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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. GONZALEZ).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 29, 2007.

I hereby appoint the Honorable CHARLES A. GONZALEZ to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 32 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HILL) at 2 p.m.

PRAYER

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

''When faith came to be in writings rather than in hearts, contention grew hot and love grew cold. That which is forced cannot be sincere and that which is not voluntary cannot please the Lord.'' These words of the medieval humanist, Erasmus, give us pause, Lord, as this Congress faces today's problems.

True faith is such a tender gift by which You massage the human heart. If faith does not spring spontaneously from within, it becomes dead men's quotes or rigid braces for feeble limbs.

The freedom of religion cannot live in legislative words or inanimate objects. Religious faith must be allowed to find its own expression freely. Left alone, faith will flourish in its own time and find its own roots, perhaps in open fields or in surprising cracks of our own pavement. Only when faith takes life will You be glorified, O Lord.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BARROW 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.

HIGH PRICE OF CRUDE OIL

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

Mr. POE. Mr. Speaker, crude oil prices went to a record high of $93 a barrel today. No doubt Americans will feel it at the gas pump. There are numerous reasons for the increase: mainly, oil producing countries are unstable. Mexico has cut oil production 20 percent because of bad weather in the Gulf of Mexico. Africa's largest exporter of oil to the United States, Nigeria, has had incidents where pirates have kidnapped workers from offshore drilling rigs.

The Middle East is still a tinder box of uncertainty with Iran's nuclear development, Turkey fighting the Kurdish rebels, and, of course, the problems that persist in Iraq and Syria. All of this affects the disruption of oil exports. This, plus a weak dollar, means that crude oil prices will grow even higher.

Until the United States develops a safe energy policy that allows complete offshore drilling for crude oil and drilling in ANWAR, we will be held hostage by Third World countries, rogue dictators, and political enemies. We have the ability to explore and drill safely our own abundant natural resources. We must take care of ourselves or the days of higher oil prices have just begun.

And that's just the way it is.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

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OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2007.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 26, 2007, at 10:20 a.m.:

That the Senate passed with an amendment H.R. 3678.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

ANTHONY DEJUAN BOATWRIGHT ACT

Mr. BARROW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1473) to amend the Child Care and Development Block Grant Act of 1990 to require child care providers to provide to parents information regarding whether such providers carry current liability insurance, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1473

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 ''Anthony DeJuan Boatwright Act''.

SEC. 2. AMENDMENTS.

Section 658e(c)(2) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)) is amended—

(1) in subparagraph (E)(i) by adding at the end the following: ''The State shall include as part of its regulatory process for issuance and renewal of licenses to providers of child care services, a recommendation to each provider that it carry current liability insurance covering the operation of its child care business.'', and

(2) in subparagraph (F)—

(A) in clause (ii) by striking ''and'' at the end,

(B) in clause (iii) by striking the period at the end and inserting a semicolon,

(C) by inserting after clause (iii) the following:

''(iv) a requirement that each licensed child care provider—

''(I) post publicly and conspicuously in the service area of its premises a notice specifying whether or not such provider carries current liability insurance covering the operation of its child care business;

''(II) provide to parents of children to whom it provides child care services a written notice stating whether or not such provider carries current liability insurance covering the operation of its child care business, including the amount of any such coverage;

''(III) obtain the signature of at least 1 parent of each such child on such written notice acknowledging that such parent has received such notice; and

''(IV) maintain such notice (or a copy of such notice) as signed by such parents (or a copy of the signed notice) in such provider's records during the period in which the child receives such services.'', and

(D) in the last sentence by inserting ''clauses (i), (ii), or (iii) of'' after ''Nothing in''.

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on October 1 of the 1st fiscal year that begins more than 1 year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlemen from Georgia (Mr. BARROW) and the gentleman from Tennessee (Mr. DAVID DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. BARROW. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert material relevant to H.R. 1473, as amended, into the RECORD.

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

There was no objection.

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

Mr. Speaker, back home in Augusta, Georgia, there's a little 7½-year-old boy named Anthony DeJuan Boatwright, who is in a semicomatose state and hooked up to a ventilator. He wasn't born that way, but that is how he ended up. He ended up that way because of an accident, negligence, really, that never would have happened if his mother had been given the information that this bill requires.

Back in 2001, Juan's mother, Jacqueline Boatwright, was doing what millions of mothers all over the country do every day: she placed her child in day care so that she could work to improve her life and that of her child. She was a sophisticated consumer. She had done her homework and she shopped around and found a day care center. It was licensed by the State; it was clean and it complied with all sorts of Federal regulations under the Child Care Development Block Grant Act governing such things as the prevention and control of infectious diseases, building safety, premises access, and mental health and safety training for staff.

But there was one thing that Jackie Boatwright did not know: that these folks could take her money, they could take her child, they could harm her child, and they would not be financially responsible for any of the harm that they could do. That is because they had no liability insurance and there was no law, State or Federal, that required them to tell her that.

Mr. Speaker, sure enough, that is what happened. They ignored little Juan long enough for him to find a bucket of water. Like every child that age, he had just enough strength to pull himself up and to look over inside and to fall inside, head first, but not enough upper body strength to push or pull himself back up. It was a death trap, and little Juan fell into it. Well, Juan survived, but his life and that of his family have been ruined and changed forever.

This bill would have prevented all of this from happening. It would not have done it by creating a whole new bureaucracy of day care inspectors to watch the watchers. It would have done it in the least expensive and most efficient way possible, by simply requiring the day care center to tell Jackie Boatwright what they knew but did not tell her, that they were willing to accept the moral responsibility of taking care of her baby, but they were going to accept none of the financial responsibility for failing to do so.

That would have prevented this from happening, because that is all it would have taken to prevent this tragedy from happening. Because if Jackie had known that, she would have done what any other parent would do: she would have taken her business someplace else, someplace where they accept some degree of financial responsibility for the consequences of their negligence and incorporate the cost in the cost of doing business, just like every other financially responsible business does.

Jackie has tried to make something positive out of this. She has determined to prevent this from happening to anybody else. Thanks to her efforts, financial responsibility disclosure laws are now on the books in four States: Georgia, California, Virginia and New Hampshire. This bill will close the gap by requiring financial responsibility disclosure for licensed day care facilities in the rest of the country.

In 2005, there were literally millions of kids in this country receiving day care in facilities that are governed by the Child Care and Development Block Grant Act. Only a fraction of these kids live in the four States that have now stepped forward to enact financial responsibility disclosure laws. That means that millions of kids still go to licensed day care facilities all around the country today whose parents have no idea that their day care centers can harm their child and accept none of the financial consequences of doing so.

This bill will give the parents of these millions of children the same information that parents are entitled to as a matter of law in the States of Georgia, California, Virginia, and New Hampshire. These parents have just as much need to know about the financial responsibility of the folks they give their kids to, and this bill will give them the same information.

This bill does not require any day care facilities to go out and get liability insurance. It merely requires licensed day care centers to tell parents

whether or not they have insurance, and, if so, how much. That is all. It then leaves it up to the parents to do what Jackie Boatwright would have done if only she had had this information, and that is to decide for themselves whether or not to leave their child with someone who wants to accept the responsibility for caring for your child, wants to take your money for doing so, but is unwilling and unable to accept any of the financial consequences for failing to fulfill this responsibility.

Indirectly, Mr. Speaker, this bill actually does more than that. By giving parents the information that they have a right to know, it places a powerful economic incentive on all day care centers to do what all of the responsible day care centers are already doing, and that is to assume the financial responsibility and to incorporate the costs of that into the cost of doing business that goes along with the moral responsibility to take care of the children in their care. Anyone who wants to do business without doing that will be at a competitive disadvantage compared to those who do.

This approach gives the invisible hand of self-interest the opportunity to do some good in the marketplace; the interests of day care centers to do the right thing or compete at a disadvantage compared to those who do, and the interests of parents in placing their children in day care centers that are ready, willing and able to do the right thing if and when they mess up.

We have truth in labeling; we have truth in lending and truth in advertising. This is truth in day care. The States have led the way, and now it is time for the Federal Government to follow their lead. The families that end up being harmed because they are kept in the dark deserve no less.

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

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

Mr. Speaker, I rise today in support of H.R. 1473, to amend the Child Care and Development Block Grant Act of 1990 to require child care providers to provide to parents information regarding whether such providers carry current liability insurance.

Working parents depend on child care so they can earn an income needed to support their families, as well as ensure that their children are well cared for in a safe environment while they are working. As such, child care is an integral part of the daily routine of millions of American families with young children. Research clearly shows us that the quality of child care has a lasting impact on a child's well-being and ability to learn.

Children in poor quality child care have been found to be delayed in language and reading skills and display more aggression toward other children and adults. School-age children's academic performance is enhanced by attending formal child care programs of at least adequate quality, according to several studies.

The bill before us today does not reauthorize the Child Care and Development Block Grant. Rather, it amends current law to do several things. Most importantly, it requires each provider to openly post whether or not they have current liability insurance covering the operation of the child care business, and it requires each provider to supply parents with a written notice stating whether or not the provider carries liability insurance, including the amount of such coverage.

This legislation does not supersede any State regulations regarding facility licensure or insurance requirements. We as the Federal Government are simply asking providers to inform parents whether or not they hold liability insurance. While we have not utilized the normal process of committee consideration through hearings and markup of this legislation, we do support the purpose of this legislation in providing notification of insurance to parents. I hope to see the Child Care and Development Block Grant come before this committee for reauthorization during the 110th session of Congress. As we move forward reauthorizing this program, we must consider policy that makes way for learning environments to exist where children can obtain the cognitive skills or other skills needed for them to succeed socially and academically.

□ 1415

Federalizing child care is not the purpose of this bill, but rather properly and consistently informing parents of whether or not the child care center has liability insurance. In the future, we must ensure that Federal policy continues to provide States maximum flexibility in developing child care programs and policies as well as parental choice so the parents are able to decide the best-suited care for their children. I thank Representative BARROW for introducing this bill, and ask my colleagues to support the bill.

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

Mr. BARROW. Mr. Speaker, I thank the gentleman from Tennessee for his remarks in support of the bill, and I yield such time as he may consume to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in support of H.R. 1473, the Anthony DeJuan Boatwright Act. It is named in honor of Anthony DeJuan Boatwright who suffered a terrible tragedy at a licensed child care facility in Georgia.

In the wake of her son's accident, Anthony's mother, Jackie, has become a child care advocate who has worked tirelessly to help provide better information to parents navigating the child care system.

This important legislation is modeled after laws in the States of Georgia and Virginia. H.R. 1473 amends the Child Care and Development Block Grant Program in order to help parents receive more information about potential child care providers. The Child Care and Development Block Grant is a very important Federal program providing almost $5 billion to States to help low-income families afford child care.

Almost 2 million children receive child care subsidies through this child care program, and it has enabled millions of families to enter or remain in the workforce. H.R. 1473 strengthens the Child Care and Development Block Grant by adding a safety standard. H.R. 1473 requires licensed child care providers to give written notice to parents about whether or not they have liability insurance and requires child care providers to post publicly whether or not they have liability insurance.

H.R. 1473 also requires States to recommend to licensed child care providers that they carry liability insurance.

Child care quality can influence whether a child arrives at kindergarten ready to succeed. Providing parents with additional information about the child care providers in their communities will help parents make the right choice for their children and for their families.

I would like to thank my friend and colleague the gentleman from Georgia (Mr. BARROW) for bringing this legislation forward. In moving this bill forward, we can help other families avoid the terrible loss suffered by Anthony DeJuan Boatwright's family.

I urge my colleagues to support H.R. 1473.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. BARROW) that the House suspend the rules and pass the bill, H.R. 1473, as amended.

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

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR DESIGNATION OF OCTOBER 2007 AS ''COUNTRY MUSIC MONTH''

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 58) expressing support for designation of the month of October 2007 as ''Country Music Month'' and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H. J. RES. 58

Whereas from the farms, ranches, and back roads of America comes a sound that is uniquely American; one that is about life and how that life should be lived;

Whereas country music is a story of family, faith, freedom, hard work, opportunity, pride, and patriotism;

Whereas country music embodies the spirit of America and the genuine feelings individuals experience throughout their lives such as joy and laughter, but also of sorrow and heartache;

Whereas country music has played an integral part in encouraging Americans to support its armed forces and their role in protecting American ideals, mainly during times of national conflict, through numerous popular patriotic songs;

Whereas the lyrics in these patriotic songs invoke sacrifice, responsibility, determination, freedom and liberty that were present during the nation's founding;

Whereas the lyrics in these patriotic songs talk about a calling to serve a higher duty, to come together with fellow citizens to defend and protect the freedoms we enjoy today given to us from those of past generations who paid the ultimate sacrifice;

Whereas country music songs seek to educate about America's history and teach listeners to learn from past lessons, to instill character and good citizenship;

Whereas country music has millions of fans in cities and towns all across the United States from all ages and walks of life; and

Whereas the Country Music Association celebrated its first National Country Music Month in 1964 and the month of October 2007 marks the 43rd annual observance of Country Music Month: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) supports the designation of a ''Country Music Month'';

(2) honors country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism; and

(3) requests and authorizes the President to issue a proclamation calling upon the people of the United States to observe such with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Tennessee (Mr. DAVID DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H.J. Res. 58 into the RECORD.

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

There was no objection.

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

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

Mr. HINOJOSA. Mr. Speaker, I rise today to support the designation of October 2007 as ''Country Music Month'' and to celebrate the long heritage of patriotism in country music.

The Country Music Association celebrated its first National Country Music Month in 1964, and October 2007 marks its 43rd annual observance. I would like to thank my fellow Texan, Congressman TED POE, for bringing this bill forward today.

The themes invoked in country music resonate with important American values such as responsibility, determination and hard work. Country songs foster an appreciation of the many important sacrifices made by our men and women serving in the Armed Forces. Songs like ''Only in America'' by Brooks and Dunn and ''Where the Stars and Stripes and the Eagle Fly'' by Aaron Tippen encourage patriotism and the pursuit of the American Dream.

In addition to powerful patriotic lyrics, the country music industry has also directly supported the cause of our Armed Forces. Portions of the proceeds from some patriotic compilations have gone to support the USO's active duty troops and families of fallen soldiers.

Mr. Speaker, I express my support for Country Music Month and congratulate the genre on its many contributions to American society. I urge my colleagues to pass the resolution.

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

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

Mr. Speaker, I rise today in support of H.J. Res. 58, expressing support for the designation of the month of October as ''Country Music Month'' and to honor country music for its long history of supporting America's Armed Forces and its tremendous impact on national patriotism.

Country music is a blend of popular musical forms originally found in the southern region of the United States. I am proud to represent the birthplace of country music, Bristol, Tennessee. Country music has roots in traditional folk music, Celtic music, blues, gospel music, and old-time music and evolved rapidly in the 1920s.

Its sound and style has changed dramatically over the years. In the early years, country music was more of the honky-tonk sound from the likes of Ernest Tubbs and Hank Williams. In the 1930s and 1940s, another form of country music emerged, western country. These songs romanticized the life of the lonely, but heroic cowboy on the western frontier. Some of those famous for this western style were Gene Autry, America's singing cowboy, and Roy Rogers, who later teamed with wife Dale Evans to become the famous duo of the genre.

Country music morphed once again in the early 1950s with a sound that became known as rockabilly, a combination of rock and roll and hillbilly music. This sound was made popular by many performers who developed staying power in the country music industry. They include the Everly Brothers, Jerry Lee Lewis, and, of course, the king himself, Elvis Presley.

By the 1960s, country music found its home in Nashville, Tennessee. The Nashville sound was born. This was most definitely the sound of country, but the sixties saw more steel guitars and drums in the Nashville sound. This era of country music was the beginning of the age of contemporary country music which ushered in today's most popular artists, Kenny Rogers, Dolly Parton, Garth Brooks, and Reba McEntire.

Today, country music is at its highest peak of popularity. As of 2007, country is the most popular radio format in America, reaching 77.3 million adults, almost 40 percent of the adult population, every week.

Country music is a story of family, faith, freedom, pride and patriotism. It embodies the American spirit and has played an integral part in encouraging Americans to support our Armed Forces. These songs invoke feelings of determination, liberty and responsibility, all of which this great country was founded upon.

In 1964, October was declared Country Music Month in honor of its rich history and tremendous impact on national patriotism. Country music is America's music, and for this reason I urge my colleagues to support H.J. Res. 58.

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

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

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. POE).

Mr. POE. Mr. Speaker, I thank the gentleman from Tennessee for yielding me this time, and I am delighted the member from Tennessee, the country music capital, is a cosponsor of this bill.

I also thank the majority and Mr. HINOJOSA for quickly getting this House resolution to the floor. I know there was some difficulty in doing it because of the timetable, but I appreciate it.

Mr. Speaker, country music is definitely a sound that is uniquely American because it speaks to the heart and soul of everyday Americans. It is about the ups and downs of everyday life, as well as the struggles individuals have in this country, and the struggles our Nation confronts as a country. They are exemplified gloriously through the gifted songwriting of our country music artists.

At no time is this more true than when songs are written during trying times for our country and for the unwavering support of our men and women who wear the uniform who are willing to fight and even die, if necessary, for this Nation.

Toby Keith sang in ''America Soldier'' about our troops. He said, ''Up and at 'em bright and early, I'm all business in my suit. I'm dressed for success from my head down to my boots. I don't do it for the glory, I just do it anyway, providing our future's my responsibility. I will always do my duty. No matter what the price. If

dying's asked of me, I'll bear that cross with an honor, 'cause freedom don't come free.''

Through songs like Darrel Worley's ''Have You Forgotten,'' and Lee Greenwood's ''God Bless the U.S.A.,'' Alan Jackson's ''Where Were You (When the World Stopped Turning),'' Aaron Tippin's ''Where the Stars and Stripes and the Eagle Fly,'' Brooks and Dunn's ''Only in America,'' and Charlie Daniels' ''This Ain't No Rag, It's a Flag,'' and Chely Wright's ''Bumper of my SUV,'' the thoughts and emotions of everyday Americans rings out all across America through country music.

□ 1430

These musicians and their patriotic radio stations that air their songs of support for the military are to be commended for being on the front lines of encouragement to our remarkable, relentless troops.

Like many in this House, I've been to Iraq; but also many of our country music singers have gone overseas to Iraq and every other place where American troops are, at their own expense to show appreciation to our American military for their loyalty to the U.S.A.

It's fitting that we as a Congress take note of this and honor country music during the month of October. I urge adoption of the bill.

Mr. HINOJOSA. Mr. Speaker, as I said earlier, country songs foster an appreciation of the many important sacrifices made by soldiers serving in the Armed Forces.

I want to share with our Members of the House that tomorrow, Tuesday, I will be accompanying Sergeant Daniel Pena from my congressional district, a young man 28 years old serving his third tour in Iraq. While on patrol, their Humvee stepped on a land mine that exploded. One of his colleagues riding in that Humvee was killed, and he lost his right arm and his right leg.

He came back to the United States where he has stayed in Walter Reed the last 2 months and received an artificial arm and leg and has now been released by Walter Reed Hospital. I'm going to accompany him and his father and mother to Weslaco, Texas, where he is going to receive a hero's welcome.

I'm pleased to tell you that I requested that country songs like ''Only in America'' by Brooks and Dunn and ''Where the Stars and Stripes and the Eagle Fly'' by Aaron Tippin be played as part of the patriotic music that we're going to have at that celebration of a hero's welcome.

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

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, I yield back my time.

Mr. HINOJOSA. Mr. Speaker, we have no other speakers on this resolution, and I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and pass the joint resolution, H.J. Res. 58.

The question was taken.

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

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CALLING ON CHINA TO RESPECT THE HUMAN RIGHTS OF REFUGEES FROM NORTH KOREA

Mr. TANNER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 234) calling on the Government of the People's Republic of China to respect the human rights of refugees from North Korea.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 234

Whereas the Government of North Korea is a dictatorial regime that commits gross human rights violations against the North Korean people;

Whereas the Government of North Korea attempts to exert absolute control over the lives of North Koreans through the use of deplorable systems of punishment and torture and by restricting the flow of information;

Whereas the Government of North Korea engages in the systematic torture, unlawful detainment, and mass murder of tens of thousands of political prisoners, defectors, and refugees, employing the world's most brutal concentration camp system;

Whereas the lack of freedom, government persecution, and policies of selective starvation have driven hundreds of thousands of North Koreans to northeast China, fleeing for their lives from prison camps or political persecution;

Whereas the Government of the People's Republic of China forcibly repatriates North Korean refugees and imprisons foreign aid workers who try to assist North Korean refugees inside China;

Whereas to encourage these repatriation efforts, Chinese central government authorities assign local public security bureaus in northeastern China a target number of North Koreans that they must detain in order to receive favorable work evaluations;

Whereas the refugees returned to North Korea by the Government of the People's Republic of China face imprisonment, brutal persecution, or execution;

Whereas up to 90 percent of North Korean women refugees fall prey to traffickers in China who sell the refugees into sexual slavery;

Whereas the United Nations Convention relating to the Status of Refugees, done at Geneva on July 28, 1951 (189 UNTS 150), as modified by the Protocol relating to the Status of Refugees, done at New York on January 31, 1967 (606 UNTS 267), defines a refugee as a person who, ''owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country'';

Whereas the Government of the People's Republic of China violates its obligations under the United Nations Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees by impeding access to the United Nations High Commissioner for Refugees (UNHCR) and continually classifying North Korean refugees as ''economic migrants'', denying them asylum and forcibly returning them to North Korea without the review to which they are entitled;

Whereas the UNHCR fails to robustly press the Government of the People's Republic of China to grant the UNHCR access to North Korean refugees and has failed in initiate a binding arbitration proceeding against the Government of the People's Republic of China pursuant to the terms of Article XIV of the Agreement on Upgrading of the UNHCR Mission in the People's Republic of China to the UNHCR Branch Office in the People's Republic of China, done at Geneva on December 1, 1995, governing refugee access and the refugee designation process;

Whereas the UNHCR's failure to bring such an arbitration proceeding was determined by the United States Congress in the North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.) to constitute a ''a significant abdication by the UNHCR of one of its core responsibilities'';

Whereas the failure of the People's Republic of China to abide by its treaty obligations toward the United Nations is a critical means by which the Government of North Korea is allowed to subject the people of North Korea to persecution and effectively imprison them within its borders;

Whereas Special Envoy for Human Rights in North Korea Jay Lefkowitz testified before the House Foreign Affairs Subcommittee on Asia, the Pacific, and the Global Environment on March 1, 2007, that ''the fact that the Government of China is not honoring its international commitments, is not providing genuine access as it is required to the U.N. High Commissioner on Human Rights, I think is really the single most significant issue we have outside of the North Korean Government's own emigration policies that is a barrier now to the free movement of people in that region'';

Whereas the International Parliamentarians Coalition for North Korean Refugees' Human Rights, a coalition of parliamentarians from across the globe, met in Seoul, South Korea, on August 29, 2007, and called on the international community to increase its efforts to protect North Korean refugees; and

Whereas the Korean-American community, acting through various religious and civic organizations, including the ''Let My People Go Campaign'', has worked to bring awareness to the plight of the hundreds of thousands North Korean refugees living in China: Now, therefore, be it

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

(1) strongly encourages the Government of the People's Republic of China to honor its obligations under the United Nations Convention relating to the Status of Refugees, done at Geneva on July 28, 1951 (189 UNTS 150), as modified by the Protocol relating to the Status of Refugees, done at New York on January 31, 1967 (606 UNTS 267), by—

(A) halting the forced repatriation of North Koreans who face a well-founded fear of persecution if they are returned to North Korea;

(B) making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing refugees with a reasonable opportunity to request asylum; and

(C) granting the United Nations High Commissioner for Refugees unfettered access to such refugees to determine their status and the degree of assistance to which they are entitled; and

(2) recognizes the efforts of the Korean-American community for bringing attention to the plight of North Korean refugees.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

Mr. TANNER. Mr. Speaker, I yield myself as much time as I may consume in speaking on behalf and in support of this resolution.

I would first like to thank our colleague, the ranking member of the Subcommittee on Terrorism, Nonproliferation and Trade, ED ROYCE of California, for introducing this resolution.

North Korea is quite literally, as we know from satellite images, one of the darkest places on Earth. One can see that when these images are taken from space at night. It has an underdeveloped economy which cannot supply even the most basic utilities. People there live under this darkness.

It's well-known that the North Korean regime regularly uses imprisonment, forced labor, torture and execution to intimidate the people into submission. Therefore, many try to flee their country each year, thousands crossing into northeastern China.

Some are driven by starvation or desperate poverty. Some flee because they fear persecution for their thoughts and beliefs.

I would say that given this situation most North Koreans, given the choice, would leave. So the regime clamps down ruthlessly to stop this flow of refugees.

Yet, the sad fact is that those who successfully make it may face further human rights abuses by the Government of the People's Republic of China. Beijing is fearful of attracting too many refugees. So it tries to disincentivize the North Koreans.

The government sometimes imprisons these people who cross into China; and in an attempt to avoid its responsibilities under the United Nations Conventions and Protocols that govern the status of refugees, to which the PRC is a signatory, China falsely labels North Korean refugees as economic migrants.

This cynical excuse Beijing uses to thwart the legitimate needs of these refugees will not allow the U.N. High Commissioner of Refugees access to northeastern China to assess the welfare of the North Koreans who are there.

The disturbing truth is that those in China go to great lengths to attract North Korean refugees through sex and labor trafficking.

H. Con. Res. 234 calls on Beijing to stop this awful charade and live up to its moral and legal obligations. It further demands that China stop repatriating North Korean refugees; that it honor the United Nations Conventions and honor the status of refugees; and that it provide unfettered access to the U.N. High Commissioner on this subject.

Mr. Speaker, I support this resolution.

North Korea is quite literally one of the darkest places on Earth. Satellite images show us that North Korea at night is covered in an eerie black, in sharp contrast to the bright lights emanating from the lively, modern cities that dot the rest of North East Asia.

This dramatic image is stark evidence of North Korea's backwards, underdeveloped economy, which cannot supply even the most basic utilities.

But it is also a cold reminder of the horrific conditions that the North Korean people, who live under the cover of this darkness, must endure.

It is well known that the North Korean regime regularly uses imprisonment, forced labor, torture, and execution to intimidate the people of North Korea into submission.

It is no wonder that so many North Koreans attempt to flee their country. Each year, thousands and thousands cross the border into Northeastern China.

Some are driven by starvation or desperate poverty. Some flee because they fear persecution for their thoughts, beliefs, or simply because a member of the regime has arbitrarily labeled them a risk.

Pyongyang knows that given the choice most North Koreans would leave, and so the regime clamps down ruthlessly to try and stop the flow, making an already dangerous trek even more perilous.

Yet, the sad fact is that those who successfully brave the hazards of the border crossing face further human rights abuses by the government of the People's Republic of China on the other side.

Beijing is fearful of attracting too many refugees, and so it brutally tries to create disincentives for North Korean refugees.

The government imprisons North Koreans who cross into China, subjecting them to terrible conditions and abuse, only to repatriate them to North Korea, where they face likely torture or execution.

In an attempt to avoid its responsibilities under the United Nations Conventions and Protocols that govern the status of refugees, to which the PRC is a signatory, China falsely labels North Korean refugees "economic migrants."

Using this cynical excuse Beijing stubbornly refuses to provide for the legitimate needs of these refugees and will not allow the U.N. High Commissioner of Refugees access to Northeastern China to assess the welfare of North Koreans there.

The disturbing truth is that there are those in China who go to great lengths to attract North Korean refugees, through sex and labor trafficking.

H. Con. Res. 234 calls on Beijing to stop this awful charade, and live up to its moral and legal obligations. It demands that China stop repatriating North Korean refugees, that it honor the United Nations Conventions that govern the status of refugees, and that it provide unfettered access to the U.N. High Commissioner on Refugees so that these people who have suffered so terribly can finally receive the protection and fair treatment they so richly need and deserve.

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Congressional Gold Medal ceremony that was held for His Holiness the Dalai Lama earlier this month served to remind us all once again that the Chinese leadership has a long way to go before it becomes a responsible stakeholder in the international community.

Nowhere is this more apparent than in the callous disregard of Beijing of its international treaty obligations with regard to refugees, both North Korean and Tibetan.

The international press has reported incidents of Chinese border guards shooting and killing both North Korean and Tibetan refugees as they sought to flee China. These reprehensible acts must stop at once.

Earlier this month, Beijing demonstrated once again its continued contempt for the international refugee conventions. Chinese police entered the South Korean international school in Beijing to drag North Korean refugees from their hiding places. North Korean refugees had sought sanctuary there.

In the process, the Chinese police roughed up South Korean diplomats who were sent by their government to assist these refugees.

I call on Beijing to act in accordance with the international refugee conventions that it has signed and to end the disrespect that it has shown toward the diplomats of a major ally of the United States.

This resolution, put forward by my good friend, ED ROYCE of California, is particularly timely and essential with the approach of the 2008 Olympic Games in Beijing. Olympic hosts should not include oppressors of refugees.

The forced repatriation of North Korean refugees is both irresponsible and immoral. If ever there was a refugee population who faced the immediate threat of persecution upon return to their homeland, it is the tens of thousands of North Korean refugees now hiding in China.

The office of the U.N. High Commissioner for Refugees, UNHCR, must also do a much better job in holding Beijing accountable for its reckless disregard of its obligations. If Beijing does not begin to address this urgent issue in a

responsible way, then there should be dire consequences.

Television viewers around the world next summer could possibly see on their screens the scene of a North Korean woman with her baby seeking safe haven in an athletes' dormitory at the Olympic village as Chinese police ruthlessly pursue her.

This resolution, therefore, Mr. Speaker, is of vital importance for the reaffirmation of our commitment to the protection of refugees and, most importantly, for the North Korean refugees themselves.

I rise in strong support of Mr. ROYCE's resolution, and I urge my colleagues to do the same.

With that, Mr. Speaker, I yield such time as he may consume to the author and the sponsor of this resolution, Mr. ROYCE of California.

Mr. ROYCE. Mr. Speaker, I want to thank the gentlelady for yielding, and I want to take a moment and thank Chairman JOHN TANNER, as well as of course Ranking Member ILEANA ROS-LEHTINEN and Chairman LANTOS for their support in bringing this bill to the floor of the House of Representatives.

