department of Justice involving violations of section 3261 of title 18, United States Code.

(3) FORMAT OF REPORT.—The report under paragraph (1) shall be submitted in unclassified format, but may contain a classified annex as appropriate.

SEC. 3. FEDERAL BUREAU OF INVESTIGATION INVESTIGATIVE UNIT FOR CONTINGENCY OPERATIONS.

(a) ESTABLISHMENT OF THEATER INVESTIGATIVE UNIT.—The Director of the Federal Bureau of Investigation shall ensure that there are adequate personnel through the creation of Theater Investigative Units to investigate allegations of criminal violations of section 3261 of title 18, United States Code, by contract personnel.

(b) RESPONSIBILITIES OF THEATER INVESTIGATIVE UNIT.—The Theater Investigative Unit established for a theater of operations shall—

(1) investigate reports that raise reasonable suspicion of criminal misconduct by contract personnel;

(2) investigate reports of fatalities resulting from the use of force by contract personnel; and

(3) upon conclusion of an investigation of alleged criminal misconduct, refer the case to the Attorney General of the United States for further action, as appropriate in the discretion of the Attorney General.

(c) RESPONSIBILITIES OF FEDERAL BUREAU OF INVESTIGATION.—

(1) RESOURCES.—The Director of the Federal Bureau of Investigation shall ensure that each Theater Investigative Unit has adequate resources and personnel to carry out its responsibilities.

(2) NOTIFICATION.—The Director of the Federal Bureau of Investigation shall notify Congress whenever a Theater Investigative Unit is established or terminated in accordance with this section.

(d) RESPONSIBILITIES OF OTHER FEDERAL AGENCIES.—An agency operating in an area, or in close proximity to an area (as designated by the Department of Defense), where the Armed Forces is conducting a contingency operation shall cooperate with and support the activities of the Theater Investigative Unit. Any investigation carried out by the Inspector General of an agency shall be coordinated with the activities of the Theater Investigative Unit as appropriate.

SEC. 4. DEFINITIONS.

In this Act:

(1) COVERED CONTRACT.—The term “covered contract” means an agreement—

(A) that is—

(i) a prime contract awarded by an agency;

(ii) a subcontract at any tier under any prime contract awarded by an agency; or

(iii) a task order issued under a task or delivery order contract entered into by an agency; and

(B) according to which the work under such contract, subcontract, or task order is carried out in a region outside the United States in which the Armed Forces are conducting a contingency operation.

(2) AGENCY.—The term “agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code.

(3) CONTINGENCY OPERATION.—The term “contingency operation” has the meaning given the term section 101(13) of title 10, United States Code.

(4) CONTRACTOR.—The term “contractor” means an entity performing a covered contract.

(5) CONTRACT PERSONNEL.—The term “contract personnel” means persons assigned by a contractor (including subcontractors at any tier) to perform work under a covered contract.

SEC. 5. EFFECTIVE DATE.

(a) APPLICABILITY.—The provisions of this Act shall apply to all covered contracts and all covered contract personnel in which the work under the contract is carried out in an area, or in close proximity to an area (as designated by the Department of Defense), where the Armed Forces is conducting a contingency operation on or after the date of the enactment of this Act.

(b) IMMEDIATE EFFECTIVENESS.—The provisions of this Act shall enter into effect immediately upon the enactment of this Act.

(c) IMPLEMENTATION.—With respect to covered contracts and covered contract personnel discussed in subsection (a)(1), the Director of the Federal Bureau of Investigation, and the head of any other agency to which this Act applies, shall have 90 days after the date of the enactment of this Act to ensure compliance with the provisions of this Act.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-359. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-359.

Mr. CONYERS. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. CONYERS: Page 5, line 2, insert “potentially unlawful” before “use”.

Page 5, strike lines 17 through 25 and insert the following:

(d) ASSISTANCE ON REQUEST OF ATTORNEY GENERAL.—In consultation with the Director of the Federal Bureau of Investigation, the Attorney General may request assistance from the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, or the head of any other Executive agency, notwithstanding any statute, rule, or regulation to the contrary, including the assignment of additional personnel and resources to a Theater Investigative Unit.

Page 5, after line 16, insert the following:

(3) SECURITY.—The Director of the Federal Bureau of Investigation shall request security assistance from the Secretary of Defense in any case in which a Theater Investigative Unit does not have the resources or is otherwise unable to provide adequate security to ensure the safety of such Unit. The Director may not request or provide for security for a Theater Investigative Unit from any individual or entity other than the Federal Bureau of Investigation or the Secretary of Defense.

The CHAIRMAN. Pursuant to House Resolution 702, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Madam Chairman, I rise to make three commonsense changes to clarify and improve the bill that has been under discussion, and I hope that it addresses my friend from Virginia’s comments about tightening the bill and making it more clear and more specific.

First of all, we clarify that the Federal Bureau of Investigation is to investigate those fatalities resulting from the potentially unlawful use of force by contractors in war zones. This will help make it easier for an initial examination to confirm claims of self-defense by contractors without the need for a protracted and costly investigation when it may, in fact, not be warranted.

Secondly, in response to a suggestion from the minority and the administration, the amendment clarifies that the Attorney General is authorized to request assistance from other Federal agencies when assigning personnel and resources to the FBI investigative units on the ground. This would enable the Attorney General to draw on the expertise of the Department of Defense, among others, when appropriate in undertaking and moving forward with investigations and prosecutions.

And finally, we require that the FBI look only to the Secretary of Defense for any additional security assistance that the FBI investigative units may

need in a war zone. We would not want to have the FBI relying on private contractors for security while investigating their conduct.

And so I thank the chairman of the Crime Subcommittee, BOBBY SCOTT; the ranking member of the Crime Subcommittee, RANDY FORBES; along with the bill's creator, DAVID PRICE; and finally, the gentleman from Pennsylvania (Mr. CARNEY) for working with me to craft this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. FORBES. Madam Chairman, I rise to claim the time in opposition to this amendment.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the manager's amendment purports to correct several flaws with this legislation. Unfortunately, the amendment offered by my good friend, the distinguished chairman of the Judiciary Committee, misses the mark. It is one of those things that had we had the opportunity to work in a bipartisan way we could have corrected it. I don't have any pride of authorship, don't care who writes it. We just need to get it written correctly, and unfortunately, it's not written correctly as it's before us today.

H.R. 2740 imposes an unworkable and unnecessary geographic limitation on Federal jurisdiction to areas in "close proximity" to a contingency operation. The manager's amendment fails to correct this flaw. If the majority were serious about passing a good bill, it would have heeded the concerns of the Department of Defense that establishing extraterritorial jurisdiction based upon a tenuous link to geographic locations where a military presence can be found is impractical. Civilian criminal jurisdiction based on a nexus dependent upon a military "contingency operation" is ill-advised.

For instance, Madam Chairman, if the majority had consulted the Department of Defense, it would have learned that Secretary-designated contingency operations are rarely, if ever, used and are limited to operations with a view toward an enemy or opposing military force.

By-law designations, however, result from automatic actions during a war or a national emergency declared by the President or Congress, the scope of which may be unannounced, generally unknown, or imprecisely defined.

Thus, it will be next to impossible for Federal prosecutors to establish jurisdiction in a U.S. court based upon an indefinable proximity to a contingency operation at the time the offense occurred.

Moreover, the majority clearly did little to educate itself as to how the government currently investigates fraud or violent crimes committed by

U.S. military personnel or contractors overseas. If it had, it would have learned that such investigations are not conducted solely by the FBI.

The FBI does not operate theater investigative units. Rather, legal attaches assigned to 70 embassies worldwide are the first point of contact for any overseas crime investigated by the FBI. The largest of these offices is currently in Baghdad, which operates the Iraq Contracting Fraud Task Force.

In addition, the Defense Criminal Investigative Service, the criminal investigative arm of the DOD Inspector General, has been engaged in investigating DOD-related matters pertaining to the Iraqi theater, to include Kuwait, since the start of the war.

Likewise, the International Contract Corruption Task Force, which is known as ICCTF, combines the Department of Justice and FBI with Army CID, DCIS, SIGIR, IRS CID and other Inspectors General to investigate and prosecute procurement fraud.

Requiring the FBI to establish individual theater investigative units will disrupt the existing law enforcement partnerships and task forces.

This bill will also impose a heavy financial burden on the FBI with no additional funding from Congress and will most certainly detract from the FBI's duty to dismantle gang networks, combat child pornography and exploitation, and protect Americans from another terrorist attack.

I urge my colleagues to oppose this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. CONYERS. Madam Chairman, I ask unanimous consent that Subcommittee Chairman BOBBY SCOTT be allowed to control the time on the manager's amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

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

Madam Chairman, the manager's amendment reflects the compromise and bipartisan nature of the bill, which was reported out of the committee with bipartisan support. But after the bill was reported out of committee, the Department of Justice wanted to completely rework the bill. One of their suggestions would have gutted the FBI investigative units established in the bill and removed the enforcement mechanisms in the bill. Another would have so limited the number of crimes covered by the law that it could have not covered contractor fraud or even sex crimes in prisons. Those are simply unacceptable.

The suggestions proposed by the administration, many of which have been incorporated into the manager's amendment, have been described by the chairman of the Judiciary Committee, Madam Chairman.

And finally, I'd just like to point out to my distinguished colleague from

Virginia that if he has additional technical and definitional changes and recommendations, those can certainly be accommodated after the bill passes the House before final enactment. They will be accommodated.

Madam Chairman, I reserve the balance of my time.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

I have nothing but the utmost respect for my good friend from Virginia and the chairman of the Crime Subcommittee. However, that offer was extended to us when we had the bill come out of the Judiciary Committee, and we thought we were going to be able to make those corrections between then and the time it came to the floor. They weren't.

The manager's amendment that was ultimately filed was filed right before we could even file amendments, and I certainly was never presented with that amendment.

So we hope that the Senate will make these changes, Madam Chairman. We look forward to that. I think it's important for the American people and for the individuals that are defending this country.

Madam Chairman, I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE), the author of the bill.

Mr. PRICE of North Carolina. Madam Chairman, I rise in support of the manager's amendment. I want to again commend and thank Chairman CONYERS and Chairman SCOTT for their work in refining this legislation.

There's one aspect of this manager's amendment that is particularly important, I believe, and is the product of excellent work by Representative CHRIS CARNEY. This provision would make sure that FBI investigations are not corrupted by any conflicts of interest. That's an important addition, and I thank Representative CARNEY for his attention to this matter.

It is true, as others have said, that there were some late-breaking objections from the Department of Justice, that if they had been accommodated would have gutted the bill. However, various comments from the Department of Justice have dribbled out over some extended period of time, and the chairmen of the full committee and the subcommittee have dealt with those suggestions as they became available. That is reflected in this manager's amendment before us today.

I won't go into the content except to say that these are reasonable accommodations, and if there are additional technical changes or perfecting changes that are required, I am and I'm sure the leaders of the committee are, open to discussing further refinements.

I urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS.
SCHAKOWSKY

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-359.

Ms. SCHAKOWSKY. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. SCHAKOWSKY:

In section 2(b)(2) of the bill—

(1) in subparagraph (A)(iv), strike “and” after the semicolon;

(1) in subparagraph (B), strike the period and insert “; and”; and

(1) at the end of the paragraph, add the following new subparagraph:

(C) with respect to covered contracts where the work under such contracts is carried out in Iraq or Afghanistan—

(i) a list of each charge brought against contractors or contract personnel performing work under such a covered contract, including—

(I) a description of the offense with which a contractor or contract personnel were charged; and

(II) the disposition of such charge; and

(ii) a description of any legal actions taken by the United States Government against contractors or contract personnel as a result of—

(I) a criminal charge brought against such contractors or contract personnel; or

(II) a complaint received regarding the activities of such contractors or contract personnel.

The CHAIRMAN. Pursuant to House Resolution 702, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Madam Chairman, I yield myself such time as I may consume.

I want to thank my friend Mr. PRICE for bringing this important legislation to the floor and would like to thank Chairman CONYERS, Subcommittee Chairman SCOTT and the Judiciary Committee for their hard work on this very important issue.

My amendment would simply require the Department of Justice to issue descriptions of all charges that have been brought against contractors and contract employees in Iraq and Afghanistan and a description of the legal actions taken by the U.S. Government against them as a result of those charges.

H.R. 2740 requires the Department of Justice to issue a report that contains a list and descriptions of investigations that it is conducting into possible violations of U.S. law committed by contract personnel. This report must list the number of complaints it's received, the number of investigations it's begun, the number of criminal cases it has opened and the result of those cases.

My amendment would expand that requirement a bit further to ensure that the report includes a description

of the charges that have been brought against contractors in Iraq and Afghanistan and a description of the legal action taken as a result of those charges.

Madam Chairman, I reserve the balance of my time.

Mr. FORBES. Madam Chairman, I ask unanimous consent to claim the time in opposition to this amendment, although I'm not opposed to it.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

This amendment, Madam Chairman, expands the reporting requirement of the Department of Justice Inspector General to include a list of charges that have been brought against contractors and contract employees in Iraq and Afghanistan, a list of all criminal investigations and reports made with respect to contractors and contract employees in Iraq and Afghanistan in cases where no criminal charges were ultimately brought, and a description of the legal actions taken by the United States Government against contractors and contract employees in Iraq and Afghanistan as a result of a criminal charge or criminal investigation.

□ 1745

This is important information that Congress should be provided in order to make informed and accurate decisions regarding the investigation and prosecution of offenses by contractors overseas. I urge my colleagues to support the amendment.

Madam Chairman, I yield back the balance of my time.

Ms. SCHAKOWSKY. Madam Chairman, I yield 2 minutes to the gentleman from New York (Mr. HALL).

Mr. HALL of New York. I thank the gentlewoman.

I am proud to rise today in support of the Schakowsky amendment, and I thank my colleague for her leadership on this most important issue.

One of the most destabilizing aspects of our military involvement in Iraq is our unprecedented use of unaccountable private security contractors. By some estimates, there are 50,000 or more private security personnel working in Iraq. These contractors operate largely outside U.S. and Iraqi law, raising animosity toward Americans in the field and losing the hearts and minds of the people in Iraq.

The activities of one of the most prominent contractors, Blackwater, highlight why this amendment and the underlying bill come not a moment too soon. Two weeks ago, Blackwater personnel guarding a State Department group were involved in a shootout that involved the deaths of 11 Iraqis.

Blackwater has been involved in 195 escalation of force incidents since 2005. In 80 percent of those, Blackwater fired the first shots, even though they are only supposed to use defensive force.

It turns out that Blackwater has terminated 122 of their security employees, 53 of which were for weapons-related incidents or drug and alcohol violations. An incident report from another contracting firm described a Blackwater contractor's killing of a vice presidential security aide as “murder,” and Blackwater itself determined that he should be fired and his clearance should be revoked.

I could go on, but I think you get the picture. How many more incidents are there? How many more allegations and actions to be brought? Congress and the American need to know.

The MEJA Expansion Act will go a long way toward stopping the most egregious behavior of misconduct by these contractors and make their activities subject to U.S. law.

The Schakowsky amendment will strengthen this bill by making sure that any charges or legal actions are brought to light by DOJ. This amendment is vital to helping us in Congress conduct effective oversight to rein in contractors in Iraq. I urge my colleagues to support it.

Ms. SCHAKOWSKY. First, I would like to thank my colleague from Virginia for his support of the amendment and just close with these remarks.

U.S. taxpayers have paid billions to private security contractors in Iraq and Afghanistan. I believe that Congress must know if they are engaging in criminal behavior that puts the U.S. Armed Forces and our mission at risk, and what the government is doing to address it.

Congress and the American people are beginning to understand the vast impact that contractors are playing in our military operations. These private contractors are not, right now, accountable to the military, but their actions often put our brave military men and women at risk.

Currently, the U.S. military is using an estimated 180,000 private contractors in operations in Iraq and Afghanistan. Many are performing duties that are often considered inherently governmental functions, such as military operations, intelligence gathering, law enforcement, security and criminal justice functions. But despite the critical role that contractors are playing, Congress is unable to determine the full impact of contractors on U.S. military operations.

We have all heard about the tragic incident in Iraq on September 16 when Blackwater employees reportedly killed 11 Iraqi civilians, and another unconscionable incident on Christmas Eve 2006 when a drunk Blackwater guard killed an Iraqi security guard for the Iraqi Vice President. He was flown out of the country within 36 hours and has faced no charge or punishment for his crime.

We should be outraged that with incidents like these reported prominently in the press, and with the hundreds of thousands of contractors who have served in Iraq and Afghanistan, that only two have ever been charged with any crime.

I urge support for the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Ms. SCHAKOWSKY).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. HILL

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-359.

Mr. HILL. Madam Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HILL:

At the end of section 3, add the following new subsection:

(e) ANNUAL REPORT.—Not later than one year after the date on which the Director of the Federal Bureau of Investigation ensures compliance with the provisions of this Act pursuant to section 5(c), and annually thereafter, the Director of the Federal Bureau of Investigation shall submit to Congress a report containing—

(1) the number of reports received by Theater Investigative Units relating to suspected criminal misconduct by contractors or contract personnel;

(2) the number of reports received by Theater Investigative Units relating to fatalities resulting from the use of force by contractors or contract personnel;

(3) the number of cases referred by Theater Investigative Units to the Attorney General for further investigation or other action; and

(4) any recommended changes to Federal law that the Director considers necessary to perform the duties of the Director under this Act.

The CHAIRMAN. Pursuant to House Resolution 702, the gentleman from Indiana (Mr. HILL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. HILL. Madam Chairman, I yield myself as much time as I may consume.

Thank you, Madam Chairman, for allowing me to present this simple amendment to the MEJA Expansion and Enforcement Act.

Just yesterday, The New York Times reported that since January 2005, there have been more than 200 shootings by U.S. contractors in Iraq where the contractors fired the first shot.

This type of action on behalf of these contractors is wholly unacceptable. However, our government did not have the option to prosecute all of the bad actors, until now. I applaud the gentleman from North Carolina for introducing this bill to correct this inequity.

The bill before us would provide a mechanism to enforce complaints regarding all contractor and contractor personnel misconduct through newly created FBI Theater Investigative

Units. My amendment is a simple one that would enhance the bill that would require the Director of the FBI to submit annual reports to Congress outlining the success of these Theater Investigative Units.

Specifically, the reports would include the number of reports received by the Theater Investigative Units relating to criminal misconduct by contractors or contract personnel; the number of reports received by the Theater Investigative Units relating to fatalities caused by the use of force by contractors or contract personnel; number three, the number of cases referred to the Attorney General; and, last, any statutory changes necessary for the Director to carry out the duties required by this act. Progress reports are necessary to ensure that these units are being used efficiently and appropriately.

Thank you again for the opportunity to present my amendment. I urge all of my colleagues to support my amendment and the underlying bill.

Again, I would reiterate that the author of the bill, the gentleman from North Carolina, has specifically seen the need for this kind of a bill. My amendment, I think, enhances his bill dramatically.

Madam Chairman, I reserve the balance of my time.

Mr. FORBES. Madam Chairman, I rise to claim the time in opposition to this amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FORBES. Madam Chairman, I yield myself such time as I may consume.

This amendment requires the FBI to report annually to Congress the number of reports received of criminal misconduct by contractors, the number of reports received of fatalities caused by contract personnel, the number of cases referred to the Attorney General, and statutory changes necessary for the Director to carry out the duties entailed by this bill.

As I mentioned earlier in this debate, the creation of Theater Investigative Units within the FBI will hinder rather than help the investigation and prosecution of overseas crimes under MEJA. The creation of such units ignores the current framework of inter-agency cooperation amongst the Departments of Justice, Defense and State.

More importantly, these investigative units are in direct conflict with statutory mandates under other portions of MEJA. For instance, MEJA, under title 10, section 3262, requires the Secretary of Defense to authorize a person within the Department of Defense to arrest persons subject to MEJA.

H.R. 2740 does nothing to address this requirement with the conflicting requirement that the FBI establish Theater Investigative Units. Which agency will take custody, detain and transfer suspects arrested under MEJA?

MEJA allows suspects to be transferred to authorities of a foreign country for trial in certain circumstances. The Secretary of Defense is responsible for determining which officials of a foreign country constitute appropriate authorities. Will the Secretary now be required to make this decision for contractors not associated with military operations or will this decision fall to the FBI and, if so, under what authority?

MEJA allows initial court proceedings to occur while the covered person is outside of the United States. When this occurs, MEJA requires that a suspect be appointed counsel by a Federal magistrate judge. Such a counsel is designated a qualified military counsel, which is designed as a judge advocate made available by the Secretary of Defense. So now will a contractor who isn't associated with military operations be assigned a military judge advocate to be his counsel? Or will the Department of Justice be required to designate qualified civilian counsel for nonmilitary contractors and under what authority?

Clearly, there are numerous flaws with the creation of FBI Theater Investigative Units. This amendment does not alleviate any of these concerns.

I urge my colleagues to oppose the amendment.

Madam Chairman, I yield back the balance of my time.

Mr. HILL. Madam Chairman, I yield the balance of my time to my good friend from North Carolina (Mr. PRICE).

The CHAIRMAN. The gentleman from North Carolina is recognized for 2½ minutes.

Mr. PRICE of North Carolina. Thank you, Madam Chairman. I rise in strong support of the amendment offered by my colleague from Indiana, and I thank him for his leadership on this issue.

Mr. HILL's amendment is based on two critical principles, transparency and accountability. Over the last few years, many of us have asked the Department of Justice to give us basic information about the allegations of abuse by contractors, and the Department's efforts to investigate and prosecute these allegations, to carry out its responsibilities under existing law. Answers, I am afraid, have not always been forthcoming.

This amendment would ensure that Congress has the basic information we need to determine whether we are aggressively enforcing the rule of law and ensuring accountability of those who work in our name and on our dime.

As my friend Mr. HILL well knows, our American troops on the battlefield, who must deal with the consequences of incidents like the recent Blackwater shootings, those troops will be the main beneficiaries of the increased accountability that his amendment would require.

I applaud Mr. HILL for his efforts and urge my colleagues to support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. HILL).

The amendment was agreed to.

Mr. PRICE of North Carolina. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. CLARKE) having assumed the chair, Mrs. TAUSCHER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2740) to require accountability for contractors and contract personnel under Federal contracts, and for other purposes, had come to no resolution thereon.

REAPPOINTMENT AS MEMBER OF ADVISORY COMMITTEE ON RECORDS OF CONGRESS

The SPEAKER pro tempore. Pursuant to 44 U.S.C. 2702, and the order of the House of January 4, 2007, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on the Records of Congress:

Mr. Joseph Cooper, Baltimore, Maryland

□ 1800

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. CLARKE). 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.