I would also like to thank Congresswoman DIANE WATSON. She is the coauthor of this resolution, and in August Congresswoman WATSON and myself traveled to South Korea as Chair and vice-Chair of the U.S.-Republic of Korea Interparliamentary Exchange. We also had an opportunity to go to North Korea at that time. In Seoul, South Korea, we held a day-long discussion with our counterparts in the National Assembly there in South Korea and took part in a forum of parliamentarians from across the globe. We had parliamentarians there from seven different countries to discuss the plight of North Korean refugees, and this resolution is a product of those discussions and what we learned from the defectors that we talked to, and we listened to the defectors during these hearings.

Mr. Speaker, we're all too familiar with the miserable human rights conditions in North Korea, and I would just remind the Members of this body of reports by the State Department and NGOs that paint a very grim picture.

There is a total denial of political, civil, and religious liberties. There is no dissent or criticism allowed of Kim Jong-Il. The media is tightly controlled there by the regime.

Severe, severe physical abuse is inflicted on any citizen who violates these laws and restrictions. NGOs describe a system of concentration camps. They say this is akin to the Soviet gulags, and they house somewhere up to 200,000 inmates.

Food shortages are a regular problem because the regime distributes food based on perceived loyalty and, of course, favors the ruling elite and the military.

This dismal state has led a large number of North Koreans, perhaps as many as 300,000, to cross into China. There they seek food, and they're looking for work, and hopefully from their standpoint, they're looking for resettlement in South Korea. It is thought that nearly 75 percent of these refugees are women, and according to the NGOs that study this problem, 90 percent of those women end up trafficked.

In northeast China, North Korean refugees live in constant fear of being rounded up by Chinese authorities, and this despite the international obligations that China is supposed to keep.

China forcibly repatriates these refugees; and for many of them, it's effectively a death sentence. Some are shot on the spot. Some go to these concentration camps or work camps. Many of them live out their lives in these concentration camps.

□ 1445

The Government of North Korea deems leaving their country a crime, in some cases a capital offense. If not that, the expense is the gulag.

China's mistreatment of these refugees is not new but has really intensified, according to the State Department, in the last couple of years. During 2006, several thousand North Koreans were forcibly detained and forcibly returned to North Korea, the State Department reports.

As part of its stepped-up campaign of repatriation, Chinese authorities reportedly also have established new detention centers along the border with North Korea to accommodate greater numbers of North Korean prisoners prior to the repatriation. The Congressional-Executive Commission on China, on which I serve, recently released its annual report finding that during the past 1 or 2 years the Chinese Government has intensified its efforts to forcibly repatriate North Korean refugees, in part as security preparation for the 2008 Olympic Games.

These refugees deserve better. Certainly, Kim Chun-hee did. Ms. Kim is a North Korean woman in her 30s who sought refuge at a school in Beijing in December of 2005, only to be repatriated, this despite attempts by the United States and others to raise her case to the Chinese Government to convince the Chinese Government not to do this. To this day it is not known whether she was executed or whether she is still alive.

There are thousands of similar stories. Those associated with humanitarian groups who assist North Korean refugees in northeast China are also targeted by Chinese officials, and this includes U.S. citizens. Last month, American businessman Steve Kim was released from a Chinese prison after serving 4 years. His supposed crime was helping North Korean refugees who had escaped their homeland and were hiding in China hoping to make their way to South Korea.

Mr. Kim, who recently spoke on Capitol Hill about his experiences, recounted, ''When I was in prison, I saw North Korean defectors who I shared the prison cell with beaten to a pulp by prison guards.'' Now, this is in China. This is before they are sent back to North Korea. We have documented the kind of treatment they get when they are sent back.

This resolution sends a strong message to Beijing. This practice must stop. Specifically, the resolution calls on China to honor its obligations under the 1951 U.N. convention relating to the status of refugees and its 1967 protocol, and to honor that by halting the forced repatriation of these refugees, terminating the practice of automatically classifying all North Korean border crossers as illegal economic migrants and granting the U.N. High Commissioner for Refugees unfettered access to get into these areas to see these refugees.

China is signed up to respect refugees. It is past time for them to live up to the protocols they have signed to do this. The human rights situation in North Korea is a nightmare. These human rights abuses are worthy of this House's attention, because North Koreans are suffering. Two million were killed at the hands of this regime over this last decade. They also tell us something about the regime we are expecting to carry out commitments under the Six-Party Talks on North Korea's nuclear weapons program. It tells you something about this regime.

I will quote Andrei Sakharov, the Soviet dissident who once said, ''A country that does not respect the rights of its own people will not respect the rights of its neighbors.'' Teeing off that quote, Jay Lefkowitz, the State Department's Special Envoy for Human Rights in North Korea, wrote in The Wall Street Journal last year, ''North Korea is a prime example of a regime that doesn't respect either. It wouldn't have surprised Sakharov that a government that inflicts on its citizens repression reminiscent of the most cruel totalitarian rulers of the 20th century is today counterfeiting U.S. currency, trafficking in narcotics, building a nuclear arsenal, and threatening other nations.''

In testimony last week before the House Foreign Affairs Committee, Assistant Secretary Christopher Hill reported that he is moving the ball forward with North Korea in respect to disabling their nuclear program. I hope he is right. Part of the February agreement to do so involves a U.S. commitment to move toward full diplomatic relations with North Korea.

The administration insists that it still has a clear eye on the North Korea human rights situation. However, the Congressional Research Service reports that Ambassador Hill increasingly has linked normalization of U.S.-North Korean relations solely to a satisfactory settlement of the nuclear issue. This body must let it be known that relations with North Korea will be far from normal as long as North Korea continues to treat its people as we have heard about today.

I urge the passage of this important resolution.

Mr. TANNER. Mr. Speaker, I yield such time as he may consume to Mr. MORAN of Virginia.

Mr. MORAN of Virginia. I thank Mr. ROYCE for bringing up this issue.

Mr. Speaker, it's terribly important, it's all about man's inhumanity to mankind. Here China envisions itself becoming a superpower in the 21st century, hosting the world's Olympics.

We, in the United States, are buying tens of billions of dollars of goods from China. China has the opportunity to take its place among the nations of the world that matter, that do the right thing, that lead us into the future. What a terrific opportunity for China to show that it has a moral fiber, that it knows right from wrong, that it is not an amoral totalitarian state.

It knows, beyond any shadow of a doubt, the horrific conditions within which the North Korean people exist today, barely surviving. Yet, out of total desperation, when they are able to escape North Korea, do the Chinese help? No. They make it worse. It's as though they have escaped from some purgatory into hell where they get beaten up by the Chinese and then sent back to North Korea, probably to be executed.

This is a situation that just cries out for people around the world to speak up. I appreciate the fact that Mr. ROYCE has given us that opportunity in the House of Representatives today.

Mr. DAVIS of Virginia. Mr. Speaker, I rise in support of H. Con. Res. 234, which calls upon the People's Republic of China to abide by its obligations with respect to North Korean refugees.

Mr. Speaker, the people of North Korea suffer under one of the most oppressive regimes on Earth. North Koreans enjoy few freedoms. Indeed, most aspects of daily life are dictated by government mandate. This bleak existence is punctuated by constant fear of the merciless tactics employed by the government to command subservience. To add insult to injury, North Korea suffers chronic food shortages. The food that is available is rationed out based on presumed loyalty to the state, not need.

Not surprisingly, thousands, if not hundreds of thousands, have attempted to flee North Korea into China. I would assume almost all North Koreans would leave if given the option. The government of Kim Jong-Il must assume this as well, because it does everything in its power to dissuade North Koreans from doing so. Leaving North Korea is a crime. Those caught attempting to escape are beaten, imprisoned in concentration camps, or executed.

Instead of recognizing North Koreans as political refugees, China labels them economic migrants. Instead of providing sanctuary, it hunts them down and, like the North Korean government, beats and imprisons them. Finally, they are forcibly repatriated to North Korea, even though this is often tantamount to a death sentence.

The People's Republic of China is party to the United Nations Convention Relating to the Status of Refugees and the 1967 Protocol to that Convention. These are the international instruments that detail the protections for refugees. Despite this, China has not allowed United Nations agencies access to the North Koreans living in China, and its aforementioned treatment of North Korean refugees violates these international agreements.

I thank my colleague Representative ED ROYCE for introducing this legislation, and I join his call for China to live up to its humanitarian responsibilities with respect to North Korean refugees.

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

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

The SPEAKER pro tempore (Mr. HILL). The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Con. Res. 234.

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

A motion to reconsider was laid on the table.

RECOGNIZING AND COMMENDING EFFORTS TO RAISE AWARENESS ABOUT AND HELP END THE WORSENING HUMANITARIAN CRISIS AND GENOCIDE IN DARFUR, SUDAN

Mr. TANNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 573) recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 573

Whereas the violence conducted by the Armed Forces of Sudan, government-backed Janjaweed militia, and various rebel factions in Darfur, Sudan, has left nearly 2,500,000 people displaced from their homes and up to 400,000 civilians dead;

Whereas despite the signing of the Darfur Peace Agreement on May 5, 2006, violence, death, and destruction in Darfur continue unabated, threatening the lives of thousands of civilians, humanitarian aid workers, United Nations officials, and African Union international peacekeepers;

Whereas on July 22, 2004, Congress declared the atrocities unfolding in Darfur as genocide, and on September 9, 2004, then-Secretary of State Colin Powell, in testimony before the Senate Foreign Relations Committee, declared that ''genocide has been committed in Darfur'', and that, ''the [G]overnment of Sudan and the Janjaweed bear responsibility'';

Whereas on April 18, 2007, President George W. Bush declared at the United States Holocaust Museum, where the Committee on Conscience has spent considerable efforts advocating to end the genocide in Darfur, that the United States has a moral obligation to help end the genocide in Darfur;

Whereas hundreds of United States faith-based, human rights, humanitarian and youth-led advocacy organizations have established Darfur-related campaigns since the United States declaration of genocide in 2004;

Whereas hundreds of State and local communities, schools, universities, and individual citizens have mobilized and organized fundraisers, campaigns, and initiatives to help end the genocide in Darfur;

Whereas over 600 chapters of anti-genocide high school, college and university student organizations have been established since 2004 to help end the genocide in Darfur;

Whereas 57 United States colleges and universities, 20 States, ten United States cities, and eight international and faith-based organizations have adopted divestment policies from Sudan thus far;

Whereas on April 30, 2006, thousands of people gathered at the National Mall in Washington, D.C., to urge the United States and the international community to help end the genocide in Darfur;

Whereas similar public advocacy efforts in the United States to end mass human rights violations, racial discrimination, and violence in Africa have not been seen since the South African anti-apartheid movement;

Whereas these aforementioned efforts have embraced the slogans ''Never Again'' and ''Not On Our Watch'', reminiscent of the failure of the international community to stop the Holocaust and the genocides in Bosnia and Rwanda; and

Whereas the United States has led the international community's condemnation of the atrocities and violence in Darfur: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and commends the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan;

(2) supports the efforts of the various local schools, communities, and faith-based, human rights, humanitarian, and youth-led advocacy organizations that have dedicated their time and energy to help end the genocide in Darfur and to promote peace, defend human rights, and improve the lives of those affected in Sudan and Chad; and

(3) urges the United States to work with its partners in the international community to support a negotiated settlement to the conflict in Darfur, while implementing a more robust set of multilateral measures against those individuals who act as obstructionists to peace in Darfur, including by launching attacks against civilians, humanitarian operations, or peacekeeping forces, or by blocking the deployment of a credible African Union-United Nations hybrid peacekeeping force.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

Mr. TANNER. I want to thank the gentleman from Virginia (Mr. MORAN) for his efforts in this regard and to say

a few words, so I will yield myself such time as I may consume before I recognize the gentleman from Virginia.

The genocide in Darfur has taken a horrific toll on that region. Well over 60 percent of the villages have been destroyed, 2 million people displaced, 400,000 killed, and 200,000 driven into refugee camps in neighboring Chad.

Thanks to the work of tens of thousands of Americans, the genocide has not been ignored. All over the country, local communities have been organizing and mobilizing with regard to this issue.

In response to the call for divestment from Sudan, 20 States have adopted divestment from Sudan policies and another 20 have it under consideration; 58 universities and colleges have adopted policies to divest pension funds from Sudan and another 47 are pursuing similar policies.

In addition, 10 cities, eight international and religious organizations and eight countries have either adopted policies or are in the process of so doing, while seven major international corporations have ceased doing business with the government in Sudan.

While this Congress, former Secretary of State Colin Powell and President Bush have described atrocities in Sudan as genocide and hold the Sudan overwhelmingly responsible, the international community has yet to come together to put an end to the genocide.

I want to commend the American people for not giving up on this issue. The U.N. is deploying peacekeepers. Foreign and civil society groups are also involved.

Muslim pop stars from around the world recently came together at a charity concert for Darfur. The head of the sponsoring organization, Islamic Relief, said, ''British Muslims must unite and raise their voices over the issue of Darfur.''

We cannot allow our voices to remain silent. Therefore, I urge all of our citizens and activist organizations to continue speaking out on Darfur and to continue pressure for economic sanctions and real civilian protections.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of House Resolution 573, which commends the efforts of the American people and advocacy groups to confront genocide in Darfur, Sudan. As the resolution notes, there has been no other grassroots advocacy effort in the United States aimed at addressing mass atrocities and human rights abuses in Africa that has been conducted with as much vigor since the anti-apartheid movement of the 1980s and 1990s.

Mass demonstrations and protest marches have been organized. Days of prayer have been observed by churches, synagogues and mosques across the country. Countless fund-raisers for humanitarian relief have been conducted.

In my own district, school children as young as the first grade joined in an effort to collect hundreds of toys for the children of Darfur, which I had the opportunity to deliver while I visited that war-torn region. I am extremely proud of the contributions that these children made and all the people in my community, for it helped bring some joy to the youngest victims of a modern-day genocide.

Advocacy efforts on the Hill have also been extremely effective. Congressional offices have been inundated by phone calls, letters and visits by individuals committed to making a difference. It is due in no small part to the efforts of these groups that this body has considered 10 separate bills and resolutions which seek to address conditions in Darfur this year, including three that will be considered today alone.

I commend the efforts of those who have dedicated so much of their time and energy to raising awareness about the carnage that continues to unfold in Darfur, and I urge my colleagues to support this important resolution.

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

Mr. TANNER. Mr. Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my friend and colleague from Tennessee (Mr. TANNER).

Mr. Speaker, the intent of this resolution is to recognize the outstanding work of the school, community and faith-based advocacy groups who, through their moral commitment and tireless efforts and countless hours of volunteer service, have helped bring needed attention to the genocide occurring in Darfur. Their efforts reflect the true spirit of Americans and bring hope to those who are facing historic atrocities halfway around the world.

I want to particularly commend the students who are fueling this nationwide movement, urging action to stop genocide by educating their peers and holding us, their elected officials, accountable.

□ 1500

And hold us accountable they have. I recently met with students from an organization whose primary goal is to form a nationwide anti-genocide coalition. This organization has more than 700 chapters, provides students with creative and effective organizing materials and policy and advocacy training. Recently, in my home State of Virginia, several outstanding students from the New School of Virginia held a 3-day conference where they educated fellow students about the genocide in Darfur.

I was so moved by their sincere and energetic commitment to ending that genocide, I invited the students to Congress, where they were led by Semhar Araia and Lia Parada of my staff. These high school students briefed Members of Congress on their efforts to put pressure on the Government of Sudan to stop the genocide. Having given their peers numerous briefings on the situation in Darfur, these students took it upon themselves to ask poignant, pressing questions of our colleagues. Their message was clear: help us save Darfur.

Having learned that villages have been razed, women systematically raped and branded, men murdered, and food and water supplies destroyed, they are determined to make a difference, and to continue speaking up until their government does the right thing.

Now, we hear slogans from our President like, ''not on our watch,'' and we believe that he is sincere when he says that. But our society continues to be witness to a crisis as devastating as Rwanda. Our youth can't understand why it continues today, after years of knowing what has been going on, tens of thousands have died, hundreds of thousands are displaced and living in refugee camps. More than 2 million people have been driven from their homes.

And over the last few years, we've seen major changes in U.S. foreign policy with respect to the ongoing crisis in Darfur, but a far more aggressive response is still needed.

On July 22 of 2004, Congress declared that the atrocities unfolding in Darfur constituted genocide. On September 9 of that year, former Secretary of State Colin Powell stated that ''genocide has been committed in Darfur and that the Government of Sudan and the janjaweed bear responsibility.''

On April 18 of this year, President George Bush asserted that the United States has a moral obligation to help end the genocide in Darfur. But it still goes on.

Had it not been for the grass-roots effort to pressure the administration and other national governments on this humanitarian crisis, I doubt we would see the United Nations African Union peacekeepers in Darfur.

But we have got to do so much more. The mission is not complete. Just last month, on September 29, an estimated 1,000 members of a heavily armed Darfur rebel group overran a base in Haskanita, which is occupied by the African Union Mission. This ambush resulted in intense fighting that killed 10 peacekeepers and wounded many others; 50 soldiers are still missing. According to U.N. estimates, in the aftermath of the brutal attack, 15,000 civilians had to flee the area to neighboring towns or the wilderness.

The effort and resources put into resolving this conflict pale compared to what the President has requested for Iraq. Clearly, there's so much more that we as a Nation could be doing to end this crisis. The humanitarian situation is not improving. African Union peacekeeping forces are limited to only 7,000 troops. As evidenced by the attack on Haskanita, it is unlikely that their efforts alone will ensure any real meaningful progress. We've got to keep

pressuring the Sudanese Government and build support for a larger peacekeeping force. More Americans need to speak out day in, day out, like these students are. We cannot continue to allow the raping, the massacreing, the displacement of people to continue. These students are asking us to hear them, to act, and to bring to bear the strength of the nations of the world to address this conflict.

That's why I urge my colleagues to vote in favor of this resolution that recognizes those who have selflessly devoted themselves to raising awareness of the crisis in Darfur.

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

Mr. TANNER. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman for yielding me the time and for his leadership on so many issues advocating human rights, but especially the humanitarian crisis in Darfur.

I also want to thank Congressman JIM MORAN for introducing this resolution that recognizes and commends the outstanding work carried out by dozens of national organizations and literally thousands of local groups across the country to educate Americans and motivate them to take action on ending the genocide in Darfur, Sudan.

Mr. Speaker, on April 28, 2006, my House colleagues, Representatives MORAN of Virginia, TOM LANTOS, JOHN OLVER and SHEILA JACKSON-LEE, joined me for a protest in front of the Sudanese embassy here in Washington as part of a larger effort organized by religious, student, and human rights groups to focus the country's attention on the genocide in Darfur. All of us were arrested and many of us joined thousands of our fellow citizens 2 days later for the national rally on the Mall to stop the genocide in Darfur.

I brought my two children, Patrick and Molly, to that rally so that they could listen to the speeches, see the great diversity of people united in effort, and meet so many of the young people and students who have been engaged in the cause of ending genocide.

I happen to be especially blessed, Mr. Speaker, in having 13 colleges and universities in the Third Congressional District of Massachusetts, an engaged religious community of many faiths and school districts that believe in debating the serious issues of the day inside the classrooms. I had been hearing and learning about the humanitarian crisis in Darfur for months from elementary school, middle school, high school and college students, from religious leaders and community groups, from the Armenian American community in Worcester, and from local human rights and refugee advocates.

When I stood with my colleague in front of the Sudanese embassy, I was there not just to protest the genocide, but to honor the broad coalition of voices that works every day, that works day after day, week after week and year after year to end the violence, the terror, the humanitarian crisis, the genocide in Darfur. Among these are the Save Darfur Coalition, STAND, ENOUGH, and the Genocide Intervention Network.

Since the national rally on the Mall a little over a year and a half ago, these groups have continued to raise the awareness of the American people. Over the April recess, I had the privilege of traveling to eastern Chad to meet some of the 300,000 refugees from Darfur living in camps along the Chad-Sudan border. I spent several days with representatives from UNHCR, UNICEF, the World Food Program, Oxfam, ICRC, Catholic Relief Services, Doctors Without Borders and so many others whose lives and work are completely focused on responding to the humanitarian crisis. I cannot possibly express in words the respect and admiration I have for them and all the other NGOs working inside Darfur and in Chad and the Central African Republic with the nearly 3 million people displaced from their homes by the violence in Darfur.

Mr. Speaker, today we are considering three bills on Darfur: this one, that recognizes and commends the work of advocacy groups and other NGOs who raise awareness and are working to help end the genocide in Darfur; another resolution introduced by Congresswoman ROSA DELAURO about the need to protect the women and girls of Darfur from acts of rape and sexual violence that have become commonplace in this conflict; and, a third, condemning in the strongest terms the attacks on September 29 on the African Union peacekeepers.

Mr. Speaker, the genocide goes on. The humanitarian crisis persists. This morning's Washington Post speaks to the fact that the United States and the international community speak with passion, but accomplish little in ending the violence in Darfur. This week another peace conference on Darfur is under way in Libya, except all the parties to the conflict are not present. We must do more, Mr. Speaker, or we will be here 1 year from now, once again bemoaning the killing, the violence, and the terror. The time for action is now.

Mr. TANNER. Mr. Speaker, I am now pleased to yield as much time as she might consume to the gentlelady from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding, and I appreciate the work of Ms. DELAURO, Mr. MORAN, Ms. ROS-LEHTINEN, those who have brought forward a number of resolutions on Darfur. And there's a reason, I think, we're seeing a confluence of new concern.

This is not the kind of resolution one comes to the floor and says I'm proud to be a cosponsor. It is more in the nature, Mr. Speaker, of an emergency resolution designed to make sure we don't go to sleep on Darfur while the genocide continues.

There are so many things that the world community has done, that the President has done, that NGOs have done; and, yet, here we are with the genocide in place in Darfur. The message is, we haven't done enough, therefore.

I am among those who have been arrested in front of the embassy. Well, the whole point there was to call attention to Darfur, and that was at least more than a year ago, not to mention all that has happened all around the world.

I want to call special attention to the most defenseless victims of the genocide, and those are women who are the victims of rape as individuals, and mass sexual violence of various kinds. The mores of this society may mean that the women in society were more accustomed to being protected by the men. If those were the mores, that, of course, protection is long gone because of the genocide against the men.

So what we have often is a society of women and children defenseless against what appears to be interminable genocide. Just 2 months ago, there was yet another report of mass rapings, dozens of women. It seems to be a modus operandi. When the attacks are made, single out the women after the attacks for rape. The large attacks on the camp bespeak continuing genocide.

What is perhaps most pitiful is that the women continue to do what women in developing societies have always done, to be the wood gatherers of the society, to go out and gather the wood that is necessary to do the cooking and, indeed, to live. There are fire wood patrols that must go with these women, and still the rape continues. The lack of resources for these patrols, the lack of communication and organization for these patrols means that emergency conditions for women and children continue.

The hybrid force for Darfur is not even scheduled to be on the ground until next year. The shame of it all, that the mass rape is often committed by members of the Sudanese Armed Forces and the militias, and that we've been able to do nothing about it, means that we have an obligation to raise our voices about mass rape and abuse of women that is now well documented.

Finally, Mr. Speaker, bear in mind, these are women with no recourse except our raising our own voices. No recourse whatsoever. And consider that after the rape of such women, which is often shameful enough even in a society like ours so the women don't even want to come forward and speak about it, these women often are seen as women who've had sexual intercourse outside of marriage and are open to the crime of Xena or such an offense which would be 100 lashes in addition to the humiliation they have already suffered.

The ultimate victims, of course, are the children who result from pregnancy of these women, the janjaweed child, this often is called, and there that

child sits outside of the society, outside of what is normally done as a matter of course for children.

I hope this resolution begins to put Darfur, its genocide and especially its treatment of women and children, on the front burner once again.

Mr. HOYER. Mr. Speaker, today, the House is considering-three critically important resolutions related to the world's worst ongoing humanitarian disaster—the genocide in Darfur, Sudan.

The first is H. Res. 573, which recognizes and commends the efforts of U.S. advocacy groups to raise awareness about and help end the worsening crisis in Darfur. These groups remind us daily, through their media campaigns and grassroots efforts, that the international community has a responsibility to unite and stop crimes against humanity—and that we must learn from past failures to do so—in Rwanda, Bosnia, and elsewhere.

The second is H. Res. 740, which condemns the brutal attack on African Union peacekeepers that occurred in Haskanita, Darfur, 1 month ago today. This violent act, carried out by rebels, took the lives of 10 peacekeepers—seven Nigerians and three other soldiers from Mali, Senegal, and Botswana. It reminds us that there are many guilty parties in the violence in Darfur, and that we must reinforce our support for the courageous African Union soldiers—who indeed fight not for their own countries, but for humanity.

Finally, the House will vote today on H. Res. 726, a resolution calling on the President and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against the most innocent of Darfur's victims—young girls and women. I was asked to cosponsor this important resolution by my friend and colleague BRAD MILLER, who traveled with me to Darfur in April. There we saw things we will never forget—children orphaned by genocide and women who had experienced unspeakable personal traumas. We learned that the heartbreaking reality of life in Darfur today means women risk being raped when doing things as simple as collecting firewood. This resolution addresses this horrific reality by authorizing grants to help the women and girls of Darfur and calling for prosecution of those who have carried out such hideously inhumane acts.

I am proud that the U.S. House of Representatives is putting itself on record with these resolutions—as an institution that will not stand idly by while the world's worst humanitarian disaster continues to unfold. While these resolutions are not a panacea to the heart-rending conflict in Darfur, we know from experience that continual pressure on those who take part in such violent, inhumane actions brings us closer to a solution.

That solution must be multi-faceted. It includes not only full and speedy implementation of the United Nations/African Union hybrid peacekeeping force, but also international support for a single, unified peacemaking process. I am extremely disappointed to learn that multiple rebel leaders have chosen violence over peace and declined to participate in the current talks in Libya, but I am hopeful that the representatives that are there—including the representatives of the Government of Sudan—will make progress toward a ceasefire and a viable political solution for this ravaged land. Finally, and equally important, a solution in Darfur must include a sustained and secure role for the courageous humanitarian workers, who risk their lives daily because they are so committed to alleviating the suffering of their fellow human beings.

I urge my colleagues on both sides of the aisle to support these three resolutions.

Mr. MICHAUD. Mr. Speaker, I rise to speak about a human tragedy that affects the lives of millions of innocent individuals. The barbarism in the Darfur region of Sudan continues despite international calls for a cessation of violence. Lives continue to be lost and hope for peace remains distant.

On July 4 of 2004, the 109th Congress declared that genocide was occurring in the Darfur region of Sudan. Over 3 years later, the violence continues. Hundreds of thousands of people have lost their lives. An estimated 2.2 million people have been forced from their homes.

Today the House will consider three resolutions related to Darfur. It is my hope that this body will continue to focus on this humanitarian crisis until the genocide comes to an end. H. Res. 573 recognizes and commends the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur. The responsibility to help end this humanitarian crisis is part of the values that make us American. It is in the best spirit of our country, and it is part of the leadership that we should bring to the world. We must continue to work together as one to bring this conflict to an end.

The second resolution, H. Res. 756, condemns rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic. The violence and inhuman experiences perpetrated upon the people of Darfur and the surrounding region have been particularly terrible for women. This resolution urges the President to take an active role in providing victims of sexual abuse with medical and legal support. It also calls on fellow members of the United Nations to sanction the Sudan for any noncompliance to bring known perpetrators to justice. We cannot be silent while innocent women and girls suffer such cruelty.

The final resolution, H. Res. 740, condemns the attacks made on African Union Peacekeepers in the Darfurian village of Haskanita on September 29, 2007. This violent act took the lives of 10 peacekeepers—7 Nigerians and 3 other soldiers from Mali, Senegal, and Botswana. These attacks are unacceptable and detrimental to the peace effort but should not deter the conviction of the African Union or the international community to bring peace and security to the region.

The displacement of millions of people as well as the rape and murder of hundreds of thousands cannot be tolerated by the United States or any country that holds freedom and democracy as sacred values. The ongoing events in Darfur constitute the worst ongoing humanitarian disaster in the world. We must do everything we can to bring it to an end.

Mr. GOODLATTE. Mr. Speaker, the deplorable situation in Darfur has united the world in outrage over the atrocities being committed there. Through the efforts of motivated individuals and advocacy groups, the situation in Darfur has been brought to the forefront of public consciousness.

These people have worked tirelessly in raising awareness about the situation in Darfur and calling for an end to the genocide. Around the country, throughout Virginia and across the 6th District of Virginia, I have seen first hand the dedication and commitment of these individuals in calling on leaders, from around the world, to speak out against the horrendous events in Darfur. In fact, it was often their humanitarianism and commitment to peace in Darfur that encouraged nations to speak out against what was happening in Sudan and take action.

It is no surprise to me that the citizens of the United States have taken such an active role in condemning the actions taking place in Sudan. After all as a Nation dedicated to freedom and the rights of the individual, the United States and its citizens have a responsibility to speak out when those rights are violated, whether at home or abroad. The work of these groups is a true testament to the values of our country.

The goodwill of these individuals and groups in raising global awareness is instrumental in helping to end the genocide in Darfur. I am glad that we in Congress have risen today to commend these groups and thank them for their service. We thank all the various local schools, communities, faith-based, human rights, humanitarian, and youth-led advocacy organizations that have dedicated their time and energy to help end the genocide in Darfur, to promote peace there, and to defend human rights. We must continue to work together and do more to bring an end to the genocide in Darfur.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 573, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1515

CALLING ON THE PRESIDENT AND INTERNATIONAL COMMUNITY TO TAKE IMMEDIATE STEPS TO RESPOND TO AND PREVENT RAPE AND SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS IN DARFUR, SUDAN, EASTERN CHAD AND CENTRAL AFRICAN REPUBLIC

Mr. TANNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 726) calling on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence

against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 726

Whereas, during war, rape and sexual violence are often used systematically as a weapon of intimidation, humiliation, terror and ethnic cleansing;

Whereas it is estimated that between 250,000 and 500,000 women and girls were raped during the genocide in Rwanda;

Whereas, on September 2, 1998, the United National International Criminal Tribunal for Rwanda found Jean Paul Akayesu guilty of rape and held that rape and sexual assault constitute crimes against humanity;

Whereas, on October 31, 2000, the United Nations Security Council adopted Security Council Resolution 1325 (2000), calling on all parties to an armed conflict to take, ''special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse'';

Whereas the Rome Statute of the International Criminal Court, which entered into force on July 1, 2002, states that rape and ''any other form of sexual violence of comparable gravity'' may constitute both ''crimes against humanity'' and ''war crimes'';

Whereas since 2003, mass rape committed by members of the Sudanese armed forces and affiliated militias with the support of the Government of Sudan has been a central component of the Government of Sudan's violence and ethnic cleansing in Darfur;

Whereas women and girls leaving Internally Displaced Persons camps in Darfur and refugee camps in eastern Chad, to seek firewood, water or outside sources of income are often attacked and subjected to rape and sexual violence perpetrated by members of the Sudanese armed forces and associated Janjaweed militia and other armed combatants;

Whereas, on July 19, 2004, Amnesty International reported that it collected the names of 250 women who had been raped in Darfur and information on 250 additional rapes;

Whereas, on January 25, 2005, the International Commission of Inquiry on Darfur, in a report to the United Nations Secretary General, reported numerous cases of mass rape throughout Darfur including an incident in which a large number of Janjaweed attacked a boarding school, and raped as many as 110 girls;

Whereas, on October 14, 2005, the Secretary General of the United Nations reported ''Many girls have given birth as a result of rape. Although local communities are trying to accept the offspring, the children face a great deal of stigmatization.'';

Whereas, on March 9, 2007, members of the United Nations High-Level Mission on the situation of human rights in Darfur reported that ''rape and sexual assualt have been widespread and systematic, terrorizing women and breaking down families and communities'' and that ''women are also attacked in and around refugee camps in eastern Chad'';

Whereas, on April 27, 2007, the International Criminal Court, acting under the authority provided in Security Council Resolution 1593 (2005), issued arrest warrants for Sudan's Humanitarian Affairs Minister Ahmad Muhammad Harun and Janjaweed Colonel Ali Muhammad Al Abd-Al-Raham seeking their arrest for 51 counts including 6 counts involving rape;

Whereas under Sudanese law victims of rape have virtually no legal recourse and may in fact be charged with the crime of zina, or sexual intercourse outside of marriage, punishable by one hundred lashes if the victim is unmarried and death by stoning if she is married;

Whereas, on July 31, 2007, the United Nations Security Council adopted Security Council Resolution 1769 authorizing the deployment of a United Nations-African Union peacekeeping force (UNAMID) to Darfur and expressing strong concern about ''on-going attacks on the civilian population and humanitarian workers and continued and widespread sexual violence'' while ''emphasising the need to bring to justice the perpetrators of such crimes''; and

Whereas, on August 20, 2007, the United Nations High Commissioner for Human Rights, reported on attacks, abductions and systematic rapes of women in Darfur and the resulting ''grave health risks from the consequent physical injuries and psychological trauma'', and declared that these acts may ''constitute war crimes'': Now, therefore be it:

Resolved, That the House of Representatives—

(1) calls upon the President of the United States to develop within the United States Department of State and the United States Agency for International Development a Women and Girls of Darfur Initiative to improve assistance to victims and potential victims of rape and sexual violence in Darfur, Sudan, eastern Chad and the Central African Republic by—

(A) offering specialized grants to non-governmental organizations, operating within IDP and refugee camps in Sudan, Chad and the Central African Republic that can provide all essential quality health care services and medical supplies, psychological and social counseling, and legal advice to Darfuri victims of rape and sexual violence;

(B) providing treatment for the prevention of sexually transmitted diseases, including antiretroviral drugs to prevent HIV infections, and specialized care for rape victims already infected with HIV/AIDS and other sexually transmitted diseases;

(C) meeting the psychological, social and educational needs of victimized women, girls, children born as a result of rape, their family and the community in order to limit the stigmatization associated with rape; and

(D) providing financial, technical and other forms of assistance to support women's peace initiatives;

(2) calls upon the Secretary General of the United Nations, the permanent members of the United Nations Security Council, the African Union, the European Union, the Arab League and other nations to immediately take steps to—

(A) ensure that a fully funded and fully equipped UNAMID is deployed to Darfur, Sudan;

(B) mandate that UNAMID employ all necessary measures to protect women and girls from acts of rape and sexual violence both outside and within Darfuri refugee and IDP camps;

(C) provide sufficient resources and training to UNAMID troops and police to ensure a capability to properly respond to acts of rape and sexual violence;

(D) provide for firewood patrols and other safeguarding measures to protect women and girls leaving refugee and IDP camps; and

(E) include an adequate number of female troops and police in UNAMID to properly manage incidents of rape and sexual violence; and

(3) calls on the United Nations Security Council to immediately—

(A) find the Government of Sudan in noncompliance with Security Council Resolution 1325 (2000);

(B) call on the Government of Sudan to provide full legal protections to victims of rape and sexual violence and to bring to justice individuals responsible for such crimes; and

(C) adopt under Chapter VII of the United Nations Charter a Security Council Resolution calling on the Government of Sudan to respect all related Security Council Resolutions, including Security Council Resolution 1593 (2005), enforce the arrest warrants for Ahmad Muhammad Harun and Ali Muhammad Al Abd-Al-Raham, and further recognize the systematic rape of women and girls in Darfur as crimes against humanity and war crimes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

I want to thank Congresswoman DELAURO for this important resolution that focuses again on one of the most heinous crimes of war known to humans: the rape of women.

In the process of the Darfur genocide, women and girls have been targeted specifically. And I will let her speak more about this, but when women living in refugee camps, for example, were asked why they went to fetch water and risk rape rather than the men, they answered, If we let the men go, they will be killed. It is better for us to be raped than for our husbands to be killed.

It goes on and on, Mr. Speaker, but I will reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the resolution by my good friend, Ms. DELAURO, H. Resolution 726, which calls on the international community to take immediate steps to respond to and to halt acts of rape and sexual violence, all of which are occurring in Darfur, eastern Chad, and the Central African Republic.

I would like to thank the chairman of our committee, Mr. LANTOS; and, of course, the lead sponsor, my friend Ms. DELAURO for their flexibility in accommodating concerns raised prior to the introduction and then during the committee consideration with regard to nonessential health issues and the International Criminal Court.

With those issues addressed in the amendment before us, we now have a strong resolution that effectively focuses much-needed attention on the

horrific reality that has befallen women and young girls in Darfur without contradicting our U.S. policy.

Since the beginning of this conflict, Mr. Speaker, Sudanese Armed Forces, janjaweed militias, and other rebel factions have used rape as a weapon of war. Despite the conclusions of the Darfur Peace Agreement and the deployment of peacekeepers, these attacks have continued unabated.

The pattern of rape and sexual violence is widespread and systematic, and it seems that no one is spared. Elderly women, pregnant mothers, even girls as young as 10 years of age have fallen victim to the rapist thugs who attack with immunity. This is a horrific practice that must be condemned in the strongest possible terms.

I fully support efforts to provide essential health and psychosocial services to these women and girls as well as efforts to hold those responsible for such attacks accountable for their actions. I strongly support this resolution.

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

Mr. TANNER. Mr. Speaker, I am pleased to yield such time as she may consume to the author of the resolution, the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Tennessee, and I rise in support of House Resolution 726, calling on the President of the United States and the international community to take immediate steps to respond to and to prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad, and the Central African Republic.

I was proud to introduce this resolution, and I have been proud to work with my colleague Chairman LANTOS, whose attention to the crisis in Darfur has been unrelenting. His dedication made it possible to move this important legislation through the committee and onto the floor of the House so quickly.

My friend Congressman BRAD MILLER also took a lead on this resolution, and following his trip to Darfur this summer, he has shared his unique insight about the region and our responsibility.

And today it is also important to note that we have reached this point together with my colleagues from across the aisle. Congresswoman ILEANA ROS-LEHTINEN led our bipartisan collaboration, and we now have the support of more than 100 cosponsors from both parties. That broad support from Members at every point along the political spectrum makes sense because this is not a political issue; it is a moral issue. And it is urgent. We have an obligation to act and to act now.

As Members of the United States Congress, we believe we must do everything in our power to protect the basic human rights of individuals around the world, and there may be no greater violation of a woman's or a girl's basic human rights than when she is a victim of rape or sexual violence.

All too often during war, rape and sexual violence are used systematically as a weapon of intimidation, humiliation, terror, and ethnic cleansing. There is no other way to put it. These crimes are crimes against humanity and war crimes. And we cannot ignore them.

The use of rape as a weapon of war is as prevalent today as ever. An average of 40 women are raped every day in the ongoing armed conflict in the Congo. It is estimated that between 20,000 and 50,000 women were raped during the war in Bosnia and Herzegovina in the early 1990s. And it is estimated that between 250,000 and 500,000 women were raped during the genocide in Rwanda.

Now, as these atrocities occur in the Darfur conflict region, we must ask ourselves, again, when will we learn from history? The answer, it seems, is not soon enough for the untold number of Darfuri women and girls beaten, kidnapped, and raped, often multiple times by multiple attackers, and held as sex slaves by the Sudanese armed forces, the janjaweed, and other armed combatants. Since the current conflict began over 4 years ago, instances of rape and sexual violence have all been documented by NGOs like Amnesty International and Doctors Without Borders. And the United Nations High Commissioner for Human Rights has reported on widespread and systematic mass rape occurring in the region as well as grave health risks, psychological trauma, and resulting pregnancies.

In July, the United Nations Security Council adopted its most recent Security Council resolution relating to Darfur in which it expressed strong concern about the ''continued and widespread sexual violence'' while ''emphasizing the need to bring to justice the perpetrators of such crimes.''

But we cannot simply talk about the downward spiral in Darfur or the conditions that have only worsened since the so-called Darfur Peace Agreement was signed in May 2006. As we saw just this weekend, peace talks in Libya appear to be breaking down because key rebel groups refuse to participate, demonstrating that we are a long way from peace and security in Darfur.

We cannot sit idly by as women and children are targeted. The resolution before us today calls for action. It calls on the President and it calls on the international community to do the following:

One, develop within the State Department and USAID a Women and Girls of Darfur Initiative to, among other things, provide victims and potential victims of rape in Darfur, eastern Chad, and the Central African Republic with all essential and quality medical supplies and health care services, psychological counseling, and legal advice;

Two, to ensure that a hybrid United Nations-African Union peacekeeping force is deployed that can properly protect women and girls from and respond to acts of rape and sexual violence;

And, three, through the U.N. Security Council, find Sudan in noncompliance with its obligations to protect women and girls and call on Khartoum to bring perpetrators of rape and sexual violence to justice.

Our State Department and USAID must make this a top priority. As the rape and murder in Darfur goes on, the perpetrators of these atrocities go unpunished. And while the rhetoric of the administration and the international community have hit the mark, their action has fallen far short. Too much is at stake to allow these atrocities to continue. We have the power, the will, and the moral obligation to stop sexual violence and rape in the Darfur conflict region. There is no reason that we stand by when we should be acting.

I plead with my colleagues to understand what women and girls are undergoing in Darfur and to please pass this resolution. Let's act together in the best interests of women and girls around the world.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend Ms. DELAURO for introducing this resolution.

Mr. VAN HOLLEN. Mr. Speaker, today I rise in support of H. Res. 726, a bill responding to acts of rape and sexual violence in the Darfur conflict.

Rape and sexual violence are often used as weapons of war. It is estimated that between 20,000 and 50,000 women and girls were raped during the war in Bosnia and Herzegovina in the 1990s; between 250,000 and 500,000 were raped during the genocide in Rwanda; and today, there are reports of wide and systematic rape and sexual assault of women and girls in the Darfur region.

The United States was the first government to refer to the killing in Darfur as genocide, but this has had little impact on ending the suffering. The suffering continues because the Sudanese government resists the efforts of the international community at every step and the Chinese government refuses to use its unique influence to force the Sudanese government to change its actions. In fact, China may even have prolonged the crisis by shielding Sudan against the collective efforts of the United Nations. The crisis is now in its 4th year with no end in sight and the suffering of men, women and children continues. That is why I am encouraging passage today of H. Res. 726.

H. Res. 726 requires the U.S. State Department and USAID to develop a women and girls Darfur initiative for the purpose of providing victims and potential victims of rape in Darfur, eastern Chad and the Central African Republic with much needed comprehensive and quality medical supplies and health services.

The bill also calls upon the Secretary General of the United Nations, the permanent members of the United Nations Security Council, the African Union, the European Union, the Arab League and other nations to immediately take steps to ensure that a hybrid UN-African Union peacekeeping force is deployed that can properly protect women and girls from and respond to acts of rape and sexual violence.

We cannot stand still in the face of systematic and widespread rape in the Darfur region. The U.S. Congress has a moral obligation to reach out and do all it can to put an end to this tragedy. I strongly support this important piece of legislation and encourage my colleagues to do the same.

Mr. LEWIS of Georgia. Mr. Speaker, I am a proud cosponsor of this resolution, and I applaud the gentlewoman from Connecticut (Ms. DELAURO) for her leadership on this important issue.

Every day in Darfur men are tortured and massacred as women and little girls seeking solace and refuge are raped, abused, and murdered. This is a systematic effort to destroy an entire race of people.

Where is the humanity, Mr. Speaker? Where are our souls? How can we stand by when hundreds and thousands are suffering every day at the hands of their own government?

Today, on the front page of the Washington Post there is an article entitled "U.S. Promises on Darfur Don't Match Actions". It highlights our Government's inaction during one of the most horrific human rights disasters of our generation.

Every single one of us has a duty to pressure our Government, the United Nations, the world—to act.

Mr. Speaker, this bipartisan resolution is not about politics. It is not about pushing an agenda forward.

We have a moral obligation to stand up for the women and children in Darfur against systematic and unchecked abuse.

They have no voice, no government, nobody to stand with them, nobody to stand for them.

Every day that we wait for a solution to magically appear, is another day that a woman, a child, is stripped of her home, her family, her dignity, her health, and her humanity.

I urge all of my colleagues to support H. Res. 726.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 726, as amended.

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

A motion to reconsider was laid on the table.

CONDEMNING ATTACKS ON AFRICAN UNION PEACEKEEPERS IN HASKANITA, DARFUR, SUDAN, ON SEPTEMBER 29, 2007

Mr. TANNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 740) condemning in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 740

Whereas, on September 29, 2007, an estimated 1,000 heavily-armed rebels in Darfur overran a small base in Haskanita, Darfur, Sudan, occupied by the African Union Mission in Sudan (AMIS), brutally killing 10 peacekeepers—seven Nigerian soldiers and three other unarmed military observers and civilian police officers from Mali, Senegal, and Botswana—and wounding seven other peacekeepers, with 50 peacekeepers still missing;

Whereas, in an assault described by the African Union commander as ''deliberate and sustained'', the rebel group broke into the AMIS base in 30 vehicles with heavy artillery and mortars and battled for hours until AMIS forces ran out of ammunition;

Whereas the attacks were the worst attacks on AMIS peacekeepers since the deployment of the peacekeepers to Sudan in July 2004;

Whereas the United Nations Security Council condemned the ''murderous attack'' on AMIS peacekeepers and demanded that ''no effort be spared'' to identify and bring to justice the perpetrators of the attacks;

Whereas, in the aftermath of the attacks, the Government of Sudan secured the area reportedly to facilitate the evacuation of AMIS peacekeepers, but later was accused of burning Haskanita to the ground, driving more than 15,000 civilians into the wilderness or neighboring towns;

Whereas the attacks have been openly condemned by the United States Government, the African Union, the international community, and civilized people everywhere; and

Whereas the Government of Sudan has not publicly spoken out against or condemned the attacks: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007;

(2) expresses its condolences to the people and Governments of Nigeria, Mali, Senegal, and Botswana, the families and friends of those individuals who were killed or missing in the attacks, and expresses its sympathies to those individuals who have been injured;

(3) expresses the solidarity of the people and Government of the United States with the African Union and the African Union peacekeepers as they recover from these cowardly and inhuman attacks;

(4) expresses its readiness to support efforts to bring to justice those individuals responsible for the attacks and efforts to detect, pursue, disrupt, and dismantle the networks that plan and carry out such attacks;

(5) expresses its support for the people of Darfur, Sudan, in their continued struggle against extremism and violence and support for their efforts to secure a permanent peace, justice, and return to their restored villages and homes; and

(6) encourage all parties involved in the conflict to commit to negotiate a final and binding peace agreement at the peace talks scheduled for October 27, 2007, in Tripoli, Libya.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Let me thank Congresswoman SHEILA JACKSON-LEE for introducing this resolution, which condemns the recent vicious and deadly assault on African Union forces.

On September 29, 2007, an estimated 1,000 members of a heavily armed group of Darfur rebels overran a small African Union base in Haskanita in Darfur. Ten peacekeepers were brutally killed, seven wounded, and 50 others are missing. Seven of those killed were Nigerian soldiers. The other three were unarmed military observers and civilian police officers from Mali, Senegal, and Botswana. With consideration of this resolution today, the U.S. Congress sends its condolences to their respective governments and to their families who have made the ultimate sacrifice in a war far from their native soil.

While the nations of the world deplore the war in Darfur and have provided significant humanitarian assistance to refugees and displaced persons, we still have not demonstrated the will to end this crisis. The United Nations is intensely lobbying countries to provide helicopters for a U.N. African Union peacekeeping force, one of many obstacles to starting the mission. According to recent reports, no country has made a credible offer to provide the 24 transport and attack helicopters needed for the 26,000-strong force.

□ 1530

This lack of helicopters, in part, accounts for the deadly attack on AU troops.

After Rwanda, the world said, never again, never again would we stand by and let another genocide take place; yet we continue to fail in Darfur. For over 4 years now, we have failed.

Today, our Congress calls upon our allies and friends to help put an end to this nightmare. We call on the Sudanese Government, its militia and rebel forces to take up seriously peace negotiations in that part of the world.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to be a cosponsor of House Resolution 740, which condemns the horrible and cowardly attacks that occurred last month in Haskanita. According to reports, as we've heard, up to 1,000 heavily armed rebels believed to be associated with the Sudan Liberation Army ambushed the small base that had been occupied

by the African Union peacekeeping mission on September 29 of this year. Ten AU peacekeepers were killed, including seven Nigerian soldiers and three unarmed military observers and civilian police officers from Mali, Senegal, and Botswana. Seven others were wounded, and 50 peacekeepers went missing. This was the worst attack against the AU, African Union, mission since it first deployed in July of 2004.

Khartoum deployed its forces to secure the area on October 6. Three days later, the entire village was found burned to the ground. Though Khartoum has not publicly claimed responsibility, there is little doubt about who burned the village. The initial attack against the African Union peacekeepers and the subsequent burning of the small base must be condemned in the strongest possible terms.

It is outrageous that rebels would attack those who had been sent to secure the peace in Darfur, particularly as the international community prepares to deploy a much larger hybrid United Nations/African Union peacekeeping mission to the region. It is equally outrageous, Mr. Speaker, that the Sudanese armed forces would seek retribution for the initial attack by burning the village to the ground and leaving an estimated 150,000 people homeless as a result.

It must be made clear to all parties to the conflict, the regime in Khartoum, its armed proxies, and the various rebel forces alike, that the ongoing attacks against peacekeeping forces, humanitarian operations, and civilian populations in Darfur are completely unacceptable.

Those who are truly interested in peace in Darfur must stop these senseless attacks, fully commit themselves to a binding cease-fire agreement, and rigorously pursue a political settlement. Failure to do so will send a clear signal to the international community about who is and who is not interested in peace.

And let there be no doubt that the United States has done much to alleviate the suffering in this war-torn region. The United States has provided more than $2 billion in humanitarian assistance and assistance to the African Union peacekeeping mission in Darfur. The U.S. has also led the debate at the U.N. Security Council to get a larger, more capable United Nations/African Union hybrid peacekeeping mission approved and deployed.

We have built and maintained the camps for the African Union forces, and we will continue to expand those camps until the U.N. takes over. We have also provided air lift for troops, and will fund 25 percent of all peacekeeping costs.

We have a dedicated special envoy who has led international efforts to bring peace to Darfur. We have funded and supported critical peace talks. We have imposed comprehensive sanctions against Khartoum. Meanwhile, China and Russia continue to allow their business interests in Sudan to override their concern for human rights. Both have failed to take meaningful action at the United Nations and have blocked consideration of sanctions against Khartoum.

So all obstructionists to peace in Darfur, regardless of their association, must ultimately be held to account. It is particularly appropriate that we are considering this resolution as Darfur peace talks are getting under way in Tripoli, Libya because, despite the best of intentions, the international community cannot impose peace on Darfur. The burden is on the Sudanese themselves to find a lasting political settlement. The time for Khartoum and the rebel factions to roll up their sleeves and get to work toward that end is long overdue. And, frankly, the people of Darfur deserve better.

I thank the sponsor, Ms. JACKSON-LEE, for introducing this important and timely measure. I urge the support of all of my colleagues.

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

Mr. TANNER. Mr. Speaker, I am pleased to yield as much time as she may consume to the gentlelady from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. I would like to thank my colleague, the gentleman, JOHN TANNER, for yielding me time. I just came from a memorial service for one of our former colleagues from Ways and Means, Charlie Vanik.

Mr. Speaker, I rise today in strong support of legislation calling on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad, and the Central African Republic.

For many years now we have seen the devastating atrocities taking place in the Darfur region of Sudan. With the support of the Sudanese Government, the janjaweed militia has ravaged the people of Darfur, raping, torturing, murdering, and forcing thousands of Darfuris to flee to refugee camps in neighboring Chad and the Central African Republic. Today, we highlight some of those most vulnerable of these victims in Darfur, women and girls.

We saw the same devastation in Rwanda over a decade ago, where it is estimated that between 250,000 and 500,000 women and girls were raped during the genocide in Rwanda. The American people have made their voices heard on this issue, vowing never again to remain silent when humanity is threatened. To date, there have been numerous reports of rape. On July 19, 2004, Amnesty International reported that it collected the names of 250 women who have been raped in Darfur and information on 250 additional rapes.

On January 25, the International Commission of Inquiry on Darfur, in a report to the U.N. Secretary General, reported numerous cases of mass rape throughout Darfur. This is just the tip of the iceberg. We must do all that we can to ensure that no more women and girls are violated.

So today we give voice to the voiceless. Today we speak up for those who are often overlooked and ask that in this country we do all within our power to stop the rape and sexual violence against the women of the Darfur region.

I would like to add my support to the other pieces of Darfur legislation discussed today and applaud all the groups who have truly been on the front line of this issue, particularly the students, who have been so passionate in their support. It is my hope that we will be able to work with the people in the 11th Congressional District and across this country to continue to let our voices be heard on the issue. I encourage my constituents to contact me with your ideas and resources.

I know that I'm speaking on another piece of legislation, but they all affect Darfur, and it gives me an opportunity to be heard.

Mr. GOODLATTE. Mr. Speaker, earlier this year, I had the opportunity to travel as part of a bipartisan Congressional Delegation to the war-torn nation of Sudan and see first-hand one of the worst humanitarian crises in recent times.

The entire world is currently watching in horror the atrocities being committed in Darfur. Many people have been called to action to try to stop this genocide. This includes hordes of humanitarian workers and peacekeeping forces. The most prominent peacekeeping mission in Sudan has been the African Union Mission in Sudan (AMIS), which is carried out by African Union (AU) forces.

Since July of 2004, AU forces have been on the ground in Sudan working as peacekeepers. Sadly, their peacekeeping mission has made these AU personnel targets for attack by rebel forces. The worst of these attacks occurred in Haskanita, Darfur, Sudan, on September 29, 2007. This attack on the AU base left 10 brutally murdered and 50 soldiers missing. In the aftermath of the attacks Haskanita has been burned to the ground, displacing 15,000 citizens. This horrendous situation is made only worse by the government of Sudan's silence in not speaking out and condemning these attacks.

There is no doubt that this was an atrocious attack, and today we in Congress join together to condemn all these attacks. These attacks show just how horrid the situation in Darfur is, when those trying to bring peace and stability are themselves victims of violence. We in Congress express our deepest sympathy to the families of individuals killed or missing in these cowardly attacks.

It is my deepest hope that the Darfur peace negotiations currently underway in Libya bring about a meaningful and lasting peace agreement for Darfur. The United States and the international community must work together to stabilize the situation in Darfur and prevent further genocide. Mr. Speaker, I look forward to continuing to work with my colleagues to bring an end to this international crisis.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I urge my colleagues to join me supporting H.

Res. 740, which I introduced, together with my good friend and distinguished colleague, Mr. CHABOT. This bipartisan legislation condemns, in the strongest terms, the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007

I would like to thank the Chairman and the Ranking Member of the Full Committee, Mr. LANTOS and Ms. ROS-LEHTINEN, and of the subcommittee on Africa and Global Health, Mr. PAYNE and Mr. SMITH, for their support and co-sponsorship of this important bill. Let me also thank my 55 colleagues who co-sponsored this legislation.

Since 2003, we have witnessed a systematic campaign of displacement, starvation, rape, mass murder, and terror in the western Sudanese region of Darfur. In the worst humanitarian crisis of our time, an estimated 400,000 people have been killed in Darfur by the Government of Sudan and its Janjaweed allies. An additional 2,000,000 people have been displaced from their homes and livelihoods. Both the House of Representatives and the Senate declared that the atrocities in Darfur constitute genocide in July 2004, and the Bush administration reached the same conclusion in September 2004.

However, three years later, the situation in Darfur continues to deteriorate. The United Nations reported a substantial decline in the humanitarian situation during the first three months of 2007, during which time 21 humanitarian vehicles were hijacked, 15 additional vehicles were looted, and gunmen raided 6 humanitarian compounds. The security situation makes it extremely difficult for aid organizations to reach vulnerable populations, and, in the 12 months preceding April 2007, the number of humanitarian relief workers in Darfur decreased by 16 percent, largely due to security concerns, restrictions on access, and funding limitations. The flow of humanitarian aid has been severely threatened by the escalating violence in the region.

Since 2004, a small contingent of African Union peacekeepers have been deployed to Darfur, responsible for maintaining security in a region roughly the size of France. The 7,000 peacekeepers under the banner of the African Union Mission in Sudan, or AMIS, have displayed exemplary courage and resilience, but they are woefully outmanned and outgunned, as well as chronically short of funding. Recognizing the near-collapse of the AU Mission, the United Nations, in July 2007, approved a UN-AU hybrid peacekeeping mission, to be known as UNAMID, which is meant to take over from AMIS shortly.

The AMIS peacekeeping mission recently encountered yet another significant setback. On September 29, 2007, an estimated 1,000 members of a heavily armed Darfur rebel group, in 30 vehicles armed with heavy artillery and mortars, overran a small base in Haskanita, Darfur, Sudan, which was occupied by AMIS peacekeepers. The ambush resulted in several hours of intense fighting that killed ten peacekeepers—seven Nigerian peacekeepers and three other soldiers from Mali, Senegal, and Botswana—and wounded many others.

According to U.N. estimates, in the aftermath of this brutal attack, which was described by the African Union commander as ''deliberate and sustained,'' 15,000 civilians fled the area to neighboring towns or the wilderness, fearing for their safety. This attack is considered to be the worst on AMIS peacekeepers since their deployment in July 2004. The United Nations Security Council condemned this ''murderous attack'' on AMIS peacekeepers, and demanded that ''no effort be spared'' to identify and bring to justice the perpetrators of this assault.

Only recently, during the August recess, I had the opportunity to lead a Congressional Delegation (CODEL) to Darfur. This was the first CODEL to the region since the announcement of the joint UN/AU peacekeeping force. Along with my colleagues Mr. CHABOT, who joins me as the lead Republican cosponsor of this legislation, and Mr. SMITH, I had the opportunity to meet with government officials, civil society leaders, international aid workers, and affected civilians, as well as with the African Union peacekeepers responsible for protecting Darfur. I saw first hand the immense suffering of the people of Darfur, as well as the enormous strain on the courageous but outnumbered AU peacekeepers.

Mr. Speaker, I strongly condemn recent attacks on African Union peacekeepers. This legislation also expresses the condolences of this House to the people and Governments of Nigeria, Mali, Senegal, and Botswana, the families and friends of those individuals who were killed or missing in the attacks, and expresses its sympathies to those individuals who have been injured. It expresses the solidarity of the people and Government of the United States with the African Union and the African Union peacekeepers as they recover from these attacks, and the readiness of Congress to support efforts to bring to justice those individuals responsible for the attacks and efforts to detect, pursue, disrupt, and dismantle the networks that plan and carry out such attacks.

This legislation also looks forward, to the process of bringing about a peace settlement for Darfur. Crucial though effective peacekeeping forces are, they are no substitute for a serious and sustained peace process. Consequently, this bill also expresses its support for the people of Darfur, Sudan, in their continued struggle against extremism and violence and support for their efforts to secure a permanent peace, justice, and return to their restored villages and homes, and it encourages all parties involved in the conflict to commit to negotiate a fmal and binding peace agreement at the peace talks, which began on October 27, 2007, in Tripoli, Libya.

Early reports from these negotiations have not been promising. With key rebel groups boycotting the peace talks, media reports indicate that mediators will now have to travel to Darfur to meet with rebel leaders before actual peace agreements can be reached. Despite these setbacks, U.N. Special Envoy Jan Eliasson has maintained optimism, saying yesterday ''I refuse to state that the peace process is interrupted.''

Mr. Speaker, as United States foreign policy remains centered on the highly partisan debate over Iraq, we cannot allow Darfur to slip through the cracks. I thank the over 40 of my colleagues who have joined me in cosponsoring this important resolution, which reiterates that attacks on African Union peacekeepers in Darfur are unacceptable. Despite the setbacks experienced at this weekend's peace talks in Libya, I believe it is important that we condemn the attacks of recent weeks, and look forward to the construction of a lasting peace for Darfur.

I strongly urge my colleagues to join me in supporting this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in support of H. Res. 740 which condemns the armed attack against African Union troops that took place on the remote southeastern settlement of Haskanita, Darfur precisely one month ago. This horrific attack by rebel groups left seven Nigerian peacekeepers and three other peacekeepers from Mali, Senegal and Botswana dead. Seven others were wounded and 50 peacekeepers went missing. This is the worst attack against the AU mission since it was first deployed in July 2004.

And the suffering of those in the village did not end with this violent assault. The Armed Forces of Sudan (SAF) moved into the village on October 6, reportedly to ''secure'' the area and facilitate the evacuation of the AU peacekeepers. Three days later the village was burned to the ground and 15,000 people were displaced. Although there has been no official statement as to who is responsible for the destruction of the village, U.N. officials have quietly pointed the finger at the SAF.