HONORING LANCE CORPORAL ROBERT LYNCH

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, I rise today to honor Lance Corporal Robert Lynch who was taken from us far too soon when he and two other Marines were killed in Iraq by an IED. In Louisville, the hearts of his family and friends are full of grief as they mourn this tremendous loss, but we are also full of pride as we celebrate the life of an American hero who made the ultimate sacrifice.

Robbie's heroism began well before his service in the Marines. At a young age, he conquered Tourette syndrome and became a charismatic joker, an eloquent poet and a caring and empathetic young man.

At Seneca High School, he enrolled in the ROTC as a freshman, becoming an instant favorite among the faculty and his classmates alike. In fact, to many, it seemed Robbie was friends with everyone, classmates, teachers, administrators, clerks, everyone. And in Robbie, or Jax, as he nicknamed

himself, they had a friend who would send people into hysterics when times were light or cut through the tension with a joke that lightened the mood. In Iraq he used that sense of humor to keep up the spirits and morale of his fellow warriors.

But people were drawn to Robbie for more than his affability. Robbie was also the one you knew you could depend on, the one you would go to if you needed help, support or simply a friend. That sentiment was shared by the many at home who loved him and those who served with him in Okinawa in the 1st Battalion, 12th Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force.

Robbie dreamed of going to Hollywood to sing. He wrote songs and poems that expressed, among other things, his passion for justice and freedom. Tragically, his devotion to service eclipsed his artistic aspirations, and that dream will not be realized. Still, his words remain with us, and I'd like to share just a few.

He wrote, "I don't plan on being a hero to the world. I just want to try to help make it a better one." Clearly, Robbie underestimated himself, for in just 20 short years on the planet we are better for having him here, and he is a hero to us all.

Today I'm introducing legislation to rename the Fairdale, Kentucky, Post Office the Lance Corporal Robert A. Lynch Memorial Post Office, so that it may stand as a testament to his heroics and strong character. For his selfless devotion to all of us in the United States, he deserves our recognition and thanks. For their sacrifice, his family deserves our support. We are poorer for the loss of him but we, as a community and a country, are better off for the short time we had him.

I urge my colleagues to join me today in honoring Lance Corporal Robert Lynch, a patriot, a poet, and a good man.

The SPEAKER pro tempore (Mr. BRALEY of Iowa). 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.)

COMMUNIST CHINA AND CIFUS: "DROPPING THE SHARK"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, to resuscitate the 1970s sitcom "Happy Days," Arthur Fonzarelli was aquatically clad in a swimsuit, white T-shirt and leather jacket and filmed performing a harrowing water ski jump over a shark. Though The Fonz pulled it off, the network pulled the plug on "Happy Days." Subsequently, inane at-

tempts to prevent a show's cancellation by scripting an absurd season have been coined "jumping the shark."

But what should we call situations where the U.S. Government willfully suspends its disbelief Communist China is a strategic threat and, instead, appeases it? I suggest we call such instances "dropping the shark."

Mr. Speaker, the Committee on Foreign Investment in the United States must review and block Bain Capital and Communist China's Huawei Technologies' deal with the 3Com Corporation. If approved, Communist China's Huawei Technologies stake in the 3Com Corporation will gravely compromise our free Republic's national security.

The 3Com Corporation is a world leader in intrusion prevention technologies designed to prevent secure computer networks from hacker infiltration, and our Department of Defense extensively utilizes them. These technologies were severely tested this June when Communist China hacked into our DOD's computer networks and caused a shutdown. Given this and other instances of Communist China's persistent cyberwarfare against us, approving this sale would be an abject abnegation of CIFUS's duty to protect America's vital defense technologies from enemy acquisition.

Few doubt the aims of Communist China's Huawei Technologies, which was set up in 1988 by a People's Liberation Army officer to build military communications networks. The pending deal with Huawei is deemed "really worrisome" by a former Pentagon cybersecurity expert, and as reported by Bill Gertz in today's Washington Times, a current Pentagon official confirmed, "Huawei is up to its eyeballs with the Chinese military"; while another official stated "we are proposing to sell the PLA a key to our front door. This is a very dangerous trend."

This is not the first time Communist China's Huawei Technologies has raised legitimate American concerns. In January 2006 Newsweek described Huawei Technologies as "a little too obsessed with acquiring advanced technology." Appearing before the House Armed Services Committee on September 19, 2002, Professor Gary Milhollin, Director of the Wisconsin Project on Nuclear Arms Control, testified as to the extent of the danger: "The history of Huawei shows how sensitive American exports can wind up threatening our own Armed Forces. So when we talk about export controls, we are not just talking about money. We are talking about body bags."

This is not hyperbole. At the start of this decade, Huawei violated U.N. sanctions and illegally provided a fiber-optic network to Iraq. This network linked the Iraqi military's air defense network. Moreover, the CIA-led Iraq Survey Group's final report concluded Huawei illicitly participated in providing transmission switches for Iraq's fiber-optic communications. In August

2001, this Chinese-made fiber-optic network was bombed because it was part of the Iraqi air defense missile sites firing at U.S. and allied aircraft which were enforcing a no-fly zone. And also, for the record, this company found time to help the Taliban too.

In other business practices, Huawei appears equally cavalier about the rule of law. In 2003, Cisco Systems formally charged Huawei Technologies with grievous intellectual property violations, including patent infringements. Again, this should be unsurprising, given the strong ties between Huawei Technologies, the Communist Chinese Government and its armed wing, the People's Liberation Army. Not coincidentally, in only two decades, Huawei has expanded to over 100 countries, amassed sales of over \$87 million, and significantly contributed to the PLA's arms buildup. Obviously, through this proposed acquisition the comrades at Huawei aim to contribute far more.

Mr. Speaker, this deal is not only unacceptable on its face to our free people's sensibilities, it endangers our military and our security. Therefore, if CIFUS approves this sale and its accompanying sensitive defense technologies to Huawei, it will place in Communist China's cyberhacking hands some of the most sensitive technologies employed for our high-tech defense, and it will be tantamount to CIFUS dropping the shark in our fish bowl and pulling the plug on America's happy days.

Therefore, I urge CIFUS to do its job and block this deal that threatens our liberty, our security and the bounds of sanity itself.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FOUNDATION FOR A FIT NATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. SARBANES) is recognized for 5 minutes.

Mr. SARBANES. Mr. Speaker, I rise today to introduce the Foundation for a Fit Nation Act, legislation to establish the National Physical Fitness and Sports Foundation which would fund the President's Council on Physical Fitness and Sports.

Despite the undisputed benefits of physical activity, most Americans continue to lead alarmingly inactive lifestyles. Studies by the Center for Disease Control show that more than 50 percent of American adults do not get enough physical activity to provide health benefits, and 24 percent are not active at all in their leisure time. According to the CDC, 61.5 percent of children between the ages of 9 and 13 do

not participate in any organized physical activity outside of school; however, the American Heart Association found that schools are cutting back on physical education, the best method to combat childhood obesity.

In the United States, obesity among both children and adults has become a problem of epidemic proportions. The number of Americans who are overweight and obese is staggering. The American Obesity Association reported 127 million overweight adults in the United States. The most disturbing statistics, however, revolve around the growing rates of obesity of American children. The Department of Health and Human Services predicts that 20 percent of American youth will be obese by the year 2010.

Mr. Speaker, we cannot afford to ignore these statistics any longer. We owe it to ourselves and our Nation to support a healthy lifestyle for our constituents. We should be especially cognizant of the importance of instilling in our young people an appreciation of the value of maximizing physical fitness. The creation of the National Foundation on Physical Fitness serves as an important first step towards reaching these goals.

The President's Council on Physical Fitness and Sports, a part of the Department of Health and Human Services, is an advisory committee created in 1982 to promote physical activity and fitness in the United States. Currently, the President's Council on Physical Fitness operates on a shoe-string budget, a mere \$2.1 million, a figure which is vastly incommensurate with the importance of the PCPF mission. The Council is among several departments within the Center for Disease Control which are eligible to receive private contributions, however it is currently not authorized to solicit contributions.

When the Foundation for a Fit Nation Act is passed, it would direct the President's Council on Physical Fitness to establish a nonprofit foundation designed to promote and encourage the solicitation of private contributions as an independent source of funding for the Council. This budget increase would allow the President's Council on Physical Fitness to expand its scope and activities with no cost to taxpayers. This bill would help further an important national goal, encouraging and fostering physical fitness and well-being through three specific measures:

First, establishing the nonprofit National Physical Fitness and Sports Foundation to promote and improve physical fitness and sports programs in conjunction with the President's Council on Physical Fitness and Sports;

second, allowing the Foundation to solicit, receive and administer private contributions for the President's Council;

and third, establishing a bipartisan nine-member board of directors to oversee the Foundation.

Physical activity is not only vitally important for our health, but serves as an enjoyable means for the development of commitment, perseverance and teamwork, all of which foster strong societies.

I urge my colleagues to support this important piece of legislation which would provide a private source of funding for an organization critical to the well-being of our constituents.

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.)

□ 1815

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, in large and small communities across our Nation, too many Americans find themselves placed in danger by the very people who are supposed to love them. It's estimated that 2 million acts of domestic violence take place each year in the United States. This is not just a problem for women; it's also a problem for children and a problem for men. We are doing no one any favors, least of all the abusers, by ignoring the problem.

I rise today to recognize October as National Domestic Violence Awareness Month. And while we make gains in raising the awareness about domestic violence and in providing assistance to the victims, the violence continues.

According to a recent survey in my home State of Kansas, one domestic violence act occurs every 28 minutes. One out of four women will be abused in their lifetime, and more than 3 million children will witness some form of violence at home each year.

Domestic violence brings fear, hopelessness and depression into the lives of every affected victim. One incident can create a cycle of despair that's difficult not only for the victim, but also for their families to overcome.

When a victim is abused, the abuse does not stay in the home, and, therefore, we cannot fight this battle only on one front. Domestic violence is often seen as a private issue. However, the suffering often follows victims at work and at school.

It is important that medical professionals, educators, law enforcement officers, and community leaders are trained to recognize the signs and symptoms of domestic violence. Everyone, not just the victim but their children who suffer and the abusers themselves, will be better off if we can put a firm and rapid stop to every single case of domestic violence.

It is also important to support domestic violence shelters. These agencies provide essential services, help advocate for victims, and spearhead efforts to increase domestic violence awareness throughout the country. Tonight I commend those who work every day to help victims of domestic violence, especially those who work in the nine service areas that I am aware of back home in Kansas in my district: Dodge City, Emporia, Garden City, Great Bend, Hays, Hutchinson, Liberal, Salina, and Ulysses.

We must not forget the role Congress has to play. Federal grants made under the Violence Against Women Act provide essential funds for shelter operations and support services. We must ensure that shelters and crisis centers receive sufficient funding to provide this safety net to some of our most vulnerable citizens.

October is National Domestic Violence Awareness Month, but we must fight domestic violence and address its consequences all year long. Through education, enforcement and support, we can continue working together to break the cycle of domestic violence and bring hope to victims so terribly affected by these acts.

Tonight, I pray for the end of violence within our families and for the healing of those who suffer.

IT IS TIME TO END THE OCCUPATION OF IRAQ

The SPEAKER pro tempore (Mr. BRALEY of Iowa). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the American people are opposed to the occupation of Iraq. And when I say "the American people," I am not referring to members of one party or one political persuasion. I am referring to members of both parties who live in every part of our country, in cities and towns big and small.

According to the organization Cities For Progress, approximately 300 States, cities and towns have passed resolutions or referenda opposing the occupation of Iraq. They include places like Kalamazoo, Michigan; Carrboro, North Carolina; Ladysmith, Wisconsin; Butte, Montana; Chicago, Illinois; Guilford, Vermont; Cincinnati and Cleveland, Ohio; South Charleston, West Virginia; and Sacramento, California.

They also include 17 States that have either passed a State House or State Senate resolution opposing the occupation or sent letters to Congress signed by large numbers of the State legislature's members. These include the red States of Colorado, North Dakota, and Arizona and the blue States of Minnesota, New Jersey, and Oregon.

In addition, the United States Conference of Mayors has passed a Bring Home the Troops resolution. In their resolutions the cities and towns decry

the terrible loss of life in Iraq. And they describe how the soaring costs of the occupation consume resources that would be much better spent on the needs of local communities.

I want to read portions of a few of these resolutions so that Members of the House can get a sense of the anguish that's out there in the heartland.

The resolution passed by South Charleston, West Virginia, declares that the conflict has "mired American Armed Forces in an internecine, centuries-old conflict of ethnic, cultural, and religious rivalries." The resolution of the U.S. Conference of Mayors declared that "the continued U.S. military presence in Iraq is reducing Federal funds available for needed domestic investments in education, health care, public safety, homeland security, and more." The Cincinnati city council echoed that sentiment and said that spending on the occupation "severely lessens the ability of the city of Cincinnati to rebuild its urban core, promote homeownership opportunities in Cincinnati, and provide critical housing services for the poor." The Chicago city council warned that the occupation has "inflamed anti-American passions in the Muslim world and increased the terrorist threat to United States citizens." The resolution of Cambridge, Massachusetts, laments the "grievous impact of the loss of lives in the Iraq war on families and communities on both sides of the conflict and the destructive social and economic effects of the war."

The city of Bellingham, Washington, said that "the killing of civilians is an unspeakable crime against humanity." The Cleveland city council declared that "the costs to the States of the call-up of National Guard members for deployment in Iraq have been significant, as reckoned in lost lives, combat injuries and physical trauma, disruption of family life and damage to the fabric of civic life in our communities."

The New Hampshire House of Representatives urged "the President to commence talks with the neighbors in the Middle East and begin the orderly withdrawal of American military forces from Iraq."

And the Vermont Senate declared that the escalation of the conflict "is exactly the wrong foreign policy direction and the presence of American troops in Iraq has not and will not contribute to the stability of that nation, the region, or the security of Americans."

More information about these resolutions, Mr. Speaker, can be found on the Web site of the Congressional Progressive Caucus, and I urge my colleagues to read these resolutions in their entirety. They represent the true voice of America, the America that has compassion for the people of the world, believes in international cooperation, and knows that restoring our moral leadership is the best way to guarantee our own security and freedom.

Mr. Speaker, the people have spoken. It is time to end the occupation of Iraq.

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.)

ON OUR WATCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, last evening I came to the House floor to talk about one of the most critical issues facing our Nation today.

Our country's financial outlook is desperate. How do we stop the red ink and the bleeding? How do we come together as Republicans and Democrats and make certain that the American people don't suffer for our out-of-control spending?

I'm talking about entitlements and other mandatory spending. How do we change course? Medicare, Medicaid, and Social Security combined with interest on the national debt will consume all of the government's revenue by the year 2026.

According to the GAO, balancing the budget in 2040 would require cutting total Federal spending by 60 percent or raising taxes by 2½ times today's level. Both would devastate the economy.

The longer we wait to get serious about this reality, the harder and more abrupt the adjustments will be for the American people.

I ask every colleague in the House, how will you feel when there isn't enough money for medical research, for cancer research, for Alzheimer's, for Parkinson's, or for autism? How will you feel when you know it was today's Congress, this Congress that we all have the honor to serve in, that passed the buck to the next generation, that avoided the issue, and said it was just too hard?

I'm challenging every Member of this House to come together, to know that while we served in Congress, we did everything in our power to provide the kind of security and way of life for our children and our grandchildren that our parents and our grandparents worked so hard to provide us.

Congressman JIM COOPER, a Democrat from Tennessee, and I have come together because we know what is at stake. We have a bill that we believe is the way forward to help stop the bleeding. And, quite frankly, I would say to my friends on both sides of the aisle the American people desperately want to see us working together, Republicans and Democrats, to deal with these important issues.

The bipartisan SAFE Commission will send its recommendations to Congress. We will have an up-or-down vote

similar to the base closing process, which we now have in effect in the Congress, on getting our financial house in order.

There are other ideas, too. I am inserting Robert Samuelson's op-ed in today's Washington Post. He hits the nail on the head when he talks about the need for bipartisan work, a bipartisan panel, to help us do our job. "Everything else has failed," he says.

I urge you to think about this issue and the real problem we face now. Not an issue for next week or next month or the next Congress but an issue for this Congress. An issue for now.

In the song by Simon and Garfunkel, "The Boxer," it says, "Man hears what he wants to hear and disregards the rest." I urge us to tell the American people not what they want to hear but what they need to hear. And I urge us to come together and work in a bipartisan way for our young people, for our children, for our grandchildren, and for all Americans.

[From the Washington Post, Oct. 3, 2007]

ESCAPING THE BUDGET IMPASSE

(By Robert J. Samuelson)

Almost everyone knows that the next president will have to wrestle with the immense costs of retiring baby boomers. Comes now a small band of Democrats and Republicans who want to do the new president a giant favor. They want to force the new administration to face the problem in early 2009. Why is this a favor? Because dealing with this issue is so politically unsavory that resolving it quickly would be a godsend. Otherwise, it could haunt the White House for four years.

Let's review the problem (again). From 2000 to 2030, the 65-and-over population will roughly double, from 35 million to 72 million, or from about 12 percent of the population to nearly 20 percent. Spending on Social Security, Medicare and Medicaid—three big programs that serve the elderly—already represents more than 40 percent of the federal budget. In 2006, these three programs cost \$1.1 trillion, more than twice defense spending. Left on automatic pilot, these programs are plausibly projected to grow to about 75 percent of the present budget by 2030.

Stalemate results because all the ways of dealing with these pressures are controversial. There are only four: (a) massive tax increases—on the order of 30 to 50 percent by 2030; (b) draconian cuts in other government programs (note that the projected increases in Social Security and Medicare, as a share of national income, are more than all of today's domestic discretionary programs); (c) cuts in Social Security, Medicare and Medicaid—higher eligibility ages or lower benefits for wealthier retirees; or (d) undesirably large budget deficits.

The proposed escape seems at first so dreadfully familiar and demonstrably ineffective that it's hardly worth discussing: a bipartisan commission. But what would distinguish this commission from its many predecessors is that Congress would have to vote on its recommendations. The political theory is that, presented with a bipartisan package that cannot be amended, most politicians would do what they believe (privately) ought to be done rather than allow pressure groups, including retirees, to paralyze the process.

There is precedent for this approach. Since 1988, Congress has allowed more than 600

military bases and facilities to be closed or streamlined using a similar arrangement. An independent Base Realignment and Closure Commission evaluates the Pentagon's proposed closings and listens to objections. With the president's approval, it then submits its own list, which goes into effect unless vetoed by both houses of Congress. This process provides members of Congress bipartisan "cover" and prevents amendments from weakening the package.

Two prominent proposals would adapt this approach to the budget. The first, offered by Sens. Kent Conrad (D-N.D.) and Judd Gregg (R-N.H.), the chairman and ranking minority member of the Budget Committee, would create a 16-member commission, evenly divided between Democrats and Republicans. All eight Democrats would be from Congress, as would six Republicans. The administration would have two members, including the secretary of the Treasury.

Conrad's notion is that the impasse is political and that only practicing politicians—people with "skin in the game"—can craft a compromise that can be sold to their peers. The commission would report in December 2008. Twelve of its 16 members would have to support the plan, with congressional passage needing 60 percent approval (60 senators, 261 representatives). These requirements, Conrad and Gregg argue, would ensure bipartisan support.

The other proposal comes from Reps. Jim Cooper (D-Tenn.) and Frank Wolf (R-Va.). It would also create a 16-member commission, with two major differences. First, only four of its members would be from Congress. Second, though Congress would have to vote on the commission's proposal, there would be some leeway for others—including the president—to present alternatives as long as they had the same long-term budget impact. Any proposal, however, would have to be voted on as a package without amendments.

A combination of these plans might work best. A 20-member group would be manageable and should include four outsiders to provide different perspectives and, possibly, to build public support. Perhaps the head of AARP should be included. And it would be a mistake to present the next president with a take-it-or-leave-it package. The Cooper-Wolf plan would allow a new administration to make changes—and get credit—without being able to start from scratch.

This commission approach has potential pitfalls: It might create a face-saving package that does little. But everything else has failed. The main political beneficiary would be the next president. It would be revealing if some of the hopefuls—Democrats and Republicans—would show that they grasp this by providing their endorsements. Otherwise, the odds that Congress will even create the commission are slim.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. BARRETT) is recognized for 5 minutes.

(Mr. BARRETT of South Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXPRESSING SUPPORT FOR COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I rise today to express my strong support for enacting a free trade agreement with our strongest ally in Latin America, and that is Colombia.

In May, the House leadership brokered an agreement with the administration to pass the Peru, Colombia, Panama, and South Korea Free Trade Agreements, in that order, Mr. Speaker. And, actually, I am very pleased to see that the House Ways and Means Committee took action this week on the Peru Free Trade Agreement. I think it's a great step in the right direction. However, I am concerned about the apparent lack of support from the House leadership for a Colombia Free Trade Agreement, an agreement that publicly was committed to by the House leadership.

Mr. Speaker, it is imperative that this Congress pass a Colombia Free Trade Agreement. Excluding our strongest ally in Latin America from preferential trade treatment would send a devastating message to the region. That message would be that if you are a strong ally, the strongest ally of the United States, if you are willing to stand up to anti-American dictators like Mr. Hugo Chavez, and if you are willing to fight the narcoterrorists, this United States Congress will not support you.

A free trade agreement with Colombia would not only help further bolster the Colombian economy and help show our strong support for their efforts in fighting the war on drugs, it would also help the U.S. economy by opening up our business to this huge democracy, this huge export market.

Mr. Speaker, we cannot send the world the message that if you support the United States, if you are willing to stand up even against our enemies, that this United States Congress will not stand with you. Please, let's not slight the Colombian people and their democracy.

I urge the Democratic leadership and the House Ways and Means Committee, Mr. Speaker, to bring forward a Colombia Free Trade Agreement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

□ 1830

ADDRESSING THE SUBPRIME
MELTDOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY of New York) is recognized for 5 minutes.

Mrs. MALONEY of New York. Mr. Speaker, we are at a critical juncture with respect to the subprime mortgage crisis. I see my colleagues here on the floor that are members of the Financial Services Committee and other important committees that have been working with the Democratic leadership and the Democratic Congress to help families stay in their homes and prevent another crisis like this from happening in the future.

Today, I joined with House and Senate leaders and colleagues in urging the President to join us in aggressively working to turn back the tide of foreclosures. Parallels have been drawn between this administration's management of the subprime crisis and Hurricane Katrina, when some 300,000 people lost their homes. Millions of Americans may lose their homes to foreclosure as a result of the subprime mortgage meltdown. And once again the response from the Bush administration has been slow and small. This crisis requires a bolder response. Foreclosures have spiked nearly 115 percent since this time last year, and expectations are that the next 18 months will be even worse as many subprime loans reset to higher rates. Some economists think that the collapse of home prices that we will see might be the most severe since the Great Depression. The worsening housing slump, the credit crunch, and weak consumer confidence point to a gathering storm that could drag down the economy, taking thousands of American jobs with it.

As losses mount for borrowers and lenders, economic pain is already being felt in communities across this country as the ripple of default spreads to local economies, governments and neighborhoods. The time to act is now.

Under Speaker PELOSI and Chairman FRANK's leadership, the House swiftly passed legislation that will enable the FHA to serve more subprime borrowers at affordable rates and terms, and offer refinancing to homeowners struggling to meet their mortgage payments. The President should sign that bill the minute it gets to his desk.

We have passed also important GSE reforms in the House, but we should also raise the cap on their portfolio limits at least temporarily so that they can provide additional liquidity and help with the subprime crisis. If there was ever a time for Fannie Mae and Freddie Mac to have more liquidity to help people, it is now.

The caseloads for nonprofits aiding strapped borrowers are growing larger by the day. The Joint Economic Committee, which I am honored to serve on, reported earlier this year that it

cost \$1,500 to prevent a foreclosure of a single family home. And that's the first thing that we should be doing is keeping people in their home, helping them stay there. And that shows what it's like for one family home, only \$1,500. But foreclosure prevention specialists are absolutely in critical need of more resources in order to save more homes.

Foreclosures have a significant negative impact on entire communities because of lower property values, decreased property tax revenues, and higher municipal maintenance costs. In fact, we estimate that the total cost of each foreclosure to the community can be up to \$227,000, as the right-hand column shows.

The impact of these foreclosures will be devastating on African American and Hispanic owners, as 52 percent of all mortgage loans sold to African Americans and 40 percent of those sold to Latinos were subprime over the last 2 years. The sad irony here is that up to 40 percent of subprime borrowers, they would qualify for prime fixed-rate loans. We need to help them renegotiate their loans and get into the prime, more affordable loans. Securing additional funds for foreclosure prevention is critical to bringing subprime borrowers and lenders together to achieve loan workouts.

For \$200 million in Federal Foreclosure Prevention Funding, which passed the Senate this month, 130,000 families, let me just show this one thing that is happening, Mr. Speaker. For \$200 million, we can save a lot of people and keep them in their homes, and yet we're spending that much in Iraq.

The sad irony here is that up to 40 percent of subprime borrowers would qualify for prime, fixed-rate loans.

Securing additional funds for foreclosure prevention is critical to bringing subprime borrowers and lenders together to achieve loan workouts.

For \$200 million in federal foreclosure prevention funding, which passed the Senate this month, 130,000 families could be helped to avoid foreclosure, as the bar on the left shows.

That is less than the cost of the Administration's Iraq war spending for one day, which is now about \$330 million and to rise, as the big red bar on the right shows.

To help the two million households that are at risk of foreclosure would cost one week of our spending in Iraq.

We invite President Bush to join us in our efforts to aggressively help protect and expand the American dream of home ownership.

Mr. Speaker, the price of doing nothing is just too high.

RUSH LIMBAUGH OWES OUR
SOLDIERS AN APOLOGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ISRAEL) is recognized for 5 minutes.

Mr. ISRAEL. Mr. Speaker, I have always believed firmly in the qualities of

civility in this House, and bipartisanship and constructive dialogue and engagement and respect for one another's disagreements. In fact, last night I spent an hour on this floor with Members on both sides of the aisle talking constructively in a bipartisan Center Aisle Caucus Special Order on Iraq. And we managed to put our political differences aside and talk not about left or right, but moving forward. And so civility is critically important to me and has been since coming here nearly 8 years ago.

But I must say, Mr. Speaker, that when I heard of the comments of Rush Limbaugh, when I heard him impugn the integrity of our soldiers, when I heard him call them phonies, I had just about had it. How dare he attack our soldiers. How dare he impugn their integrity. How dare he attack their credibility. There is no place in America for anyone to attack our soldiers while they are fighting in combat or when they have come home. I don't care what the reason, Mr. Speaker. There is no place in America for that, particularly coming from someone who believes that he is the "gold standard" of patriotism, who believes he has a monopoly on patriotism, who has accused anyone who dissents with a particular policy with which he disagrees as a traitor. What is patriotic, Mr. Speaker, about calling American soldiers phonies? What is patriotic about that?

If ever there was anything that suggested to me a dissent beyond the line, I would never call it traitorous, but I can't think of a better example of giving aid and comfort to our enemies than somebody who would call our soldiers phony while they're fighting, who would attack them while they're defending us.

He crossed the line, he crossed the line of fair play, he crossed the line of hypocrisy. This standard-bearer of patriotism attacking American forces, it is unacceptable. It is unacceptable. Not only because it is hypocritical and not only because it is an attack on our Armed Forces, Mr. Speaker, but because it comes from somebody who never fought for our country, unless you consider being a disk jockey to be worthy of combat pay. Mr. Speaker, the American people are sick and tired of this kind of hypocrisy and this kind of attack.

I went to Walter Reed Army Hospital yesterday, and maybe that's why I'm so fired up, Mr. Speaker. I visited Walter Reed Army Hospital yesterday and with young men whose limbs have been amputated, whose futures have been changed. How dare anybody suggest that because one of them may disagree with a policy that that person is a phony. Thank God we live in a country that gives us the right to agree with a policy to go to war. You have the right to disagree, you even have the right to remain silent, but no one has the right in this country to call any member of our Armed Forces "phony," and Rush Limbaugh owes them an apology.

SCHIP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Mr. Speaker, I rise today with the very, very wonderful company of my freshman Members.

Mr. Speaker, since the 110th Congress began, we have, as a class, stepped forward to try to do everything we could to help the American people see a new way forward for America. And this week, we have seen that the distinction and the differences between our view of caring for the health of all Americans and that of the President were brought into very sharp contrast, very sharp contrast in that the President has vetoed SCHIP.

Mr. Speaker, before I turn it over to my very able classmates, I just want to point out that we're not rising today to talk about health care and SCHIP to throw partisan darts or anything like that. We recognize and respect and appreciate and even are quite grateful for members of the Republican Caucus in both Houses who have come forward to join and say that the health of our children is very important, in fact, it's sacred, and that all Americans should come together to support it.

Mr. Speaker, the bipartisan SCHIP reauthorization bill, which was vetoed by the President, is supported by 67 Senators, including 18 Republicans. It is supported by 43 Governors, including 16 Republican Governors, and I'm proud to say my own Governor, Tim Pawlenty. Governor Pawlenty knows that he and I have disagreed on things in the past, but we're together on this, that children's health must be cared for by adults.

The bill that was vetoed today is supported by more than 270 organizations, literally representing millions of Americans, and has very strong support from the American people at large.

Mr. Speaker, I just wanted to get us started today. I have much more to say, but I don't want to delay any longer because I know that my very excellent difference-maker classmates have much to say about this issue. So without any further delay, I'd like to offer the microphone to the very able, very excellent, honorable Mr. SARBANES from Maryland.

Mr. SARBANES. I thank my colleague. And I know we have a number of people here that are going to speak, and if at any time I say something where you would like me to yield to add to the discussion, please let me know as we move forward.

There is no more important issue than children's health insurance coverage. And I think it's incomprehensible to certainly all of us here this evening who are talking about the issue, but I think to most Americans, that the President of the United States initially even threatened to veto, but

then today took the action of vetoing this bill which would increase to 10 million children the number that are covered under this health insurance program.

I wanted to speak just a moment about two faces on this issue that my life has intersected with. They come from the State of Maryland, and actually over the last few months they've become known to millions of Americans across the country. The first face is the face of Diamonte Driver, who was a young man in Prince George's County, Maryland who had a toothache and ended up dying because he didn't get the treatment that he needed. If his family had had the coverage available that SCHIP provides, his mother could have gotten him to a doctor, a dentist. He would have been seen early, like is the experience of most of us when we have a toothache, and his life would have been saved.

I came to know Diamonte because I worked for years with an organization called the Public Justice Center in Maryland. And the Public Justice Center has been championing increasing Medicaid coverage for children in the State of Maryland. And they had worked with the Driver family. They were actually working with Diamonte's older brother, trying to get him some help that he needed through the Medicaid program, and got to know the family that way, and then Diamonte's situation occurred. So that hit me right there because I was aware of what had happened with this family through my personal interaction with that organization. That's the terrible tragic face on this issue. That's what happens when the coverage isn't there, when children don't get the health care coverage that they need.

There is a positive face on this issue, which was illustrated by the Frost family, Graham and Gemma Frost. Graham Frost was part of the Democratic statement across the country this past weekend where he talked about how his sister and he were in a terrible car accident, and because they were covered by the SCHIP program, they got the treatment they needed, it did not bankrupt the family, and that family is intact, healthy and able to move forward because of the SCHIP program.

So, on the one hand you have the example of Diamonte Driver, someone who didn't have access to this kind of coverage, and on the other hand you have the experience of Graham and Gemma Frost, who did.

I don't understand how the President can line himself up against 10 million children in this country. It is mind-boggling to me, and I've been trying to figure out why he would do it. I think there's maybe a philosophical imperative that he is laboring under, this notion that somehow a government program, already proven to work well, can't continue to work well because there is this investment in the notion that government can't do good things,

that government can't design programs that work effectively. And so that philosophy apparently this administration is prepared to sacrifice. At the alter of that philosophy, the government can't do anything right, they're prepared to sacrifice the interests of millions and millions of children across this country.

□ 1845

The President made a statement the other day where he said, "Well, what's the problem? If children need to get treatment, they can always go to the local emergency room." I know we all heard that. Some of us were stunned with the callousness of that comment. But I was impressed as much with its callousness as I was, or in addition to its callousness, as with its lack of insight.

I have spent 18 years working with hospitals. I know that the emergency room of a hospital is the highest-cost part of our system. Why would you want children to go there to get treatment when you could build clinics and otherwise empower our health care providers, through the SCHIP program, to provide service at an earlier stage? Not only is it less expensive, but you intervene before children reach a more acute condition where the cost of treating them is going to be higher. So this, I think, illustrates a fundamental lack of understanding of how we can enhance coverage in our health care system.

Let me just make a couple of final comments here. We didn't send the SCHIP bill to the President. We, the Members of the House and the Members of the Senate who voted for it, didn't send it to the President. We delivered it to the President. We delivered it on behalf of America's children. That is what we did. That is our job. We are an instrument of the American people, and in this case, of America's children, so we delivered this to the President on behalf of America's children. His decision to veto it is not a rejection of this Congress. It is a rejection of the interests of America's children.

What I hope Americans all across this country will do, starting tonight and going forward over the days to come, is make it perfectly clear that they want this Congress to override the veto of the President on SCHIP. Call us. Call every Member in this Chamber and make that point. Because if you do that, you are going to send a powerful message to the President that he made the wrong decision here. In spite of the decision he made, we can move forward on behalf of America's children.

I yield back to my colleague and thank him for the time.

Mr. ELLISON. Mr. Speaker, if it wouldn't violate the rules of decorum, I would clap after Mr. SARBANES' comment. I thought it was very eloquent. I thought the examples he used were very poignant. The young man who had a tooth abscess and had that go up into

his brain and he died as a result of it stands as an indictment against our whole Nation. That young man deserves to have all of us, every adult in America, stand up and say, change must come, and it must come now.

I just would like to read a quote and see if I could get my colleague from Brooklyn's reaction, if I may.

Yvette Clarke, you are here with us tonight. You are a stalwart. You are a clarion voice for the public good. I just want to know what you might think about this statement as relates to SCHIP, which is a quote from the late Senator and former Vice President Hubert Humphrey, from my home State of Minnesota, in which he said that the moral test of any government is how it treats those in the dawn of life, the children; those in the dusk of life, the elderly; and those in the shadow of life, the disadvantaged.

When you think about this veto of SCHIP and you think about the moral test of the Nation, what do you think? What thoughts come to mind?

Ms. CLARKE. First, let me just thank you as a member of the class of 2006 to be here with my colleagues this evening to really address what is a moral imperative. Taking care of our young, taking care of our elderly, being in a position to actually have our future secured by making sure that our children are healthy and well-focused, well-nourished and ready to compete in this Nation is a critical part of what makes America America. So to hear that this morning, before the President's coffee got cold, he had vetoed the SCHIP legislation, bipartisan legislation that we delivered to him on their behalf, was really disheartening.

I think that it is imperative that Americans really press upon this body that we make sure that we override this veto. \$3.50 a day. That is what it would cost us to cover the children who are currently uninsured, to provide them with preventive care so that they are able to reach their God-given potential, so that they don't have to sit up in the classroom with headaches and stomachaches and other ailments, perhaps communicable diseases that could cause an outbreak. Meningitis was one of the major issues in many of our schoolhouses last year. We have a President that sort of stood in the way of that. He has just made it unequivocally clear that this is not a policy that he will pursue.

I think it is our obligation as representatives of the people to pursue this and make sure that we get it right on their behalf. Hubert Humphrey was absolutely right. It is a moral imperative, very much so. I hope that every American feels that this evening when they look at their children this evening, when they look at their grandchildren this evening, they will count their blessings that they are able to sit with their child today and their child is not in need of a doctor's care. For those who are in need of a doctor's care, that they will pray for a mother

like Deamonte's mother who went around trying to find coverage for her child, who tried to get a doctor to see her son though she did not have insurance and who was turned away. As a result, her son met his demise.

My colleague, the doctor is in the House.

Mr. ELLISON. The doctor is in the House.

Mr. Speaker, we have a doctor in the House. We are all richly benefited by the presence of Dr. STEVE KAGEN in this Congress. He is one of the freshman Members who tells it like it is. Very few people are better qualified to talk about health care than he is. He is a physician. I think he was probably practicing right up until the day he got sworn in.

We are all very honored to have you here again, Doctor. What do you have to say about this veto?

Mr. KAGEN. Thank you, Mr. ELLISON, and thank you, Ms. CLARKE. This is a very difficult hour to be with you. I cannot tell you how much it hurts me, how much it hurts the children of Wisconsin, of New York State, of Minnesota, and all the children throughout the country who don't know yet that their President has left them behind, that the President has turned away from children in need.

What we are talking about is the difference between seeing a physician and gaining access to good health and not. Those children that don't get health care don't get well. When you are sick in school, you cannot learn. You cannot progress. You cannot move up into the middle class.

This bill, the SCHIP bill, and the veto by this President, a President who no longer represents traditional American values, he does not represent our values, this is a stark contrast between the two parties today. It really asks the question, whose side are we on? I am a Democrat. I am proud to be a Democrat. We are on the side of people who are in need. It is the role of government, isn't it, to care for those who are in need? Not just Hubert Humphrey. It goes back 2,000, 5,000 years, into all of our cultures, into all of our religious beliefs, into all that we hold spiritually sacred. We must care for those who are in need.

The SCHIP bill has been lied about by many politicians. Some have said it's going to cover illegals. That's a lie. There are no illegal human beings, no illegal citizens covered in SCHIP. It does not cover rich people. Ninety percent of people that would be covered by the SCHIP bill have incomes below \$41,000. Folks, the average cost of health care in this country is 12 to 14 grand per year. If you make \$40,000, you can't afford health insurance today. You mentioned, Ms. CLARKE, \$3.50 a day. What are we spending in the religious civil war in Iraq, \$400 million a day? \$3.50 versus \$400 million. The American people get it.

When I go back home to Wisconsin, I am just as frustrated as our electorate.

People believe their elected officials are not listening to them. We are listening. We understand your frustration. We feel it in our heart, as well. This is a veto that must be overturned.

When I was running for Congress, when I left my medical practice, I left my medical practice because 30 percent of the time I would write a prescription, but my patients either couldn't afford the medication or it wasn't covered on the insurance company's list, or they simply couldn't get it. They didn't have the money. So I ran for Congress.

During my trails across the district, I had a 15-minute conversation set aside for a Native American activist. That conversation lasted 2½ hours. It took me 2 weeks to recover. But she taught me that it is politicians who determine who lives and who dies. It is politicians, in this House, that will determine who has access to health care and who does not. It is politicians that will take us to war based on lies and deceptions. We are the people's voice here.

If you would allow me to take a moment, I would like to express the viewpoint of some of the people I represent. Chris Dion in Marinette wrote to me and said, "I am a single person but can't afford medical insurance unless it has a very high deductible. Then it is still expensive. I have many medical problems and cancer runs in my family. But I can't afford tests or treatments because I don't meet requirements for free checkups." Her story is one of millions.

Forty-seven million don't have any coverage at all. The SCHIP bill makes fiscal sense. It is paid for. It doesn't raise taxes on anyone who isn't smoking. It is responsible. It is morally responsible to care for those who are in need. In my opinion, the President's veto of this bill is morally unacceptable not just to me, not just to me as a physician, but as a husband, as a father, as a Congressman. It is unacceptable to every citizen everywhere in this country who has a human heart. I think we have to work hard with our colleagues in a bipartisan manner to care for those who are in need. We can do it with the SCHIP bill that we created here in this House, the People's House.

Mr. ELLISON. Mr. Speaker, I think it is important to point out that this is a bipartisan effort. As we come here and ask that this veto be overridden, it is not simply a Democratic initiative. It is also a Republican one. Let me tell you, I was really warmed, my heart was warmed up when I read the words written by Representative HEATHER WILSON and Representative RAY LAHOOD, two Republican Members, who sent out a Dear Colleague letter for the support of the SCHIP. They wrote, "According to Census Bureau data, about 9 million children lack health insurance. This SCHIP agreement would cover 3 to 4 million of them by investing \$35 billion in additional funding in

children's health insurance over 5 years."

Here is what our two Republican colleagues wrote further: "We urge your support for the SCHIP agreement and believe it is the best vehicle for reauthorizing the program before it expires."

That is what two Republican colleagues had to say about this bill. Presumably, they will be with us trying to overturn the veto.

My point is that as Americans citizens are watching us and watching this whole debate unfold here in the Capitol, they should know that they don't have to take sides based on party.

□ 1900

This is something that is simply a moral imperative. It is right, it is cost-effective, and improves our health and well-being. It demonstrates our commitment to our children. It is right for a whole number of reasons, not just one reason.

Mr. Speaker, I would also like to say, Senator CHARLES GRASSLEY, who is a Republican Member, spoke very eloquently on this. He says, well, I am not trying to score political points. Again, it is not politics we are talking here. And any of the Democrats that have worked with me I know believe in they want to help kids, low-income kids, and we are going to not only keep the existing kids on the program, we are going to do what the President implied he wanted to do, was to bring more kids on. We are going to cover 4 million more kids as a result of what we are doing. I think it's up to the President, based on his message, to look at what we have done and see if it doesn't fit into that he tried to do, that he can't do that with just \$5 million.

So, the point being, Senator GRASSLEY, a Republican, is in support of this.

Ms. CLARKE. Would you put a pin in it right there for me, my colleague? I just also wanted to quote two other Senate Republicans. Senator ORRIN HATCH said, We are talking about kids who basically don't have coverage. I think the President has some pretty bad advice on this, you think?

Then Senator SUSAN COLLINS says, I can't believe the President would veto a program that benefits low-income children.

Mr. Speaker, we are talking bipartisan effort here. As we salute and talk about the heroism of those who would fight for our freedoms abroad, we have got to bring some heroics here right now. This is one of those issues where the faint of heart should not be casting a vote.

This goes to the fiber, the core of who we are as a Nation, not as a party, not as an individual, but as a Nation. Where are we going to set the bar for what is acceptable in leadership and what is not? I say that the President in this case has abdicated his responsibility as a leader.

Our children need us. Their health care is critical to the growth and devel-

opment of our communities. For every child that falls ill, we have more and more that we have to invest in getting that child to wellness. In the meantime, the educational advances that that child should have been making have not been made. The turmoil within the home and family, the setbacks there, and, by extension, the entire community

Mr. Speaker, so I just wanted to point out to you and just to highlight, as you both have, my colleagues, that this is not a Republican issue, this is not a Democrat issue, this is an American issue, and we have got to focus on this like a laser. It is now up to us in this House of Representatives to make sure that our colleagues recognize their responsibility and leadership to override this veto.

Mr. ELLISON. Dr. KAGEN, how are you looking at this?

Mr. KAGEN. I am just as frustrated as you and the American people. Where are you going to run and hide on this vote? There will be no place to run and no place to hide. You have to show your cards. Whose side are you on? Are you on the side of physicians and nurses who want access to their patients and their patients who want access to their doctors and nurses? Whose side are you on? We do not sit in the boardrooms, we are not the CEOs of insurance companies, but we are representative of peoples' voices.

You quoted some Republican Senators. I will go back home again and quote someone who writes to me, Jean, from Appleton: "What is it with this country? Health care for the rich and those in government; the rest can just die or try and live with broken bones and illness." Or Mary Anderson: "Health care issues, affordability is destroying my family and our financial stability."

I agree with you, we have to do more. We have done our job. We have created a bill that is fiscally responsible, it is socially progressive, it is the morally acceptable thing to do. That bill went to the Senate. It came back without caring for our senior citizens. It got chopped off.

We have here before the House an opportunity in the next several days to have a discussion with the American people about what kind of Nation we are. What kind of Nation turns away from its children who are most in need?

Mr. Speaker, now let's just mention something so that people listening understand about the eligibility factor. If you have got a family income that's below 300 percent of the Federal poverty level, you will qualify for this SCHIP program. All of the resources in this program will go to the poorest, the poorest working families. These are the people that need a boost. These are the people that need a lift up. These are the people who need a humane Congress, a Senate and a House to move this bill back to the President.

Let's give President Bush another chance to think this one all the way

through. My friend, my colleagues, many times I have asked myself: Are we really thinking these problems all the way through? Are we really using the best judgment? Because it really does matter who your mayor is, who your Congressman is, and it really does matter who the President, the next President is. Why? Because judgment, good judgment must be used in everything we are doing. Otherwise, it could be a catastrophe.

Mr. ELLISON. Mr. Speaker, I think that the words of Dr. KAGEN are on the mark. Elections certainly do have consequences. Elections absolutely have consequences. I do hope as we deliberate on the next phase of this struggle, because the American people should know that we will not falter, we will not back down, we will stand strong with them, we will stand strong with the children, we will keep the faith, we will be in fidelity with them on this issue of health care.

Mr. Speaker, please let everyone know that we have heard our Speaker clearly state that we are not going to back down on this one. This is a gut-check issue, and we will be sticking to it. Not only have both Democrat and Republican legislators been very clear on the importance of this issue, it is bipartisan and it is a moral issue, and our Nation's editorial boards have been clear.