Although diplomatic activity on Sudan has intensified in recent weeks, and talks on the Darfur conflict began in Libya on October 27th, there is little reason for optimism that a peaceful solution to the Darfur tragedy is anywhere in sight. Several of the rebel groups are refusing to participate in the Libya talks. The U.N. Special Envoy for Darfur, Jan Eliasson, and his African Union counterpart, Salim A. Salim, who are leading this negotiation effort, have a Herculean task ahead of them. They will need all the help that we can provide them, and it is critical that this Congress continue to highlight the tragedy of what is occurring in Darfur and seek every means to bring about a just and enduring peace.

I therefore thank my colleague Ms. JACKSON-LEE for introducing this resolution, which also expresses the readiness of the House of Representatives to support efforts to bring those individuals responsible for the attacks to justice and to dismantle the networks that carry out such attacks. I strongly urge my colleagues in the House to support this resolution.

Mr. TANNER. Mr. Speaker, I have no further requests for time, so I am pleased to yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 740, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE RELIGIOUS AND HISTORICAL SIGNIFICANCE OF THE FESTIVAL OF DIWALI

Mr. TANNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 747) recognizing the religious and historical significance of the festival of Diwali.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 747

Whereas Diwali, a festival of great significance to Indian Americans and the people of India, is celebrated annually by Hindus, Sikhs, Buddhists, and Jains throughout the United States and the world;

Whereas there are more than 2,000,000 Hindus, Sikhs, Buddhists, and Jains in the United States;

Whereas the word ''Diwali'' is a shortened version of the Sanskrit term ''Deepavali'', which means ''a row of lamps'';

Whereas Diwali is a festival of lights, during which celebrants light small oil lamps, place them around the home, and pray for health, knowledge, and peace;

Whereas celebrants of Diwali believe that the rows of lamps symbolize the light within the individual that rids the soul of the darkness of ignorance;

Whereas Diwali, falling on the last day of the last month in the lunar calendar, is celebrated as a day of thanksgiving and the beginning of the new year for many Hindus;

Whereas for Hindus, Diwali is a celebration of the victory of good over evil;

Whereas for Sikhs, Diwali is feted as the day that the sixth founding Sikh Guru, or revered teacher, Guru Hargobind ji, was released from captivity from the ruling Mughal Emperor; and

Whereas for Jains, Diwali marks the anniversary of the attainment of moksha or liberation by Mahavira, the last of the Tirthankaras, who were the great teachers of Jain dharma, at the end of his life in 527 B.C.: Now, therefore, be it

Resolved, That the House of Representatives—

(1) during this time of celebration, in order to demonstrate support for Indian Americans and the Indian Diaspora throughout the world, recognizes Diwali as an important festival;

(2) acknowledges the international religious and historical importance of the festival of Diwali;

(3) recognizes and appreciates the religious diversity in both India and the United States and throughout the world;

(4) acknowledges and supports the new relationship of collaboration and dialogue in international efforts between the United States and India; and

(5) in observance of and out of respect for the start of Diwali, the festival of lights, acknowledges the onset of Diwali and expresses its deepest respect to Indian Americans and the Indian Diaspora throughout the world on this significant occasion.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Our colleague and my friend, Mr. WILSON of South Carolina, introduced this resolution that seeks to recognize the significance of the festival of Diwali. Diwali is celebrated as victory of good over evil for some, and as a remembrance of liberation for others. Ultimately, it is a day of joy celebrated annually by Hindus, Sikhs, Buddhists and Jains throughout the world, particularly by Indians and Indian Americans.

With more than 2 million devotees of these faiths in our country, this resolution honors this holiday and those who cherish its message.

There are few religious holidays that are celebrated by a multitude of faiths, and it is a tribute to the diversity of India and to our country that we have such a rich religious heritage in our societies. By celebrating Diwali, we also are celebrating this diversity, a shared value that has brought the United States and India closer together through the years.

Much has been said about our two countries being natural partners in this world; and the importance of having multi-ethnic, multi-cultural and, indeed, multi-religious societies cannot be overemphasized.

For these reasons, I look forward to celebrating this festival and strongly support the resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 747, which recognizes the significance of the festival of Diwali.

I want to extend my appreciation to the gentleman from South Carolina (Mr. WILSON) for his leadership on this issue and so many issues that are affecting U.S. relations with India and Indian Americans.

Mr. Speaker, as my colleagues know because of our previous speaker, Diwali is a major, multi-cultural festival celebrated in India and everywhere around the world. Although often referred to as a Hindu festival, Jains, Sikhs and Buddhists also observe it.

Known as the Festival of Lights, it symbolizes the victory of good over evil, and lamps are lit as a sign of celebration and hope for mankind.

Diwali is celebrated for 5 consecutive days in October or November, and it is one of the most popular and eagerly awaited festivals in India. This celebration presents all of us with the opportunity to reflect on the many ways in which people, history and traditions of India, and elsewhere in South Asia, have contributed to the rich cultural mosaic that is the United States of America. It also reminds us again that America's extraordinary diversity is one of our Nation's most enduring strengths.

I was proud to sponsor a similar resolution in the 109th Congress, House Resolution 584, which also recognizes the significance of this important festival of Diwali.

So with that, Mr. Speaker, I urge support for this resolution.

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

Mr. WILSON of South Carolina. Mr. Speaker, as the proud sponsor of House Resolution 747, I am pleased that this legislation recognizing the religious and historical significance of the festival of Diwali has been brought to the floor today for consideration.

Celebrated by the people of India, the Indian Diaspora and the nearly two million Hindus, Sikhs, Buddhists, and Jains who call America their home, the Diwali festival is a five day event held in the fall that celebrates the values of kinship, knowledge, and goodness. It signifies the triumph of good over evil and light over darkness. This is commonly represented by individuals lighting oil lamps and placing them outside their homes.

My resolution acknowledges the international, religious, and historical importance of the festival of Diwali as well as the religious diversity in India, the United States, and throughout the world. It shows our support for the strong and growing partnership and dialogue in international efforts between the United States and India. Lastly, it recognizes the importance of Indian Americans—a strong and vibrant immigrant community.

As co-chair of the Congressional Caucus on India and Indian Americans, as well as a lifelong supporter and admirer of the Indian American community, I am grateful for the opportunity to show my appreciation. My father served in India during World War II, and he told me how entrepreneurial and competent the people of India are. I call on my colleagues here in the House of Representatives to do the same for the citizens of India, a strategic and economic ally.

I would like to commend Ishani Chowdhury with the Hindu American Foundation, my Chief of Staff Dino Teppara, my Legislative Assistant Paul Callahan, and Arshi Siddiqui with Speaker NANCY PELOSI's office for their cooperation and dedication in bringing this important resolution to the floor.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 747.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

□ 1545

SUPPORTING THE OBSERVANCE OF BREAST CANCER AWARENESS MONTH

Ms. BALDWIN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 230) supporting the observance of Breast Cancer Awareness Month, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 230

Whereas every 3 minutes a woman is diagnosed with breast cancer;

Whereas another 180,510 new cases of breast cancer are expected to be diagnosed in the United States in 2007;

Whereas breast cancer is the leading cause of death among women between the ages of 45 and 54;

Whereas 1 out of every 8 women who live to the age of 85 will develop breast cancer in her lifetime;

Whereas the survival rate of women who have breast cancer is 98.1 percent when detected in the early stages;

Whereas mammograms and monthly breast self-examinations are the key components of early detection; and

Whereas observing a Breast Cancer Awareness Month would provide a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms: Now, therefore, be it

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

(1) supports the observance of Breast Cancer Awareness Month in order to provide a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms;

(2) salutes the more than 2.4 million breast cancer survivors in the United States and the efforts of victims, volunteers, and professionals who combat breast cancer each day;

(3) recognizes and applauds the national and community organizations for their work in promoting awareness about breast cancer, providing information, and offering treatment to its sufferers; and

(4) urges organizations and health practitioners to use this opportunity to promote awareness about breast cancer, to support monthly self-examinations, and to encourage annual mammograms.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wisconsin (Ms. BALDWIN) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H. Con. Res. 230, a resolution supporting the observance of Breast Cancer Awareness Month. As an original cosponsor of this resolution, I am proud to speak out in favor of greater support for breast cancer awareness and prevention. Through my work with Congresswoman SUE MYRICK in reauthorizing the National Breast and Cervical Cancer Early Detection Program, I am well aware of the challenges that lie ahead in preventing and ultimately finding a cure for breast cancer.

As my colleagues may know, breast cancer is the leading cause of death among women between the ages of 45 and 54. Many of us have witnessed a family member or a friend struggle with the devastating effects of breast cancer. We must ensure that these women do not suffer alone.

With this resolution, we affirm our solidarity with the 2 million-plus breast cancer survivors as we seek to find a cure for this and other cancers. We also pay tribute to the volunteers and health care professionals who work to combat breast cancer every day.

H. Con. Resolution 230 supports the observance of Breast Cancer Awareness Month, a time to reemphasize the importance of monthly breast self-examinations and annual mammograms. As in the case of many diseases, early detection goes a long way toward ensuring survival. As many of my colleagues know, approximately 98 percent of women who are able to detect breast cancer in its most early stage survive. We must use this opportunity to educate women, all women, to ensure that they take the necessary steps to protect themselves from this potentially fatal disease.

I also rise to pay tribute to our friend and our colleague, Congresswoman Jo Ann Davis, who lost her life to breast cancer earlier this month. We are reminded that breast cancer can strike anyone. This resolution also expresses our gratitude to national and community organizations, such as the Susan G. Komen Breast Cancer Foundation, that have made us all aware of the power of the pink ribbon, been on the forefront in raising awareness about this disease and provided information to better understand this disease.

I also want to thank my colleague Representative GINNY BROWN-WAITE and the Congressional Caucus for Women's Issues for their leadership on this resolution, and I urge my colleagues to join me in support of its adoption.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I am proud to offer my resolution on the House floor today, House Concurrent Resolution 230, supporting the observance of Breast Cancer Awareness Month.

The effects of breast cancer have touched almost every American, whether through losing a loved one, as I did, or going through the pain of chemotherapy and a long recovery, as millions of individuals have done.

I introduced this resolution to support the breast cancer education and outreach efforts that have taken place this October. We all know that every 3 minutes, a woman is diagnosed with breast cancer and that this is the leading cause of death among women between the ages of 15 and 54. However, if this disease is detected early, the breast cancer survival rate is 98 percent.

Congress must continue to promote breast cancer awareness and support efforts to defeat this disease. My resolution expresses support for the observation of Breast Cancer Awareness Month, which is this month of October. The resolution provides a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms. My resolution also salutes the 2.4 million breast cancer survivors in the United States and the efforts of victims, volunteers and professionals who combat breast cancer every day.

Finally, this measure applauds the national and community organizations for their work in promoting awareness about breast cancer. A woman's risk for developing breast cancer increases if family members have a history of breast cancer, particularly at an early age. However, 85 percent of women who develop breast cancer have no known family history of the disease.

It cannot be stressed enough that early detection is the best chance for survival of a person who has a breast cancer diagnosis. Women must take care of their health and be aware of their risk factors, perform self-examinations and get annual checkups. While breast cancer predominately affects women, we are regularly reminded that a significant number of men are diagnosed with breast cancer each year.

My colleague, Ms. BALDWIN, mentioned Jo Ann Davis. Jo Ann Davis certainly was a very, very brave lady who fought breast cancer. Actually, she fought it twice. She won the first time, and it came back. We all remember her in this Chamber and we remember her desire to make sure that a cure is found. If Jo Ann Davis were here today, she would not only vote in favor of this, but she also would be speaking on behalf of it.

Mr. Speaker, I want to thank Representative BALDWIN and the 129 Members who co-signed this very important piece of legislation with me. I certainly urge all Members to support H. Con. Res. 230 to ensure that the House continues to bring awareness to this important issue.

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

Ms. BALDWIN. Mr. Speaker, in closing, I urge my colleagues to support this very important resolution. Observing Breast Cancer Awareness Month gives us an opportunity to educate the

public on the importance of monthly breast self-exams and annual mammograms. It also gives us an opportunity to salute those who work every day in raising awareness about breast cancer and our health care professionals who work with patients to fight it.

Again, I want to commend the work of my colleague, Representative GINNY BROWN-WAITE, for her work on this important issue, and I urge all my colleagues to join me in supporting this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. BALDWIN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 230.

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

A motion to reconsider was laid on the table.

DAM REHABILITATION AND REPAIR ACT OF 2007

Mr. SALAZAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3224) to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3224

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 ''Dam Rehabilitation and Repair Act of 2007''.

SEC. 2. REHABILITATION AND REPAIR OF DEFICIENT DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (4), (5), (6), (7), (8), (9), (10), (12), (13), (14), and (15), respectively;

(2) by inserting after paragraph (2) the following:

''(3) DEFICIENT DAM.—The term 'deficient dam' means a dam that the State within the boundaries of which the dam is located determines—

''(A) fails to meet minimum dam safety standards of the State; and

''(B) poses an unacceptable risk to the public.''; and

(3) by inserting after paragraph (10) (as redesignated by paragraph (1)) the following:

''(11) REHABILITATION.—The term 'rehabilitation' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.''.

(b) PROGRAM FOR REHABILITATION AND REPAIR OF DEFICIENT DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

''SEC. 8A. REHABILITATION AND REPAIR OF DEFICIENT DAMS.

''(a) ESTABLISHMENT OF PROGRAM.—The Director shall establish, within FEMA, a program to provide grant assistance to States for use in rehabilitation of publicly-owned deficient dams.

''(b) AWARD OF GRANTS.—

''(1) APPLICATION.—A State interested in receiving a grant under this section may submit to the Director an application for such grant. Applications submitted to the Director under this section shall be submitted at such times, be in such form, and contain such information, as the Director may prescribe by regulation.

''(2) IN GENERAL.—Subject to the provisions of this section, the Director may make a grant for rehabilitation of a deficient dam to a State that submits an application for the grant in accordance with the regulations prescribed by the Director. The Director shall enter into a project grant agreement with the State to establish the terms of the grant and the project, including the amount of the grant.

''(3) APPLICABILITY OF STANDARDS.—The Director shall require States that apply for grants under this section to comply with the standards of section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)), as in effect on the date of enactment of this section, with respect to projects assisted under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Director for emergency preparedness purposes.

''(c) PRIORITY SYSTEM.—The Director, in consultation with the Board, shall develop a risk-based priority system for use in identifying deficient dams for which grants may be made under this section.

''(d) ALLOCATION OF FUNDS.—The total amount of funds appropriated pursuant to subsection (f)(1) for a fiscal year shall be allocated for making grants under this section to States applying for such grants for that fiscal year as follows:

''(1) One-third divided equally among applying States.

''(2) Two-thirds among applying States based on the ratio that—

''(A) the number of non-Federal publicly-owned dams that the Secretary of the Army identifies in the national inventory of dams maintained under section 6 as constituting a danger to human health and that are located within the boundaries of the State; bears to

''(B) the number of non-Federal publicly-owned dams that are so identified and that are located within the boundaries of all applying States.

''(e) COST SHARING.—The Federal share of the cost of rehabilitation of a deficient dam for which a grant is made under this section may not exceed 65 percent of the cost of such rehabilitation.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section—

''(A) $10,000,000 for fiscal year 2008;

''(B) $15,000,000 for fiscal year 2009;

''(C) $25,000,000 for fiscal year 2010;

''(D) $50,000,000 for fiscal year 2011; and

''(E) $100,000,000 for fiscal year 2012.

''(2) STAFF.—There are authorized to be appropriated to provide for the employment of such additional staff of FEMA as are necessary to carry out this section $400,000 for each of fiscal years 2008 through 2010.

''(3) PERIOD OF AVAILABILITY.—Sums appropriated pursuant to this section shall remain available until expended.''.

SEC. 3. RULEMAKING.

(a) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding the amendments made by section 2 to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(b) FINAL RULE.—Not later than 120 days after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall issue a final rule regarding such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. SALAZAR) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. SALAZAR. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3224.

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

There was no objection.

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

Mr. Speaker, many people are not aware that there are approximately 80,000 dams in the United States; and, of these, the Association of State Dam Safety Officials has identified 3,500 dams that are considered deficient or unsafe. In my State of Colorado, we have over 1,800 dams. Of those, 131 are high hazard public dams, and an additional 19 dams are deficient. The State has determined that they are in serious need of repair.

Without proper maintenance, these dams are an obvious threat to public safety. It is critical that we help to ensure the safety and security of these dams. H.R. 3224, introduced by myself and the gentleman from New York, Mr. RANDY KUHL, is a bill that does help to ensure such safety and security by addressing rehabilitation and repair of safety-deficient State-owned dams.

This bill is direct, quite simple, and will go a long way to mitigate significant hazards to our communities. First, the bill adds ''deficient dam'' and ''rehabilitation'' to the definition section of the Dam Safety Act and thus makes this category of dams eligible for funding for rehabilitation. Second, the bill directs the administrator of FEMA to establish within FEMA a program to provide grant assistance to States for use in rehabilitation of publicly owned deficient dams. The grants will be awarded so that each State will get an equal share of one-third of the total amount, while the remaining two-thirds will be awarded by risk. The Federal cost share is capped at 65 percent.

The program's goal is to reduce the risks to life and property by establishing an effective national dam safety rehabilitation program that utilizes the resources and expertise of the Federal and non-Federal communities to achieve the reduction of dam safety hazards. In other words, one of the primary purposes of the Dam Rehabilitation and Repair Act of 2007 is to provide financial assistance to the States for strengthening their dam safety programs.

Mr. Speaker, I support this bill and urge its passage.

I reserve the balance of my time.

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

Mr. Speaker, H.R. 3224 amends the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

I would like to commend Congressman RANDY KUHL for his steadfast leadership on this issue. He was the original sponsor of similar legislation this year, and he was instrumental in the reauthorization of the National Dam Safety Program last year. I would also like to thank Mr. SALAZAR, again, for his leadership in this issue also.

This bill would authorize a program at the Federal Emergency Management Agency to provide funding for repairs to publicly owned dams that would pose a direct risk to human life if they failed. The number of unsafe dams has risen by 80 percent since 1998 to more than 3,200.

□ 1600

This grant program would fund repairs of the most critical dams, which the Association of State Dam Safety officials estimates is a $10 billion need over the next 12 years. Dams require ongoing maintenance, monitoring, and rehabilitation. Many States are unable to fund necessary repairs to publicly owned dams without assistance from the Federal Government. This new program will provide assistance up to 65 percent of the cost of the repairs. H.R. 3224 authorizes the program for 5 years at $200 million.

Mr. Speaker, this is an important issue throughout the country in areas with numerous old and abandoned dams. Too often, the 19th century companies that built the dams no longer exist and local governments are left with orphaned dams in their jurisdiction. These downstream communities have a responsibility to protect their population, but they rarely have the tax base or revenue to repair the failing dams.

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

Mr. SALAZAR. I want to thank the gentleman from Arkansas for his leadership also on transportation issues. This is a very important piece of legislation. Mr. Speaker, this legislation has strong bipartisan support and outside groups, including the Association of State Dam Safety Officials, American Rivers, the American Society of Civil Engineers and the Associated General Contractors, who all have endorsed this important piece of legislation.

I want to thank the gentleman from New York, Mr. RANDY KUHL, for working with us on this critical bill, as well as other committee members of the Transportation Committee who have supported this bill as well. I would urge my colleagues to swiftly pass H.R. 3224.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 3224, as amended, a bill to further enhance the safety of and bring to a state of good repair our Nation's aging dam infrastructure. This important bill has broad bipartisan support.

I commend the gentleman from Colorado (Mr. SALAZAR) and the gentleman from New York (Mr. KUHL) for introducing this legislation and for their strong support. I would also like to thank Subcommittee Chairwoman NORTON for her leadership and for diligently guiding the work of the Subcommittee on the issue of dam safety and rehabilitation.

During a May 8, 2007 hearing, the Subcommittee on Economic Development, Public Buildings, and Emergency Management received compelling testimony about the need to rehabilitate our Nation's dams. The statements of witnesses reinforced some troubling statistics. There are approximately 80,000 dams in the United States; of these, approximately 10,000 dams are considered to have high-hazard potential, meaning their failure could result in loss of life or severe property damage. From 2000 to 2006, the number of high-hazard dams increased by almost 20 percent.

Further, States have identified approximately 3,400 dams as currently deficient or unsafe. These dams have been identified as having hydrologic or structural deficiencies that make them susceptible to failure triggered by a storm, an earthquake, progressive deterioration, or inadequate maintenance.

Since 1972, Congress has helped to mitigate the risk of dam failure by establishing a program to provide technical and financial assistance to States for dam safety. Through the National Dam Safety Program, the Federal government has helped to increase the level of knowledge and preparedness to prevent and mitigate the effects of dam failures across the country. Dam safety inspections have increased significantly and greater direct assistance has been provided for training State officials and providing technical seminars and workshops.

H.R. 3224 builds on this successful program and authorizes the Administrator of the Federal Emergency Management Agency ("FEMA") to provide grants for the rehabilitation and repair of publicly-owned dams. States must provide at least 35 percent of the funds necessary to rehabilitate a dam. While all States are eligible to apply, grants will be distributed after prioritization by the Administrator, along with the National Dam Safety Review Board, of all applications, based on degree of deficiency.

The bill is a necessary step in the right direction to upgrade our Nation's aging dam infrastructure.

I urge my colleagues to join me in supporting H.R. 3224.

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

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California). The question is on the motion offered by the gentleman from Colorado (Mr. SALAZAR) that the House suspend the rules and pass the bill, H.R. 3224, as amended.

The question was taken.

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

Mr. PRICE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HURRICANES KATRINA AND RITA RECOVERY FACILITATION ACT OF 2007

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3247) to improve the provision of disaster assistance for Hurricanes Katrina and Rita, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3247

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 ''Hurricanes Katrina and Rita Recovery Facilitation Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) COVERED HURRICANE DAMAGES.—The term ''covered hurricane damages'' means damages suffered in the States of Louisiana and Mississippi as a result of Hurricanes Katrina and Rita.

(2) PRESIDENT.—The term ''President'' means the President acting through the Administrator of the Federal Emergency Management Agency.

(3) STAFFORD ACT.—The term ''Stafford Act'' means the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 3. SPECIAL RULES FOR COVERED HURRICANE DAMAGES.

(a) IN LIEU CONTRIBUTIONS.—In providing contributions under section 406(c) of the Stafford Act (42 U.S.C. 5172(c)) for covered hurricane damages, the President shall substitute 90 percent for the otherwise applicable percentage specified in paragraphs (1)(A) and (2)(A) of such section.

(b) PARTICIPATION IN PILOT PROJECTS.—The States of Louisiana and Mississippi and local governments in such States shall be eligible to participate in the pilot program established by section 689j of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 777) with respect to covered hurricane damages.

(c) ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.—

(1) IN GENERAL.—Notwithstanding section 423 of the Stafford Act (42 U.S.C. 5189a) or any regulation, the President is authorized and encouraged to use alternative dispute resolution procedures for appeals of decisions made under sections 403, 406, and 407 of the Stafford Act (42 U.S.C. 5179b, 5172, and 5173) regarding the award or denial of assistance, or the amount of assistance, provided to a State, local government, or owner or operator of a private facility for covered hurricane damages.

(2) DENIALS OF REQUESTS.—

(A) WRITTEN NOTICE.—If a State, local government, or owner or operator of a private facility requests the use of alternative dispute resolution procedures for an appeal pursuant to paragraph (1) and the President denies the request, the President shall provide to the State, local government, or owner or operator written notice of the denial, including the reasons for the denial.

(B) QUARTERLY REPORTS.—The President shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Homeland Security and Governmental Affairs of the Senate, on at least a quarterly basis, a report containing information on any denial described in subparagraph (A) made by the President during the period covered by the report, including the reasons for the denial.

(3) APPLICABILITY.—Paragraph (1) shall apply to an appeal made by a State, local government, or owner or operator of a private facility within 60 days after the date on which the State, local government, or owner or operator is notified of the decision that is the subject of the appeal.

(4) REPORT TO CONGRESS.—Not later than one year after the date of enactment of this Act, the President shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing a description of how alternative dispute resolution procedures are being used pursuant to this subsection and recommendations on whether the President should be given the authority to use such procedures under the Stafford Act on a permanent basis.

(d) ESSENTIAL ASSISTANCE.—In providing assistance under section 403 of the Stafford Act for covered hurricane damages, the President may provide assistance for the reinterment of human remains at a privately-owned or private nonprofit cemetery.

(e) USE OF SIMPLIFIED PROCEDURES.—For covered hurricane damages, the President may use, if requested by a State or local government or the owner or operator of a private nonprofit facility, section 422 of the Stafford Act (42 U.S.C. 5189) for a project for which the Federal estimate of the cost is less than $100,000.

(f) USE OF TEMPORARY HOUSING UNITS TO PROVIDE HOUSING TO VOLUNTEERS.—

(1) IN GENERAL.—In providing assistance under title IV of the Stafford Act (42 U.S.C. 5170 et seq.) for covered hurricane damages, the President may provide temporary housing units purchased under section 408 of the Stafford Act (42 U.S.C. 5174) to State and local governments and appropriate private nonprofit entities for the purpose of providing housing to volunteers assisting in the recovery from such damages.

(2) FEASIBILITY DETERMINATION.—The President may provide temporary housing units for the purposes described in paragraph (1) only if the President determines that such assistance is appropriate, cost effective, and would not unduly interfere with the ability of the Federal Emergency Management Agency to provide housing for individuals and households with respect to other major disasters.

(g) CONTRIBUTIONS FOR PUBLIC FACILITIES USED TO HOST PUBLIC EVENTS.—

(1) IN GENERAL.—Notwithstanding sections 403 and 406 of the Stafford Act (42 U.S.C. 5170b and 5172), the President may make contributions to the State of Louisiana for—

(A) costs incurred for the repair or restoration of a public facility used to host public events if the facility was damaged as a result of use in conducting response activities for Hurricane Katrina or Rita;

(B) costs incurred because response activities for Hurricane Katrina or Rita precluded the normal use of a public facility used to host public events;

(C) costs incurred for necessary materials provided to evacuees of Hurricane Katrina or Rita in a public facility used to host public events; and

(D) the reasonable costs of renting or leasing a public facility used to host public events that was used for conducting response activities for Hurricane Katrina or Rita.

(2) LIMITATIONS.—

(A) CONTRIBUTIONS FOR REPAIR AND RESTORATION COSTS.—Contributions made under paragraph (1)(A) shall be limited to repair and restoration costs associated with damages described in paragraph (1)(A) that occurred—

(i) in the case of damages related to Hurricane Katrina, on or before October 27, 2005; and

(ii) in the case of damages related to Hurricane Rita, on or before November 23, 2005.

(B) CONTRIBUTIONS FOR COSTS INCURRED FOR CANCELLED EVENTS.—

(i) EVENT REQUIREMENTS.—Contributions made under paragraph (1)(B) shall be limited to costs that are documented for an event—

(I) for which there was a binding commitment for use of the facility in effect prior to August 29, 2005; and

(II) that was scheduled to be held on or before December 31, 2005, at the facility.

(ii) LOST REVENUES.—Contributions under paragraph (1)(B) shall not be made for any lost revenues.

(C) CONTRIBUTIONS FOR REASONABLE COSTS OF RENTING OR LEASING.—Contributions made under paragraph (1)(D) shall be limited to the reasonable costs of renting or leasing the facility during the period beginning on August 29, 2005, and ending on January 6, 2006.

(3) COSTS RECOVERABLE FROM OTHER SOURCES.—Costs that may be recovered by the State of Louisiana from any other program or from insurance or another source shall not be eligible for assistance under this subsection.

(4) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect eligibility for assistance under section 403 or 406 of the Stafford Act (42 U.S.C. 5170b or 5172), except to the extent that such assistance would result in a duplication of benefits.

(5) FEDERAL SHARE.—The Federal share of assistance under this subsection shall be 100 percent of the eligible costs.

(6) FUNDING.—Amounts appropriated to carry out sections 403 and 406 of the Stafford Act (42 U.S.C. 5170b and 5172) shall be available to carry out this section, including amounts appropriated before the date of enactment of this Act.

(h) STATUS REPORT.—Not later than 180 days after the date of enactment of this Act, the President shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate a report regarding the status of recovery for the States of Louisiana and Mississippi from Hurricanes Katrina and Rita.

(i) HAZARD MITIGATION PROJECTS.—

(1) IN GENERAL.—A project for covered hurricane damages initiated by the State of Louisiana or Mississippi in the period beginning on August 29, 2005, and ending on the date of enactment of this Act may contribute toward the non-Federal share of assistance under section 404 of the Stafford Act (42 U.S.C. 5170c) if the project—

(A) complies with all applicable Federal laws governing assistance under such section, and

(B) otherwise is eligible to contribute to the non-Federal share of assistance under such section,

notwithstanding any requirement for approval of the eligibility and compliance of a project by the President prior to the initiation of the project contributing toward the non-Federal share.

(2) APPLICATIONS.—The States of Louisiana and Mississippi may submit an application to the President under section 404 of the Stafford Act with respect to any project described in paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

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

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

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to rise in support of H.R. 3247, the Katrina and Rita Recovery Facilitation Act of 2007. This bill has been a top priority of our leadership and has received excellent cooperation and support from the minority and its Members as well. It was reported by the Transportation and Infrastructure Committee on August 1, 2007. On May 10, 2007, our subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing entitled, ''Legislative Fixes for Lingering Problems that Hinder Katrina Recovery,'' where Members from Louisiana and Mississippi testified on issues that were still delaying the recovery from these extraordinarily destructive storms, particularly in the Public Assistance Program.

These were problems that, and I stress, could not have been envisioned by the Stafford Act because of the unprecedented nature of the gulf coast disaster. Therefore, it was felt that there was a need for amendments to the act since FEMA often felt it could not move without specific authority.

This bill addresses issues specifically identified by these Members who represent the gulf coast area in testimony before our committee, testimony that was evaluated by our subcommittee and found to be compatible with the mission of the Stafford Act and the unique nature of the Katrina and Rita disasters.

For example, the bill allows FEMA to apply its so-called ''simplified procedures'' for ''small projects'' from the current threshold of $55,000 to $100,000, and authorizes FEMA to use alternative dispute resolution to resolve appeals in the Public Assistance Program. There have been many appeals. These need to be handled expeditiously if recovery is to occur expeditiously.