It is important to point out that on October 1, The Washington Post editorial stated that President Bush appears determined to veto, and he did now, the \$35 billion expansion of the State Children's Health Insurance Program that the House and Senate approved last week. The administration's proposal to increase spending by less \$5 billion would fall \$14 billion short of what is needed to maintain the existing coverage in SCHIP alone, never mind adding the millions of eligible but uncovered children the President once said he was determined to sign up. Where is the commitment in that?

The Austin American Statesman editorial states on October 1: "For many kids, the doctor is not in." What kind of statement is that, doc?

The Atlanta Journal Constitution: "Kids lose out to politics," screams the headline on September 30.

The Chicago Tribune editorial: "A sound children's health bill." Stating further, "We urge the President to sign the measure. If he vetoes it, Congress should override that decision. We share the concern over stealthy leaps toward government-sponsored and universal health care. But this bill doesn't do that. It is a reasonable expansion of a vital program."

The New York Times editorial: "Overcoming a veto and helping children."

The Daily News, New York, editorial. "Presidential malpractice," screams the headline. "President Bush is threatening a veto of legislation with broad bipartisan support that would extend health coverage to millions of

uninsured children. He is wrong. Dead wrong."

My colleagues, do the editorial writers have it right or wrong?

Ms. CLARKE. What I think most Americans find most mind-boggling is just the mindset that our President has been in in terms of his whole rationale for the veto. He at one point said the SCHIP plan is an incremental step toward the goal of government-run health care for every American.

I am saying to myself, first of all, there is a bit of hypocrisy here, because we have the Commander-in-Chief, who I believe gets a Federal health care plan himself, saying that we are moving towards government-run health care, when he knows in fact that government doctors and government health plans do not deliver the services of SCHIP. It is private doctors, private health care that do, under private insurance. So, there is this false justification he came up with.

He at one point even talked about, well, the SCHIP bill, the proposal would result in taking a program meant to help poor children and turning it into one that covers children in households with incomes up to \$83,000 a year. I am saying to myself, this bill does not expand eligibility for SCHIP. The focus of the bill is on expanding health care coverage for low-income children who have no health insurance.

So there have been these false statements in justification of a decision that he made, which I really believe was in retribution, quite frankly. When we get to that level of angst, I guess, in our decisionmaking, it is time to sort of pack it up.

I think right now it is important that, as a legislative body, we take control and consciousness of the moves that we have to make on behalf of the American people, because, obviously, our Commander-in-Chief has decided to submerge himself into a bipartisan fight with himself. We have said here that we agree as Democrats and Republicans that this is important, and he is off on a whole other planet.

Mr. ELLISON. In fact, right in this Chamber just this past week this bill passed 265-159. When do you see things pass with 259 votes, unless they are completely noncontroversial? That is overwhelming.

Doctor, you worked in this field. You are a professional. You are in the healing arts. Is SCHIP a program where the government would be telling doctors like yourself how many pills to prescribe? Are they ordering every facet of the patient-doctor relationship? What is the real truth about this?

Mr. KAGEN. The reality is that it takes doctors and nurses to get into the room to get health care done. If you don't have a doctor and a nurse in the room, you don't have health care. And to get a child into a room, you need a parent. That is why in Wisconsin, by expanding in this State grant money, the State of Wisconsin sought to increase the enrollment of

those children who are eligible, and thereby they covered the mother of these children who are close to poverty. By mothers being covered, the enrollment went up. It went up because they brought their children in.

I have practiced medicine for over 30 years, and I will tell you, I never saw a kid in the office unless the mother or one of the caregivers was there. So if you are going to get a child to a doctor, you have to include, in my opinion, the parent.

But this overarching theme is really about values. When the President vetoed this bill, it was a reflection of his values. And how you and your homes spend your money, your hard-earned money, is a reflection of your family values. How our Nation spends its money is a reflection of our national values. And there I come back to the \$3.50 a day for a child and the \$400 million a day making war and occupying Iraq.

Mr. ELLISON. Mr. Speaker, I just want to take this opportunity, it is an excellent segue that the doctor made. While the President finds it repugnant to have \$35 billion in new moneys over 5 years, which would be what SCHIP calls for, the President in his new Iraq war supplement asks for an additional \$45 billion, totaling close to \$200 billion for the war in Iraq for the next year. That is \$200 billion for the next year. And we can't afford a \$7 billion increase for our children to get health care?

So please keep in this mind that this compromise to reauthorize SCHIP is something very small in comparison to the values that he seems to hold dear, which is waging war, in a war that we never should have been in, based on a false premise. For that he is willing to give all. But to secure the national health of our children, no money for that.

Ms. CLARKE. A fraction of the cost, my colleague; a fraction of the cost of what we are spending every day to build democracies overseas. He is not willing to invest in strengthening our democracy here at home. It is fundamental. It just almost seems like a bad dream.

□ 1915

Another thing that the President has said, the SCHIP proposal would move millions of American children who now have private health insurance into government-run health care. What planet is he on, Doctor? The main impact of this bill would be extending coverage to low-income children who would otherwise be uninsured.

Mr. KAGEN. I look at it as an investment. The children are our future. If we don't invest in our children's health, if we don't invest in their education, this Nation has no future. So we must make important decisions based on our values. We must invest in our children.

In Wisconsin, 95,000 children and 110,000 adults are covered by SCHIP.

We could enroll an additional 37,800 children with the authorization with a President who will sign a bill instead of vetoing a bill.

I believe we need a President who will work with us in a bipartisan way, a real uniter so we can take that step forward and build a healthier Nation for all of us in these United States. I can't agree more with you.

This is not government-run health care; it is not even close. It is an investment in our next generation, the generation we are going to come to depend on as we age.

Mr. ELLISON. Mr. Speaker, if I might just propose that we spend some time sort of talking about what Americans can do, what Americans might think about doing as we move forward. Of course today, action was taken in the Congress that on a date certain 2 weeks from now, we will take up the override issue. That is very important for Americans to know.

In a couple of weeks, we will be right back here in the same Chamber and we are going to see what is what. Who is who and what is what. We are going to be counting. On that day there will be no hiding, and everybody who has an election certificate will be called upon to say where they are really at when it comes to caring for the health of our children.

Mr. Speaker, I think it is important now to talk about what American citizens might consider doing. Of course people do whatever they want, it's a free country, but people feel strongly about SCHIP, and 70 percent of the people believe it should have been passed. So what they might consider doing.

Ms. CLARKE, what might an American citizen do as we are moving toward this showdown on SCHIP?

Ms. CLARKE. When we look at our families and communities, they are called upon to do so much all the time. But these are very special times we are in. It calls for us to multitask. It calls for us to go above the call of duty to address real life-and-death issues. SCHIP is a life-and-death issue. It is here, it is now, it is our neighbors. It is our coworkers' children. It is the folks who attend religious services with us. It is their children. We need to call our representatives, e-mail our representatives. We need to make sure that the Speaker's office, the whip's office, the majority leader's office, we need to make sure that we make our voices heard, jam the phone lines.

Mr. ELLISON. Representative CLARKE, one of the things I really enjoy about serving with you, you are a person of tremendous faith. And also I know that Dr. KAGEN is a man of great faith as well. In fact, only a few weeks ago we recognized Yom Kippur, a sacred holiday for our Jewish brethren and sisters. One of the phrases they use from the scripture and cite is, Let there be no needy among you.

I know you come from the Christian tradition. It is interesting to me because I noticed that one of the things

that Jesus did is that he healed people and he didn't charge them.

Ms. CLARKE. No, he didn't.

Mr. ELLISON. Let's talk about this idea. Would it be okay, and people can do whatever they want, we are not telling anybody what to do, but what somebody might do is ask their pastor to sort of talk about SCHIP and its moral implications.

Ms. CLARKE. Their pastors, their imams, and their rabbis. We need to make sure that our children are protected, and we have an opportunity to do so. We should not miss this opportunity. We don't know when it will come our way again.

Just think about the lives in between, the children's lives in between that will be adversely impacted if we are unable to override the President's veto.

We don't have any time to waste. The imperative is there. And I think there isn't a parent, an aunt, an uncle or grandparent who doesn't understand what it is to stay up late at night when their child is ill and to feel helpless. Compound that with the fact that you can't even go to a doctor until, as your President says, they are sick enough to be wheeled into an emergency room. There has got to be a better way, my colleagues.

Mr. ELLISON. Dr. KAGEN, what might Americans consider doing? For people who feel SCHIP is a worthy program, a meritorious program, overwhelmingly Americans agree on both sides of the aisle, so what might they consider doing? Particularly people who are busy and working a couple of jobs, getting kids and getting groceries, is this the type of thing people might want to get active on?

Mr. KAGEN. Most people I know in Wisconsin are hardworking and they are just trying to get through the day, just like us. We are trying to get through the day and get our rest in. But this is a time for our country to raise up and ask questions, to find out about the conscience of America, and really ask the question about what kind of Nation we are and in which direction we are going to turn.

If we stay on this divisive path, this path of partisan politics, we are not going to be able to solve any of these complex problems we face, whether it is war and peace or health and disease. If we stay on the path that the President has put us on with his veto, it is an expensive path. He is asking our children and their caregivers and parents to take them to the emergency room and not to their doctor. The President is asking us to take a path not towards prevention, to prevent illness and to prevent the big bill that is coming, but he is taking us down the road that leads to an end we don't want to be on. It's a path we cannot afford to take. We have taken a path, a wrong path, that led us into Iraq. It may lead us into a recession yet to come that no American citizen can afford. It will at some point in time raise our taxes, de-

preciate the value of our dollar and create inflation in this country because we haven't paid for a dime of our involvement in Iraq yet. We borrowed the money from China, and it is our next generation, this generation of children that won't be healthy, that won't be working.

We understand it makes sense. If you are working, you earn money and you pay taxes. We can lower people's taxes by having a healthy generation of children. It is just that simple. If our Republican colleagues would understand, if it is just about money, we are going to save you money. Give our children, the children who are most in need, an opportunity to see their physicians and their nurse practitioners. Give them an opportunity to be healthy. They will get the education they need, and we will pay less in taxes and we will all be better off for it.

What can people do? The first thing they have to do is believe. People must truly believe there is hope. I do believe our class, our class of 2006 is America's hope. It is America's hope for a different direction, a positive change and a new direction. I think by our being here tonight, by staying overtime and having this conversation with one another, hopefully the American people are listening to it and they will begin to have faith and hope that there is going to be a positive change.

And I hope that the President is listening, if not to us, he should listen to the American people. I will share with you one other constituent's thoughts. Donna Killian: "Our country desperately needs health care reform. In this very wealthy country, there should be no one denied good health care because of a lack of insurance or income. I, myself, am disabled and 54 years old. I am disabled due to excruciating, chronic pain all over my body. If something happened to my husband, then I would be uninsurable."

What kind of Nation are we when Donna has to be concerned about this, when every single American understands they could be next? Lose their insurance, get sick, and lose your house.

As I stand here tonight, as my colleagues know, I respectfully declined my health care coverage when I came here. I wanted to make a statement that until each and every American has that same opportunity to make a selection of health care coverage, I didn't feel it was right for me to accept something that everyone back home was not also offered.

I think this Congress has to consider health care a crisis. It is a national nightmare. We should consider health care access more like hunger. If every Member of Congress was hungry, we would solve this problem in a week. If every single Member of Congress had no coverage, with the bills you can get in the emergency room or if you get cancer, we would solve this problem in several weeks.

Again, I come back to believing in hope. I do believe that we will have an

opportunity to take this Nation in a different direction, a positive change. My only hope is that it happens sooner than later. But mark my words, it may not occur until we paint the White House door a different color, from red to blue.

Ms. CLARKE. We are already moving in a new direction. Under the leadership of our Speaker NANCY PELOSI, this Congress has risen to a new level of stridency and of focus with regard to the issues that are impacting every district across this Nation. So we have to be very clear. We may not see the tangible results right this second, but they are all lined up and we have already seen a number of really extraordinary pieces of legislation passed here in the House. We have even seen the College Cost Reduction Act signed into law.

We should not overlook those things, and understand that none of that came easy for us. We had to put ourselves on the line. We had to stand up and be counted. We will do that again with SCHIP. This is just another bump in the road, but I believe without struggle there is no progress. We need to make sure that the American people, the parents, the grandparents, tune in and let their voices be known.

Mr. ELLISON. I agree with both of you, my colleagues. We have to believe. We have to believe we can make a change in the same way people believed that we could have workers' rights, and we believed that we could have civil rights, and we believed that we could have a freer and better America.

Ms. CLARKE. And women's rights.

Mr. ELLISON. Let's never forget women's rights. People who made those things happen believed they could happen even though they didn't exist at the time. We have to believe, as Dr. KAGEN says.

But it wouldn't hurt anything if we wrote in to our local newspapers and church bulletins to let people know how we felt about this issue. It wouldn't hurt to talk to our rabbis and our ministers and our imams in our faith communities to talk about this issue, make it sort of an issue that we talk about and make sure that people understand what is going on.

It wouldn't hurt to have a coffee klatsch. Invite some people over to talk about it. It wouldn't hurt to talk to the teachers and the principals in the local community about it. That wouldn't hurt a thing. Build awareness. Help get a teacher's perspective on what it is like to teach a child who is coughing and sneezing and wheezing and can't really focus on his or her studies.

We can e-mail and write and call in to our elected officials. That is something we certainly should do. It is time for people to come together and demand an override to this awful veto.

I would invite my colleagues to make some final concluding remarks.

Ms. CLARKE. Let me start by thanking you, Representative KEITH ELLISON of Minnesota, for leading the class of

2006 on the floor as we really get to the substance of a real disappointment to the American people today, which was the veto of our SCHIP legislation, the bipartisan SCHIP legislation, and just to say that when we provide for the least of these in our society, we are building a stronger Nation. When we recognize that no one is disposable in our society, we have an obligation to reach out and to provide for those who can't provide for themselves.

□ 1930

If we take care of a child today who's low income, that child becomes a productive part of our society. They will be taking care of us as we grow older, and it's a cycle and it's a circle, and when we understand that, then we know how important this vote is coming up. And we want to urge our colleagues across party lines, hold the line on SCHIP, hold the line on SCHIP. Our low-income children, our children in our communities, our families who are just struggling to make ends meet need us to be there for them to override this veto.

I want to thank my colleagues for having me in the class of 2006 and speaking out today and turn it over to my colleague, Dr. KAGEN of Wisconsin.

Mr. KAGEN. I thank my colleague, and some have said you ain't going nowhere; there's more work to be done.

Ms. CLARKE. That's right.

Mr. KAGEN. I want to thank you for the opportunity, Mr. Speaker, for sharing with the American people what's happening here in their House, the House of Representatives.

I would remind everyone here on the floor and at home that we are all in this together. As the poorest among us go, so go we all. We have an obligation to care for all those who are in need right here and right now, and by working together I'm absolutely convinced we have the opportunity to change America, but we can't do it without the people's help.

They should call their Representatives. They should e-mail and write, but bear in mind, we have writing that's slow mail. Send an e-mail. Call your local Congressperson. Express yourself. Your voice will be heard.

It is our duty to listen to the American people. That is exactly what we've been doing, and their voice has been heard tonight in the House of Representatives. We must stand up and fight for the health care for our children on whose future we depend.

Mr. ELLISON. The Members of the difference makers, the majority makers, the class of 2006 who are in this 110th Congress ran on a platform of change, succeeded on that platform as Americans all across the country endorsed that platform of change, coming together from diverse parts around the country, all for one thing, which is to elevate and uplift the public good and the interests of the American people. Whether it's on the issue of war and peace or disease and wellness, or what-

ever it may be, education, workers' rights, civil rights, environmental sustainability, whatever it is, we will continue to raise our voices because we were brought here to bring change.

We're fresh off the campaign trail, knocking on doors, talking to folks at the doorstep about what they need and what they care about. Our idealism is high. Our energy is high. Our resolve is strong, and we will be here for the American people.

Mr. KAGEN. Together, we will.

Mr. ELLISON. Together, we will.

Ms. CLARKE. Together, we will.

Mr. ELLISON. That's right.

ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. PETERSON of Pennsylvania. Mr. Speaker, it's a pleasure to join you this evening and talk about an issue that I think is vital to America's future.

We're in the beautiful time of year. My favorite time of year is the fall season, and it's arrived. We have now a week of fall behind us. The cool days and cold nights will soon be here all so quickly, and the home heating season will begin where Americans will struggle this year to keep their homes warm, and American factories and businesses and manufacturers will struggle to pay their very high energy bills to continue to compete in a global economy, manufacturing, processing and distributing their goods.

Home heating oil prices this year will be record highs with the \$80 oil that's upon us and that has been with us for more than a week now. Home heating oil prices will have the largest increase, and those who heat with home heating oil will be under severe pressure to be warm affordably. Propane and natural gas prices are scheduled to go up again this year, propane a little more than natural gas, but both of them, and that's barring no storms in the gulf.

We've been very fortunate in the country. For a year and a half now, we have not had a major storm in the gulf, and why that's a problem is 40 percent of America's energy comes from the gulf. And when we have a major storm there like Katrina and Rita in the same year, there's huge disruptions in the ability to produce both gas and oil and refine it and process it and ship it around this country, and it will help prices to raise drastically.

I guess the question I ask tonight is, what is Congress doing? Is it a discussion? I don't know about you. I've listened to the last two Presidential debates, one Republican, one Democrat, and the press asks the question, but not one question while I was listening was asked about energy. I find that amazing because here we are with \$80 oil. Is it a new floor?

My chart, which goes through 2006, has this up as high \$60, but we're clear up here in the \$80s. Most people were very concerned that \$60 and \$70 oil would put us into recession, but when you look at the constant increase in the last 5, 6 years of oil prices just skyrocketing and no stopping, and the scary part on oil is that historically in the world marketplace we had slush. I mean, we had extra oil. There were 10, 12, 15 million barrels of oil that were available to be produced daily if we needed them. I'm told today that we're lucky between 1 million and 2 million barrels a day is available if we have a crisis.

So, if we would have a storm in the gulf that could take a few million barrels off the market and you had one of our Third World countries that ship a lot of oil have a governmental problem or a terroristic attack one of their sending stations or their pipeline systems, then we could lose 4, 5, 6 million barrels of oil a day. You would see prices at \$100 very quickly. \$100 oil will have a severe crisis in this country.

We now have \$7.50 gas. It's going up weekly now. The season is here. We're through the soft season, and much of the gas in the ground for this year's storage was put in at much higher prices than that. Then you have the storage costs and the distribution costs, and we're talking about a sizeable increase in natural gas prices this year.

As I was showing you the oil chart, oil prices continue to spike, and yet we hear nothing from Congress. We don't hear questions and much discussion in the Presidential campaigns, and I find that confounding because energy, reasonable, affordable energy, is why America is what it is today.

Natural gas prices, you know for a long time natural gas prices were around \$2 or less, and then we had spikes, and then we came back down. And now we are on the same path as oil. We're right up here about here now, \$7.50. That's out-of-the-ground price. That's not the price you and I pay at home or the companies pay. Pipeline charges, storage charges, distribution costs, I mean it's clear up in here, \$12, \$13 gas when it gets to us as a consumer.

But the price out of the ground, this is the price out of the ground that we start at. We're up here. We will be soon approaching \$8, and that will continue to rise as heating season comes and industry continues to use.

Well, why is this? Why is America having this constant skyrocketing prices in energy? Well, here's one of the reasons.

About 26 years ago, the President of the United States and two Presidents since and Congress both put moratoriums on producing offshore. That's called our Outer Continental Shelf. The States control the first three miles, and then the United States Government controls the next 197 miles to 200.

Now, the only place we've historically produced is right here. 40 percent

of our energy has come from this little area, and last year we opened another small area down here that will be helpful, but will certainly not solve our problem.

So America is the only country in the world that has locked up its best oil and gas reserves that cannot be produced. Countries like Canada don't do that. Great Britain, Norway, Sweden, Denmark, Australia, New Zealand, all environmentally sensitive countries, they all produce out here. Everybody's given kudos to South America, to Brazil for being one of the first countries that is now energy independent, and everybody thinks it's their ethanol. Ethanol was a part of it, but they opened up their Outer Continental Shelf. They produce out here.

There's tremendous gas reserves around Florida. There's tremendous gas reserves up and down the coast and oil reserves. Now, there are those who are afraid. The last oil spill we had offshore was at Santa Barbara in 1969. That's a long time ago, and we've never had a natural gas spill and we never will because natural gas escapes into the air.

Now, we could also put some huge blocks in here of where we, the government, have locked up some of our best reserves in the West, and for some reason, we, being one of the largest users of energy in the world, have decided that we're not going to produce it. So we're very much the reason, because of those charts that I showed you previously are just going almost straight up.

Now, we do have energy bills in the House and the Senate, and they will be considered at some point in time. They're not scheduled yet. They were supposed to be on the floor now, but they've not been scheduled yet but we think they will be. The only problem is, as you see at the top of my chart, we call them the No Energy Bill because they don't produce energy.

They lock up 9 trillion cubic feet of America's natural gas. It cuts off production from the Rome plateau, a huge clean natural gas field in Colorado that was once set aside as the naval oil shale reserve in 1912 because of its rich energy resources. This means that 9 trillion cubic feet of natural gas, more than all the natural gas from the OCS bill passed last Congress in the gulf, the Rome plateau has already gone through NEPA, that's all the environmental assessments, and is ready to lease. This position was not in the original Resources Committee bill and was added without any public hearings or very much debate on the House floor.

It also locks up 18 percent of Federal onshore production because it requires redundant environmental studies. I authored an amendment in the 2005 energy bill that was very helpful. Those who were opposed to us producing energy in America, and there's lots of those, all the environmental groups that had decided that we shouldn't

produce fossil fuels, that they're just not a part of our future, even though later I'll show you they almost have to be, this bill that we passed took away the redundant use of NEPA. NEPA's an environmental assessment that has to be done before we do much of anything.

What they did was this is akin to doing an environmental review for a parking lot with one car and then requiring a second environmental review for a second car in the lot. It makes companies who have leased land do an environmental assessment for the overall outlay or overlay of a proposal to where they're going to drill and produce. Then it does another environmental assessment for the roads they're going to build. Then it does another environmental assessment for every well they drill. These are many, many months long, sometimes year-long proposals that have to be developed on how the environment's going to do.

So the use of redundant NEPAs was a way of just stalling and stopping production, and we were pleased when we got that legislation passed in 2005, because in the West there were people who had leased land for 6 and 7 years and never been able to produce it. So we were able to help them.