Madam Speaker, the bill also increases the Federal contribution for large ''in-lieu'' projects, also known as alternate projects, to 90 percent for both public and private nonprofit facilities. These are examples of remedies that will bring significant results, according to our own investigation and testimony from the region.

Hurricane Katrina made landfall nearly 2 years ago and proved to be the costliest natural disaster in American history. The storms had a massive physical impact on the land, affecting 90,000 square miles, which is an area the size of Great Britain. More than 80 percent of the City of New Orleans flooded, which is an area seven times the size of Manhattan. Untold consequences to the residents of the region were visited upon individuals and families.

Our subcommittee will hold a hearing in New Orleans soon to look further into the status of recovery from these storms. We certainly did not want to go to the region without passage of this act, which is so urgent to recovery. I am pleased that we will be able to report to the citizens of the gulf that our committee and hopefully the House has taken further steps to facilitate the recovery of the entire gulf coast.

I urge the support of all Members.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 3247, introduced by Subcommittee Chairwoman NORTON, will improve the provision of disaster assistance for Hurricanes Katrina and Rita. This bill was created through an open and inclusive process. I want to thank Chairman OBERSTAR and Chairwoman NORTON for working with our Republican Members to include our provisions to this bill. Additionally, I want to thank my good friend and colleague from Louisiana, Ranking Member BAKER, for his steadfast support of Louisiana in the wake of Hurricanes Katrina and Rita. Congressman BAKER has been a great advocate for our State, and I thank him for helping the committee to draft this bill.

Madam Speaker, earlier this year the Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on the recovery in the gulf coast following Hurricanes Katrina and Rita. The bill includes a number of provisions recommended by Members of Congress from both parties who testified at this hearing. These provisions are designed to alleviate specific problems with the recovery in the gulf coast.

H.R. 3247 authorizes changes to the Stafford Act programs exclusively for the recovery from Hurricanes Katrina and Rita and applies these changes retroactively. The Congressional Budget Office does not expect these proposed changes to have a significant effect on the pace or amount of Federal expenditures from the disaster relief fund and has estimated that enacting H.R. 3247 would have no significant effect on direct spending. I support this legislation, and I encourage my colleagues to do the same.

I also want to thank Chairman OBERSTAR and Chairwoman NORTON specifically for working with our gulf coast delegations on this important legislation. The T&I committee has really been very helpful and a strong advocate throughout this process, as my home State of Louisiana and the rest of the gulf coast have tried to recover. I am pleased that the tradition continues today with the work on this bill.

I also want to mention that while much of the Nation's focus remains on the aftermath of Hurricane Katrina, I want to remind my colleagues that there were two storms of similar magnitude that hit the gulf coast in 2005. The second storm, Hurricane Rita, brought high winds in excess of 120 miles an hour and a storm surge equivalent to that of a category 5 storm. Total damage in southwest Louisiana was estimated at approximately $10 billion, making Rita, the forgotten storm, the third most costly natural disaster in U.S. history.

Two years later our recovery remains slow, but progress is being made and the people of southwest Louisiana are resilient and we will rebuild. This bill will help fix some of the roadblocks to recovery that we have encountered along the way. Notably, I want to mention one particularly. The bill addresses one of the bigger problems still lingering in my own district, which is the reimbursement to the sports arena called the Cajundome for use of the facility in sheltering both Katrina and Rita evacuees. The Cajundome acted as a shelter from August 30 through October 28, 2005, and processed an estimated 18,000 evacuees within that 60-day period. The facility was subsequently closed until January 2006 for recovery and repair from the sheltering operations. FEMA initially approved and then sought reimbursement for funds paid to the Cajundome for use of the facility while conducting response activities.

At issue is whether or not a government entity can be reimbursed for fees for sheltering evacuees after a disaster. The Cajundome, however, operates autonomously from city government, does not have a sustaining tax base, and instead relies on the fees it generates from events during its peak season to maintain operations year-round. H.R. 3247 will allow FEMA to pay for the reasonable cost of renting or leasing a public facility that was used for conducting response activities for Hurricanes Katrina and Rita. Facilities like the Cajundome are integral to our disaster recovery and response. We shouldn't punish them for opening their doors and providing shelter during a national crisis.

Again, I want to thank the committee staff as well, especially Mike Herman and Jennifer Hall, for working with my legislative director, Terri Fish, to develop language that will address this problem. Again, I thank Chairman OBERSTAR, Chairwoman NORTON, and Ranking Members MICA and GRAVES for including it in the bill. Again, I urge my colleagues to support H.R. 3247.

Madam Speaker, I yield such time as he may consume to my colleague from Louisiana (Mr. BAKER).

Mr. BAKER. I thank the gentleman for yielding time and certainly want to express appreciation to Chairwoman NORTON, as well as Chairman OBERSTAR, for their continuing attention, courtesy and problem-solving for those of us along coastal States suffering yet from the aftermath of storms Katrina and Rita. Particularly, I want to speak to the great work of Congressman BOUSTANY representing his community. As he expressed here this afternoon, the second storm of the season which followed Katrina, Hurricane Rita, was just as devastating to his community, as was Katrina to coastal portions of eastern Louisiana. He has been the singular outspoken voice for the victims of that disaster in seeking relief and remedies that are appropriate.

Madam Speaker, contained in this resolution before us today is a unique resolution, as the Stafford Act never contemplated disasters of the magnitude and scope that affected our State. The duration was unexpected, as well as the intensity of the damage. A few would have thought an inconvenience of a few days for a public facility would be cause for reimbursement from the Stafford Act.

□ 1615

But in this case the damage went on not just for days and not just for weeks but literally for months. And income that was planned for many of these facilities was lost, as well as the operational expense to engage in the relief activities. As well, unfortunately, in the damage that occurred to the facilities as a result of this unusual and prolonged use.

For example, the Lamar Dixon Center on the southern edge of the City of Baton Rouge acted as the staging point for many law enforcement search and rescue efforts which went on for many days. As a result of the sheriff, police, municipal police and others simply engaging in this activity without seeking preclearance, not having a contract with FEMA in order to save people, Lamar Dixon similarly engaged in the care and feeding of literally thousands of those engaged in daily rescue activities.

We were surprised to learn that the Stafford Act provisions would not allow for the reimbursement of these highly appropriate and highly valuable services rendered during the height of the storm.

Today, with the adoption of this bill, we cure these deficiencies. And although I hope such need would never arise in any other community in our country, if it does, these changes are meaningful not only to the people who engage in the service but to the communities who likewise support and help in this most dire of recovery circumstances. I join with my colleague, Mr. BOUSTANY, to support this legislation.

Ms. NORTON. Madam Speaker, I am pleased to yield to the gentleman from Louisiana (Mr. MELANCON) such time as he may consume.

Mr. MELANCON. Thank you, Congresswoman HOLMES NORTON, for your leadership in moving this piece of legislation forward. I also commend my colleagues and friends from Louisiana who also understand that Ms. HOLMES NORTON and others have been a genuinely great help to the folks of Louisiana and Mississippi and the affected areas of Hurricanes Katrina and Rita.

I am proud of what we have done in Congress to address the recovery and rebuilding needs along the gulf coast after these two unprecedented storms, Katrina and Rita, and our needs are still great. They have not gone away.

From my experience over the last 2 years, I found that the Stafford Act was not written for disasters the size of Katrina and Rita, nor was FEMA prepared to respond, particularly in the long term, to events of this magnitude. H.R. 3247 would amend the Stafford Act to more accurately reflect the rebuilding and recovery needs of the gulf coast. St. Bernard Parish in my district only has a handful of buildings that were not damaged in the storms, and less than 40 percent of the population has returned to the parish.

Through the alternate project penalty, the Stafford essentially penalizes the parish and its officials as they try to rebuild and reflect the returning population. H.R. 3247 would reduce this penalty from 25 percent to 10 percent of each of the project's costs, and this is enormous in the needs that follow and has been mentioned about the inadequacies of the Stafford Act.

The bill would also instruct FEMA to use alternate dispute resolution in place of its completely inadequate project worksheet appeals process. Many project worksheets are still under review after 27 months. Without a guarantee that the project will be fully funded, the State and local governments are apprehensive to even begin projects for fear that FEMA will ask for the money back. FEMA itself is preventing the rebuilding of the gulf coast. It is not their intention, but it is the reality, and this needs to change.

I appreciate all of the work Congress has done to address the recovery and rebuilding needs of the gulf coast, and I ask that my colleagues again assist with easing the restrictions to allow for full recovery by supporting H.R. 3247. I thank you for the opportunity to speak on this issue, and I thank the gentlewoman from the District of Columbia for her efforts and the efforts of my friends and colleagues on the other side of the aisle for helping in this rebuilding effort in an effort to bring FEMA to a position of reality rather than bureaucracy.

Mr. BOUSTANY. Madam Speaker, I want to thank my colleague from Louisiana (Mr. MELANCON). Together, he and I have all of coastal Louisiana, and we have dealt with this disaster firsthand. I know side by side along the coast, we were rolling up our sleeves and helping our friends and families back home through all of this. I want to thank him for his work in helping to come up with these revisions to the Stafford Act that were desperately needed.

This is a good piece of legislation. It will not cure all of the problems we still have in coastal Louisiana, but it is a good start. I urge my colleagues on both sides of the aisle to pass this important legislation, H.R. 3247. Again, I thank Chairwoman NORTON and Chairman OBERSTAR for their willingness to work with us to craft this legislation.

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

Ms. NORTON. Madam Speaker, once again I want to thank the gentleman and all of the Members from the gulf coast delegation who worked so cooperatively with us, really informing us what needed to be done, looking at the Stafford Act, understanding we are amending the act for Katrina and Rita purposes only, and the least Congress could do was to recognize in all of our rhetoric about this being an unprecedented disaster, that we responded with an unprecedented remedy. We do not expect the remedies available here to be necessary elsewhere. For example, we have just had a big disaster in California. That is of a different kind and will have a different effect on the entire region; very devastating, but very different. We intend to have a hearing with respect to that disaster and comparing that disaster and the responses to that disaster with the responses to the gulf coast because we need to do all we can to learn about that disaster.

Moreover, the Katrina and Rita disasters have exposed other changes in the Stafford Act that we need. These are Rita and Katrina-specific changes, but we are learning from what happened to this extraordinary region of our country without which we cannot do. And every day you see oil prices go up, I hope you understand, we in the United States, how central this region is to the economy of this country. As a result, we will be holding hearings on the way in which the Stafford Act should be even further updated to the benefit not only of the disasters we hope never to see again, but to disasters that may occur in the future in our country.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 3247, the "Katrina and Rita Recovery Facilitation Act of 2007", as amended. This bipartisan bill addresses lingering issues that continue to hinder the recovery from Hurricanes Katrina and Rita. The changes in this bill are both necessary and long overdue.

Hurricane Katrina made landfall on August 29, 2005, and proved to be the costliest natural disaster in American history. The storm had a massive physical impact on the land, affecting 90,000 square miles, which is an area the size of Great Britain. More than 80 percent of the City of New Orleans flooded, an area comparable to seven times the size of Manhattan.

Although more than two years have elapsed since Katrina and Rita, significant problems still exist in the recovery effort. This disaster and its aftermath have revealed that the Federal Emergency Management Agency ("FEMA") may need additional authorities to deal effectively with catastrophes of such magnitude.

H.R. 3247 provides additional relief for problems associated with recovery efforts from Hurricanes Katrina and Rita, by authorizing retroactive changes to the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act") programs. The Stafford Act authorizes disaster assistance that FEMA provides after a major disaster. While the authority of the Stafford Act is very broad and flexible, it does not anticipate every circumstance that can arise in disasters, especially catastrophic disasters such as Hurricanes Katrina and Rita.

Historically, when catastrophic or unusual disasters struck, Congress would work cooperatively with FEMA to identify areas where FEMA required additional specific authority. When Hurricane Katrina struck, FEMA was not a flexible or independent government agency. Rather, FEMA was an organization within the Department of Homeland Security, a larger bureaucracy, and without direct access to the President and Congress. I believe that this structure prevented FEMA from engaging with Congress as they have in the past. This problem was further magnified by the unprecedented scope and magnitude of the disaster. As a result, Congress was forced to act in a unilateral manner.

H.R. 3247 was developed in a bipartisan fashion, and draws on the recommendations of Members representing the Gulf Coast region from both sides of the aisle. The provisions in this bill were developed following a hearing held by the Subcommittee on Economic Development, Public Buildings, and Emergency Management on May 10, 2007, entitled "Legislative Fixes for Lingering Problems that Hinder Katrina Recovery". At that hearing, Members from Louisiana and Mississippi testified on specific issues that are still hampering the recovery from these devastating catastrophes and proposed solutions. The provisions of this bill reflect the findings and recommendations that were presented at this hearing.

Specifically, H.R. 3247, the "Hurricanes Katrina and Rita Recovery Facilitation Act of 2007", increases the Federal share from 75 percent to 90 percent for "alternate projects" for Hurricanes Katrina and Rita, to allow money designated for a specific facility to be used toward another facility for the same purposes. This provision will help communities, which have had multiple facilities destroyed by these hurricanes, rebuild facilities and reestablish services in a manner that will best suit their needs.

The bill also permits the Administrator of FEMA to make public assistance programs under Hurricanes Katrina and Rita eligible under a public assistance pilot program authorized in section 689j of the Post-Katrina Emergency Management Reform Act (P.L. 109–295), which will expedite the provision of assistance to States.

This legislation further encourages alternative dispute resolution procedures for appeals of public assistance decisions by FEMA

for Hurricanes Katrina and Rita, to address concerns over the speed of implementation of the public assistance program in the Gulf Coast. The bill allows the use of temporary housing units for volunteers, authorizes reimbursement of expenses incurred for the re-interment of human remains at privately-owned or private non-profit cemeteries, and authorizes the reimbursement of certain facilities that housed evacuees after Hurricanes Katrina and Rita.

The bill also allows in-kind projects initiated in the recovery efforts after Hurricanes Katrina and Rita to contribute the non-Federal share in a Hazard Mitigation Grant Program ("HMGP") application, if FEMA can determine that the project meets all eligibility and compliance requirements that apply to HMGP projects. This provision simply waives the requirement for pre-approval of a project.

Madam Speaker, each of the provisions in H.R. 3247 is specifically tailored to solve an existing problem in the Gulf Coast, and will help provide immediate relief to those still suffering in the wake of these disasters.

I urge my colleagues to join me in supporting H.R. 3247.

MS. NORTON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3247, as amended.

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

A motion to reconsider was laid on the table.

C. CLYDE ATKINS UNITED STATES COURTHOUSE

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2671) to designate the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the "C. Clyde Atkins United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2671

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

SECTION 1. DESIGNATION.

The United States courthouse at 301 North Miami Avenue, Miami, Florida, shall be known and designated as the "C. Clyde Atkins United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the "C. Clyde Atkins United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 2671.

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

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill honors C. Clyde Atkins by naming the courthouse located at 301 North Miami Avenue, Miami, Florida, as the C. Clyde Atkins United States Courthouse. This bill has broad bipartisan support from the Florida delegation.

Judge Atkins was a Federal judge for over 30 years in south Florida and was a leader in many capacities in his community. He presided over some of the most controversial cases in south Florida and often spoke for those who had no voice. He ruled that Miami schools would no longer be racially segregated. Judge Atkins found that the City of Miami was guilty of harassment of the homeless and stopped them from arresting the homeless for eating, sleeping and bathing in public. He also ruled that Haitian and Cuban refugees should receive equal treatment.

In addition to Judge Atkins's courage from the bench, he also played a prominent leadership role in his own community. He served as president of the Dade County Bar Association, the Florida Bar Association. He was a trustee of Biscayne College and Mercy Hospital. He was also very active in the Catholic Church where he was named a knight of St. Gregory by Pope Paul VI. It is clear that Judge Atkins took the notion of being a public servant seriously and endeavored to make his service a large part of his life. In honor of Judge Atkins's public service as a Federal judge for 33 years, it is fitting to name the courthouse located at 301 North Miami Avenue in Miami, Florida, as the C. Clyde Atkins United States Courthouse, and I urge my colleagues to approve this bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 2671, introduced by the gentlewoman from Florida (Ms. ROS-LEHTINEN), designates the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the C. Clyde Atkins United States Courthouse.

The bill recognizes Judge Atkins's dedication to the law and his fairness on the bench. In 1914, Judge Atkins was born in Washington, D.C. He received his law degree from the University of Florida College of Law in 1936 and began his career in the private practice of law in Stuart, Florida.

Judge Atkins's service to his community in the legal profession includes serving as president of the Dade County Bar Association, president of the Florida Bar Association, trustee of the Mercy Hospital, and trustee of Biscayne College.

In 1966, President Lyndon Johnson appointed Judge Atkins to the U.S. District Court for the Southern District of Florida. Judge Atkins served as chief justice on the district court from 1977 to 1982 when he assumed senior status. Judge Atkins's tenure on the bench ended with his passing at the age of 84 on March 11, 1999.

This legislation is a fitting tribute to Judge Atkins's service to equal justice. I support this legislation and urge my colleagues to do the same.

Ms. NORTON. Madam Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Madam Speaker, I rise today in support of H.R. 2671, to designate the United States Courthouse located at 301 North Miami Avenue in my district of Miami, Florida, as the C. Clyde Atkins United States Courthouse.

I would like to commend my Florida colleagues for working together in a bipartisan manner to bring this bill to the floor today. I also want to thank our Florida Senators, BILL NELSON and MEL MARTINEZ, for taking the lead and introducing this bill in the Senate.

As the author of this legislation, I am pleased that this bill would take the next step toward ensuring that we can properly pay tribute to one of Florida's great jurists by naming the courthouse in Miami in honor of the stellar career of Judge Atkins.

After receiving his law degree from the University of Florida in 1936, C. Clyde Atkins worked as a distinguished attorney and held prestigious posts such as the president of the Miami-Dade County Bar Association, as well as president of the Florida Bar. In 1966, Atkins was nominated to the bench by President Lyndon Johnson. The late Judge Atkins brought tremendous honor to the legal profession through his dedicated service as a United States District Judge for the Southern District of Florida from 1966 until his death in 1999 at the age of 84.

□ 1630

Judge Atkins was committed to the administration of the rule of law without consideration of race, creed, or national origin.

He was recognized for his devotion to equality by the National Conference of Christians and Jews and the Anti-Defamation League, to name just a few, Madam Speaker.

Judge Atkins was the first Catholic to be appointed to the bench in the Southern District of Florida.

His faith to his church was recognized by Pope Paul VI through his selection of Judge Atkins as a Knight of St. Gregory.

Judge Atkins was a fair and capable judge and rendered important decisions in the area of civil liberties and civil rights.

Judge Atkins declared that segregation in Miami-Dade County public schools was intolerable. He ruled that homelessness was not a crime and affirmed that freedom of expression was a constitutional right.

Judge Atkins was a man of principles who had the utmost respect for the rule of law.

Therefore, I ask my colleagues to join me in support of this legislation.

The C. Clyde Atkins United States Courthouse at 301 North Miami Avenue in Miami will serve as a lasting tribute to the incredible life and great accomplishments of this distinguished man.

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 2671, a bill to designate the Federal courthouse located at 301 North Miami Avenue, Miami, in the Southern District of Florida as the "C. Clyde Atkins United States Courthouse".

Judge C. Clyde Atkins was born on November 23, 1914, in Washington, DC. He graduated from the University of Florida College of Law in 1936. He practiced law as a partner in the law firm of Walton, Lantaff, Shroeder, Atkins, Carson, and Wahl for more than 25 years, from 1941 to 1966.

In 1966, judge Atkins was appointed to the District Court in the Southern District of Florida by President Lyndon B. Johnson. He served first as a district judge, then as chief judge, and eventually as a senior judge. During his time on the Federal bench, Judge Atkins presided over a number of landmark cases, including the unprecedented desegregation of Dade County schools in 1969. In 1970, he presided over an important environmental case and ruled that there was a public interest in protecting wildlife from discharge from a nuclear plant into Biscayne Bay. Judge Atkins found the City of Miami guilty of a pattern of harassment of the City's homeless population and showed great courage in overturning Federal policies that required the repatriation of Haitian and Cuban refugees at Guantanamo Bay.

Judge Atkins often made these rulings with little fanfare but always with a deep, abiding respect for the rule of law and equality. He was respected because of his application of the law without respect to race, creed, religion, or national origin.

He was also very active in the Catholic Church, and he was named a Knight of St. Gregory by Pope Paul VI.

Judge Atkins died in 1999 at the age of 84.

I urge my colleagues to join me in supporting H.R. 2671.

Mr. BOOZMAN. Madam Speaker, having no further speakers, again, I think this is a very fitting tribute and honor and something that we should all very much support.

With that, I yield back the balance of my time.

Ms. NORTON. Madam Speaker, I thank the gentleman, and I am pleased to yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2671.

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

A motion to reconsider was laid on the table.

THEODORE L. NEWTON, JR. AND GEORGE F. AZRAK BORDER PATROL STATION

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2728) to designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr. And George F. Azrak Border Patrol Station".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2728

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

SECTION 1. DESIGNATION.

The station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, shall be known and designated as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the station referred to in section 1 shall be deemed to be a reference to the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2728.

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

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

This bill honors two Border Patrol inspectors who died in the line of duty by naming a Border Patrol station in their honor. On June 17, 1967, United States Border Patrol inspectors Theodore L. Newton, Jr., and George F. Azrak were killed in the line of duty while working the late-night shift in Southern California.

Their tragic deaths were considered a turning point for the Border Patrol agency. After the deaths of these two Border Patrol inspectors, the security and procedures for intercepting border crossings changed dramatically. The Border Patrol now requires that a minimum of three to five agents work each checkpoint along with a backup unit. In addition to the increased manpower, or person power, the Border Patrol has also increased the amount of training and support that all Border Patrol agents now receive.

I support the Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station naming bill and urge my colleagues to join me in supporting this effort to honor these two law enforcement officials who died in the line of duty while serving their country in a vital role.

Madam Speaker, I reserve the balance of my time.

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

H.R. 2728, introduced by Representative DARRELL ISSA of California, designates the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station.

Forty years ago, Theodore Newton and George Azrak were tragically killed in the line of duty. The deaths of these two agents shook the foundations of the agency.

The two young Border Patrol agents were working the graveyard shift at a remote checkpoint when they were kidnapped from their post by drug smugglers. They were found murdered and handcuffed to a stove in an abandoned mountain shack.

These two agents, just like agents on the front line today, put themselves in harm's way to uphold the tradition of honor, integrity, and service in securing our Nation's borders. Over 100 employees of the Border Patrol have died in the line of duty since it was formed in 1924.

The Newton-Azrak Award, the Border Patrol's highest award, pays tribute to those who show courage and heroism in the face of grave danger.

This bill recognizes the ultimate sacrifice these men made, giving their lives in the service of their country.

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

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 2728, a bill to designate the border station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station".

On June 17, 1967, United States Border Patrol Inspectors Theodore L. Newton, Jr., and George F. Azrak were killed in the line of duty while working the late-night shift at a checkpoint along the U.S.-Mexico border. While examining a vehicle intercepted for suspected drug smuggling, the two inspectors were kidnapped and later killed.

As a result of the tragic deaths of these two men, the U.S. Border Patrol now requires that a minimum of three to five agents work each checkpoint, depending on a variety of factors, along with a back-up unit. In addition to this requirement for increased manpower, the Border Patrol has also enhanced the training and support that all Border Patrol agents receive.

In honor of these two inspectors, the Border Patrol annually bestows upon its bravest agents the Newton-Azrak Award. Eligibility for

the award is based on the demonstration of unusual courage in the line of duty or a heroic or humane act during times of extreme stress or in an emergency. In addition, the National Border Patrol Museum in El Paso, Texas, has a permanent memorial display in honor of Inspectors Newton and Azrak.

Designating the United States Border Patrol Station in southern California as the "Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station" is a fitting tribute to honor the bravery and service of these men. Their valor has served as an inspiration for a generation of Border Patrol agents that have followed them in service to their country.

I urge my colleagues to join me in supporting H.R. 2728.

Mr. BOOZMAN. Madam Speaker, I yield back the balance of my time having no further speakers.

Ms. NORTON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2728.

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

A motion to reconsider was laid on the table.

MINE COMMUNICATIONS TECHNOLOGY INNOVATION ACT

Mr. MATHESON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3877) to require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3877

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 "Mine Communications Technology Innovation Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The failure of miner tracking and communications devices or lack thereof in mines severely hampers rescue efforts in the event of emergencies.

(2) Mines, particularly underground mines, have properties that present unique technical challenges for the integration of currently available tracking and communications systems. These properties include the lack of a clear path or open air which is required for radio signals and WiFi. Additionally, because coal is an absorptive material, less than 10 percent of the radio spectrum that is used above ground can be used underground. A fraction of that (only about 1 percent) radio spectrum is actually allocated for commercial communications purposes. As a consequence, the availability of miner communication equipment is severely limited.

(3) Research and experience have shown that communications and tracking systems may not work equally well in every mine or in every emergency situation, and therefore several different systems may be necessary for development and integration.

(4) Because of the serious challenges of the mine environment and the limited market provided by the mining industry, much needed technology has not yet been developed by the private sector or is not commercially available in the United States.

(5) Furthermore, due to the regulatory structure of the industry and the lengthy approval process for mine tracking and communications systems, research must be accelerated so that next generation technology can be quickly and efficiently integrated into mines to protect the safety of miners.

(6) The National Institute of Standards and Technology is well positioned to help accelerate the development of mining tracking and communications technology. The National Institute of Standards and Technology has a long history of working in conjunction with industry to invest in longer-term, high-risk research which yields national benefits far beyond private payoff. Further, the National Institute of Standards and Technology builds partnerships with industry to leverage existing research and development to drive next generation technology.

(7) The National Institute of Standards and Technology is well-positioned to accelerate development of consensus mining communications standards given the extensive work that the organization has done in the field of emergency communications to develop standards and technologies for interoperable wireless telecommunications and information systems.

(8) In developing such standards, the National Institute of Standards and Technology should work in cooperation with the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration, and other relevant public and private stakeholders, to build on existing technology and knowledge regarding mine communications systems.

SEC. 3. MINE COMMUNICATIONS AND TRACKING RESEARCH AND DEVELOPMENT PROGRAM AUTHORIZATION.

(a) ESTABLISHMENT.—The Director of the National Institute of Standards and Technology shall provide for the establishment of a program of research, development, and demonstration that includes the establishment of best practices, adaptation of existing technology, and efforts to accelerate the development of next generation technology and tracking systems for mine communications.

(b) COORDINATION.—In carrying out this section, the Director shall coordinate with relevant Federal agencies and industry to evaluate areas of research and development and best practices that will be most promising in protecting miner safety.

(c) OPTIONAL FOCUS.—In establishing this program, the Director may focus on the following communications and tracking system characteristics:

(1) Systems that are likely to work in emergency situations.

(2) Systems that work in coal mines, with special attention paid to deep underground coal mines.

(3) Systems that provide coverage throughout all areas of the mine.

(4) Hybrid systems that use both wireless and infrastructure based systems.

(5) Functionality for 2-way and voice communications.

(6) Systems that serve emergency and routine communications needs.

(7) The ability to work with existing legacy systems and to be quickly integrated.

(8) Propagation environment characterization, performance metrics, and independently derived validation tests to verify performance for standards development.

SEC. 4. STANDARDS REGARDING UNDERGROUND COMMUNICATIONS.

Consistent with Office of Management and Budget Circular A–119, the Director of the National Institute of Standards and Technology shall work with industry and relevant Federal agencies to develop consensus industry standards for communications in underground mines. The Director shall also develop and provide any needed measurement services to support implementation of these standards. In their efforts to help develop these standards and related measurement services, the following issues should be addressed:

(1) The appropriate use of frequency bands and power levels.

(2) Matters related to interoperability of systems, applications, and devices.

(3) Technology to prevent interference.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director of the National Institute of Standards and Technology such sums as are necessary for carrying out this Act for fiscal years 2009 and 2010, to be derived from amounts authorized under section 3001 of the America COMPETES Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. MATHESON) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. MATHESON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3877, the bill now under consideration.

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

There was no objection.

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

Madam Speaker, I'm very pleased that this action is taking place today on the floor of the House of Representatives. I represent the Second Congressional District of Utah, and that includes the Crandall Canyon Mine where this past August I think everyone in this country is aware of the coal mining accident that occurred where six men were trapped, and during the rescue attempt, three rescuers were killed in a cave-in.

There were a lot of emotions that we all felt and shared during that disaster; but beyond those emotions, I think something that must have crossed all of our minds as we all watched this tragedy unfold was a question, and that was, how is it as the rescuers tried to locate these six trapped men that we can't know exactly where they are, that there isn't some kind of signal or beacon or some way to communicate such that we can have a better sense of exactly where the six men were trapped?

I think that's a question that a lot of us have, and here in Congress, as a

member of the House Science Committee, I asked those questions, and the committee collectively, majority and minority, has looked at that issue.

The answer really is that the technology doesn't exist today to communicate in this manner between the surface and folks who are trapped deep underground, and so the effort here and the purpose of this legislation, it's a very narrow piece of legislation, looks at encouraging development of technology that would allow this type of communication to occur in the future.

The thing about this bill that I'm really proud of is the fact that the committee worked so well together, and I really want to thank Chairman GORDON and Ranking Member HALL for their extraordinary effort and also the staff, both majority and the minority, for working together to move this bill in a rather quick manner and in a bipartisan manner. Suggestions were taken from folks on both sides of the aisle, and the bill that came out of the committee reflected those discussions and deliberations among everyone involved in the committee.

So I think this is an example where Congress is passing good legislation, a substantive piece of legislation. It's a piece of legislation that is so important for the 1,400 underground mines we have in this country and, quite frankly, the many thousands of underground mines that exist around the world today, where this type of technology, if it is developed, will allow better communication capability and allow an opportunity for perhaps more success in rescue operations.

Now, I want to be clear on a couple of things. The purpose of the legislation is really to accelerate next-generation technology. The legislation will direct the National Institute of Standards and Technology to establish an initiative to promote research, development, and demonstration of miner tracking and communication systems and to promote the establishment of standards and other measurement services regarding underground mines. I think the legislation will foster much-needed research and development in this field of communications to better protect miners.

The time to address this issue is now, before any more accidents leave any additional miner families desperate for word about their loved ones.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise also in support of H.R. 3877, the Mine Communications Technology Innovation Act.

First, I want to take this opportunity to thank Chairman GORDON, Ranking Member HALL, and all of the members of the Science Committee and the staff who worked so hard to bring this important bipartisan legislation through our committee and to the House floor today.

Madam Speaker, every Member of the House hopes to avoid another catastrophe such as the Sago Mine explosion in West Virginia in 2006 or the disaster at the Crandall Canyon Mine in Utah this past August. And I certainly want to commend my colleague, the gentleman from Utah (Mr. MATHESON), for introducing H.R. 3877 to address one of the major obstacles to miner safety, and that is, our inability, as he just pointed out, to track miners underground and to communicate with them in the event of such an emergency.

Under the 2006 MINER Act, the Mine Safety and Health Administration, MSHA, and the National Institute for Occupational Health and Safety, NIOSH, receive significant funding to lead an interagency program to develop communication, tracking, oxygen supply and refuge systems for mines. To date, this program has invested over $23 million, and it is steadily progressing towards installation of new, safer communication systems by the year 2009.

As NIOSH and MSHA continue to advance research and development in this area, there was clear bipartisan agreement within the Science Committee that the National Institute of Standards and Technology, NIST, could enhance these efforts by fostering standards for communication equipment in mines and development of those systems through the creation of best practices, measurement services, and research evaluation.

□ 1645

NIST has long been a leader in communications research technology and has the equipment, and it has the expertise to characterize the mine environment and determine what techniques are best suited for these very difficult situations and conditions.

This bill is the product of bipartisan work in the Science Committee, and it creates a basic framework to ensure that the government's research agency works cooperatively, effectively and quickly to improve mine and miner safety.

The world-renowned capabilities of NIST laboratories and the years of study and experience at NIOSH and MSHA can significantly improve implementation of emergency communications and tracking systems in our mines. Improvement in these systems will substantially increase rescuers' ability to find and free miners in the event of a mine catastrophe, as we just outlined, that occurred recently in West Virginia and the great State of Utah.

H.R. 3877 would significantly contribute to the health and the safety of miners by uniting the communications and standards experience of NIST with the ongoing research and the mine environment experience at NIOSH and MSHA.

I want to applaud my colleague, Mr. MATHESON, for addressing this issue that he knows so well that is of such utmost importance to his constituents in Utah, as well as mining communities across this country.

I urge all of my colleagues to support this bipartisan legislation. It will make significant advancements in miner safety.

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

Mr. MATHESON. I thank my colleague. I also want to thank him for making one additional really good point in his remarks, and that is that this legislation is complementary with what we are trying to do at NIOSH and MSHA.

Madam Speaker, Congress these days doesn't have the best reputation of working together on certain things, but this is an example where this committee worked really well in terms of coming up with legislation, where bills were originally introduced, there were some other questions during the committee process. Folks on the minority side of the aisle offered suggestions for a manager's amendment. We approved this bill. It has good bipartisan support. It's the right thing to do.

I again want to thank Dr. GINGREY and everyone on the Science Committee staff for their help in making this legislation work.

I will just close by saying that I visited the Crandall Canyon mine families right after the disaster. They were going through so many emotions that it's difficult for us to even imagine, but to not know where their loved ones were was probably the greatest frustration of all. If this legislation can provide a path to help provide answers to those questions in the future, then, clearly, it's the right thing to do.

I ask for a favorable vote from everybody on this legislation.

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

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California). The question is on the motion offered by the gentleman from Utah (Mr. MATHESON) that the House suspend the rules and pass the bill, H.R. 3877, as amended.

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

The title was amended so as to read: ''A Bill to require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards and other measurement services regarding underground communications to protect miners in the United States.''.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 48 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. CLARKE) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3224, by the yeas and nays;

H. Res. 573, by the yeas and nays;

H. Res. 747, by the yeas and nays.

The vote on House Joint Resolution 58 will be postponed until tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DAM REHABILITATION AND REPAIR ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3224, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. SALAZAR) that the House suspend the rules and pass the bill, H.R. 3224, as amended.

The vote was taken by electronic device, and there were—yeas 263, nays 102, not voting 67, as follows:

[Roll No. 1010]

YEAS—263

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Burgess
Capito
Capps
Capuano
Cardoza
Carnahan
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Graves
Green, Al
Hall (NY)
Hare
Harman
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kind
King (NY)
Kirk
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Napolitano
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (KY)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Space
Stark
Stupak
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Whitfield
Woolsey
Wu
Wynn
Yarmuth

NAYS—102

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bono
Boozman
Boustany
Broun (GA)
Brown (SC)
Buchanan
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Coble
Cole (OK)
Crenshaw
Culberson
Davis, David
Davis, Tom
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Goodlatte
Hall (TX)
Hastings (WA)
Heller
Hensarling
Hobson
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Mack
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Nunes
Pearce
Pitts
Poe
Price (GA)
Ramstad
Rogers (AL)
Rogers (MI)
Royce
Sali
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tiahrt
Tiberi
Walberg
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—67

Boehner
Brady (PA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Carney
Carson
Chabot
Conaway
Conyers
Cooper
Costello
Cubin
Davis (KY)
Deal (GA)
Dicks
English (PA)
Ferguson
Flake
Gohmert
Granger
Green, Gene
Grijalva
Gutierrez
Hastert
Hastings (FL)
Hulshof
Hunter
Jefferson
Jindal
Johnson (IL)
Kilpatrick
Klein (FL)
Kucinich
LaHood
Lampson
Marchant
Meek (FL)
Myrick
Nadler
Neal (MA)
Paul
Payne
Pence
Peterson (PA)
Pickering
Pryce (OH)
Rohrabacher
Schmidt
Shays
Shea-Porter
Shuster
Simpson
Smith (WA)
Souder
Spratt
Tancredo
Taylor
Udall (CO)
Wamp
Wasserman Schultz
Waxman
Weldon (FL)
Weller
Wilson (OH)
Young (AK)

□ 1856

Messrs. COLE of Oklahoma, DUNCAN, SMITH of Texas and CANTOR changed their vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, on rollcall No. 1010, I am not recorded because my card did not register. Had I been present, I would have voted "yea."

RECOGNIZING AND COMMENDING EFFORTS TO RAISE AWARENESS ABOUT AND HELP END THE WORSENING HUMANITARIAN CRISIS AND GENOCIDE IN DARFUR, SUDAN

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 573, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 573, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 366, nays 0, not voting 66, as follows:

[Roll No. 1011]

YEAS—366

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Broun (GA)

Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
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
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Perlmutter
Peterson (MN)
Petri
Pitts
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)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Space
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Waters
Watson
Watt
Weiner
Welch (VT)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—66

Boehner
Brady (PA)
Brown, Corrine
Butterfield
Buyer
Carney
Carson
Chabot
Conaway
Conyers
Costello
Cubin
Davis (KY)
Deal (GA)
Dicks
English (PA)
Ferguson
Flake
Gohmert
Granger
Green, Gene
Grijalva
Gutierrez
Hastert
Hastings (FL)
Hulshof
Hunter
Jefferson
Jindal
Johnson (IL)
Kilpatrick
Klein (FL)
Kucinich
LaHood
Lampson
Marchant
Meek (FL)
Myrick
Nadler
Neal (MA)
Paul
Payne
Pence
Peterson (PA)
Pickering
Pryce (OH)
Rohrabacher
Schmidt
Shays
Shea-Porter
Shuster
Simpson
Smith (WA)
Souder
Spratt
Sutton
Tancredo
Taylor
Udall (CO)
Wamp
Wasserman Schultz
Waxman
Weldon (FL)
Weller
Wilson (OH)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining.

□ 1904

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE RELIGIOUS AND HISTORICAL SIGNIFICANCE OF THE FESTIVAL OF DIWALI

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 747, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 747.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 358, nays 0, answered ''present'' 8, not voting 66, as follows:

[Roll No. 1012]

YEAS—358

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Fortenberry
Fossella
Foxx
Frank (MA)
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goodlatte
Gordon
Graves
Green, Al
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kind
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
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
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Perlmutter
Peterson (MN)
Petri
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)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Space
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)

Upton	Watson	Wilson (NM)
Van Hollen	Watt	Wilson (SC)
Velázquez	Weiner	Wolf
Visclosky	Welch (VT)	Woolsey
Walden (OR)	Westmoreland	Wu
Walsh (NY)	Wexler	Wynn
Walz (MN)	Whitfield	Yarmuth
Waters	Wicker	Young (FL)

ANSWERED ''PRESENT''—8

Akin	Goode	Sali
Forbes	King (IA)	Walberg
Franks (AZ)	Musgrave	

NOT VOTING—66

Boehner	Hastert	Pryce (OH)
Brady (PA)	Hastings (FL)	Rohrabacher
Brown, Corrine	Hulshof	Schmidt
Butterfield	Hunter	Shays
Buyer	Jefferson	Shea-Porter
Carney	Jindal	Shuster
Carson	Johnson (IL)	Simpson
Chabot	Kilpatrick	Smith (WA)
Conaway	Klein (FL)	Souder
Costello	Kucinich	Spratt
Cubin	LaHood	Tancredo
Davis (KY)	Lampson	Taylor
Deal (GA)	Marchant	Udall (CO)
Dicks	Meek (FL)	Wamp
English (PA)	Myrick	Wasserman Schultz
Ferguson	Nadler	Waxman
Flake	Neal (MA)	Weldon (FL)
Frelinghuysen	Paul	Weller
Gohmert	Payne	Wilson (OH)
Granger	Pence	Young (AK)
Green, Gene	Peterson (PA)	
Grijalva	Pickering	
Gutierrez	Pitts	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes to record your vote.

□ 1913

Mr. GOODE changed his vote from ''yea'' to ''present.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Madam Speaker, due to official business in the 13th Congressional District of Michigan, I was unable to make several votes today. Had I been present, I would have voted ''yea'' on final passage of H.R. 3224, the Dam Rehabilitation and Repair Act of 2007; ''yea'' on final passage of H. Res. 573—Recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes; and ''yea'' on final passage of H. Res. 747—Recognizing the religious and historical significance of the festival of Diwali.

PERSONAL EXPLANATION

Mr. SHAYS. Madam Speaker, on October 29, 2007, I missed 3 recorded votes.

I take my voting responsibility very seriously and would like the CONGRESSIONAL RECORD to reflect that, had I been present, I would have voted ''yea'' on recorded vote No. 1010, ''yea'' on recorded vote 1011 and ''yea'' on recorded vote 1012.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Madam Speaker, on Monday, October 29, 2007, I was absent from the House due to travel complications. Had I been present I would have voted:

On rollcall No. 1010—''nay''—H.R. 3224, Dam Rehabilitation and Repair Act of 2007.

On rollcall No. 1011—''yea''—H. Res. 573, Recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes.

On rollcall No. 1012—''yea''—H. Res. 747, Recognizing the religious and historical significance of the festival of Diwali.

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, I took a leave of absence on October 29, 2007; unfortunately my airline flight was delayed. The following list describes how I would have voted had I been in attendance today.

''Yea'' on H.R. 3224—Dam Rehabilitation and Repair Act of 2007, Representative Salazar—Transportation and Infrastructure.

''Yea'' on H.R. 573—Recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes, Representative Moran (VA)—Foreign Affairs.

''Yea'' on H.R. 747—Recognizing the religious and historical significance of the festival of Diwali, Representative Wilson (SC)—Foreign Affairs.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2074

Mr. MCCAUL of Texas. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2074.

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

There was no objection.

□ 1915

SUPPORT OUR VETERANS

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

Mrs. DRAKE. Madam Speaker, this is day 29. That is 29 days so far that our veterans have not had the use of the increased funding for their benefits and health care. That is $18.5 million dollars a day not able to be used. And why? Because the Democratic leadership has decided to not complete this bill and send it to the President who has agreed to sign it.

In June this House passed this appropriation bill with a $6 billion increase in a bipartisan manner. We are proud of our work and grateful to our veterans.

On September 6, the Senate completed their bill. This work is done. Our veterans are not pawns in a political game. They are heroes.

America expects us to get the job done. America expects us to provide the best care to our veterans.

Please join me in calling upon the Democratic leadership to put our veterans first and send this bill to the President now.

CONDEMNING THE ATTACKS ON AFRICAN UNION PEACEKEEPERS IN HASKANITA, DARFUR, SUDAN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, today on the floor of the House, I was very pleased to have debated H. Res. 740 that I authored with Congressman CHABOT from Ohio and joined by 55 of my colleagues.

This resolution denounced the attack on African Union peacekeepers. And it was a result of the codel led by myself, joined by Congressman CHABOT and Congressman SMITH from Nebraska, the first codel to go into Darfur since the signing of the agreement dealing with the peacekeepers.

It is time now for our eyes to focus on a safe return of those who have suffered to their homeland, 2.4 million displaced Sudanese, Darfurians, who live in a state of flux and fear.

It is an outrage that these peacekeepers would be attacked. It is an outrage that, as the African Union has stood up to be counted and provided soldiers on the field to protect those refugees, it is an outrage that they are being attacked.

We ask the U.N. to intervene to provide more peacekeepers. We ask that the genocide stop. And we ask that Khartoum recognize that they have an obligation to the people of Sudan. Stop the genocide.

IN MEMORY OF SERGEANT EDWARD PHILPOT

(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. Madam Speaker, I rise today, with great sympathy, in honor of the memory of Sergeant Edward Philpot of South Carolina National Guard's 218th Brigade Combat Team. Sergeant Philpot and his fellow soldiers were traveling as a convoy near Kandahar Airfield, Afghanistan, last Tuesday when his Humvee accidentally went off the road.

Sergeant Philpot is the first member of the 218th, my former National Guard Brigade, to lose his life while serving in Afghanistan. His sacrifice is a reminder of the courage and dedication to duty shared by so many of our fellow Americans. We must never forget the immense sacrifices these brave men and women are making to defend freedom and to protect American families.

My thoughts and prayers are with Sergeant Philpot's wife, Stephanie; their three daughters; his parents, Ottas and Willa; and his entire family, friends, and fellow soldiers who continue to defend our country overseas. His sacrifice is a testament to the love for his country, his family, and his fellow soldiers.

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

THE DRIVE ACT

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

Mr. KINGSTON. Madam Speaker, last week the Capitol hosted a display of electric cars, hybrids like the Toyota Prius and various generations.

And there was one car that got my attention. It was an Auto-Cycle. It was a one-man car. It would go 75 miles an hour. And the owner of it did not drive it in from Ohio where it was made, but he said he could have. It goes 75 miles an hour. And if you have a car like that in town, you basically plug it in every day and you run all day long, and you don't use one ounce of gas.

I am a cosponsor of something called the DRIVE Act. It is a bipartisan bill cosponsored by me and ELIOT ENGEL of New York. The idea behind it is to get off Middle East oil by increasing the incentive to buy hybrid cars, flex-fuel vehicles, electric vehicles, biodiesels, cars that run on ethanol, and a number of other alternative-fuel vehicles. We have the technology that's out there.

We are doubling, in the DRIVE Act, the tax credit for buying hybrids in such cars. I believe that this is a step in the right direction, and I urge my colleagues to cosponsor the DRIVE Act.

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 LIEUTENANT MICHAEL P. MURPHY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of New York. Madam Speaker, it is with honor and with a profound sadness that I rise to recognize Lieutenant Michael P. Murphy of the United States Navy, who last week was posthumously awarded our Nation's highest award for valor: the Medal of Honor.

Among my greatest privileges was attending last week's ceremonial presentations of the Medal of Honor to his family at the White House and the Navy Memorial.

Known fondly as ''Murph,'' Michael was born on May 7, 1976, in Smithtown, New York, and grew up in Patchogue, in my district on eastern Long Island. He was raised by a family of policemen, lifeguards, firemen, and teachers who instilled values reflecting that public service is a noble calling.

In high school, Lieutenant Murphy life-guarded at the Brookhaven town beach in Lake Ronkonkoma, a job he returned to each summer through his college years. He graduated from Patchogue-Medford High School in 1994.

Lieutenant Murphy attended Penn State University, where he was an exceptional all-around athlete and student. He excelled at ice hockey, graduated with honors, and was accepted to several law schools, but instead wanted to serve his country as part of the world's most elite fighting force: the U.S. Navy SEALs.

Slightly built at 5 feet, 10 inches, he attended SEAL mentoring sessions at the U.S. Merchant Marine Academy at Kings Point and was accepted to the Navy Officer Candidate School in 2000. Lieutenant Murphy was commissioned as an ensign and after 6 months completed Basic Underwater Demolition SEAL training in 2001. He then attended Army Jump School, SEAL Qualification Training, SEAL Delivery Vehicle School, and earned his SEAL Trident by 2002.

Lieutenant Murphy was later deployed to Qatar and to the Horn of Africa in support of Operation Iraqi Freedom. In 2005, Lieutenant Murphy was assigned to SEAL Delivery Vehicle Team ONE as assistant officer in charge of ALFA Platoon and deployed to Afghanistan in support of Operation Enduring Freedom.

Madam Speaker, the Congressional Medal of Honor commemorates Lieutenant Murphy's actions as the officer in charge of a four-man SEAL unit in support of Operation Red Wing, tasked with finding a key Taliban commander in the mountainous terrain of northeastern Afghanistan.

On June 28, 2005, shortly after inserting into the objective area, the SEALs were spotted by three goat herders who were initially detained and then released. It is believed they reported the SEALs' presence to Taliban fighters.

A fierce gun battle ensued on the steep face of the mountain between the SEALs and a much larger enemy force. Despite the intensity of the firefight and suffering grave gunshot wounds himself, Lieutenant Murphy is credited with risking his own life to save the lives of his teammates.

He had moved into the open where he could gain a better position to transmit a call for help. This deliberate and heroic act deprived him of cover and made him a target for the enemy. While continuing to be fired upon, he made contact with Bagram Air Base to request assistance. He calmly reported his unit's location and the size of the enemy force while requesting support for his team.

He was shot in the back, causing him to drop the transmitter. He picked it back up, completed the call, and continued firing at the enemy closing in. Severely wounded, he returned to his men and continued the battle.

In response to Lieutenant Murphy's call, an MH–47 Chinook helicopter, with eight additional SEALs and eight Army Night Stalkers aboard, was sent. As the Chinook drew near, a rocket-propelled grenade hit the helicopter, causing it to crash, killing all 16 men aboard.

On the ground and nearly out of ammunition, the four SEALs continued to fight. After 2 hours Lieutenant Murphy, Matthew Axelson, and Daniel Dietz had fallen. Over 30 Taliban were also killed.

The fourth SEAL, Petty Officer Marcus Luttrell, was knocked unconscious and over a ridge by the blast of a rocket-propelled grenade. Though severely wounded, he evaded the enemy for nearly a day and was rescued by local nationals who cared for him until U.S. forces arrived for him 3 days later.

Lieutenant Michael P. Murphy was buried at Calverton National Cemetery, less than 20 miles from his hometown. His other awards include the Purple Heart, Combat Action Ribbon, the Joint Service Commendation Medal, the Navy and Marine Corps Commendation Medal, Afghanistan Campaign Ribbon, and National Defense Service Medal.

Throughout his life, he was known for his unwavering loyalty and an instinctive responsibility to help others. With unwavering courage in the face of certain death, he gave his life for his country and teammates, reflecting great credit upon himself and upholding the Navy's highest traditions.

Madam Speaker, our Nation is blessed to have a military full of great Americans like Lieutenant Michael P. Murphy who are serving with great distinction. He epitomized the selfless devotion to duty our young men and women have demonstrated time and again in Iraq, Afghanistan, and other hostile regions. My heart goes out to the Murphy family and the people of Patchogue, New York, for they have lost one of America's very finest.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1930

HONORING LIEUTENANT MICHAEL P. MURPHY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 5 minutes.

Mr. DENT. Madam Speaker, I just want to follow up on what my friend Mr. BISHOP of New York has just said.

We all learned about Lieutenant Michael Murphy's bravery. And, of course, last week, as was just stated, he received the Congressional Medal of Honor from President Bush on October 22.

I also want to share with you an experience over the weekend prior to the

Penn State/Ohio State game on Saturday evening. We had a ceremony on the field of Beaver Stadium, 110,000 people. Of course Lieutenant Murphy is a Penn State alumnus and graduated from the university in political science, as I did about 17 years earlier. And we had a ceremony. It was touching to be with his parents, Dan and Maureen, to recognize his gallantry, his bravery. As Abraham Lincoln said, he had given that ''last full measure of devotion.'' But we joined his parents on the field, myself along with our colleagues, TIM MURPHY of Pennsylvania, BILL SHUSTER of Pennsylvania and TODD PLATTS of Pennsylvania. We escorted them on the field, along with the president of the university, Graham Spanier. And just prior to the playing of the national anthem, which was dedicated in memory of Lieutenant Murphy, the university presented a certificate that read: ''Pennsylvania State University recognizes Lieutenant Michael Murphy as the recipient of the Medal of Honor, for his gallantry and bravery, serving as a United States Navy SEAL while under enemy attack in Afghanistan. Lieutenant Murphy represents the highest ideal of the university as an alumnus and patriot.''

And, again, I would just like to share with my colleagues from New York, and certainly all Americans, the sense of deep loss we feel for the Murphy family and so many others who have paid the ultimate price in this war, in both Afghanistan and Iraq.

LIEUTENANT MICHAEL MURPHY

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. Madam Speaker, I want to thank my good friend and colleague, Mr. BISHOP from Long Island, for asking several of us to pay tribute to Lieutenant Michael Murphy, who received the Medal of Honor.

Madam Speaker, I did not know Michael Murphy personally, but I knew of him. I have a love of history, and particularly military history. And I know that every generation of Americans has confronted challenge and threat, grave and great, with the heroism of Michael Murphy. Every generation has produced its Michael Murphys.

In August of 1776, in the Battle of New York, there were men like Michael Murphy. They were surrounded by the most powerful navy in the world, the British Navy, And American democracy could have been snuffed out at that point. But men like Michael Murphy took risk, sacrificed their lives, fought on, and replaced British monarchy with American democracy. They fell, Madam Speaker, so that I could stand here in this body, the Congress of the United States, the people's House of the oldest democracy on Earth.

There were Mike Murphys in Gettysburg, in the Fighting 69th and other brigades, at Shiloh and Fredericksburg. There were plenty of Union generals who told President Lincoln that they didn't really need to fight the Civil War; you could have slavery on one side of the line and we could have freedom on the other and that would be fine. But there were men like Michael Murphy who understood that slavery in the United States was not an option. They fought on; they refused to retreat. They would not surrender. They would not lose their ground. They fell so that my children could grow up in a country of liberty versus tyranny.

Madam Speaker, there were Mike Murphys who grew up on Long Island. When Franklin Delano Roosevelt, Madam Speaker, stood where you are now and summoned America into the greatest battle of the 20th century, against Nazism and fascism, there were Mike Murphys from Long Island who stood up, who stormed beaches, who leapt hills, who ran through Europe, freed France, liberated concentration camps, went to the Pacific, freed the Pacific and came back, looked at the Moon and said, we could go there, too. Many of those heroes, Madam Speaker, are from Long Island, and we value and thank every one. Only 18 Long Islanders, Madam Speaker, have received the Medal of Honor, Mike Murphy and 17 others.

Madam Speaker, Mike Murphy fell in a long and noble tradition of those who made the ultimate sacrifice. He is linked in time with those I mentioned: in Afghanistan, in Iraq, in Vietnam, in Korea, in Normandy, and stretching back to the earliest battles and the first battlefield.

Let me close, Madam Speaker, with a passage that could have been written about Michael Murphy, although it was uttered almost 2,500 years ago. This is what Pericles said at the funeral of fallen soldiers:

''In the fighting, they thought it more honorable to stand their ground and suffer death than to give in and save their lives. So they fled from the reproaches of men, abiding with life and limb the brunt of battle, and in a small moment of time, the climax of their lives, a culmination of glory, not of fear, they were swept away from us.''

So and such they were, these men, worthy of their city. Madam Speaker, Michael Murphy went to Afghanistan to defend the City of New York, which was attacked out of Afghanistan on 9/11. He joins a proud and noble tradition of history's best. My thoughts, my prayers and my condolences go to him and his family. And he will always be remembered in this Congress as the citadel of freedom in the world, for fighting for that freedom.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Minnesota 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 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.)

OCCUPATION IN IRAQ SOAKING UP U.S. DOLLARS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, for the past 5 years, the administration has underfunded the No Child Left Behind Act to the tune of more than $50 billion. This has robbed millions of children of the education they will need to succeed in the 21st century, and it is robbing America of the brain power we need to stay competitive in the global economy.

Those of us who believe it's a bad idea to shortchange our kids and our Nation begged the administration to fully fund the No Child Left Behind Act, but our pleas were ignored. That is one of the reasons I was so outraged last week when the White House requested $46 billion in supplemental funding for its occupation of Iraq. That $46 billion, Madam Speaker, is almost identical to the amount that the administration has underfunded No Child Left Behind. In fact, the administration announced its request at a press conference. In that one short press conference, they asked for virtually the same amount for Iraq that it has been denying to our Nation's schools for nearly 6 years.

And while the administration has demanded that every school in America show adequate yearly progress on its learning benchmarks or they will be punished, punished financially for the most part, it has allowed the Iraqi Government to show virtually no progress at all when it comes to meeting its benchmarks for peace.

And education is not the only crying need that is being ignored. The opportunity costs of the occupation are actually incalculable. The occupation is soaking up dollars we need to meet so many of our domestic challenges. If we really want America to be secure, we must invest in child care, we must invest in health care, sustainable energy, the environment, law enforcement, community and economic development, medical research, real homeland security, et cetera, et cetera, et cetera.

But the administration believes that policing a centuries-old civil war in

Iraq trumps all other needs. The American people do not agree with this administration's priorities. They want action, they want real solutions to our domestic problems, and they want to fight a real war on terrorism, not the phony war on terrorism the administration is fighting in Iraq.

When the President signed the No Child Left Behind Act, Madam Speaker, he said it was the most important piece of legislation most of us will ever work on. The education of our children is far more important to the future of our country than an endless and counterproductive occupation of another country.

That is why Congress must finally stand up to the administration and say no, no to supplemental funding that would bring our total spending in Iraq this fiscal year alone to $160 billion. Madam Speaker, that's over $13 billion a month, or nearly $450 million per day.

Almost exactly a year ago, the American people sent us to Congress to end the occupation of Iraq. It's time that we do it. We must use our power of the purse to fully fund the safe, orderly and responsible redeployment of all of our troops out of Iraq, and that includes the withdrawal of all of our military contractors as well.

As if one occupation army weren't enough, these independent contractors comprise a second occupation army that is angering the Iraqi people and actually making life much harder for our very own troops.

Madam Speaker, we can't afford to keep throwing money into the bottomless pit of Iraq. That appears to be what our leaders in the White House want us to do. But their policy is bankrupting all of us politically, economically, and morally. It is time that we come to our senses; it is time to end this madness.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DARFUR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Madam Speaker, tonight this House passed House Resolutions 740, 573 and 726 with regard to Darfur and Sudan.

Madam Speaker, decades from now our children's children will look back on these times as an ugly blemish on human history. They will remember a time when innocent people were senselessly slaughtered in the Darfur region of Sudan. The question is whether they will look back and see that this Nation and this Congress stood up for what is right and just, or did we sit idly by and watch from the sidelines.

Madam Speaker, we must be on the right side of this issue. That's why I'm so glad that we have passed these resolutions today. Although much work remains to be done, they represent a step in the right direction.

The passage of these bills rightfully pressures the Sudanese Government to end civil strife and ongoing human rights violations in Darfur, which threatens stability in the region and the very fabric of Sudanese life.

As you know, Madam Speaker, Darfur remains in great peril. Hundreds of thousands of Sudanese have lost their lives since the conflicts spiraled out of control in February of 2003. Over 2 million civilians have been internally displaced, and an estimated 215,000 more persons have been externally displaced in such neighboring states as Chad. Even for those who are internally displaced persons, they have experienced anything but a safe haven outside of Darfur while ongoing killing, torture, rape, looting and the unlawful destruction of their property by all parties continues, mainly by the janjaweed, associated militia groups, and the institution that should be protecting them, the Sudanese Government.

Indeed, as House Resolution 726 points out, it has become treacherous for women or young ladies in Darfur or eastern Chad to leave their villages to collect firewood or food from the market. They are at risk of being raped and assaulted, which, unfortunately, to date is exactly what has occurred to thousands.

Although some strides have been made in reducing the government's participation in continued human rights abuses in Darfur, militia groups remain a very real and present threat for the civilians in Darfur and eastern Chad, despite peace negotiations.

Particularly, as reported by the United Nations, these systematic human rights violations have been and continue to be committed with total impunity throughout Sudan, especially in Darfur. It is clear that the Government of Sudan has taken to turning a blind eye to such atrocities, choosing instead to provide strikingly few prosecutions, sentencing or even adequate examinations of war crimes or crimes against humanity, whether by criminal courts or those courts established to investigate the violations.

These failures by the Sudanese Government to respect and abide by customary international norms, international humanitarian and human rights laws embodied in the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, Geneva Conventions and the Convention on the Rights of a Child that it is a party to demonstrates a lack of respect for international law and responsibility that it has to protect its citizenry from unacceptable levels of abuse.

Meanwhile, this Bush administration has held tightly to a hands-off approach by failing to send any troops to Sudan, despite there clearly being a lack of an adequate and capable number of African Union troops, amounting to a mere 7,000.

The President promised to not allow another Rwanda-style atrocity to occur; however, it appears to be happening once again, with little being done about it. Even the peace negotiations that recently occurred in Libya appear to be faltering, with two key militia groups failing to show up for the meeting.

As such, I congratulate my colleagues in passing these three vital resolutions this evening. And I thank the Congress, which has chosen to answer the pleas for help by the people of Darfur while the administration has failed to adequately respond.

We must act with a great sense of urgency. History will judge whether we have synchronized our conduct with our conscience.

□ 1945

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 gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE PERU TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. MICHAUD) is recognized for 5 minutes.

Mr. MICHAUD. I thank Madam Speaker. This weekend, Senator John Edwards announced his opposition to the Peru Trade Agreement. The reason? As his statement says, ''All of these agreements replicate the terrible features of NAFTA.'' Senator Edwards is right. It is more of the same old, same old. A leading Presidential candidate is saying it. The American people are sick of it. And so why is Congress pushing for it? Why would we push for a steady stream of lost jobs that gives incentives to multinational

corporations to move overseas? Why would we agree to an agreement that would displace peasant farmers who would be forced to migrate to the United States?