This bill locks up 2 trillion barrels of American oil from the Western oil shale. The bill stops the leasing program for oil shale reserves on Federal land that hold enough oil supply for the United States for 228 years. This is more oil than the entire world has used since oil was discovered at Drake Well in my home district nearly 150 years ago and over twice as much oil as the entire OPEC cartel holds.

Meanwhile, China's developing their shale oil. Now we're in the process of developing how to get that oil released. It's like similar to Canada's tar sand oil. They've worked at that for a decade or more, and today they're producing 1.3 million barrels of oil just above the American border.

□ 1945

A lot of that oil is coming down here to be refined, thank the good Lord and thank Canada. But they are at 1.3 million barrels, and they hope to be at 3 to 3.5 million barrels at some point in time, but they have developed the ability to release that oil from the tar sands. It has been known to be there, and that is very similar to our shale oil.

Are we learning how to do it? Are we continuing to start and get some pilot projects going? No. The legislation before us will take it off the charts.

Well, we go on down here, it locks up 10 billion barrels of oil from the National Petroleum Reserve. Again, that's in Alaska. This bill will make it much harder to produce energy from Alaska's national oil reserve that was set aside in 1923 for energy for this country.

It has only recently begun to be explored starting with leases issued by

the Clinton administration. Under current law, the Department of Interior can extend the time of a lessee who might have begun to produce energy without fear of losing his lease.

Producing oil offshore is a complicated, expensive process. Sometimes if they have a lease of a certain period of time and they don't get their leasing done as quickly as they would like to, maybe for many reasons, caused by government, then they want to take away the right to renew that lease and extend it. Again, it would take that amount of oil, 10 million barrels, away from the marketplace.

Then we go down to breaking legitimate offshore energy contracts. We have contracts that were given for the deep water oil. We have companies that have spent \$2 billion producing energy out in the deep water, I mean, way out there several, many miles deep, very expensive, very costly, and they have not yet made a profit.

But there are those who think they should be paying royalty, even though they are not making a profit, and want to, with legislation in those contracts, or prevent them from having contracts again. That's not exactly how the American economic system works, but there are many here in Congress who want to confiscate those leases, even though they were legitimately given by the Clinton administration.

It also inflicts a \$15 million tax increase on American oil and gas companies. Why would we do that?

Well, there are those here who hate oil companies. A few years ago, Congress lowered the corporate tax rate for all manufacturers and processors, and that included oil producers and manufacturers. This no energy bill singles out the oil and gas industry, hiking their tax rate back up to 35 from 32 percent. So my refinery in Bradford, Pennsylvania in my district and my refinery in Warren, Pennsylvania, United in Warren, Pennsylvania, will pay 3 percent more corporate taxes than all the manufacturers and processors around them.

Will that help us to have more energy in America? No. Will it make it more expensive to produce American energy? Yes. Does it make sense in the big, long-term of energy production for America? Of course it doesn't.

Now, the next one down here, all the legislation ignores alternative energy like coal-to-liquids. It seems like coal has been shut out by many. Coal cannot be a part of our future, according to many, but we are the Saudi Arabia of coal.

The future of coal is not just using it to make electricity by burning it, but making liquids from it. During World War II, Germany was blockaded. They didn't have oil, so they made oil out of coal, and the Fischer-Tropsch method was one of them. There are several others now, but we need to, in this country, in my opinion, we need to be force-feeding some coal plants that are making liquid fuels, diesel and gasoline and jet fuel, out of coal.

We also need to be making natural gas out of coal. We need to have those plants online, refining that process so it can be cost-effective, because these plants cost from \$2- to \$3 billion apiece for just a medium-sized plant, a very heavy capital investment. They need some incentives, some loan guarantees, some help, to get these plants up and running to make sure that that's an alternative.

Why do we want to do that? We need to have as much energy available to Americans as we can get, all kinds of energy. We will get into that in a moment.

The more alternatives we have and the better supply we have, the more affordable the price will be. Today, those first charts I showed you with the prices skyrocketing, it's because we have a shortage of almost every kind of energy. So we believe that it's very important that we have coal-to-liquid.

Also, on the last one here, we raise false expectations by mandating that we have 15 percent renewables used, that's called the renewable standard, to make electricity. Now, I wish we could make 15 percent of our electricity from renewables. We are currently, on an average, nationally, at 3. Some States and some plants are doing better than that, but they have resources and the ability in their area to do that.

Not every part of the country can do wind and can do solar. The sun doesn't shine often enough or the wind doesn't blow regularly enough. Those are very specific areas where you can do that. And other places just don't have the renewable fuels that could be used.

We think the Federal standard of 15 percent will force companies into making electricity in very expensive ways and will skyrocket electric prices, especially in areas where you just don't have access to renewables. We believe the 2007 energy bills that are currently in the Senate and the House are no energy bills.

Now, there are some good conservation measures in there. There are some things in there that will stimulate renewables. But there is no energy there. It limits gas, it takes away oil, it has nothing for coal, and it makes it much more difficult to produce in existing fields.

Now, let's look at where we are at in the country today. Energy in America, these are 2005 charts, we still have them from the Energy Department but they haven't changed very much in the last year and a half. Forty percent of our energy is petroleum. That's oil. Twenty-three percent is natural gas. Twenty-three percent is coal. Now, this has been a growing figure, because 12 years ago, we took the lid off and we allowed an unlimited amount of natural gas to be used to make electricity. We use to limit that, that it could only be used for peak power, and so a very small amount was used. But now a lot of natural gas is used for electricity. In fact, about 20 percent of our electric

comes from natural gas. Nuclear has remained 8. The only reason it has remained 8 as electric use has went up is because we've squeezed more production out of our old plants than they were designed for. We have been upgrading them and working them overtime.

These plants are producing more electricity, but the bad news is that we need 35 new plants online by 2020 to stay at 8 percent. That's going to be a big job for America. So that means if we don't do that, we are going to have to substitute something else for the nuclear that's not going to grow maybe that fast. We have 35 companies with permits now, it takes 4 years to design them, 4 years to build them and with delays, that's at least a decade.

So if we don't have those online by 2020, then we will be looking at other ways to make more electricity that we are not making out of nuclear. Then we have hydroelectric. There is no growth here. This is a shrinking figure because actually we have the environmental groups that want to tear out the dams we have. They want nothing to do with damming up a waterway and using that to make electricity, so that's a figure that will continue to decline.

Now, biomass is the one that has been growing. That's wood waste. It's being used to make pellets to heat our homes. We have pellet stoves and pellet furnaces. That's the new fuel, so that's using waste wood, sawdust and trimmings that are ground up and made into pellets.

Now, biomass is also being used as topping the load on electric plants that are using coal. Because to meet air quality standards, if they use 80 percent coal and 20 percent wood waste, they can sometimes meet the air standards, depending on the coal they are burning that day. So wood waste is an add-on. Wood waste is going to be used down the road making ethanol, we believe.

But biomass is the one that's growing. We also, in the wooded areas, like my district is a big timber district, we're using wood waste to heat all of our dry kilns now that we use to dry our wood. We use to use natural gas and fuel oil for that. I shouldn't say all, but many. Because of the prices of natural gas and fuel oil, you can't hardly afford to use it anymore for that purpose. Many of the small factories where they process wood, they use the waste to heat the factory. So biomass is sort of finding its own market, especially in the areas where you have strong supplies of it.

Now, geothermal is a very good form of energy, but it's a costly investment. It's where you either drill into the water table, and then when you pump that up into your system, you take heat out of it in the wintertime, or you take coolness out of it in the summertime and send it back cooler or hotter.

Another way to do it is to put a big loop pipe system in your property. Then you get it below the frost line,

where it stays at 54 degrees all the time, and you take heat out of it in the wintertime, and you take coolness out of it in the summertime. You will use a fair amount of electricity with that because there are a lot of pumps, but this has been a pretty affordable type of energy, and it's renewable. You use some amount of electricity, but not as much as you would in direct electric heat.

Now, wind and solar are the ones that we are putting an awful lot of pressure on, and everybody is talking about. Wind also has its opponents. We had a bill proposed this year by the Resources Committee that actually stated that if you found a dead bird or bat at the foot of a windmill, it was a criminal offense. Now, that language has been removed, but somebody believed that, and I also serve on a committee where one of the gentleman there raises the issue there all the time with the Fish and Wildlife Service, why they are not arresting windmill operators where they find endangered species birds or bats at the foot of the windmill, that that should be a criminal offense. I have heard that argument each year now for a number of years. It has its opponents. I am not one of them. But wind has limited application. When the wind doesn't blow, you have to have a redundant supply. That takes us back up to natural gas, because natural gas is the generation where you can turn the plant off and on quickly. That's why we historically used it for peak power in the morning and night, when we're running our factories and we are using a lot at home, that's when the greatest demand for electricity was and that's when we turned on the gas generators. When the wind doesn't blow, you turn on the gas generator. When the sun doesn't shine and you don't have solar coming, you turn on the gas generator.

Now, what I think the American people and too many Members of Congress don't understand is how small they are. Wind currently is 0.12 of a percent. Solar is 0.06 of a percent. Let's say we could double them every 3 years. This would be 0.24, and this would be 0.12. Let's say 3 more years we double it again, and then we would be 0.48 and 0.24. We are still a very small fraction and now we are already 6 years down the road. And, you know, to get to 1 percent would take decades.

So we have to realize, as good as these are, and as much as we want them to be a part of our energy supply, they are limited in the ability they can produce. So those are the facts sometimes that sort of get lost.

Now, another issue I want to mention is the new issue here, the issue that's getting a lot more attention here in this House and in the Senate is climate change. Climate change is the fear that the use of fossil fuels and putting CO₂ into the air is harming our environment and causing the surface of the Earth to warm.

Now, there are many scientists that don't agree with that. I know the sun

scientist from MIT doesn't agree with that. She has a pretty strong history where when the sun hits us directly, we warm for a decade or so. Then when the sun is hitting us a glancing blow, we cool. But there are those today that are convinced that it's CO₂. That's what we breathe out. We breathe out CO₂ and we breathe in the oxygen. The plants take in CO₂ and they process oxygen that we breathe. It's that even exchange. But there are those who feel that we have too much CO₂ in the air and are really wanting to treat CO₂ as a pollutant, and they are really somewhat being successful with that, which I think is going to be harmful.

Now, I am not saying we shouldn't be observing it, I am not saying we shouldn't be working on how to sequester carbon as we use fuels, that we shouldn't be working on all those things, but I look for us to put on measures that will raise energy prices up to 30 percent or more because of having to deal with the carbon issue. The carbon issue makes it very difficult for coal to participate, and that's what we own the most of. And it makes it very difficult for petroleum. That's what we don't have a lot of but we use a lot of for our transportation system.

Then when that happens, we will be putting great pressure on natural gas, because it has no NO_x or SO_x, very clean burning, and it has a third of the CO₂ of any other fossil fuel. It will move to gas if we force companies to measure how much CO₂ they are putting into the air, and it will decimate certain industries. We probably won't make lime and cement in this country. I guess what worries me is when we don't manufacture anything in America.

The current natural gas prices have caused us to lose 50 percent of the fertilizer industry in the last 2 years. The petrochemical industry is in the process of building all their new plants offshore, where natural gas is a fraction. That's another point I want to make is most Americans are not aware that our natural gas prices are the highest in the world.

How is that? Well, it's not a world price. When oil has been \$80, and that's a scary figure to me, and nobody is talking about it now. It's just kind of like, well, it's \$80, but natural gas prices, when we have \$80 oil the whole world has \$80 oil, so competitively it keeps us even.

But when natural gas prices are two, three, four, five times higher here than in other countries, it gives those countries a huge advantage. I have been promoting that we must, as a first priority, open up natural gas.

Before I go to that, I just want to mention, here is the chart that shows us our oil imports as we continue to become dependent on foreign, unstable countries.

□ 2000

And we're up here right now. This is of course old data. And we're up here

right now at 66, and we're going up 2 percent a year and we'll soon be at 70 percent.

Now, is that bad? Well, a decade or so ago, when oil was much cheaper, you know, over in the 30, 20 range, and back here when it was below 20, and I remember when it was back here at 10. Now, these are the average prices per year. So during this period of time we've had \$10 oil a number of times. But then in the year average, so this chart is the annual average price, so it doesn't show the \$10 level. But when oil was 20 and \$30 a barrel, it was much more affordable. And a lot of people said, well, we should be using their oil and saving ours. Well, we did that. Well, when you get up here to where you're at \$80 oil, it seems to me that that's pretty concerning. And how do we compete as a country when we have \$80 oil ongoingly and could have spikes from that?

Now, we believe that, I want to go back to this chart here. We believe it's time to open up the OCS. And our proposal opens it up for natural gas only. It's a bill that we now have 165 cosponsors of. It's called the NEED Act. And it also sets aside funds for a lot of very good purposes. But it would open up both of our coastlines and the rest of the gulf for natural gas production only.

Now, the States currently control 3 miles. We're prepared to give them, with this legislation, 50 miles. And they could open that if they chose to, but they would have to pass a law asking for it to be open. The next 50 miles would be open automatically, but they have the right, within 12 months, to pass a bill to say they don't want to produce. So we have States' rights for up to 100 miles, where now they just have it out to 3 miles. Then the second hundred miles would just be purely open.

So we believe that making natural gas available and stabilizing natural gas prices, we can preserve the petrochemical industry in this country, we can preserve the polymers and plastic industry in this country, we can keep what steel and aluminum manufacturing and bending and shaping companies we have left.

I predict that if we don't stabilize natural gas prices for home heating, for business heating, and for production of products, we will be making bricks and glass in nearby South America where gas is a buck and a quarter, when our average retail price will be 11 or \$12. Those companies will go there and save millions of dollars in energy costs, and they can ship those bulky products like bricks and glass to us in a boat in a day or two. Not very far down here to South America.

We have enough competition with China and India. Their natural gas prices are way lower than ours, maybe a third of ours, and so they have not only the cheap labor advantage, we're giving them an energy advantage.

And I guess the part that I've struggled with in this Congress, Mr. Speak-

er, is it seems like Americans are just immune to the impacts of high energy prices. Now, this winter, as I started, when we start heating our homes, we will feel pain. The poorest among us will struggle to heat their homes this winter, especially when they live in older housing that's not as tight, doesn't have the new windows.

I found it interesting this year, I'll just step on a sidebar here for a minute. The Speaker of the House wanted us to have a less carbon imprint for the Capitol, and so she's mandated that we switch from using less coal to heat the Capitol complex and more natural gas. Well, that costs us an extra \$3 million because gas is much more expensive, and it sets a precedent out there to all of our local governments and State governments and all the other departments of government that they ought to do the same. And I see universities doing it now, switching to clean natural gas, spending more money.

But what we didn't do is this building and all the buildings we work in still have single-pane windows that let the heat out or the cold in. It would seem to me that the first thing we should have done was to put modern windows in our buildings to keep the heat in and keep the cold out, because there's a huge difference between a single-pane window and a triple-pane window, whether it keeps the heat in and the cold out or the cool in in the summer time and the heat out. So windows should have been our first measure. But no, we're putting in the little curly-cue light bulbs in all our offices now, by mandate, by law. I'm not opposed to them. I have some in my house. But they unfortunately are all made in China. They're not made in this country. And so that's another part; we are mandating China products to light our facilities around here. And we're now forcing natural gas to be used instead of coal, which will cost us more but will send a precedent around the world. And if everybody, if all the governments do that, all the agencies do that, all the educational facilities do that, we'll put tremendous pressure on natural gas.

Now, our natural gas bills, I explained that and I'll just explain it again. The first 50 miles will be controlled by the State, only produced there if they pass a bill and ask to be opened up. The second 50 miles will be open, but the States have a right to close it with legislation if they can pass it and their Governor signs it, the second hundred miles would be open for natural gas only, not oil.

Now, we also have some things that we think are pretty important in this bill. And as you look there, we're going to give \$150 billion of the royalties to the States. That's an incentive. So as they produce in all the coastal States, they will then have the ability to have some of those monies for their reserves, and we think that's important.

Then we have \$100 billion for the government. The Federal Government will

get \$100 billion utilizing the resource on the Outer Continental Shelf over a period of years. And we're going to have \$32 billion set aside for energy research and production, real money, not a few \$100 million, but billions of dollars to do the essential research and develop the renewables that can help us in the future. And \$32 billion set aside in a fund for carbon capture and sequestration research. That's what we're talking about today. Not talking about it. We would get affordable energy for Americans to heat our homes and run our businesses, and we'd get \$32 billion over a period of time to figure out how to deal with the CO₂ issue, if that's our number one problem.

Now, I think affordable energy is a far bigger problem than CO₂. I know the pain that's going to be felt in this country for the home heating costs and the small business costs, but the job losses as we, and we have the potential of losing millions of jobs in America, more going to foreign countries because of our energy prices. That's the concern, because when the working man loses his chance to make a living, how does he afford to heat his home? How does he afford to have a home?

Now, we have some areas that have been wanting cleanup money for a long time, and the first one here is the Chesapeake Bay. They've wanted \$20 billion, and their proposal says they need \$19 billion to clean up the Chesapeake Bay, and the State's put a little bit of money, the Feds put in a little every year, but it's kind of trickling in. This would provide them over a period of time the money they need to clean up the Chesapeake Bay.

Great Lakes, the need, their studies have all shown, their organization's the same. They need \$20 billion to clean up the Great Lakes. Well, this bill would provide them with the \$20 billion to clean up the Great Lakes.

Then the Everglades. You know, we've been putting money in the Everglades every year. Well, this would give them \$12 billion for Everglade restoration.

We've been talking about the Colorado River Basin restoration. Well, this would give them \$12 billion for restoring the Colorado River Basin.

And the San Francisco Bay restoration. This would give them \$12 billion for the San Francisco Bay.

Now, the issue that I always find confounding here, every year we give more and more money for LIHEAP and weatherization, and rightfully so, because the reason America has the highest energy costs in the world is Congress and the administrations that have been running our government, both parties, we have not, either party, adequately went after energy. I think my party is more on the right track than the other party, but neither party has done what we need, and that's why we're in trouble today.

And then when we're in trouble and it costs so much to heat our homes, we have to help the poor. We also have to

save energy by helping the poor weatherize their homes, because they don't have the money to spend to save money. So we put \$10 billion into LIHEAP and weatherization to help Americans to heat their homes.

I'm going to go back to the first chart here. World oil prices. Here we are, as I started, we're now clear up here, clear up off the chart, \$80. All week long, in fact, it's been as high as \$83. Have we heard much about it on television? No. Hardly mentioned. Do we hear about it in the Presidential debates? No. Has it been any special meetings here in Congress? No. Has there been any discussion in the last few weeks about the energy bills that are languishing to be considered and need to be conferenced? No. It's like it doesn't matter.

Mr. Speaker, it does matter. \$80 oil. I've talked to experts in Federal agencies that have dealt with energy all their life. They told me in a private meeting that they thought \$60 to \$70 oil for a long period of time, or for, you know, a decent period of time would stall our economy. And then we hit \$70 oil for quite a while, and then it got up around \$75, and it still hasn't stalled our economy. And they said they know we're getting close to that price point. They don't know where it's at, but they don't think it's far away. And folks, when that happens, it takes a long time to come back, because here's the problem.

As we go back to the big chart that I had, I want to put it back up here. The problem that we have with energy, to open up the Outer Continental Shelf to get gas, and then maybe at some point oil on out, it's 10 years from the day you pass a bill till you have any quantity of energy. If we do new nuclear, from the day you put some new incentives in or figure out some ways to entice companies to invest or government helps invest, you're 10 years away from production. Everything we're doing, and we don't know when. We hope it's soon, but we don't know when wind and solar will be a real mark on the chart, will be percentages of our energy portfolio. There are people who think we are right up there. They've been saying that for a decade. And nobody's holding them back. They're highly subsidized.

I haven't talked about ethanol. Ethanol is the one that's happening with petroleum. You know, we now use 6.3 billion gallons of ethanol this year. There's almost as many plants in production being built as there are in production, that in a year or two will double our ethanol. And that's from corn. The price of corn has gotten high. Now, our food prices are rising, and the cost of making ethanol's very high. It's almost an energy swap. I'm not against it because it's American made, but there is some danger in putting too much of your portfolio when you're using food to make your fuel.

And the cost, what do we use to make ethanol? Natural gas. Huge amounts of

natural gas. If we can break the hydrogen link, what do we use to make hydrogen? We use natural gas. Biodiesel, we use natural gas and soybeans. Ethanol, natural gas and corn. Natural gas is the one, the only one that gives us hope. It can be a bridge. Natural gas could replace a third of our auto fleet and really cut back our need for oil. But there's no push to do that. It would burn cleaner. The only problem with natural gas in vehicles is you can't drive as far. You can't have a big tank. But all your short-haul vehicles, all your taxicabs, all your small engines, all your local tractors, a lot of your construction vehicles that are nearby and can be fueled up every night, they could all be on natural gas. That's an exchange of carburetion. Our current engines will burn natural gas. And so natural gas, if it was more affordable, if we got out on the Outer Continental Shelf and produced it and we had lots of it, it's our hope till renewables grow to where they can really help us.

My concern is there's no sense of urgency here. Congress does not have a sense of urgency. The White House does not have a sense of urgency. Where do we get our oil? Eighty percent of the oil today is owned by governments, not companies, Third World countries, very few democratic governments, dictators, unstable governments, they not only own the oil, they're producing it. And when government produces, it's never efficient. It's like Mexico.

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Mexico is loaded with energy. We actually export some gas and oil to Mexico because they just can't get out of their own way. Their government is so inefficient and so ineffective, they can't get it out of the ground and get it refined. They actually buy some from us.

The most energy we buy from any one country is Canada. Thank God, to the north of us, if Canada really produces gas and oil and they are reaching into the new fields with the oil sands and so forth, they're moving. They are an environmentally sensitive country, but they are moving forward with their energy production. And, fortunately, we benefit from that.

But to the south of us, 80 percent of the oil is owned by unstable countries. They not only own it, they're producing it, they're refining it, and they're marketing it. And what they are doing that is very troublesome is they are skimming off the profits, instead of putting it back into the business, and using it for all their social programs and for people to live wealthy life-styles, and their energy patches are often a mess. Many of them have kicked out Big Oil. Big Oil has been chased out of country after country. Their investments have been captured. I could name a whole lot of them, Nigeria, El Salvador, Russia. Country after country has nationalized their energy, chased the big boys out that actually had the expertise, and

are now running their own refineries. We have 80 percent of our oil coming from countries that are not run like a business. And they are not democracies. They are not efficient. And so the supply of petroleum could decrease quickly if two or three of those countries get in any kind of trouble or would have any kind of an explosion in their major pipelines or refineries or sending stations.