The American public aren't fooled. Campaign finance reform hasn't stopped the incredible financial influence of multinational corporations. These corporations are weighing in with the candidates, even Citibank. Take, for example, the provisions hidden in the Peru FTA. As Senator Edwards points out, ''Buried deep in the 800-page text of the Peru FTA are ambiguous provisions that could allow U.S. banks to demand compensation if Peru reverses its disastrous social security privatization.''

The Peru FTA contains provisions that could allow Citibank to demand compensation in FTA foreign investor protection tribunals from the Peruvian Government if Peru seeks to reverse its failed social security privatization. The Peruvian archbishop and both labor federation presidents asked the Ways and Means leaders to fix this problem. And it hasn't been fixed.

The House floor will be voting on this in a couple of weeks. As a Democratic Party, we have stood united against privatization of Social Security. We have not backed down. That is why it shocks me to hear that Senator OBAMA supports the Peru FTA. Yes, Senator OBAMA does support the Peru FTA.

Senator Edwards has it right. It is time to stick up for the American workers. It is time to reject the same NAFTA model that has devastated our industry. It is time to listen to the broad list of groups who do not support the Peru FTA. Not one union, environmental, consumer, small business, faith, family farm group supports the modified Bush Peru NAFTA Expansion FTA. So why would any Presidential candidate?

It is important to hear what the candidates are saying about protecting our jobs and fighting for fair trade deals. It is important that we stick together in this fight to keep our jobs here at home. I encourage my colleagues to vote ''no'' on the Peru FTA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HARE) is recognized for 5 minutes.

(Mr. HARE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE PERU TRADE DEAL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Thank you, Madam Speaker.

The Peru trade deal will also be bad for U.S. agriculture and all farmers in our country and, amazingly, in Peru. So both here at home and abroad it will result in more harm.

Let's look at the facts. This current trade deficit chart with Peru tells us we are already in the red with Peru, as we are in the red with China and in the red with Mexico and in the red with almost every other trading country, Japan, et cetera. The U.S. vegetable trade deficit with Peru is already a part of this. According to the U.S. Department of Agriculture, Foreign Agricultural Service, just the vegetable deficit component is already over $200 million in 2006. So America's vegetable farmers will lose more market share. They have already lost market share, especially those who farm asparagus, onions and peas. Their situation will be similar to the plight of America's tomato, bell pepper and cucumber farmers who learned well what happened after NAFTA was signed. They all lost production as it relocated.

Several global corporations have already indicated what they are going to do. They are already putting their processing plants in Peru. Green Giant has done it. Del Monte has done it. The pattern is the same, the same as under NAFTA. As was the case with Mexico where millions of peasant farmers were upended under NAFTA with no adjustment provisions for them, Peru's farmers will also be hurt when these same global corporations take over their farming operations and flood their markets with rice, corn and chicken.

We expect that an additional 3 million Peruvian agricultural workers will be directly affected and millions of Peruvian farmers, as Mexico's farmers well know, will be upended. This will force increased migration of those individuals to cities that are already swelling with large numbers of poor, and it is projected expanded illegal drug production as people try to stay in their home countries with no crops to sell, they turn to those illegal choices.

Similar to the lack of protection for Mexico's corn and bean farmers under NAFTA, which that corn and bean tariff is going to phase out at the end of this year, and another 2 million of Mexico's farmers will be hurt, we know that what happens is that they either emigrate to adjoining cities or to the United States, many of them illegally, or they turn to the illegal sector where they literally risk their lives in order to survive.

What kind of a plan is this that would treat the people of developing countries with such derision? What kind of a plan is it that would hurt our farmers to that extent? Why does it always have to be a negative? Why can't trade be a plus plus? Importantly, Peru was the world's top coca producer in 1996, and coca production remains a viable alternative for farmers forced to give up their legal crops.

Is anybody listening? Is anybody thinking? It is pretty clear what is going to happen because there is nothing in the agreement to help Peru adjust. We saw what happened when that didn't occur under NAFTA. There were no adjustment provisions for Mexico's farmers. CAFTA, the same thing, and now we add Peru on top of the pile. There is nothing in the Peruvian agreement for adjustments inside of Peru. The displaced farmers have few options. If they do not turn to coca production or other illegal industries, they will be forced to move. And we can ask where. To the overcrowded cities of Peru, further straining those resources? To another country? With the debate raging about illegal immigration and with us unable to reach a civil accommodation across this continent, wouldn't it be truly cruelly irresponsible to support another trade agreement that could result in more devastation to small holders?

Shouldn't we be helping these farmers adjust inside their own homelands? That is long overdue inside of Mexico, in order to help people earn money in their own countries, rather than wipe out hundreds of thousands of people as if their lives and their cultures didn't matter. And then we get the added problem of illegal labor trafficking into this country, which we can't control.

The Peru agreement doesn't do anything to address these serious human concerns. It does have some of the glossy language like NAFTA and CAFTA did that ends up toothless in terms of enforcement.

Madam Speaker, why would the American people be given more of the same out of this Congress? We ought to be changing these trade agreements to development agreements and treating people with the respect they deserve.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PERU FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

Ms. LINDA T. SÁNCHEZ of California. Thank you, Madam Speaker. Tonight I rise to address the House and the American people regarding the U.S. Peru Free Trade Agreement and its effect on working families. But before I launch into my remarks, I want to be clear. I am committed to trade. I believe trade is an essential component to the development and strengthening of our economy.

Done the right way, trade can increase our access to raw material for production and create American jobs. It can open foreign markets to our goods and services and bring new and unique products into the United States. Done the right way, trade can not only contribute to the economic prosperity of America and its working families, it can also strengthen the economic and political stability of our trading partners. It is because I believe in the many positive impacts that trade can bring when done the right way that I have been fighting for a new trade model.

The NAFTA-style trade free trade agreements negotiated by the Bush administration are the wrong way to do trade. They bring nothing more than empty promises and harm to the American working class. My support for smart trade agreements that work for working people means that I cannot support the U.S.-Peru FTA. It is based on the North American Free Trade Agreement, NAFTA, which has resulted in job losses in America, pushed small farmers off the land in Mexico, and jeopardized public health and safety policies in the U.S., Mexico, and Canada.

When the administration announced its new policy on trade earlier this year, I, along with the rest of my colleagues in the House Trade Working Group were hopeful that the administration had taken bold steps to improve its trade policy. Unfortunately, it soon became clear that the Peru FTA, along with the rest of the pending trade agreements, retain the basic structure of NAFTA and CAFTA. The bold promises of new protections for workers turned out to be nice promises that had little chance of being enforced.

The American people are fed up with trade agreements that only benefits the ''haves'' while making it harder for the ''have-nots'' to get ahead. A recent Wall Street Journal survey identified the declining public confidence in the NAFTA-style trade model. According to the survey, 60 percent of conservative Americans, those who would have been most apt to support the expansion of free trade, now believe that free trade is harmful to the U.S. economy.

The promises of U.S. job creation and an increased standard of living for the working class have not been fulfilled. Instead, we continue to see the rich get richer and the rest, the middle and working class, get left behind. The administration asserts that the new additions to the Peru agreement will add long-sought labor and environmental protections; however, a careful analysis reveals that there are few changes from the basic NAFTA–CAFTA text. And even when there are changes, the new provisions offer few new protections.

If the Peru FTA is so great, where is all the union support for it? Why do so many environmental groups oppose it? NAFTA–CAFTA provisions that have caused downward pressure on wages, the export of U.S. jobs and an import of unsafe products and food have saved little. This so-called new deal is a bad deal. It is an old clunker with a new coat of paint. But even if this new deal contained the most stringent labor and environmental protections in the world, it would be dependent on the executive branch for enforcement. And enforcement of labor and environmental standards is something the current administration is unlikely to do. Let's be honest. The Bush administration has a consistent record of nonenforcement.

We need a real new deal, not another NAFTA clone. Simply put, the NAFTA model doesn't work. It has failed to bring the jobs and prosperity that we were promised. Remember when we were promised that NAFTA would create jobs in Mexico and stem the flow of immigration? Remember when we were promised that NAFTA would ensure our trading partners would uphold the same strong labor and environmental standards that we have here in the U.S.? And now, this administration is asking us to believe its promise that the labor and environmental provisions of the Peru agreement will be stringently enforced.

Well, if the experience of the last 10 years hasn't convinced you, I have some swamp land in Florida that I would like to sell you. So long as we have to rely on this administration to protect the rights and safety of working men and women, we will continue to be disappointed. This administration's track record does not reflect a real commitment to the working families of America. The truth of the matter is that the NAFTA model heavily favors the wealthiest few leaving small businesses to fend for themselves on an unequal playing field. The Peru Free Trade Agreement has been advertised as the new model for trade deals. This sounds eerily familiar to what we were told when CAFTA was being pushed. CAFTA was supposed to include bold new wage protections for workers. But those protections were disappointingly weak allowing countries to downgrade their own labor laws.

Minor adjustments in NAFTA-style deals such as the U.S. Peru FTA are not good enough. We need to reject the Peru FTA agreement, and I urge all my colleagues to oppose it.

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ENDING THE GENOCIDE IN DARFUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Ohio (Mrs. JONES of Ohio) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. JONES of Ohio. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material in the RECORD on the topic of my Special Order.

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

There was no objection.

Mrs. JONES of Ohio. Madam Speaker, another opportunity to be here on the floor on Monday night during the Congressional Black Caucus message hour, and you are in the chair. What a privilege.

I rise tonight, Madam Speaker, during this message hour to pause to address an ongoing crisis in Darfur. For many years now we have seen the devastating atrocities taking place in the Darfur region of Sudan. With the support of the Sudanese Government, the janjaweed militia has ravaged the people of Darfur, raping, torturing, murdering and forcing hundreds of thousands of Darfuris to flee to refugee camps in neighboring Chad and the Central African Republic. We saw the same devastation in Rwanda over a decade ago; and the American people have made their voices heard on this issue, vowing never again to remain silent when humanity is threatened.

The Congressional Black Caucus has been a leader on this issue. I, along with many of my Congressional Black Caucus colleagues, were some of the first Members of Congress to speak out about this issue. We have been to the Sudanese embassy to protest. Many were arrested. We have visited the region numerous times and we have repeatedly addressed this issue with President George Bush in meetings, asking him to take immediate action. Yet, once again, we come to the House floor to challenge this administration to take a stand in Darfur.

Madam Speaker, today's Washington Post had this to say about our progress in Darfur: ''A year and a half later, the situation on the ground in Darfur is little changed. More than two million displaced Darfuris, including hundreds of thousands in camps, have been unable to return to their homes. The perpetrators of the worst atrocities remain unpunished. Despite a renewed U.N. push, the international peacekeeping troops that Bush has long been seeking have yet to materialize. Just this weekend, peace talks in Libya aimed at ending the 4-year conflict appear to be floundering because of a boycott by key rebel groups.

''Many of those who have tracked the conflict over the years, including some in his own administration, say Bush has not matched his words with action, allowing initiatives to drop because of inertia or failure to follow up, while proving unable to mobilize either this bureaucracy or the international community.''

I continue to quote from the Washington Post: ''The President, who famously promised not to allow another Rwanda-style mass murder on his watch, has never fully chosen between

those inside his government advocating more pressure on Sudan and those advocating engagement with the Islamist government. So the policy has veered from one approach to the other.''

Today, I am pleased to say that the House passed three resolutions on Darfur, which I will discuss as I come back to the microphone. I am pleased to be joined again this evening, Madam Speaker, by one of my colleagues and good friends, Congresswoman BARBARA LEE of California. She has been out front, particularly on this issue. We have had an opportunity to have press conferences with several leading Hollywood-types who have really been with us on the issue.

Madam Speaker, I am happy to yield such time as she may consume to the great woman from the great State of California (Ms. LEE).

Ms. LEE. Madam Speaker, first let me thank the gentlewoman from Ohio for yielding and her leadership in organizing these Special Orders. This is a particularly timely discussion we are having tonight, and I want to again thank Congresswoman STEPHANIE TUBBS JONES for ensuring that not only this issue, the ongoing genocide in Darfur, stays in the spotlight, but also so many issues that we are addressing here on behalf of the American people and as a result of the Congressional Black Caucus being the conscience of the Congress. Congresswoman TUBBS JONES, thank you very much for your voice, stepping up to the plate, and your constant leadership on the issues we are addressing, which are so timely and, quite frankly, so difficult.

The poor track record of the Sudanese Government in previous talks really have warranted our work here to become more intense and revved up. We have got to do our part to keep the pressure up on all sides, especially the government, and come together to stop the violence and the killing.

Now, Members of the Congressional Black Caucus and Congresswoman TUBBS JONES, I am very pleased that you recounted some of this history tonight because it was Congressman DON PAYNE who for so long was the lone voice in the wilderness with regard to the genocide that was taking place. Finally, several years ago he brought together this entire body to declare that what atrocities we had witnessed is genocide.

So this declaration of genocide exists, it's a matter of record, and we, unfortunately, have not acted in a way that warrants that declaration in terms of the Darfurian people. So we have to remember Congressman DON PAYNE tonight and members of the Congressional Black Caucus who have visited Darfur. I have been there on three occasions. We have witnessed the tragedy, we have witnessed the faces, the eyes of the children who have seen right before their eyes their villages burn, their women raped and their family members killed.

It is very important that we come together once again with our young people from around the country, because it is young people who are leading the charge, and the faith community, to end this genocide. Unfortunately, as Congresswoman TUBBS JONES said earlier and, again, The Washington Post, actually the headlines today, says: ''U.S. promises on Darfur don't match actions. Bush expresses passion for issue but policies have been inconsistent.''

Let me mention a couple of the policies in addition to the bills that were passed today, which were very important, major steps in the right direction. We introduced a resolution, Congresswoman TUBBS JONES was a cosponsor, and I introduced it with many others, about a year and a half ago, which really was a bill calling for divestment and allowing States to divest. This bill is called the Darfur Accountability and Divestment Act, better known as DADA.

Two weeks ago, the Senate banking committee amended and passed DADA, which, again, is bipartisan, and it really is a major bill that I hope gets to the President's desk very soon. What it does is it would authorize divestment from certain companies doing business in or with Sudan and prohibit any new Federal contracts with such companies. No one should have to worry that they are supporting genocide, whether it is through their tax dollars or their pension funds.

Madam Speaker, thanks to the persistence of a committed group of students and grass-roots activists, divestment has become a national movement that has the potential to really hit the Government of Sudan where it hurts the most, and that is their wallets. Today, 20 States, 59 universities, 10 cities and scores of individuals and organizations around the country have chosen to divest from businesses supporting the genocidal regime in Khartoum. Their actions have already had an impact. Once we introduced DADA over here, many multinational companies began to significantly change their business operations in Sudan, and some actually ceased doing business there.

So we must follow through on this massive grass-roots mobilization and pass Federal divestment legislation now so that we can put further pressure on Khartoum to end this genocide.

As we pursue divestment, we must also ensure that we support our peacekeeping efforts in the region and protect civilians and prevent violence. Again, I witnessed what was taking place on the border of Chad several years ago in Sudan, and also this year and last year with two additional congressional delegations; and each time I was there, I saw more violence and it was getting much worse; and it still is getting much worse.

The recent attacks, really the AU forces, actually when we were there last time, I believe it was five soldiers were killed from the African Union. They are really overstretched and we need to make sure we approve the $210 million in the Foreign Operations appropriations bill, because they deserve the resources, they need the resources. We need a strong, robust force to provide for peacekeeping operations.

So I hope that the President will not veto this legislation and that he will sign the DADA bill, which would begin to end this genocide in Darfur and to assist the Darfurian people.

Our Speaker, Speaker NANCY PELOSI, has been such an unbelievable leader on this issue. She has made this a priority. I participated with her on her delegation last year. Subsequent to that, Majority Leader STENY HOYER led a delegation. And Congressman ED ROYCE led a delegation where Don Cheadle, the wonderful Academy Award nominee for Hotel Rwanda, was with us and spent time in the refugee camps.

I share that, because the world needs to know that this has been here in the House and Senate a bipartisan effort, but we still haven't quite done what we need to do. But it is a moment that we must all embrace now, because we have to do this. More people are getting killed each and every day.

Yes, some of us were arrested. We were very involved in the anti-apartheid movement, and sometimes you have to do things out of the box to make sure that the public understands that death and destruction is taking place and that we cannot allow this death and destruction to continue.

So I want to commend members of the Congressional Black Caucus for really putting their bodies on the line and getting arrested and doing some of the things that we had to do in the sixties and the seventies to ''make some noise,'' as Congressman JOHN LEWIS says, because we have to work with our outside groups and we have to do the legislative work. We have to do what it takes to end this.

We cannot have another Rwanda. Unfortunately, Congresswoman TUBBS JONES mentioned Rwanda. We stood by and we saw nearly 1 million people die. The only thing our government did was apologize after the fact, after the fact. One million people.

So not on our watch are we going to allow another Rwanda to take place. Whatever we have to do, we will do. The people of Darfur are suffering and they are dying. The world is watching. Congresswoman CAROLYN KILPATRICK, under her leadership, we met with the President of Algeria. We met with President Mubarak. We tried to bring forth the League of Arab Nations. We talked to China and their representatives. We passed resolutions here in a bipartisan manner to ask China and the League of Arab Nations to join with us in condemning this genocide and doing the things that need to be done. So we cannot stand by and do nothing. Not on our watch, not on our dime.

So I want to congratulate Congresswoman JACKSON-LEE for the passage of

your resolution today, and all of the other Members that are working so hard each and every day 24/7, to stop this slaughter that is taking place in Darfur.

Congresswoman TUBBS JONES, thank you again for your leadership and for calling us together once again to beat the drum and to let the American people know that not on our watch, not on our dime, will this genocide continue.

Mrs. JONES of Ohio. Madam Speaker, I include for the RECORD from today's Washington Post, October 29, 2007, this first part of the article entitled, ''U.S. Promises on Darfur Don't Match Actions'' by Michael Abramowitz.

[From the Washington Post, Oct. 29, 2007]

U.S. PROMISES ON DARFUR DON'T MATCH ACTIONS

(By Michael Abramowitz)

In April 2006, a small group of Darfur activists—including evangelical Christians, the representative of a Jewish group and a former Sudanese slave—was ushered into the Roosevelt Room at the White House for a private meeting with President Bush. It was the eve of a major rally on the National Mall, and the president spent more than an hour holding forth, displaying a kind of passion that has led some in the White House to dub him the ''Sudan desk officer.''

Bush insisted there must be consequences for rape and murder, and he called for international troops on the ground to protect innocent Darfuris, according to contemporaneous notes by one of those present. He spoke of ''bringing justice'' to the Janjaweed, the Arab militias that have participated in atrocities that the president has repeatedly described as nothing less than ''genocide.''

''He had an understanding of the issue that went beyond simply responding to a briefing that had been given,'' said David Rubenstein, a participant who was then executive director of the Save Darfur Coalition, which has been sharply critical of the administration's response to the crisis. ''He knew more facts than I expected him to know, and he had a broader political perspective than I expected him to have.''

Yet a year and a half later, the situation on the ground in Darfur is little changed: More than 2 million displaced Darfuris, including hundreds of thousands in camps, have been unable to return to their homes. The perpetrators of the worst atrocities remain unpunished. Despite a renewed U.N. push, the international peacekeeping troops that Bush has long been seeking have yet to materialize.

Just this weekend, peace talks in Libya aimed at ending the four-year conflict appeared to be foundering because of a boycott by key rebel groups.

Many of those who have tracked the conflict over the years, including some in his own administration, say Bush has not matched his words with action, allowing initiatives to drop because of inertia or failure to follow up, while proving unable to mobilize either his bureaucracy or the international community.

The president who famously promised not to allow another Rwanda-style mass murder on his watch has never fully chosen between those inside his government advocating more pressure on Sudan and those advocating engagement with its Islamist government, so the policy has veered from one approach to another.

Meanwhile, a constant turnover of key administration advisers on Darfur, such as former deputy secretary of state Robert B. Zoellick and presidential aide Michael Gerson, has made it hard for the administration to maintain focus.

''Bush probably does want something done, but the lack of hands-on follow-up from this White House allowed this to drift,'' said one former State Department official involved in Darfur who did not want to be quoted by name criticizing the president. ''If he says, 'There is not going to be genocide on my watch,' and then 2½ years later we are just getting tough action, what gives? He has made statements, but his administration has not given meaning to those statements.''

Since the United States became the first and only government to call the killing in Darfur genocide, Bush and his aides have grappled with how to provide security for civilians in a large, remote area in the heart of Africa.

While almost everyone involved in Darfur policy agrees that an African Union peacekeeping force of just 7,000 troops is not up to the task, the United States has refused to send troops and, despite promises of reinforcements, has yet to secure many additional troops from other countries. At the same time, it has been unable to broker a diplomatic resolution that might ease the violence.

Even Bush has complained privately that his hands are tied on Darfur because, with the U.S. involvement in Iraq and Afghanistan, he cannot be seen as ''invading another Muslim country,'' according to people who have spoken with him about the issue.

''It's impossible to keep Iraq out of this picture,'' said Edward Mortimer, who served as a top aide to then-U.N. Secretary General Kofi Annan and says resentment over Iraq caused many countries to not want to cooperate with the United States on Darfur.

Bush advisers argue that the lack of success reflects the limitations of working through institutions such as the United Nations, NATO and the African Union. They cite the billions of dollars of U.S. relief aid that has kept millions of Sudanese alive. They say U.S. pressure has kept the issue on the world's agenda.

''If there was ever a case study where the president sees the limitations and frustrations of the multilateral organizations, it is the issue of Darfur,'' said Dan Bartlett, former White House counselor. ''Everybody for the most part can come to a consensus: Whether you call it genocide or not, we have an urgent security and humanitarian crisis on our hands. Yet these institutions cannot garner the will or ability to come together to save people.''

There is no doubt that responsibility for inaction on Darfur can be spread around. The Sudanese government has resisted cooperation at every step in the saga and has been shielded at the United Nations by China, its main international protector. Few other Western nations, with the notable exception of Britain and some Nordic countries, have shown much interest in resolving the crisis. The process of raising peacekeepers from U.N. members has proved tortuously slow.

''There's an enormous stain on the world's conscience,'' said Mitchell B. Reiss, former State Department policy planning chief. ''We collectively stood by and let it happen a decade after it happened in Rwanda.''

A PRESIDENT'S PASSION

In late 2005, Bush gathered his most senior advisers to discuss what to do about Darfur. He wanted to know whether the U.S. military could send in helicopter gunships to attack the militias if they launched new attacks on the refugee camps. Could they also shoot down Sudanese military aircraft if necessary? he asked. His aides worried that the United States could get involved in another shooting war, and the president backed off.

''He wanted militant action, and people had to restrain him,'' said one senior official familiar with the episode. ''He wanted to go in and kill the Janjaweed.''

The meeting underscored both Bush's personal investment in Sudan, dating back to the beginning of his administration, and his instinct, which aides have kept in check, to take direct action.

Many close to Bush believe that this intense interest in the issue was heavily influenced by American evangelicals, who have adopted the cause of Christians in southern Sudan. Even before the crisis in Darfur, in western Sudan, one of Bush's foreign policy goals was to try to end the civil war between the Muslim government in Khartoum and rebels in the south, a conflict that had lasted more than two decades and cost more than 2 million lives.

Former Senator John C. Danforth (R-Mo.), whom Bush appointed as his special envoy for Sudan, said the president's interest in the country is rooted in a larger sense of morality. ''This isn't a country that has much strategic interest for the United States,'' he observed.

Bush's initiative to broker a north-south deal worked. Despite difficult negotiations, Sudanese President Omar Hassan al-Bashir agreed in January 2005 to a plan to share power and oil revenues with the rebels—and even gave the south the right to secede in six years if the leadership could not reconcile their differences.

But by then a separate conflict had exploded in Darfur, as long-standing conflicts between African farmers and Arab herders over land, and a failure by the Khartoum government to redress local grievances, boiled over into armed rebellion.

The government turned to a tactic it had employed in fighting the southern rebels: arming local Arab militias, the Janjaweed, to carry out a counterinsurgency on its behalf. The militias rampaged throughout Darfur starting in mid–2003, burning hundreds of villages, raping women and summarily executing African villagers, according to numerous human rights reports. More than 200,000 people have died in Darfur since the crisis erupted, according to U.N. estimates. Some estimates place the figure as high as 450,000.

Many familiar with Sudan believe that Bush and his aides initially averted their gaze to the flaring violence in Darfur because raising the issue might interfere with the difficult negotiations with Bashir. Some U.S. officials saw another reason for the reluctance to get involved: preserving a burgeoning intelligence relationship with Khartoum, which had begun sharing critical information about al-Qaeda and other Islamic extremists.

''There was a tendency not to see Darfur initially for what it was,'' said Gerard Gallucci, who served in 2003 and 2004 as the top U.S. diplomat in Khartoum. It was well known among Western governments, he said, that Sudan ''was using terror to cleanse black Muslim Africans from land that they had promised the Janjaweed.''

Such claims are vigorously contested by Danforth and other Bush advisers, who say the president repeatedly warned Bashir about the consequences of sending Arab militias after defenseless civilians.

Over time, Bush has become increasingly outspoken about the situation in Darfur, raising the issue with foreign leaders and meeting privately with dissidents and other little-known political players in Sudan to encourage a solution. In recent months, he has singled out Bashir for harsh condemnation, accusing him of subverting efforts to bring peace to Darfur.

Meeting with the Darfur activists, Bush acknowledged that Sudan had cooperated in anti-terrorism initiatives—but he insisted that Khartoum could not ''buy off'' the United States, Rubenstein said.

Last spring, when the White House worked on a new plan to try to press Sudan's government to accept international peacekeepers, it was the president himself who was the driving force in the interagency process, many officials involved the debate said. According to national security adviser Stephen J. Hadley, Bush refused to accept a program developed to confront Sudan because he was concerned that it was not tough enough. He kicked it back to the bureaucracy.

''I've had it with this incrementalism,'' Hadley quoted the president as saying in the Oval Office. ''We're going to lead, and if people don't want to follow us, they're going to have to stand up and explain why they are willing to let women continue to be raped in Darfur.''

At one point, one senior official said, Bush wanted action to crimp Sudan's booming oil business, a move that would have severely aggravated relations with China—and that no one else in the government favored.

There was stunned silence in the room, the official said, when Hadley disclosed Bush's idea to other government officials. Hadley made clear he was not interested in having a discussion, but the administration never went as far as the president seemed to be demanding. Instead, Treasury officials came up with a sanctions plan aimed at tracking and squeezing key individuals and companies in the Sudanese economy, including the oil business.

I want to thank the gentlewoman from California, my good friend BARBARA LEE, for her leadership on so many issues. As we come to the floor tonight, I want to thank her for her work that she has done in Darfur and thank her for joining me again in this hour.

As has been said previously, there were three pieces of legislation on Darfur that were voted on on the floor today, and one of those resolutions happened to be a resolution authored by my colleague and good friend SHEILA JACKSON-LEE from the great State of Texas.

She has had many great opportunities to take the lead on some of these issues as well. I have to say she and BARBARA LEE have been wonderful about helping me with this CBC message hour every week.

I am happy to yield to my colleague and good friend SHEILA JACKSON-LEE of Houston, Texas.

Ms. JACKSON-LEE of Texas. Thank you, Madam Chairman and Madam Manager. I think it is appropriate to congratulate and to thank you again for giving us the opportunity to provide a face on the work of the Congressional Black Caucus and to thank our chairwoman, the Honorable CAROLYN KILPATRICK, for working with us to continue to show the efforts being made that have such a vast array of impact. Let me thank the distinguished Speaker this evening for her leadership as well as we work together.

I am grateful that my first efforts with the Honorable Congressman BARBARA LEE was an historic trip that we took some years ago as the first Presidential trip or major statement before the Marshall Plan on HIV/AIDS. I cite that to say that it can be done. You can get your hands around a major devastating killer. HIV/AIDS is a killer. It continues to kill in Africa. But yet there is the Millennium Account, there are a number of issues that address the question of HIV/AIDS. Part of it was out of the trip that Congresswoman BARBARA LEE and myself and Congresswoman KILPATRICK went on some years ago.

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And so as I stand here today to acknowledge the Congressional Black Caucus, I want to reinforce the fact of the number of Members who were arrested of the organized campaign to respond to the pain of what is going on, and the legislative initiatives and the work we did with Congresswoman LEE on the divestiture bill. And I, too, believe it is long overdue that this bill should move and be signed by the President of the United States.

Just this past summer, I led a delegation with the gentleman from Ohio (Mr. CHABOT) and the gentleman from Nebraska (Mr. SMITH) to go into Darfur and get into the soul and the soil of Darfur and begin to realize and to emphasize the importance of moving on the peacekeepers.

We were the first American delegation to go in right after the recognition that the peacekeepers should come in and the agreement by the government in Khartoum, as represented to us by the U.N., that they had agreed to peacekeepers. We went in, and not only did we go to Darfur, Sudan, but we went to Tunisia and Algeria and Ethiopia, and we asked each governing body to provide troops to the peacekeeping effort through the African Union because it was a serious effort.

But what we found most of all was red tape. I want to put a human face on these refugee camps: 2.4 million displaced. The genocide in Darfur has destroyed well over 60 percent of the villages in Darfur, displaced over 2 million people, killed an estimated 400,000 and driven 200,000 into Chad, and that is a separate story in talking about the physical and emotional and financial burden of the refugees on Chad and the conflict that is rising up in Chad because of the refugees.

Today the House considered H. Res. 740, which condemned in the strongest terms the recent attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007. I introduced this bill along with the gentleman from Ohio (Mr. CHABOT), and 55 Members joined me in this. They recognized that we are not going to make any steps of success to put a human face on the suffering. We are not going to be able to pull that suffering back, to be able to quash the janjaweed, to be able to separate the rebels, to prevent some of the tragic stories that I heard.