Terrorism is a threat to energy. Terrorists could put this country in serious straits with little explosives in the right places. It's a scary world.

I guess the part that bothers me tonight is as we approach this season, this heating season for America, Congress ought to have on its agenda that we are going to provide affordable energy for Americans by producing adequate amounts of energy so we can bring the prices down.

Prices aren't set by big oil companies. Everyone blames them. Prices are set by the stock market. And every day they bid on what the price of natural gas is going to be, what the price of oil is going to be, what the price of fuel oil is going to be, what the price of kerosene is going to be. Those are all set by traders on the market. And if it shows there's a little shortage, they run the price up, and that helps add to the price. Fear of a shortage.

Well, we know there is an upcoming shortage of oil and gas in America. And we also know that we are doing very little. China is building a coal power plant every 5 days. They are building a nuclear plant every month. They are building the largest hydrodams known in America. They are buying up oil and gas reserves from countries whom we have historically purchased from. And I'm not going to be surprised when we pick up the paper one of these days and we read where one of the major countries that America has been buying a lot of oil from, that China has bought their whole supply. They are going to be producing oil 50 miles off the Florida coast in companionship with Cuba.

Mr. Speaker, America needs to wake Congress up. We need to wake Congress up. We need to wake this administration up. We need to have a sense of urgency that America produces the energy we need. We are still 86 percent fossil fuel, 8 percent nuclear, and 6 percent renewables, and biomass and hydroelectric are more than 5. And that leaves geothermal, wind, and solar, less than 1 percent, and 83 percent of that is geothermal.

America needs to understand the concern that is out there about having available, affordable energy. We have always taken it for granted. It is no longer going to just happen. America needs to be debating an energy policy that will bring oil and gas prices down; will take advantage of using clean coal technology, coal to liquids, coal to gas; expanding the use of clean nuclear; no CO₂; looking harder at hydroelectric; continuing to grow biomass, geothermal, wind and solar, ethanol and

biodiesel as fast as we can. We can't do it quick enough, Mr. Speaker. America needs to put the pedal to the metal. We need to produce energy for Americans so they can afford to heat their homes and we can afford to run our businesses so Americans can have jobs to support their families.

30—SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. DONNELLY). Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Thank you very much, Mr. Speaker. It is an honor to come to the floor to have the 30-Something Working Group. And as you know, we have been coming to the floor now some 4 years strong, 4½ years, bringing to light issues before the Congress and also the American people on what's happening under the Capitol dome.

We have been doing a lot of legislation recently in this 110th Congress that I think should definitely be highlighted every time we have the opportunity to do so. We have a number of pieces of legislation that are in the pipeline right now that are being sent to the White House that the President has threatened to veto. These are priorities that the American people voted for to move in a new direction; need it be in Iraq; need it be domestically; or need it be making sure that we run this government in a fiscal way, one that all Americans, Democrats, Republicans, and independents alike, would like to have.

Good government is good. And it's important that we encourage not only the passage of good pieces of legislation but also make sure that we encourage the President to do the right thing, even though he may say from time to time that he is not going to do things, that he will sign pieces of legislation like the Student Loan Reduction Act, which is so very, very important. It cuts student loan rates in half.

I want to just commend the Members here in this Chamber, especially in the majority, that pushed the President to sign that bill. I want to thank all of the college kids and students and parents and grandparents that are having to help their young people pay back their student loans and to being able to cut that interest rate in half.

I am joined tonight by two of my, and I can say this, bestest friends in Congress: Mrs. STEPHANIE TUBBS JONES, the chairwoman of the Ethics Committee and a colleague that I serve with on the Ways and Means Committee; and also my good friend TIM RYAN from Youngstown, Ohio, who is a member of the Appropriations Committee that considers himself a very important part of what we do here. As you know, Ways and Means, we find the ways and means, and he says he has appropriated to make sure it all goes to the right place, Mr. Speaker.

I guess what we usually do, and what I am going to do, without really making opening comments because we like to have a discussion, I want to allow my two colleagues here to share some of their thoughts with us. But before I do that, today, as you know, in the 30-Something Working Group, we shed light on what is happening in Iraq. We know that we have a number of our men and women that are there in harm's way. We know that we have men and women in Afghanistan and also deployed throughout the world.

But as of today, October 3, the total deaths have been 3,808. The total number of wounded in action and returning to duty within 72 hours has been 15,432. The number wounded in action and not returning to duty within 72 hours has been 12,577. The total number of wounded is 27,753.

I want to make sure, Mr. Speaker, and we want to make sure, the 30-Something Working Group, that Members know what is going on in the Middle East and that we bring this to their attention and read it into the CONGRESSIONAL RECORD so that we can every day move towards a position that would take our combat troops out of harm's way and replace them with Iraqi troops. We can provide technical support, but I think that is very important.

With that, I yield to my colleague Mrs. STEPHANIE TUBBS JONES.

Mrs. JONES of Ohio. I am so happy, Mr. Speaker, to have an opportunity to be on the floor with two of my favorite Congress people, TIM RYAN and KENDRICK MEEK. Over the past few years, these two young men have shown such great leadership in the 30-Something Working Group, and I am just proud to be counted among the 30-Something group even though all of us know I am not 30-something, though I think I manage well anyway.

It is just so significant that we have an opportunity to be here this evening to talk about an issue that is so very, very important to all of America: our children.

A child. You think about when your baby is born or before your baby is born, how important it is to you to contemplate that he or she be of good health. More important than it be a boy or a girl, it's important that they come here and you start counting, do they have all their fingers? Do they have all their toes? Is their heart working? Are their eyes open? Can they hear? Can they see? And for some parents, it becomes a difficult moment because all those wonderful things that you would hope would be the case are not.

But moving along, regardless, every parent wants their child to have access to good health care. And one of the wonderful things about this program called SCHIP, State Children's Health Insurance Program, is that it will provide health insurance for all of our children. And who could not want that?

Our President. Our President has made a decision that SCHIP is not

something that he can support. Now, he has made all kinds of excuses as to why he can't support it, but the reality is that 72 percent of the American public support the State Children's Health Insurance Program. And it's not a panacea. It's more than many children have.

Now, the argument that the President would want to make is that children who don't have health insurance can go to the emergency room and get health care. Anybody can walk into the emergency room and get health care. What kind of sense does that make? One of the most expensive ways in which to deliver health care in America is the emergency room, and if any of you have been in the emergency room recently, I have. When my father was very ill, he was in the emergency room. And people were loaded. We sat for hours waiting to get X rays. There were not enough doctors, not enough nurses, not enough facilities. And the people in the emergency room do a great job. I commend them. University Hospitals is where I usually go with my dad or some member of my family. But the reality is that is not the place where we should be rendering health care.

I am going to move on because there are other people here to talk, but contemplate this: We want our children to be competitive. We want our children to be able to compete with children from China, children from Russia, children from every country in the world, and we want to deny them health care.

An unhealthy child cannot learn. An unhealthy child causes a dilemma or problems for other children in the classroom. All of you that are new parents and you take your child to day care and the first thing you know is that baby comes home with an ear infection, pink eye. It's guaranteed. You even get sick from whatever it is that baby has going to day care and brings it home to you.

We know that the children of America deserve better. We know that the children of America deserve health care coverage. And we know that all children who are required to compete in this world in America by the tests that we are giving them to be No Child Left Behind that health care is the most important thing in addition to a great education that we can give to them. The most important thing that will give them the opportunity to be successful in their childhood, in their middle age, and in their lifetime is good health care. The State Children's Health Insurance Program is the beginning of that. And it is a shame, it is a shame that we would have a President who would get partisan with an issue so important to both Democrats and Republicans and veto that legislation.

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Mr. MEEK of Florida. You know, Madam Chair, I think it's very, very important for us to understand that the President is vetoing the legislation

because he knows that his Republican colleagues here in the House and the Senate have his back, at least a number to stop us from overriding his veto. And this is something that, Mr. Speaker, we have to put the pressure on those Members. I'm going to put the pressure on in a few minutes when I get an opportunity to really share what I feel about what the President has done today. It wasn't the perfect bill, but it was the bill that was going to provide health care for children.

Mr. RYAN.

Mr. RYAN of Ohio. I agree. And there are so many different aspects for us to talk about here, but I think our friend from Cleveland has hit the nail right on the head; this is about us competing as a country. This is about us only having 300 million people in the United States, many of them poor, many of them living in your community, my community, Congressman MEEK, Congressman MURPHY, our communities. And what we're saying is, if we want these kids to be able to compete against 1.3 billion people in China, 1.2 billion people in India, you're not even going to get on a field unless you're healthy. And we're saying that this is a modest investment. This is \$35 billion over 5 years. This is 41 days in Iraq. Now, when you think of it that way, and this has been the contrast of this whole debate; the President, over the past 6 years, has raised the debt limit for our country to go out and borrow money five times and increased the debt by over \$3 trillion; \$9 billion a week in Iraq; no end in sight; borrowed more money than every President before him combined, from China, from Japan, from the OPEC countries. And now, all of a sudden, in the early days of October he says he is going to, and he does, veto a bill that provides children's health care for a few million poor kids. Now, I know when I go back to my district and I talk to constituents, they cannot believe it.

And we have our friends on the other side, Mr. Speaker, telling us that this is socialism. It wasn't socialism when a Republican Congress in the 1990s put this law into action, signed by President Clinton. It was a Republican Congress controlled by Newt Gingrich, a Republican Congress.

Mr. MEEK of Florida. Tell the truth.

Mr. RYAN of Ohio. Mr. MEEK. So now, all of a sudden the same program that they helped create is now all of a sudden socialism because the Democrats control the Congress. And I think it's an absolute shame, shameful, that we would have Republican Members of this Congress come out here for ideological reasons to try to score some political points with their base with the blatant disregard of providing health care for all these kids.

Now, you can argue all you want, but the bottom line, Mr. MURPHY, is that there are millions of kids who will not get health care because the President all of a sudden found the courage. You know, we all went to school with peo-

ple like this, they pick on the little kids. Well, the President has this big military budget. He won't shrink that. He's got all these tax cuts that the wealthiest people in our country are getting. He won't touch that. But he's going to be a big strong guy and come in and take it on the backs of these kids. Shameful, Mr. Speaker, shameful that he is willing to do this, and that the Republican Congress, the Republican Members of the House, a fringe group, enough to prevent a veto override, will help this President sustain this veto. I find it shameful that we can't take 41 days of spending in Iraq, Mr. MURPHY, and help provide some health care for these kids.

And I say this because we all know that these kids need it. I was watching Chris Matthews, and Pat Buchanan was on. And Pat Buchanan said, I think these people need to pay for it themselves. Well, if they could pay for it themselves, we wouldn't be doing this. We would be doing something else.

Mr. MEEK of Florida. Excuse me, Mr. RYAN. "These people," referring to who?

Mr. RYAN of Ohio. These kids, these families. And we should get the quote for tomorrow, we should get the quote and we should have it out here, but these kids, these families should pay for it themselves. And they can't. And so we've got to make a decision as a country whether we're okay with that, whether we're okay with them not having the wherewithal to pay, and then no one is willing to help them.

But we have made the decision, in the Democratic Caucus, and many of our friends on the Republican side, excluding the President and a small group of fringe Members on their side, that somehow they're going to stand on principle here. They sat here for 6 years and didn't squawk one time about excessive spending. The President didn't veto one bill that came from this House, Republican-controlled, and a Republican-controlled Senate, but now, all of a sudden. But the American people, and I know the people in my district, see right through it, and they understand what we're trying to do and how in the long term this will be very helpful.

I yield to my friend.

Mr. MURPHY of Connecticut. I thank my friend from Ohio.

There is delusion that's been happening here for a couple of days, and you hit a couple of nails right on the head. But there is this idea here; you mentioned what Mr. Buchanan said in the Chris Matthews' show that has been perpetuated on the House floor here for the last couple of days that they should pay for it themselves, the family, the kids, whomever it is, should pay for themselves. You know and I know that the reason we're here talking about expanding out access to 4 million new kids is because there is less private health care available today for more and more families. Families throughout this country who are doing

the right thing, playing by all the rules, doing everything we've asked them to do, go out, get a job, maybe two, maybe three jobs, don't have access to health care. Their employers don't offer it because the costs have gotten so high that they're crippling small and medium-size employers, so they can't get it anymore.

But here is the illusion, the idea that these kids don't get health care is an absolutely false reality. And to think that when a kid gets sick, that he doesn't end up on somebody's dime is to delude yourself. So what happens, and the President said it himself the other day when he said these kids can get health care, they can just go to the emergency room. Well, he's right, because we actually do have a system of universal health care in this country; it's just the most inhumane, inefficient system of universal health care in the world because it says to these kids, to a 6- or 7-year-old who comes down with pneumonia, who can't get to a doctor for treatment for medicine because his parents can't afford it because his parents' employer doesn't cover it, he ends up in the emergency room. He ends up getting much less efficient, more expensive care in the long run.

So for all of our fiscally conservative friends on the Republican side of the aisle who decry this as some expansion of government-run health care, this is cost-efficient health care. Getting these kids some preventative health care up front is not just the right thing to do, it's not just part of our moral obligation as a Nation to see an injured child next to us and reach out and give them a helping hand, it's part of our fiscal obligation as stewards of taxpayers' money here in the House of Representatives. We have an obligation to construct a health care system that actually spends less money rather than more money. And that's what this bill is about. It's not just about the moral obligation; it is about the fiscal obligation as well, Mr. RYAN.

Mr. RYAN of Ohio. Can you imagine? I mean, this is just what is mind boggling. It is 2007, we're a couple of months from 2008, and the President of the United States of America says to the poorest kids in our country, you can go to the emergency room.

Mr. MURPHY of Connecticut. Right.

Mr. RYAN of Ohio. I mean, are you kidding me; to not have the understanding that we would save money if we gave these kids antibiotics before they end up in the emergency room 2 weeks later with pneumonia, that that doesn't save us tens of thousands of dollars, then you have no business vetoing this bill.

Mr. MURPHY of Connecticut. Let me just throw a quick statistic to you, Mr. RYAN.

Mr. RYAN of Ohio. Throw it out there.

Mr. MURPHY of Connecticut. Do you know how much it costs to ensure a child in the SCHIP program?

Mr. RYAN of Ohio. How much?

Mr. MURPHY of Connecticut. \$3.50 a day. I'm not a big coffee drinker, but I've got to imagine that one of those big fancy mocha grande lattes probably costs more than it costs to insure a child in this country, Mr. RYAN. That's cost efficient. That's being good stewards of the taxpayers' dollars.

Mr. RYAN of Ohio. And the question is, what does it cost if you don't pay the \$3.50 a day? You're probably paying tens of thousands on the other end. And that kid is going to end up in the classroom, Mr. MEEK, with your son and your daughter and is going to end up getting them sick. Then where are we?

I yield to our friend from Cleveland. I know you had a point to make.

Mrs. JONES of Ohio. I was just going to say, I am a coffee drinker. And that \$3.50 is much less—

Mr. RYAN of Ohio. And if she doesn't drink her coffee, see how grumpy she gets.

Mrs. JONES of Ohio. Oh, now, cut it out. You're getting personal out here now. But the reality is that I am a coffee drinker, and that \$3.50 could go so much further if we were to invest it in the State Children's Health Insurance Program.

And the other dilemma that the President is faced with is, he is claiming about States who have been given waivers to provide health care to those other than children, but it was his administration that granted the waiver. Now, if you're mad about a waiver, then bite your own nose, smack your own face, but don't hurt children over the fact that they have been given an opportunity to have health care in America.

And the other thing I want to switch to, and I'm jumping around a little bit, is there are Republicans, there are strong-minded, good-thinking, good-hearted, smart Republicans who have voted with us on the SCHIP bill. In the Senate, 68 Senators, including 18 Republicans, voted for the bill. There are 43 Governors, including 16 Republicans, who have voted for it. In the House, 45 Republicans voted with us on this SCHIP bill. And the good thing is that they recognize the need that we have for child health insurance.

I don't know if anybody has given these quotes. Senator GRASSLEY, "The President's understanding of our bill is wrong. I urge him to reconsider his veto message." Senator ORRIN HATCH, "We're talking about kids who basically don't have coverage. I think the President had some pretty bad advice on this." Let me say that again. ORRIN HATCH said, "I think the President had some pretty bad advice on this issue." And SUSAN COLLINS, "I cannot believe the President would veto a program that benefits low-income children."

I yield.

Mr. MEEK of Florida. Thank you, Mrs. TUBBS JONES.

TIM, we used to play football once upon a time, and I remember being on the sideline as a freshman member of

the football team. I used to be what they call a "headhunter." I used to break the wedge in kickoff. That's the way I got on the bus to be able to travel. And many times I would sit on the sideline and say, "Wow, the coach just let me in. I'll sack that quarterback." Well, you know, this is one of these moments. I'm so glad that I'm a Member of Congress and it's been federalized by the people of the 17th Congressional District to come up here and represent them and the American people. And I'm proud of the fact that we have passed a children's health care bill that covers children that are in need, that means families, that means a healthier America, that means better test scores, that means lower cost to State and local communities from picking up emergency room bills where they end up getting the care because they have to provide the care, but there's no way to pay for the care, then raise local taxes on the local community because of that lack of health care insurance for that uninsured child. I'm so glad that I've had the experience of walking to a CVS, Wal-Mart, whatever you want to call it, into a drugstore, and I'm glad as a Member of Congress I have witnessed mothers and fathers trying to figure out how they can stop their child from coughing and how can they prevent the sickness that is spreading in some communities based on the fact that it is financially challenged, need it be urban or rural. I'm glad I'm here to give them voice because apparently, Mr. Speaker, there are some Members in this Chamber and there are some Members in the other Chamber over in the Senate that, in my opinion, are failing to represent that side of America. One may say, well, Congressman, I understand, colleague, what have you, you're talking about those other folks, you're not talking about me. Well, guess what? I'm so glad, Mr. MURPHY, that I have health care insurance, but I didn't ask my constituents to elect me so that I could have health care insurance and they can't. That's not how this thing works. And my kids, like Mr. RYAN said, they go to school with other kids, and if those kids don't have the necessary insurance to have preventive care to head off some of the major issues that they're going to face because they're getting drugstore care, the best care that their parents can provide for them, they're going to make my child sick. So now we're back to the point of fiscal responsibility and we're back to the point of doing the right thing and good government and where I left off.

I'm glad Mrs. TUBBS JONES mentioned that this is a bipartisan bill, passed this House overwhelmingly, passed the Senate with a very good vote. Now the question comes to my Republican colleagues, because the President is not going to run for President again, and the thing about it is that we have term limits on the Presidency of the United States, and that's

been carved out long before my presence here in Congress and long before my mother's presence here in Congress. But Mr. RYAN pointed something out, because I'm putting this back on the Members of the House and the Senate and the Congress, because I don't want Members going home saying, well, you know, the President, and the President this and the President that. My constituents want more than that. It's almost like when I walk into my Baptist church, they want to hear more as a Christian than one day Jesus Christ, he died on Calvary. They need to hear more than that. They need to hear more of a story. They need to hear more of the reason why we practice that certain religion.

Putting that aside just for a moment, our constituents have to know more about what's going on here in Washington, DC. That parent needs to know why. The President is saying socialized medicine. Well, that's what he says, that's his Potomac two-step because the average American doesn't even know what you're talking about when you say "socialized medicine." They understand health care.

□ 2045

They understand being able to take their child to a doctor and the States understand, the 43 or 46 Governors that are supporting the SCHIP bill, they understand getting a block grant from the Federal Government so they can provide health care for their children.

I would like to talk a little bit about what Mr. RYAN mentioned. This President and the past Republican majority here in this House irresponsibly gave tax cuts to billionaires and millionaires and then turned around and gave unprecedented subsidies to oil companies of some \$50 billion, \$8 billion in lost waste, fraud and abuse of no-bid contracts in Iraq, billions of dollars for schools and roads and clinics in Iraq, stood up here teary-eyed saying, "We need to help the Iraqi people." Well, I want folks to get teary-eyed about helping American children and their families. I want them to get teary-eyed. I want them to get emotional.

When you look at this foreign debt hold, no other time in the history of this country have we ever been in the fiscal situation that this President has put us in and the Republican, thank God the minority now, has put us in in the past, and this is what we owe these foreign countries. I am going to move on because I know we have some Members here.

Here is another issue. When you look at the cost of the war and how many kids can be enrolled in Healthy Start. I am just going to use the per hour number, \$13.7 million, 2,000 kids can be enrolled. And then I am going to jump up here to the 1-year cost, \$120 billion for the 1-year cost, 16.7 million kids can go into Healthy Start. Now, that is just Healthy Start.

We come to the floor with the facts, not fiction. Here is the nonpartisan

Congressional Research Service. I just want to make sure that all the Members are with me on this. The cost of the Iraq war is rising. Again, here are the numbers. Per second. Since I have been here talking a few seconds have passed. Per second, \$3,816 is being spent per second. Do you hear the Members down here talking about wasteful spending, anything like that? Meanwhile, we are giving the Iraqi Government all kind of chances.

To further drive my point home, here it is, President Bush, Members are familiar with this, doubled the foreign-held debt. It took 42 Presidents 224 years to build up \$1 trillion in foreign debt. All these Presidents, this President and his Republican colleagues here in Congress have been able to build up more than 42 presidents, 224 years of history, \$1.19 trillion in debt over the last 6 years, and we have turned that around, or are trying to turn that around here.

Here they are. These are my Republican colleagues and the President of the United States. Many in this picture are my friends. But I tell you one thing: When we send this and we go to try to override the President of the United States of America and standing in the schoolhouse door not allowing kids to have health care in this country, I want to know, are you going to march down to the White House like you did when we put time limits on this war and accountability on this war to push the Iraqi Government to where they need to be to get our combat troops out of harm's way and to get their troops on the ground?

The last time, Mr. Speaker, I was on the floor was Monday with Mrs. TUBBS JONES. I walked downstairs and I don't know his name. But it was one of our people that work here in the Capitol that constantly bring the folks over from Walter Reed on what we call the "twilight tour," walking around here in the Capitol, Mr. MURPHY, and getting a tour of the Capitol. I am sorry, his name escapes me at this point. This vet was there with involuntary jerking of his right arm. As a matter of fact, I am shocked that they were even able to save his arm. It was so twisted with cuts and stitches and all those things. But he was happy to walk into this Capitol of great democracy. But guess what? He had a child, too. So we get all excited about, we are for the troops, and I am for the troops, and you are soft and I am hard and all that kind of stuff. That is rhetoric. The real bottom line comes down to, what are you going to do as a Members of Congress? Not as some sort of speech giver or note reader or whatever the case may be. What are you going to do as it relates to being a Member of Congress? Are you going to go down and stand with the President and say, "I'm with the President"? Or are you going to be with the children of the United States of America?

Mrs. TUBBS JONES and I, we have to see the Federal budget when it comes

through Ways and Means before it goes to the Budget Committee and we met with the Treasury Secretary just today talking about fiscal responsibility.

I think the problem, Mr. RYAN and Mr. MURPHY, that the President has with this issue is that the American people asked for a new direction and accountability. Guess what? This SCHIP bill is paid for. We show paid for by saying pay-as-you-go. If you're going to do something, you have to show how you're going to pay for it. At least that's what they said in my house. The President, how did he rack up \$1.19 trillion? He didn't worry about paying for it. He just said, let's put it on the credit card. Let's put it on the children. Let's put it on other folks.

Children have had enough abuse on the part of the past Republican majority and the President. Now we are trying to bring about accountability in health care and he doesn't want to sign the bill.

Mr. Speaker, the bottom line is, I challenge, this is not a WWF kind of experience here, but I challenge my colleagues with a straight face to come to this floor and say otherwise why we should not have health care for children. I want to make sure that Members understand, this is why we're elected, to represent the children, not special interests, not the oil companies, not somebody who said, "Well, if we spend this on that, I can't get my tax cut." It is not all about that. If we can't represent the children of the United States of America, we got a big problem. I am so glad that Speaker PELOSI, I am so glad that our leadership has said, this is what we're going to do, and that we're going to try to override the President. The bottom line is the Republican Members of this House have to join and be with us, which they are on the bill, Mr. RYAN and Mr. MURPHY, but we need more of them to override the President of the United States on this very bad veto.

Do we have issues with the SCHIP bill? Is everything in it that should be in it? Of course not. But the bottom line is children need health care and they need representation.

Mrs. JONES of Ohio. I just want to make one point and then yield to my colleagues. My colleague KENDRICK MEEK so eloquently put forth the debt that we are, as a Nation, in and you think about it from this perspective. Every child born in the United States at the time they are born are owing, owe part of the U.S. debt. They say it's now somewhere between \$27,000 and \$28,000. If that is a fact, why then can we not allocate \$3.50 a day to health care coverage for our children? \$27,000 they owe when they are born. They are entitled to \$3.50 a day for good health care. It is fiscally sound and it makes great sense.

Mr. RYAN of Ohio. If I may, I think if you have to deficit-spend, if you have to borrow money because you need to make an investment, the Federal government's decision should be based on

the same kind of principles that a family would base the decision on. By borrowing this money, are you going to yield more value down the line? So a business will buy a machine and go into debt so they have the machine, but they know long-term if they make enough widgets out of the machine that eventually they'll pay it off and they'll actually increase the value of the company. Families borrow money, like for school and for college because they know that they may have to borrow 20 or \$30,000, but your son or daughter that has a college degree will be able to pay that back and have a higher standard of living throughout the course of their life.

So if we are borrowing money, if we are going to deficit-spend, it seems to me it would make sense that we want to invest into our own health care or education. But this President has spent and borrowed over \$3 trillion, as my colleague from Miami has pointed out so eloquently. Where is the return? Where is the return on the \$700 billion we have spent in Iraq? Where is the return? Lower oil prices? Lower gasoline prices? No. It has only aggravated the problem that we have in the global economy now. And when you look at what we have been trying and trying and trying to do, not with the help of very many Republicans on this particular issue, RAY LAHOOD, STEVE LATOURETTE and a lot of our friends have been very helpful with this issue. But when you look overall on what we have been trying to do, we, as Democrats since Speaker PELOSI took over, we are trying to make good investments.

We increased the minimum wage so that average people will have a few more bucks in their pocket. We made sure that we invested billions of dollars into the Pell grant so that you will have almost \$1,000 more in a Pell grant in the next 5 years. We invested money that was going to the bank so that they could make a profit loaning money to students, and we took that money and we gave it to the students and reduced the interest rate that is paid for college loans from 6.8 percent to 3.4 percent, so when you go out to get a loan, the average person will save \$4,400. SCHIP. These are investments into the health of our kids. Community health clinics. We put a few hundred million dollars more, starting in the CR and then in the 2008 budget so that we can open up more health clinics so that poor families who don't have health care can at least have a first stop before they go to the emergency room. They may go earlier and will start preventing.

My point is, before I yield to my friend, these are all investments, Mr. MEEK, Mrs. TUBBS JONES, Mr. MURPHY, that are going to save the taxpayer money in the long run. They are going to make this country more competitive. They will lead to a stronger, more secure America. We are entitled here. This body has proven over the last 6

years that money is going to get spent. It's either going to the oil companies as corporate welfare and subsidies, it's going to the military-industrial complex through the war, it's going in tax cuts, primarily to the top 1 percent. I am not saying that we want to tax people. I think the corporate tax needs to be fixed. There are a lot of changes that need to be made. But the overall point is, we are making investments that are going to yield value to the country and make us stronger and more unified and more prosperous as we move into the 21st century.

I yield to my friend.

Mr. MURPHY of Connecticut. It is just about the choices that you make. Who do you want to subsidize? Do you want to subsidize the oil companies and the big energy companies? Or do you want to subsidize people who are investing in renewable energy, in the energy of the next decade, the next century? That is a choice we made here in the energy bill we passed. Do you want to subsidize the banks who are doing pretty well these days? Or do you want to subsidize the students? We made the choice here in this Congress to subsidize the students instead. We are faced with a simple choice now. Do you want to continue to subsidize the military-industrial complex? Do you want to continue putting money into a war that is making this country less safe every day rather than more safe? More money into a civil, religious conflict between sectarian groups in Iraq? Or do you want to do health care for kids who have no other resources in which to get that health care.

My folks back home, to my neighbors, to my family, to the people that I get to represent here in my first term in Congress, these are real easy choices. Students over banks. Renewable energy over oil companies. Kids over a war that is going nowhere but backwards. It seems to me that we are getting more and more people on the Republican side to join us. We are getting more and more of the public. We have a list here, Mr. RYAN, Mr. MEEK and Mrs. TUBBS JONES, we have a list 270 pages long of every single potential group you can think of, 270 different groups, the Consumers Union, Denver Area Labor Federation, the Easter Seals, the Forum for Youth Investment, Greater Hartford Legal Aid, you just go down the list. Everybody out there gets this, that this is the choice you're supposed to make. But what we get here is a lot of rhetoric.

□ 2100

Because, Mr. RYAN, you said at the beginning, this is more than about kids, for folks on the other side of the aisle, this is about ideology. They are having a political fight on the floor of the House of Representatives, and the kids, the 4 million kids who are going to go without health care if this bill doesn't get passed and signed, are the victims of that political choice.

I was in the Government Oversight Committee that I get to serve on the

other day and we had Blackwater in front of us. We are giving them about \$1 billion a year to basically form a private military in Iraq. The CEO who was before us wouldn't tell us how much he made, but he could at least tell us that it was well over \$1 million. It was about seven times as much as the commanding general in Iraq gets to preside over 160,000 troops.

One of the Republicans came out and said, you know, this is unfair. The Democrats are picking on these contractors. All of a sudden the Democrats seem to care about the money that we are spending in Iraq.

Well, you better believe we do. Somebody has to.

Mr. RYAN of Ohio. We have been caring about this for a long time, since this thing started.

Mr. MURPHY of Connecticut. Mr. RYAN, the only questions that the Republicans asked about spending money is when it benefits poor kids. That is what seems to happen here. When it is about spending money in Iraq, when it is about spending money for private military contractors in Iraq and Afghanistan, there are no questions asked. In fact, they decry people who ask questions.

But when it is about lifting up poor children out of poverty, making them healthy enough to get up on their two feet and go to school and learn, that is when the questions get asked.

Mr. RYAN of Ohio. Can I say something that I just find funny? I can't wait to hear you. When we walk out of here, Kendrick, it is the same thing. My mom will call me and Kendrick's mom will call and we will be like on the phone, and my mom will say tonight, I guarantee you, "I just love Stephanie." That is what she will say. So I have to make sure I am quick here.

But the bottom line is, we are not saying that we don't want to support the military. All of us have. Mr. MEEK and I sit on the Armed Services Committee. We are supportive. These are the kinds of things that we have to support, and we have to make sure we have a strong military.

But to your point, Mr. MURPHY, no one, no one thinks wasting money is a good thing. So it seems to me that our friends on the other side have literally become a caricature of themselves. They think that the American public, Mr. Speaker, has somehow forgotten and their brain was like a computer that was erased. Like the American people's brain over the last 6 years has been completely erased, and they don't remember the \$3 trillion they borrowed, they don't remember the runup to the war, they don't remember Katrina, they don't remember the FEMA fiasco, they don't remember the passports.

These are the guys that know how to run government? They can't even distribute passports, and they are going to give us a lecture on how we need to run our government.

Ms. JONES of Ohio. Let's take President Bush's own words. He says, "I have strongly supported SCHIP as a Governor. I have done so as president. My 2008 budget proposed to increase SCHIP funding by \$5 billion over 5 years."

Now, this is Bush math, because it is a 20 percent increase, according to him. But reality, according to the non-partisan Congressional Budget Office, the President's budget for SCHIP would result in 840,000 children currently enrolled in SCHIP losing their coverage. According to CBO, due to rising health care costs, the President's increase of \$5 billion for SCHIP over 5 years fails to cover the cost of simply maintaining the current SCHIP enrollment of children of 6 million. Indeed, according to CBO, over the next 5 years, the President's budget so underfunds SCHIP that it will result in 840,000 children losing their SCHIP coverage.

Even more, the number of uninsured children jumped by 600,000 in 2006, up to nearly 8.7 million children. Yet President Bush, the Bush budget does nothing to reduce the number of up insured children.

Finally, what I would just say is, it is not just us saying it. Listen to what newspapers across the country are saying.

The Washington Post editorial: "Children's health check."

Austin American Statesman editorial: "For many kids, the doctor is not in."

Atlanta Journal editorial: "Kids lose out to politics."

Chicago Tribune editorial: "A sound children's health bill, SCHIP."

New York Times: "Overcoming a veto and helping children."

The Daily News, New York: "Presidential malpractice."

Akron Beacon Journal: "SCHIP at the brink."

USA Today: "Plan to protect kids on needless veto fight."

Charlotte Observer: "Vote for healthy children."

Des Moines Register: "Don't abandoned kids needing health care."

Charleston Gazette: "Child health. Oversteer the President."

Houston Chronicle: "Wrong priorities. Presidential veto of SCHIP expansion would place ideology over children's health."

The Republican editorial: "Bush abandoned kids on health insurance."

And the list just goes on. You don't have to believe me or Mr. MURPHY or Mr. RYAN or Mr. MEEK. The newspapers, who are supposed to be the bastion of giving us all that we need to know and independent thinkers in the world, are saying that this President is wrong, that the veto is wrong, and we need to override the veto.

I am calling on all my colleagues. My Ohio Republican colleagues, they are stepping up and I am very proud of them. But we need more across this country to step up and say that we are

going to support children in this Congress.

Mr. MURPHY of Connecticut. Mrs. TUBBS JONES, I think it is important that you are focusing on the President here, because Republicans do support this. We are talking with a fringe element of the Republican Party, mainly here in the House of Representatives, who stands up against kids getting health care.

Because you look across the country, a poll came out about a week ago that said by a two to one margin, registered Republicans in this country support health care for kids. In the Senate, you have 18-plus Republicans standing up for kids' health care. Here in the House, 40-some odd Republicans are standing up for children's health.

You have a small element of the Republican Party here, enough right now to sustain the veto. You have a President who is ideologically opposed to kids getting health care. But this reality has been a bipartisan effort.

So maybe we risk overgeneralizing a little bit when we talk about Republicans on this issue, because we are really talking about a segment of this party just big enough to hold this bill up, just big enough to make sure these kids don't get health care. Because across-the-board Republicans are joining Democrats who understand that this is the right thing to do.

Mr. MEEK of Florida. You know, Mr. MURPHY, I am glad that you are part of our majority-making Members that came here and gave house Democrats the majority. And the way it went on in the Senate, even though there is just one majority Member there that put the quit the Senate Democratic majority. But there is still a lot of work to be done.

As I sit here, and Mr. RYAN knows and Mrs. STEPHANIE TUBBS JONES knows, we have been on this floor before in the 108th and 109th Congress, and saying if it was about politics, we would just not come to the floor. We would allow the Republicans, and I am not generalizing, those that are in the position of standing with the President, not with the American people, that works politically for Democrats. The majority will even get greater, Mr. Speaker, if we just sat in our office or we just went to committee meetings and didn't come to the floor burning the midnight oil here tonight. But it is not about politics. It is about the country, and that is the reason we are here.

I just wanted to point one thing out. Folks get excited about the war. But you saw the \$10 billion figure I had on the whole war cost for, this is a little clearer here, \$10 billion right here per month. This whole child health insurance package is \$35 billion over 5 years, Mr. Speaker. Five years, \$35 billion. That is 3½ months of the cost of the war in Iraq. Five years versus 3½ months.

The President's action is one thing. The Republican minority allowing it to stand is another thing.

You see, I want to give the American people some homework, because I think it is important. We can't say well, you know, the President, you know, they are not going to have another opportunity to stand in judgment on some given Tuesday on the President of the United States. But they will every 2 years have an opportunity to stand in judgment of every Member of the U.S. House of Representatives. I think that is something very, very important.

Also, Mr. RYAN, you know that we have worked very hard on veterans. Mr. MURPHY, you know we have worked hard. All of us have worked hard. We have made the largest increase in VA assistance in the history of the republic. Since the VA has been created, it has received more health care assistance from this Congress than any other time, any other time in history.

Now, my mother before me who served here in the House said the thing about the House, the main thing about being elected, is bringing your experiences to the floor. I just wanted to take 2 minutes to tell you about an experience.

I have a 10-year-old and I have a 12-year-old daughter. We take pride in at least once a week riding the Mall, what we call here the Mall, from the Capitol on down to the Washington Monument on to the World War II Memorial, and we take a hard left to go over to the Jefferson Memorial on our bicycles, and we come around and we go to the Lincoln Memorial.

I just wanted for a minute for Members to realize what is going on down there at the Lincoln Memorial. You have the last outpost of Vietnam vets that are there running off a generator for power, standing there for the missing in action, raising money, selling patches and things of that nature, who have to renew their lease every 21 days to stay there on that Mall. They have been there for years, since the Vietnam Memorial was set up.

I talk to these gentleman, my kids talk to these gentleman constantly, because they are our heroes. But they are out there showing the medication and the kind of cocktail they have to use to even deal with what happened over 20 years ago.

I think when we start looking at governance here in this house, we have got to look at it beyond what the paper is going to print the next day. We have to do what is right on behalf of the country. So when we look at 5 years, a \$35 billion program, versus 3½ months of operations in Iraq, we can't help but think of good governance.

I want to put the pressure to the point where the Members here willing to stand with the President on this very bad decision in the face of uninsured children in this country, that they make sure that they understand that when folks walk in on some given Tuesday voting for representation, need it be Republican, independent, Democrat, what have you, yes, your

children too, that they didn't walk in grasping the hands of the President of the United States to take some sort of talking notes from some conservative think tank, and I will let you talk about that, to talk about how they are going to deny children health care in this country.

I go back to saying nothing is perfect, but I can tell you one thing, it has to be better than what we are facing right now, the program that needs to be reauthorized and children have to have health care.

So I want my Republican colleagues that voted against this legislation for all, and as far as I am concerned, and this is my individual reason, I know people have reasons, but I think it was largely political, when you think about it, in the final analysis, I want them to feel the pressure when they step off the plane or the train or the car or whatever the case may be, and I don't care if you are Republican, independent, thinking about voting one day, 17-years-old, you are going to get your voter registration card, put the pressure on your Member of Congress on this issue.

I think it is very, very important. The bottom line is, if a Member has a problem with what I am saying, you know, it is a beautiful country. It is America. Thank God the flag is flying over the Capitol right now. I am going to say it. And I think it is important that Members understand that this is serious business.

We are down to children now. This is not about somebody walking around with a suit or something on. This is about the children of this country. Not Iraq. Mr. Speaker, time after time, Mr. RYAN, you know, Ms. JONES, Mr. MURPHY, you know, as I yield over to my friends, Members come to this floor and pound and shake and throw paper and carry on on behalf of the Iraqi children.

What about the American children? What about them? What about those individuals that are catching the school bus in the morning? What about that parent catching the early bus taking their kids to school? What about the folks that work here in this Capitol that have people that live next door to them that don't have health care? What about them? Get emotional about them. Pound and shake your fist about that.

I hope we have the kind of paradigm shift when that vote comes up to override the President of the United States, that we have some of our colleagues on the Republican side that go see the wizard; get some courage, wisdom and heart, and stand up against this President, and don't allow those individuals that I see down here that are trying to block democracy from happening coming down here from the White House saying "stick with us." Stick with who? Stick with the President, or the American children?

I yield to the gentlewoman from Ohio.

Mrs. JONES of Ohio. Wow. Wow. The only thing that I want to end on, and I am going to be very quick to yield for the last time to my colleagues Mr. RYAN and Mr. MURPHY, was I participated one Saturday afternoon in a program at University Hospital in my Congressional district called "healthy children." The purpose of the program was to help these children who were overweight understand the importance of choosing the right foods, the right diet and exercise.

There are so many unhealthy children in these United States. There are so many children who are suffering from type II diabetes, who are suffering from all types of conditions that could be dealt with given a strong health care opportunity, given an opportunity for their parents to have the appropriate guidance.

We cannot afford to let our children down, because when we have children who are unhealthy, who may be overweight, who are suffering from diabetes, it also leads to children who have depression, children who don't want to be here because somebody is kidding them or their self-esteem is low.

The State Children's Health Insurance Program, SCHIP, will give our children the opportunity to have a chance, have a chance to be successful in a world where you would think it would be no big deal; that it would be no big deal to say to the American public, yes, we are going to give you health care, children.

□ 2115

We owe it to them. We are morally obligated as the grownups in this country. I am just so proud of my colleagues that I am here on the floor with. I am proud to be part of the 30-Something. I thank them for their leadership and their guidance.

Mr. MURPHY of Connecticut. Mr. Speaker, there are a lot of articulate folks on the floor tonight. I come back to the idea of the concept of morality. We hear a lot about that from the Republican side, from the Republican Presidential candidates.

To me, when it comes down to it, if I really am my brother's keeper, if I am really supposed to live a moral life and represent my moral obligations as a human being, there is nothing more central to that moral obligation than reaching out to a sick child, who through no fault of their own can't get access to the care that will allow them to stand up on their two feet, straighten their back, take a deep breath, and gain the same access to the apparatus of opportunity that all of us enjoy who have led much more privileged lives. That is the moral obligation that lies at the center of everything that we do.

So I think it is going to be a proud day when we finally get over that mountain, when we finally reach that moment when we can extend health care to 4 million more children. Maybe there will be a couple more fights before we get there, but the reason we are

going to spend 2 weeks in between the President's veto and the moment when we cast the vote to override it is because we know when our Republican colleagues go back home, they are going to hear cries from their constituents to live up to that obligation, to that moral and that fiscal obligation and do the right thing by their constituents. I hope that we will have a very different result.

Mr. RYAN of Ohio. I want to make one final point. Those of my friends who are in this Chamber, those people who we work with who are in the business community, when you look at this from a purely economic standpoint, what would a business person do if they were here? Would they put a little bit of the money up front and try to prevent all of these other problems from happening? Or would they say what the President said: We'll get them in the emergency room. What would a business person in 2007 do? I would guess that they would want to put the money up front.

Now as we end, because we only have a few minutes left, before I yield to my friend from Florida, I'm going to brag. Because on Saturday there was a middleweight title fight, and Kelly Pavlik from Youngstown, Ohio, is now the middleweight champion of the world, WBO/WBC. He had a rough second round. He went down, got back up, and was a little wobbly. But about half of the fans in Atlantic City were from Youngstown, from the Mahoning Valley and cheered him on. He came back and in the seventh round knocked out the champion. And he knocked him out.

We are all very proud of Kelly Pavlik. He is a great kid, 25 years old. Humble, speaks well. Just a great kid. I want to congratulate him and his family and his mom.

I have a great story. When he won a fight a fight or two ago, I called his house just to congratulate him. His mom answers and says, "Who is this?"

I said, "This is Congressman Ryan."

And she said, "Yeah, and I'm Queen Elizabeth. Who is this?"

He is a great kid, and I want to congratulate him and his mom and dad and his grandmother and his little baby daughter and Jack Loew, his trainer. Just great people who represent Youngstown, Ohio, and the Mahoning Valley very well.

Mr. MEEK of Florida. I know it is a proud moment for Ohio. I was watching a HBO special leading up to the fight. He has a daughter, and his trainer actually does blacktop.

Mr. RYAN of Ohio. Seals driveways.

Mr. MEEK of Florida. It is interesting. This guy is an everyday joe and trained Kelly from a young tender age as a boxer.

In closing, Mr. Speaker, it is always an honor to come to the floor with Mr. RYAN and Mr. MURPHY and Chairman TUBBS JONES. We are so glad to have a chairperson of a full committee on the floor with us. We're not used to that.

We look forward to continuing to come back to the floor to share with not only Members but also the American people. It was an honor addressing the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HIGGINS (at the request of Mr. HOYER) for October 1 through 5 p.m. on October 3 on account of the funeral of a family friend.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. YARMUTH, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

(The following Members (at the request of Mr. MORAN of Kansas) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, October 10.

Mr. POE, for 5 minutes, October 10.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, October 4.

Mr. WOLF, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, today.

Mr. ISRAEL, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced her signature to enrolled bills of the Senate of the following titles:

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.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on September 29, 2007, she presented to the President of the United States, for his approval, the following bill.

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.

Lorraine C. Miller, Clerk of the House reports that on October 2, 2007

she presented to the President of the United States, for his approval, the following bill.

H.R. 976. To amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Thursday, October 4, 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:

3575. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that the Board of the International Fund of Ireland is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland; and that disbursements from the International Fund will be distributed in accordance with principles of economic justice; and will address the needs of both communities in Northern Ireland and will create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment, pursuant to Public Law 99-415, section 5(c); to the Committee on Foreign Affairs.

3576. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

3577. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-64, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services; to the Committee on Foreign Affairs.

3578. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-35, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Egypt for defense articles and services; to the Committee on Foreign Affairs.

3579. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-65, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Egypt for defense articles and services; to the Committee on Foreign Affairs.

3580. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Russia (Transmittal No. DDTC 097-07); to the Committee on Foreign Affairs.

3581. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the

Arms Export Control Act, certification of a proposed license for the export of defense articles to the Government of Malaysia (Transmittal No. DDTC 004-07); to the Committee on Foreign Affairs.

3582. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 051-07); to the Committee on Foreign Affairs.

3583. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense services and articles to the Government of South Korea (Transmittal No. DDTC 081-07); to the Committee on Foreign Affairs.

3584. 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 an unauthorized retransfer of U.S.-granted defense articles; to the Committee on Foreign Affairs.

3585. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report for 2006 on the International Atomic Energy Agency (IAEA) Activities in countries described in Section 307(a) of the Foreign Assistance Act, pursuant to 22 U.S.C. 2227(a); to the Committee on Foreign Affairs.

3586. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996, pursuant to 28 U.S.C. 2266(b) and (c); to the Committee on the Judiciary.

3587. 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 EMB-145LR, -145XR, and -145MP Airplanes; and Model EMB-135BJ and -135LR Airplanes [Docket No. FAA-2006-24696; Directorate Identifier 2006-NM-038-AD; Amendment 39-15052; AD 2007-10-11] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3588. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Arrius 2F Turboshaft Engines [Docket No. FAA-2005-22430; Directorate Identifier 2005-NE-34-AD; Amendment 39-15063; AD 2007-11-06] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3589. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2007-28254; Directorate Identifier 2007-NM-054-AD; Amendment 39-15065; AD 2007-11-08] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3590. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes [Docket No. FAA-2007-28253; Directorate Identifier 2007-NM-031-AD; Amendment 39-15064; AD

2007-11-07] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3591. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2007-27016; Directorate Identifier 2006-NM-176-AD; Amendment 39-15066; AD 2007-11-09] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3592. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. FAA-2007-27338; Directorate Identifier 2006-NM-148-AD; Amendment 39-15070; AD 2007-11-13] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3593. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA-2006-24983; Directorate Identifier 2005-NM-196-AD; Amendment 39-15068; AD 2007-11-11] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3594. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No. FAA-2007-26857; Directorate Identifier 2006-NM-126-AD; Amendment 39-15069; AD 2007-11-12] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3595. 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 EMB-135BJ Airplanes [Docket No. FAA-2007-27494; Directorate Identifier 2006-NM-269-AD; Amendment 39-15071; AD 2007-11-14] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3596. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-30 and DC-10-30F (KC-10A and KDC-10) Airplanes, Model DC-10-40 and DC-10-40F Airplanes, and Model MD-10-30F Airplanes [Docket No. FAA-2007-27340; Directorate Identifier 2006-NM-271-AD; Amendment 39-15072; AD 2007-11-15] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3597. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Airplanes [Docket No. FAA-2007-27341; Directorate Identifier 2006-NM-272-AD; Amendment 39-15073; AD 2007-11-16] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3598. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-50C Series Turbofan Engines [Docket No. FAA-2006-24171; Directorate Identifier 2006-

NE-08-AD; Amendment 39-15075; AD 2007-11-18] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3599. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 500, 501, 550, 551, S550, 560, 560XL, and 750 Airplanes [Docket No. FAA-2007-27258; Directorate Identifier 2006-NM-213-AD; Amendment 39-15074; AD 2007-11-17] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3600. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) CF6-80 Series Turbofan Engines [Docket No. FAA-2006-26488; Directorate Identifier 2006-NE-43-AD; Amendment 39-15077; AD 2007-11-20] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3601. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate (TC) No. 3A20 and TC No. A24CE formerly held by Raytheon Aircraft Corporation and Beech) Models C90A, B200, B200C, B300, and B300C Airplanes [Docket No. FAA-2007-27071; Directorate Identifier 2007-CE-004-AD; Amendment 39-15084; AD 2007-12-06] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3602. 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-2007-27708; Directorate Identifier 2007-CE-027-AD; Amendment 39-15083; AD 2007-12-05] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3603. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries Model DA 42 Airplanes [Docket No. FAA-2007-27533 Directorate Identifier 2007-CE-022-AD; Amendment 39-15102; AD 2007-12-24] (RIN: 2120-AA64) received September 18, 2007, pursuant to U.S.C. 5 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3604. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS350B, BA, B1, B2, B3, D, and AS355E Helicopters [Docket No. FAA-2005-20863; Directorate Identifier 2004-SW-36-AD; Amendment 39-15100; AD 2007-12-22] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3605. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HS, 369HM, 500N, and OH-6A Helicopters [Docket No. 2003-SW-37-AD; Amendment 39-15101; AD 2007-12-23] (RIN: 2120-AA64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BRALEY of Iowa:

H.R. 3736. A bill to amend the Internal Revenue Code of 1986 to make permanent the election to treat combat pay as earned income for purposes of the earned income tax credit; to the Committee on Ways and Means.

By Mr. FORTUÑO (for himself, Mr. ROHRBACHER, Mr. RANGEL, Mr. HINCHAY, Mr. MARIO DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. WALSH of New York, Mrs. LOWEY, Mr. ORTIZ, Ms. BORDALLO, Mr. WELLER, Ms. ROS-LEHTINEN, and Mr. LINCOLN DIAZ-BALART of Florida):

H.R. 3737. A bill to provide for National Science Foundation and National Aeronautics and Space Administration utilization of the Arecibo Observatory; to the Committee on Science and Technology.

By Mr. GINGREY (for himself, Mr. AKIN, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. COBLE, Mr. COLE of Oklahoma, Mr. EVERETT, Mr. FEENEY, Mr. FORTUÑO, Mr. GARRETT of New Jersey, Mr. GOODE, Mr. HENSARLING, Mr. KLINE of Minnesota, Mr. KUHLMAN of New York, Mr. LINDER, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. POE, and Mr. RYAN of Wisconsin):

H.R. 3738. A bill to amend the Congressional Budget Act of 1974 to set a cap on allocated funds for earmarks; to the Committee on Rules, and in addition to the Committee on the Budget, 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. GRIJALVA:

H.R. 3739. A bill to amend the Arizona Water Settlements Act to modify the requirements for the statement of findings; to the Committee on Natural Resources.

By Mr. KENNEDY (for himself, Mr. ENGLISH of Pennsylvania, Mr. COOPER, Mr. EMANUEL, and Mr. PETRI):

H.R. 3740. A bill to encourage savings, promote financial literacy, and expand opportunities for young adults by establishing KIDS Accounts; to the Committee on Ways and Means.

By Mr. KLINE of Minnesota (for himself, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Ms. MCCOLLUM of Minnesota, Mrs. BACHMANN, Mr. WALZ of Minnesota, and Mr. ELLISON):

H.R. 3741. A bill for the relief of certain members of the First Brigade Combat Team of the 34th Infantry Division of the Army National Guard; to the Committee on Veterans' Affairs.

By Mr. WALZ of Minnesota (for himself, Mr. RAMSTAD, Mr. BISHOP of New York, Mr. ELLISON, Mr. RODRIGUEZ, Mr. OBERSTAR, Ms. SUTTON, Mr. COHEN, Mr. HALL of New York, Mr. PATRICK MURPHY of Pennsylvania, Mr. HARE, and Ms. ESHOO):

H.R. 3742. A bill to amend the Internal Revenue Code of 1986 to make permanent the use of qualified mortgage bonds to finance residences for veterans without regard to the first-time homebuyer requirement; to the Committee on Ways and Means.

By Mr. WAXMAN (for himself, Mr. CARNEY, Mr. ELLISON, and Mr. RUSH):

H.R. 3743. A bill to declare certain children's products containing lead to be banned hazardous substances; to the Committee on Energy and Commerce.

By Mr. YARMUTH:

H.R. 3744. A bill to designate the facility of the United States Postal Service located at 411 Mount Holly Road in Fairdale, Kentucky, as the "Lance Corporal Robert A. Lynch Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. HERSETH SANDLIN (for herself and Mr. REHBERG):

H.J. Res. 55. A joint resolution to disapprove a final rule of the Secretary of Agriculture relating to the importation of cattle and beef; to the Committee on Agriculture.

By Mr. GORDON (for himself, Mr. UDALL of Colorado, Mr. HALL of Texas, Mr. FEENEY, and Mr. LAMPSON):

H. Con. Res. 225. Concurrent resolution honoring the 50th anniversary of the dawn of the Space Age, and the ensuing 50 years of productive and peaceful space activities; to the Committee on Science and Technology.

By Mr. HALL of Texas:

H. Res. 709. A resolution recognizing and honoring the 50th anniversary of the dedication of the Sam Rayburn Library and Museum on October 9, 2007, and for other purposes; to the Committee on Education and Labor.

By Mr. ISSA (for himself and Mrs. BONO):

H. Res. 710. A resolution commemorating the 125th Anniversary of the Establishment of the Pechanga Indian Reservation; to the Committee on Natural Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 46: Mr. HODES.
 H.R. 60: Mr. NEUGEBAUER.
 H.R. 138: Mr. DOOLITTLE and Ms. FOXX.
 H.R. 211: Mr. DONNELLY.
 H.R. 241: Mrs. CUBIN.
 H.R. 303: Mr. UDALL of Colorado.
 H.R. 383: Mr. BOREN.
 H.R. 418: Mr. MCNERNEY.
 H.R. 464: Mr. MURPHY of Connecticut.
 H.R. 506: Mr. CONAWAY, Mr. FEENEY, Mrs. MUSGRAVE, and Mr. KLINE of Minnesota.
 H.R. 510: Mr. NEUGEBAUER.
 H.R. 526: Mr. ALLEN.
 H.R. 549: Ms. WASSERMAN SCHULTZ and Mr. FORTENBERRY.
 H.R. 618: Mr. KNOLLENBERG.
 H.R. 621: Mr. ARCURI.
 H.R. 687: Mr. WEXLER.
 H.R. 743: Mr. PETRI, Mr. EVERETT, Mr. HARE, Mr. GOODE, Mr. BARROW, Mr. BARTLETT of Maryland, Mr. SCOTT of Georgia, Mr. LEWIS of California, Mr. BARRETT of South Carolina, Mrs. CAPITO, Mr. CRENSHAW, Mr. GILCHREST, Mr. HUNTER, Mr. KLINE of Minnesota, Mr. MCKEON, Mr. PETERSON of Pennsylvania, Mr. TOM DAVIS of Virginia, and Mr. DAVID DAVIS of Tennessee.
 H.R. 750: Mr. TOWNS, Ms. RICHARDSON, Mr. JOHNSON of Georgia, Mr. FATTAH, Mr. MEEK of Florida, Mr. HASTINGS of Florida, Mr. DAVIS of Illinois, Mr. ELLISON, and Mr. CLAY.
 H.R. 758: Mr. MCCOTTER, Mr. ENGLISH of Pennsylvania, and Mr. MURTHA.
 H.R. 891: Ms. MATSUI and Mr. MCGOVERN.
 H.R. 962: Mr. HINCHEY.
 H.R. 971: Mr. ROGERS of Kentucky.
 H.R. 1043: Mr. ALTMIRE and Mr. BRALEY of Iowa.
 H.R. 1076: Mrs. BLACKBURN and Mr. SMITH of Nebraska.
 H.R. 1110: Mr. SHULER.
 H.R. 1188: Mr. BERMAN.
 H.R. 1190: Mr. CUELLAR.
 H.R. 1232: Mr. CONAWAY, Mrs. BONO, and Mr. LEWIS of Kentucky.

H.R. 1236: Mr. TERRY and Mr. ROGERS of Michigan.

H.R. 1295: Mr. BARTLETT of Maryland.
 H.R. 1350: Mr. LIPINSKI.
 H.R. 1366: Mr. FOSSELLA.
 H.R. 1421: Mr. NEUGEBAUER.
 H.R. 1422: Mr. SERRANO and Mr. CLAY.
 H.R. 1464: Mr. FILNER, Mr. FORTENBERRY, and Mr. LIPINSKI.
 H.R. 1497: Mr. HOLDEN.
 H.R. 1523: Mr. UDALL of New Mexico.
 H.R. 1537: Mr. KING of New York.
 H.R. 1553: Mr. LANTOS, Mr. BLUMENAUER, and Mr. CLAY.
 H.R. 1560: Mr. ANDREWS, Mr. MCNERNEY, Mr. ABERCROMBIE, and Mr. SULLIVAN.
 H.R. 1589: Mr. UDALL of Colorado.
 H.R. 1590: Mr. LOEBSACK.
 H.R. 1609: Mr. HILL and Mr. LOBIONDO.
 H.R. 1619: Mr. CAMP of Michigan, Mr. STUPAK, Mr. UPTON, and Ms. SUTTON.
 H.R. 1671: Ms. SOLIS.
 H.R. 1738: Ms. BERKLEY.
 H.R. 1772: Mr. HODES and Mr. NEUGEBAUER.
 H.R. 1839: Mr. NEUGEBAUER.
 H.R. 1843: Mr. COURTNEY.
 H.R. 1955: Mr. POE.
 H.R. 1957: Mr. LIPINSKI.
 H.R. 1992: Mr. SCOTT of Georgia, Ms. LORETTA SANCHEZ of California, and Mr. MCINTYRE.
 H.R. 2017: Mr. VAN HOLLEN.
 H.R. 2046: Mr. GRIJALVA.
 H.R. 2049: Mr. COURTNEY, Ms. SLAUGHTER, and Ms. WASSERMAN SCHULTZ.
 H.R. 2198: Mr. ARCURI.
 H.R. 2204: Mr. FILNER.
 H.R. 2205: Mr. KLINE of Minnesota.
 H.R. 2266: Mr. CONYERS.
 H.R. 2332: Mr. CAMP of Michigan, Mr. GALLEGLEY, Mr. BOOZMAN, Mr. REICHERT, and Mr. TANCREDO.
 H.R. 2435: Mr. BLUMENAUER.
 H.R. 2464: Mr. WAXMAN and Mr. ETHERIDGE.
 H.R. 2470: Mr. ALTMIRE and Mr. ALLEN.
 H.R. 2489: Mr. BUTTERFIELD and Mr. KIRK.
 H.R. 2508: Mrs. DRAKE.
 H.R. 2550: Mr. WALSH of New York, Ms. FOXX, and Mrs. CUBIN.
 H.R. 2626: Mrs. MUSGRAVE.
 H.R. 2711: Mr. SESSIONS, Mr. REICHERT, Mrs. DAVIS of California, and Mr. WEXLER.
 H.R. 2768: Mr. BERMAN and Mr. ARCURI.
 H.R. 2769: Mr. BERMAN and Mr. ARCURI.
 H.R. 2833: Mrs. MCCARTHY of New York.
 H.R. 2840: Ms. MOORE of Wisconsin.
 H.R. 2894: Mr. POE.
 H.R. 2914: Mr. FERGUSON.
 H.R. 2924: Mr. WALZ of Minnesota.
 H.R. 2942: Mr. COBLE, Mr. LIPINSKI, Mr. WILSON of South Carolina, Ms. GINNY BROWN-WAITE of Florida, and Mr. PLATTS.
 H.R. 2943: Mr. STUPAK.
 H.R. 3010: Mr. BRADY of Pennsylvania, Mr. DOOLITTLE, and Mr. SARBANES.
 H.R. 3016: Mrs. JONES of Ohio.
 H.R. 3036: Mr. HONDA, Mr. BRALEY of Iowa, and Mr. FILNER.
 H.R. 3045: Ms. MCCOLLUM of Minnesota, Mr. HALL of New York, Mr. WYNN, Ms. CLARKE, Mr. COURTNEY, Mr. ELLISON and Mr. PALLONE.
 H.R. 3053: Mr. CUELLAR.
 H.R. 3077: Mr. DAVIS of Alabama.
 H.R. 3085: Ms. MATSUI.
 H.R. 3119: Mr. DEFAZIO, Mrs. CHRISTENSEN, Ms. MCCOLLUM of Minnesota, and Mr. FARR.
 H.R. 3133: Ms. MOORE of Wisconsin.
 H.R. 3144: Mr. WALBERG.
 H.R. 3148: Mr. HUNTER.
 H.R. 3167: Mr. DEFAZIO, Ms. KILPATRICK, Mr. CARNEY, Mrs. NAPOLITANO, Mrs. BOYDA of Kansas, and Mr. CONYERS.
 H.R. 3175: Ms. WOOLSEY.
 H.R. 3195: Mr. FATTAH, Mr. ALTMIRE, Mr. RUSH, Ms. CLARKE, Mr. MEEK of Florida, Mr. DAVIS of Alabama, Mr. HOEKSTRA, Mr. ROSS, Ms. ESHOO, and Ms. CASTOR.

H.R. 3196: Mr. ACKERMAN, Mr. ARCURI, Mr. CROWLEY, Mr. ENGEL, Mrs. GILLIBRAND, Mr. HIGGINS, Mr. HINCHEY, Mr. ISRAEL, Mrs. LOWEY, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. MCNULTY, Mr. REYNOLDS, Mr. SERRANO, and Mr. TOWNS.
 H.R. 3219: Mr. PASCRELL and Mr. REICHERT.
 H.R. 3229: Mr. MILLER of Florida, Mr. LAMBORN, Mr. ALEXANDER, Mr. SPRATT, and Mr. CONYERS.

H.R. 3249: Mr. CONYERS.
 H.R. 3257: Mr. CLAY and Mr. LIPINSKI.
 H.R. 3298: Mr. SALAZAR.
 H.R. 3314: Mr. DOGGETT.
 H.R. 3317: Mrs. CHRISTENSEN.
 H.R. 3327: Ms. BORDALLO.
 H.R. 3329: Mr. CONYERS.
 H.R. 3331: Mr. GRIJALVA and Mr. KILDEE.
 H.R. 3334: Mr. SHAYS.
 H.R. 3381: Mr. GONZALEZ.
 H.R. 3397: Mr. TOWNS, Ms. KILPATRICK, and Ms. LEE.

H.R. 3416: Mrs. LOWEY.
 H.R. 3425: Mr. CLEAVER.
 H.R. 3446: Ms. KILPATRICK.
 H.R. 3453: Mr. ALTMIRE and Mr. MICHAUD.
 H.R. 3481: Mr. KIRK, Ms. SHEA-PORTER, Ms. LINDA T. SANCHEZ of California, Mr. SPRATT, and Mr. LOEBSACK.
 H.R. 3487: Mr. UDALL of New Mexico.
 H.R. 3495: Mr. HONDA, Mr. CLEAVER, Mr. CUMMINGS, Ms. CLARKE, Ms. RICHARDSON, Ms. WATSON, Mrs. CHRISTENSEN, and Mr. JEFFERSON.

H.R. 3498: Mr. HOLDEN.
 H.R. 3508: Ms. PRYCE of Ohio, Mr. KUHL of New York, and Mr. KLINE of Minnesota.

H.R. 3512: Mr. LIPINSKI.
 H.R. 3524: Mr. CLEAVER, Mr. WEXLER, and Mr. MEEK of Florida.

H.R. 3533: Ms. SCHAKOWSKY, Mr. MCINTYRE, Mr. MARKEY, Mr. RANGEL, Mr. GORDON, Mrs. DAVIS of California, Ms. SOLIS, and Mr. AL GREEN of Texas.

H.R. 3544: Mr. DAVIS of Illinois, Mr. FILNER, Mr. MCNULTY, and Mr. ENGLISH of Pennsylvania.

H.R. 3546: Mr. DEFAZIO, Mr. HODES, Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, and Mr. GENE GREEN of Texas.

H.R. 3547: Mr. WEINER and Mr. DAVIS of Alabama.

H.R. 3569: Mr. THOMPSON of California, Mrs. TAUSCHER, and Ms. LEE.

H.R. 3572: Mr. PAYNE and Mr. TOWNS.
 H.R. 3584: Mr. BISHOP of Utah.

H.R. 3586: Mr. TERRY.
 H.R. 3627: Mr. ELLSWORTH.

H.R. 3637: Mr. GRIJALVA.
 H.R. 3665: Mr. TIAHRT and Mr. PLATTS.

H.R. 3674: Mr. BRADY of Pennsylvania and Ms. WATSON.

H.R. 3710: Mr. COHEN, Mr. REYES, Mr. DAVIS of Illinois, Ms. HERSETH SANDLIN, and Mr. MCGOVERN.

H.R. 3711: Mr. BRADY of Pennsylvania, Mrs. MCCARTHY of New York, and Mr. LINCOLN DAVIS of Tennessee.

H.R. 3713: Ms. WASSERMAN SCHULTZ.

H.J. Res. 51: Mr. SERRANO and Mr. REYES.
 H.J. Res. 53: Mr. GILCHREST, Mr. BRADY of Pennsylvania, Mr. DELAHUNT, and Mr. ABERCROMBIE.

H. Con. Res. 125: Ms. BORDALLO.
 H. Con. Res. 160: Mr. ADERHOLT.

H. Con. Res. 221: Mr. HALL of New York and Mr. WYNN.

H. Res. 18: Mr. SPACE.
 H. Res. 185: Mr. CLEAVER.

H. Res. 227: Ms. CLARKE.
 H. Res. 231: Mr. GERLACH, Mr. WALBERG, Mr. FERGUSON, Mr. MICA, Mr. HULSHOF, Mr. MCCREERY, Mr. GALLEGLEY, Mr. KUHL of New York, Mr. FRELINGHUYSEN, Mr. WALSH of New York, Mr. LATOURETTE, and Mr. YOUNG of Florida.

H. Res. 310: Ms. WATSON, Mr. ACKERMAN, and Mr. CROWLEY.

October 3, 2007

CONGRESSIONAL RECORD—HOUSE

H11251

H. Res. 356: Mr. ISSA.	H. Res. 573: Mr. DAVIS of Illinois and Mr. PORTER.	H. Res. 671: Mr. CLAY and Mr. PLATTS.
H. Res. 457: Mr. HULSHOF.	H. Res. 576: Mr. GRIJALVA.	H. Res. 684: Mr. HOLDEN, Mr. WALZ of Minnesota, and Ms. MOORE of Wisconsin.
H. Res. 542: Mr. REYNOLDS and Mr. SHIMKUS.	H. Res. 582: Ms. BORDALLO.	H. Res. 697: Mr. COHEN, Mr. MCCOTTER, and Mr. BRALEY of Iowa.
H. Res. 543: Mr. BARTLETT of Maryland.	H. Res. 616: Mr. MCGOVERN.	H. Res. 707: Mr. LEWIS of Georgia, Mr. COHEN, Ms. CORRINE BROWN of Florida, and Mr. JEFFERSON.
H. Res. 563: Mr. PASTOR, Mrs. LOWEY, and Mr. WYNN.	H. Res. 617: Ms. BALDWIN.	
	H. Res. 661: Ms. DELAURO, Ms. CASTOR, and Mrs. CHRISTENSEN.	