We sat in the refugee camps to listen to the women who spoke about their plight. This is a growing Rwanda. And I remember people saying, ''Never again, not on my watch.'' I remember the horror of recognizing the inaction of this government, the American Government as related to the crisis in Rwanda. Then it was we did not know. Now we have the backdrop of Rwanda. Thank God Rwanda is moving to a country of stability and overcoming their horrific crisis. But after a million deaths, is that what we want to see after 400,000 have died, over 2 million displaced, 2.4 million displaced, children whose birth weight is far below the average because of limited amount of access to food and water? In essence, there is a degree of malnutrition, even though I want to give great thanks to the NGOs, but it is just not enough. These people need food and health care and water and the ability to survive.

Yet we are seeing the constant dust up of the violence around the camps. We saw it firsthand, and it is important that these troops are able to come in without the violence. Let me just cite the incident that occurred on September 29. An estimated 1,000 members of a heavily armed Darfur rebel group in 30 vehicles, armed with heavy artillery and mortars overran a small base in Darfur, Sudan, which was occupied by the African Union mission peacekeepers. The ambush resulted in several hours of intense fighting that killed 10 peacekeepers and wounded many others.

According to U.N. estimates in the aftermath of this brutal attack, which was described by the African Union commander as deliberate and sustained, 15,000 civilians fled the area to neighboring towns or the wilderness fearing for their safety. And in the wilderness, there is nothing but death. There is violence by the janjaweed and rebels not in line with the peacekeeping mission. There is devastation, lack of water. There is lack of food. There is death. And the 15,000 that fled were the elderly, women with children and families.

Madam Speaker, this is what is going on in Sudan and so it is important for the Congressional Black Caucus to list a number of efforts, including the divestiture, including a number of initiatives, putting ourselves forward to protest at the Sudanese Embassy.

Let me say the recent ambassador that I discussed this matter with seemed to care, seemed to want to do something. But my words are that you can't want to do something; you must do something.

So here you can see the landscape. Although it reflects the landscape of Sudan generally, this is a compound where people are confined and these children have nowhere to go. They have no life. They have no games. They have no way of looking to the future. As you see, this group of children, there are thousands upon thousands upon thousands of children. Babies being born as well. And, therefore, these babies are being born with limited health care, malnutrition. And it

is important to note that they are struggling under these conditions.

This is a mother and child. They are trying to make mud bricks so they don't have to go out beyond the parameters of the refugee camp because that is when these women are attacked. Their livelihood is dependent on getting firewood as they did 50, maybe 100 years ago. Every time they go out to get firewood, the women are subjected to rape. The men cannot go because they may be killed, so the women go. They scavenge the land. It is completely barren because you have 2.4 million people living in one compound trying to survive. So they have come up with a creative way to try to use the mud to keep the fire going so they don't have to go out as much. This is the condition. This is where they cook. This is the communal cooking area. I can assure you, as loving as this mother is, that the food is so limited it may be one meal a day. It may be a porridge because of the limit of wildlife, access to meat and vegetables, and these are the conditions.

I will say to you that the people are resilient, but they are looking to us to do something, and the question is: What are we going to do? These are the women who I sat down with trying to make baskets to sell. I listened to their stories about the intrusions at night coming into the camps, going into their living quarters and attacking them. And only through their screams did they have men and others come to scare away the attackers. So they are not safe from rape even in these villages. This is a crime against humanity.

Those of us who believe in the sanctity of human life, the abhorrence of rape and violence, this is a disgrace of what these women are facing. I, too, join in reflecting in the words and the headlines in The Washington Post, ''U.S. Promises on Darfur Don't Match Actions.''

But what I want to say to the Commander in Chief who has just asked for some $46 billion or more for the Iraq war when our soldiers have already done their job and the American people want them home, what we want to see done is where the benevolence of the United States can help get something accomplished, where people are looking for our safety net, and our technical help with the peacekeepers can make a difference.

Listen to these words from the former director of the Darfur Coalition who I have worked with, and I thank him and thank them for their leadership. Bush insisted there must be consequences for rape and murder, and he called for international troops on the ground to protect innocent Darfuris. According to contemporaneous notes by one present, he spoke of bringing justice to the janjaweed, the Arab militia, that has participated in atrocities that the President has repeatedly described as nothing less than genocide.

Congresswoman JONES, you remember it was the Congressional Black Caucus sitting down with Secretary Colin Powell, and I thank him for what he did, but colleagues like our chairman of the Subcommitte on Africa, DONALD PAYNE, claimed this was genocide, called this genocide many months before. But it was our persistence to meet with the Secretary of State, to sit down in a meeting at which he came, and at that meeting he made the statement which he then made public that he had determined this was genocide based on the pursuit, the pressure, the information, the agitation, the advocation of members of the CBC and of course other colleagues in the Democratic Caucus and of course in the Republican Caucus, because this is a bipartisan issue.

So the Secretary of State Colin Powell announced, I believe in 2004, that this was genocide by this government. So the President recognized what was happening, and the article goes on to say that the White House, President Bush, had an understanding of the issue that went beyond simple responding to a briefing that had been given, said David Rubinstein, a participant who was then executive director of the Save Darfur Coalition, which has been sharply critical of the administration's response to the crisis.

He knew more facts than I expected him to know, and he had a broader political perspective than I expected him to know. Yet a year and a half later, having known all of this information, the situation as you reported on the ground in Darfur is little changed, and more than 2 million people remain displaced. The question is that if we know all of this, if the administration knows all of this, if we have declared genocide, it is imperative that we act.

In my visit in August, I could see there was no action. There was no action in the south to settle that down so rebels are scattered. There are now multiple rebel groups, and then there is the conflict with the janjaweed.

I think tonight what we wanted to do was to reconfirm and reaffirm the Congressional Black Caucus is not going to let this rest. We are not going to suffer the indignities that these people are experiencing and suffering. We are going to call on our colleagues in the Congress. We are going to thank Speaker PELOSI and Leader HOYER and Majority Whip CLYBURN, Chairman EMANUEL and Vice Chairman LARSON and our leadership in the Congressional Black Caucus, which I am proud to serve as whip, our leadership, that what I believe we need now is for this administration to move on getting the peacekeepers on the ground, to not take no for an answer, to help move the U.N. so they can join with the African Union peacekeepers, because it is clear we need additional help other than the African Union troops. We must have additional help.

The last thing I want to say, we have friends and allies, and they include members of the Arab League and China. We cannot continue to have our allies empower and embolden the Khartoum Government without solving this problem. If they think 2.4 million people are okay and nothing is happening, I am here to tell you they are wrong. Rape and pillage and suffering is going on. I ask on this floor for the U.N. and the new Secretary General to take a firm stand to move U.N. peacekeepers in now and to help the AMIS effort, the African Union peacekeepers now, and have these people move back to their places of residence and to solve the violence and the viciousness going on in Darfur. Enough of genocide and enough of the travesty on human rights.

I include the remainder of The Washington Post article dated September 29, 2007, for the RECORD.

WAY OF SENDING TROOPS

At an appearance in Tennessee this summer, Bush raised a question many have asked about the situation in Darfur: ''If there is a problem, why don't you just go take care of it?'' But Bush said he considered—and decided against—sending U.S. troops unilaterally. ''It just wasn't the right decision,'' he said.

With the United States tied down in Iraq and Afghanistan, skepticism about using U.S. soldiers, even in a limited way, cut across agencies and bodies that often disagree, from the State Department to the Pentagon to Vice President Cheney's office, according to many current and former officials.

Advisers say Bush came to accept, albeit grudgingly, the arguments against using U.S. military assets—especially the possibility that they might attract al-Qaeda. ''In my mind, there would never be enough troops to impose order on this place,'' former secretary of state Colin L. Powell said an interview. ''The only way to resolve this problem was for there to be a political settlement between the rebels and the government.''

Sharing this belief was Powell's bureaucratic nemesis, then-Defense Secretary Donald H. Rumsfeld, who advocated sending troops to Iraq but not to the middle of Africa, according to many officials in the government.

This aversion to any use of force was frustrating to some lower-ranking government officials, who saw a modest U.S. military effort as indispensable to making the Sudanese take American diplomacy seriously. Early in the crisis, in the summer of 2004, the U.S. mission in Khartoum made clear to Washington its belief that the African Union was incapable of dealing with the security problem in Darfur on its own.

It recommended that several hundred U.S. troops help fly in African Union forces and provide other assistance, according to a former State Department official. The idea was never seriously entertained, the official said, and it was not until two years later that the United States began making efforts at the United Nations to bolster the overmatched African mission.

Roger Winter, a former State Department official who was intimately involved with Sudan policy during the Bush administration, argues that the United States has never been serious about pressuring the Sudanese government. ''They know what we will do and what we won't do,'' he said. ''And they don't respond unless there is a credible threat. And they haven't viewed everything that has happened up until now as credible.''

CARROTS VS. STICKS

Over the course of the conflict, Bush has found himself torn between different factions

in his administration over how to handle Sudan—whether, simply put, to try carrots or sticks.

In early 2006, Bush empowered Zoellick to seek a peace deal between Khartoum and the Darfur rebel groups. Zoellick, now president of the World Bank, was essentially pursuing what one senior U.S. official described as a policy of engagement with the Sudanese government, even though the Bush administration believed it was involved in perpetrating the atrocities in Darfur.

Zoellick worked closely with senior Sudanese officials and dangled the possibility of improved relations and other incentives should Khartoum cooperate in bringing peace to Darfur. And he came close to pulling it off: An agreement to end the violence was negotiated in the spring of 2006, but it fell apart after key rebel leaders refused to sign on.

Some U.S. officials say Bush never completely bought into Zoellick's approach. He seems to have been influenced in that regard by Gerson, the then-speech writer who was given a wide-ranging policy berth in the early part of Bush's second term.

Gerson, now a Washington Post columnist, is a devout Christian who was especially animated by the part of the Bush agenda that focused on alleviating suffering in Africa. He traveled to Sudan with Zoellick in late 2005, a trip that included a meeting with Bashir, and came back convinced that Khartoum was not seriously interested in efforts to improve conditions in Darfur.

''There was always a series of incremental steps, and nothing changed on the ground,'' Gerson said later.

Returning to Washington, Gerson told Bush that Bashir was feeling no pressure to cooperate and that the African Union peacekeepers were not up to the task of protecting civilians. He also suggested that it might be useful to establish a no-fly zone to prevent the Sudanese government from flying bombing missions in support of Janjaweed attacks.

Several months later, Gerson sent Bush some articles criticizing the U.S. approach as anemic, and Bush summoned his aide to the Oval Office, a little hot under the collar because he did not agree with the criticism. But he assured Gerson, as the former aide remembers, ''I want you to know we are acting on this.''

In February 2006, Bush proposed using NATO forces to help quickly bolster the beleaguered African Union mission. The president seemed so excited about the idea that he mentioned it, almost casually, in response to a question about Uganda during a public appearance in Florida. The statement stunned some in the U.S. bureaucracy.

But even Bush's efforts to promote the idea did little to move the process along. The French were leery of a new NATO mission outside its normal sphere of operations, and there was no interest from Sudan or the African Union in a major role for this quintessentially Western military alliance, according to U.S. officials. The plan went nowhere.

Now, 20 months later, with Zoellick and Gerson gone, new administration figures are working with other countries on new plans for peace and peacekeepers in Darfur. Given the track record, those who have handled Darfur over the years are cautious.

''Overall,'' concluded John R. Bolton, the former U.S. ambassador to the United Nations, ''Sudan is a case where there's a lot of international rhetoric and no stomach for real action.''

Madam Speaker, the genocide in Darfur has taken a horrific toll on that region of Sudan. It has destroyed well over 60 percent of the villages in Darfur, displaced over 2 million people, killed an estimated 400,000, and driven 200,000 into refugee camps in neighboring Chad.

Today the House considered H. Res. 740, condemning in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007, which I introduced, together with my good friend and distinguished colleague, Mr. CHABOT. This measure was cosponsored by 55 of my colleagues, and it passed the House by voice vote.

Since 2003, we have witnessed a systematic campaign of displacement, starvation, rape, mass murder, and terror in the western Sudanese region of Darfur. In the worst humanitarian crisis of our time, an estimated 400,000 people have been killed in Darfur by the Government of Sudan and its Janjaweed allies. An additional 2,000,000 people have been displaced from their homes and livelihoods. Both the House of Representatives and the Senate declared that the atrocities in Darfur constitute genocide in July 2004, and the Bush administration reached the same conclusion in September 2004.

However, three years later, the situation in Darfur continues to deteriorate. The United Nations reported a substantial decline in the humanitarian situation during the first three months of 2007, during which time 21 humanitarian vehicles were hijacked, 15 additional vehicles were looted, and gunmen raided 6 humanitarian compounds. The security situation makes it extremely difficult for aid organizations to reach vulnerable populations, and, in the 12 months preceding April 2007, the number of humanitarian relief workers in Darfur decreased by 16 percent, largely due to security concerns, restrictions on access, and funding limitations. The flow of humanitarian aid has been severely threatened by the escalating violence in the region.

Since 2004, a small contingent of African Union peacekeepers have been deployed to Darfur, responsible for maintaining security in a region roughly the size of France. The 7,000 peacekeepers under the banner of the African Union Mission in Sudan, or AMIS, have displayed exemplary courage and resilience, but they are woefully outmanned and outgunned, as well as chronically short of funding. Recognizing the near-collapse of the AU Mission, the United Nations, in July 2007, approved a UN–AU hybrid peacekeeping mission, to be known as UNAMID, which is meant to take over from AMIS shortly.

The AMIS peacekeeping mission recently encountered yet another significant setback. On September 29, 2007, an estimated 1,000 members of a heavily armed Darfur rebel group, in 30 vehicles armed with heavy artillery and mortars, overran a small base in Haskanita, Darfur, Sudan, which was occupied by AMIS peacekeepers. The ambush resulted in several hours of intense fighting that killed ten peacekeepers- seven Nigerian peacekeepers and three other soldiers from Mali, Senegal, and Botswana- and wounded many others.

According to UN estimates, in the aftermath of this brutal attack, which was described by the African Union commander as ''deliberate and sustained,'' 15,000 civilians fled the area to neighboring towns or the wilderness, fearing for their safety. This attack is considered to be the worst on AMIS peacekeepers since their deployment in July 2004. The United Nations Security Council condemned this ''murderous attack'' on AMIS peacekeepers, and demanded that ''no effort be spared'' to identify and bring to justice the perpetrators of this assault.

Only recently, during the August recess, I had the opportunity to lead a Congressional Delegation (CODEL) to Darfur. This was the first CODEL to the region since the announcement of the joint UN/AU peacekeeping force. Along with my colleagues Mr. CHABOT, who joins me as the lead Republican cosponsor of this legislation, and Mr. SMITH, I had the I opportunity to meet with government officials, civil society leaders, international aid workers, and affected civilians, as well as with the African Union peacekeepers responsible for protecting Darfur. I saw first hand the immense suffering of the people of Darfur, as well as the enormous strain on the courageous but outnumbered AU peacekeepers.

I strongly condemn recent attacks on African Union peacekeepers. This legislation also expresses the condolences of this House to the people and Governments of Nigeria, Mali, Senegal, and Botswana, the families and friends of those individuals who were killed or missing in the attacks, and expresses its sympathies to those individuals who have been injured. It expresses the solidarity of the people and Government of the United States with the African Union and the African Union peacekeepers as they recover from these attacks, and the readiness of Congress to support efforts to bring to justice those individuals responsible for the attacks and efforts to detect, pursue, disrupt, and dismantle the networks that plan and carry out such attacks.

My legislation also looks forward, to the process of bringing about a peace settlement for Darfur. Crucial though effective peacekeeping forces are, they are no substitute for a serious and sustained peace process. Consequently, this bill also expresses its support for the people of Darfur, Sudan, in their continued struggle against extremism and violence and support for their efforts to secure a permanent peace, justice, and return to their restored villages and homes, and it encourages all parties involved in the conflict to commit to negotiate a final and binding peace agreement at the peace talks, which began on October 27, 2007, in Tripoli, Libya.

Early reports from these negotiations have not been promising. With key rebel groups boycotting the peace talks, media reports indicate that mediators will now have to travel to Darfur to meet with rebel leaders before actual peace agreements can be reached. Despite these setbacks, UN Special Envoy Jan Eliasson has maintained optimism, saying yesterday ''I refuse to state that the peace process is interrupted.''

In Darfur, rape has been an important aspect of the genocide. Women and girls have been targeted specifically as spoils or war. Though it is impossible to know or even estimate exact numbers of rape victims, particularly in light of the Government of Sudan's practice of harassing or even detaining representatives of organizations attempting to report such statistics, they would certainly be extremely high.

In Darfur, rape is linked to racial slurs. When rape victims were interviewed by human rights workers, they reported hearing Janjaweed militia and Sudanese soldiers shouting their intent—to rape the women and girls, forcing them to have Arab children. According to a Refugees International report, one woman interviewed in a refugee camp in Chad said that a Janjaweed militiaman who raped her told her: ''I will give you a light-skinned baby to take this land from you.''

One Sudanese human rights activist has noted, ''The war in Darfur is centered on identity, and rape is being used as a weapon of war in the struggle for the identity of the region. Women have a very important role in Darfur's culture, and rape destroys not only a woman but her tribe.''

Though many survivors of these attacks are able to find their way to displaced persons camps, they remain at risk. Many women and girls are attacked when they leave the relative security of the camps to collect firewood and other necessities. When women living in refugee camps were asked why they went to fetch water and risk rape rather than the men, they answered, ''If we let the men go, they will be killed. It is better for us to be raped than for our husbands to be killed.''

Today, the House also considered H. Res. 726, introduced by my colleague, Congresswoman DELAURO, which I was proud to cosponsor. This resolution draws attention to this savage practice, and it calls on the President, the Secretary General of the United Nations, and the United Nations Security Council to take measures to provide assistance to these victims, to fully fund the UN Mission in Darfur, and to find the government of Sudan in noncompliance with Security Council Resolution 1325. It also calls upon the government of Sudan, responsible for unleashing this madness on the women and girls of Darfur, to provide full legal protection to the victims of rape and to bring the perpetrators to justice.

The international community must do much, much more to protect the women and girls of Darfur, to meet the needs of those who have already been sexually abused or raped, and to finally bring this horrific conflict to an end. The deployment of the hybrid UN/AU peacekeeping force is a necessary and important step, but it is no substitute for a serious and sustained peace process.

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Mrs. JONES of Ohio. Madam Speaker, I want to thank both of my colleagues for their leadership. Congresswoman SHEILA JACKSON-LEE, all that you've done around this issue and so many other issues, thank you so much and again for joining me as we do this Congressional Black Caucus message hour.

I'm so pleased today that the House passed the three resolutions on Darfur. One of them, H. Res. 573, recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes.

H. Res. 726, calling on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic.

And, finally, H. Res. 740, condemning in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007.

I want to reference back for a moment to the person that Congresswoman SHEILA JACKSON-LEE mentioned and that was my friend from ECOWAS, and ECOWAS is an acronym for the Economic Commission of West African States, and my friend who went to Case Western Reserve Law School as I did is Dr. Muhammad Chambas. Was there something else you wanted to say about Dr. Chambas?

Ms. JACKSON-LEE of Texas. If the gentlelady would yield, first of all, to thank him for sharing his insight and his leadership and thank you for allowing us to have that opportunity, and just to be able to emphasize, he was firm that he wanted and needed and thought that they needed more help. And that help was, of course, the United States, the U.N., and a number of other countries.

And I'd just like to finish by saying, as there may be those listening, I would encourage as you mentioned that resolution about thanking the various advocacy groups to continue their work and to reach out to the college campuses, because I remember speaking at the University of Nevada. They are there; they want to work. College campuses can be the agitation to get this government to move, to continue the light on the genocide in Darfur.

And I thank you for yielding to me just to be able to say, college students, get about the business because you can make a difference. Organize Save Darfur Coalitions on your campus, and call and write and e-mail about the crisis in Darfur.

Mrs. JONES of Ohio. The Congresswoman is referencing H. Res. 573, and I want to add my comments to encourage the young people on the college campuses across this country. Many of us recognize in the history of the United States many of the great movements were begun by young people, by students sitting at lunch counters and just the involvement of so many young people.

One of the things that people often have said about young people these days is that they're self-centered and only concerned about what's going on in their own lives. I found that not to be true, and I had the opportunity even as recently as this weekend, I happened to be in Iowa campaigning for my candidate for President.

And while I was campaigning there, campaigning for Senator CLINTON, I met with a group of young University of Iowa students who were complaining about the fact that nothing has happened in Darfur and that they are expecting this government to step up on their behalf.

So I want to join my colleague in commending college students, as well as all of the nonprofit organizations across the world who are trying to focus a light or shine a light on what's happening in Darfur.

I want to talk for a moment about the whole issue of sex crimes against women and girls in Darfur. One of the worst things to happen to a woman, and particularly a young woman, is for her to be sexually abused or raped.

We recognize in this country the impact that this has had. In fact, we recognize it such that we passed the VAWA Act which is the Violence Against Women Act, to help address the issue of violence against women.

When you begin to think about the fact that there are thousands of women and girls in these various refugee camps and the things that happen, all we need do is to focus on what happened with Katrina. We had people of the United States of America in a football stadium, and the stories about what happened to young women that were raped right there in Louisiana, in New Orleans, being raped. So you can imagine, if you exponentially take a look at that and see how many thousands of women and children are there, and these women venture out just to get things to help themselves and to continue to live and the fact that they would be subjected to rape and others does not make sense.

I can only think about that movie, ''Time to Kill,'' where that young girl in the South who was like 7 or 8 years old got raped by three men and raped her such that she was never able to have any children. It just makes no sense that we would not focus, and let me give you a few statistics.

During war, rape and sexual violence are often used systematically as a weapon of intimidation, humiliation, terror and ethnic cleansing. We know right here in America that generally rape is not about sex. It really is about being in control, being in charge. It has nothing to do with the sexual act itself. I won't say ''nothing.'' In many instances, when you're involving children, it does in fact have to do with the sexual act, but it means being in charge.

It's estimated that between 250,000 and 500,000 women and girls were raped during the genocide in Rwanda. On September 2, the International Criminal Tribunal for Rwanda found Jean-Paul Akayesu guilty of rape and held that rape and sexual assault constitute crimes against humanity.

On October 31, the United Nations Security Council adopted Security Council Resolution 1325, calling on all parties to an armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse.

The Rome Statute of the International Criminal Court, which entered into force July 1, 2002, states that rape and any other form of sexual violence of comparable gravity may constitute both crimes against humanity and war crimes.

Since 2003, mass rape committed by members of the Sudanese armed forces and affiliated militia with the support of the Government of Sudan has been a central component of the Government of Sudan's violence and ethnic cleansing in Darfur.

Can you imagine this is the army, the militia of a country just having their way, going into camps and violating women and girls, thousands of women and girls who have been violated as a result.

Women and girls leaving internally displaced persons camp in Darfur and refugee camps in Eastern Chad to seek firewood, water or outside sources of income are often attacked and subjected to rape. My colleague already spoke to that issue. It is just outrageous that this could continue to happen.

On March 9, 2007, members of the United States-United Nations High Level Mission on the Situation of Human Rights in Darfur reported that rape and sexual assault have been widespread and systematic, terrorizing women and breaking down families and communities and that women are also attacked in and around refugee camps in eastern Chad.

Think about this: systemic, widespread, terrorizing of women and girls. Systemic. That is just something that I can't even imagine that we would continue to allow happen in another country. We know how great the impact of rape and sexual assault on women and girls in our country over time, and imagine what it would be in a country where they don't have available to them what our women and girls have available to us. Be it counseling, medical care, long-term mental health counseling, it just doesn't happen.

So I'm just so happy that the House passed by way of suspension bills today three resolutions around Sudan.

Finally, I think that what I would say at this point is that the people of America and all of these nonprofit organizations and the children across this country, women and children and students, must stand up. They must speak up about what's going on in Darfur, and you all know that old statement, that piece of speech that someone gave, and I can't think of the author, and it said, if you're quiet when they come for other people, who's going to speak up when they come for you? And that is what we should all be thinking about, that we need to speak up on behalf of the people of Darfur and say enough is enough; we're not going to have this happen anymore.

The United States, under the leadership of George Bush, who's been talking loud and saying nothing on this issue and not moving forward, should move forward to make sure that there are people and peacekeepers going into this area and making sure that these people are taken care of.

With that, I would again commend the Chair of the Congressional Black Caucus, Congresswoman CAROLYN CHEEKS KILPATRICK, for her leadership and thank her for giving me the opportunity to lead the Congressional Black Caucus message hour every Monday evening and to give us the opportunity to step up, speak out, and really shine a light on issues that the Congressional Black Caucus is concerned about and that the people of America, regardless of their color, are concerned about.

Again, thank you very much, Madam Speaker. It's always good to be leading a Special Order when you're in the chair. I thank you for your leadership as well.

Mr. CONYERS. Madam Speaker, today we recognize the ongoing loss of life occurring in Darfur. I would like to restate my unconditional support and commitment to advancing peace and security for the people of Darfur. I implore my colleagues in Congress to join me in urging the Sudanese government to take decisive action to address this tragedy. This quite simply is a matter of Life and Death and as the destruction of hope and possibilities continues to erode away at a people who are calling out for help. These atrocities continue to mount in the Sudan as our Administration continues to pump billions of dollars into Iraq and redirects greatly needed resources away from this unnecessary tragedy. The conflict in Sudan began as a genocide against tribes of small farmers in its Darfur region over five years ago. Militia groups have slaughtered an estimated 400,000 people and driven 2.5 million people from their homes. There has been an increase in civilian killings and large scale attacks in Darfur. The rape and torture of women and children remains a constant concern on a daily basis. Thousands have moved to displacement camps which contain their own level of violence with guns being readily available and tensions in Darfur continuing to grow every day. The African Union peace keeping troops who have put up a courageous fight have lacked the proper resources and manpower needed to contain the growing threat. Equipped only with light weapons, they are no match for the heavily armed rebels. They are undermanned and outgunned and in desperate need of advanced weapons and helicopters to properly engage with the Militia.

In May, Nobel Peace Prize winner and Holocaust survivor Elie Weisel called Darfur "the capital of suffering." He called on all of us to "tell the victims they are not alone." Violence continues in Darfur, as the Sudanese government attacked two internally displaced camps in the past week. On October 19, the Militia attacked the Kalma refugee camp, the largest in Darfur. Additionally, on Oct. 22, the Hamidiya camp near the town of Zalengei was attacked in a series of clashes between government troops and rebel groups. The killings of African Union peacekeepers and World Food Programme contract drivers combined with detentions of humanitarian workers in the conflict-ridden Darfur region of western Sudan are just a few examples of a deteriorating situation, which is prompting increased anxiety by those affected by the ongoing crisis, as well as by those responding to the emergency. From June until late August, the United Nations reported, an estimated 55,000 new persons had been displaced in the region—bringing the total number of those uprooted this year to some 250,000. In all, the UN estimates, 2.2 million of Darfur's 6.4 million people have been displaced, and four million are now dependent on some form of humanitarian assistance.

While almost everyone involved in Darfur policy agrees that an African Union peacekeeping force of just 7,000 troops is not up to the task, the United States has refused to send troops and, despite promises of reinforcements, has yet to secure many additional troops from other countries. At the same time, it has been unable to broker a diplomatic resolution that might ease the violence. There is no doubt that what is taking place in Darfur is genocide, and the government of Sudan and the Janjaweed bear responsibility. Congress and the Administration must support legislation to address this most pressing human rights issue. We must move beyond the rhetoric and take action to save the lives of the people who are struggling each day with this horrific conflict. We must leave politics aside and support legislation such as H. Res. 573, which recognizes and commends the efforts of U.S. advocacy groups to raise awareness about and help end the worsening crisis in Darfur; We must also support H. Res. 740, which condemns the brutal attack on African Union peacekeepers that occurred in Haskanita, Darfur one month ago today. This violent act, carried out by rebels, took the lives of 10 peacekeepers—seven Nigerians and three other soldiers from Mali, Senegal, and Botswana; and finally H. Res. 726, a resolution calling on the President and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against the most innocent of Darfur's victims—young girls and women.

We must continue to provide security and support for the courageous humanitarian workers, who risk their lives daily. Their commitment to this struggle has been exemplarily in the face of danger. We must also take this opportunity to unite and stop these crimes against humanity. We can not allow our past failures to identify genocide in places such as in Rwanda, Bosnia, and elsewhere to exist ever again.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes as the designee of the minority leader.

Mr. BURGESS. Madam Speaker, I come to the floor of the House tonight as I frequently do to talk a little bit about health care.

Tonight, I will be filling the leadership hour of the minority side, and I

certainly thank the House leadership for providing me the opportunity to speak to the Chamber over this hour and talk a little bit about health care, perhaps give a little bit of historical context, perhaps talk a little bit about our current situation, perhaps talk about the prospects for change in the future, talk about what principles are important to maintain in a health care system, whether it be public or private, the principles of affordability, accountability and advancements.

Madam Speaker, I hope to spend part of this hour talking about the things that I think will improve the delivery of health care in this country, regardless of who the payer is, because we are perhaps perched on a historical time.

Madam Speaker, I believe with all my heart that we are perched on a transformational time in American medicine, a time that we've seen perhaps similarities with before, perhaps three times in the last century. We'll detail those in just a moment, but it is a time like any other.

When the rapidity of the scientific information is coming at such a rate, the rapidity of scientific change is coming at such a rate, and at the same time we're poised to perhaps have a significant impact on the delivery of health care in this country by how we craft our public health policy, our health policy in this body, think about in the preceding century we had three, I believe, transformational times in the 20th century.

You think about the status of medicine in the days of the late 1800s leading up to the early 1900s, and it was not always a pretty sight. Blistering, burning, and bleeding were treatments that were not only tolerated; they were, in fact, embraced by the medical mainstream, the best minds in medicine at that time. But those heroic efforts were beginning to be supplanted by people who rigorously applied the scientific method and began to investigate as to whether or not these heroic methods were, in fact, yielding or returning a positive benefit for the patient. In fact, they found that they were not.

And at the same time, you had scientists working on concepts such as sterility, sterility during surgery, vaccinations, improvements in public health, sanitational water supplies, as well as just a decade before you had the introduction of anesthesia which, obviously, radically changed the prospects for being able to perform surgery.

□ 2045

There was also a crisis of confidence in American medicine, because there was no standardization in American medical schools. They were all over the map as far as their embracing scientific method or scientific philosophy. This body, the United States Congress, in 1910, commissioned a study that was ultimately called the Flexner Report, which detailed the problems inherent in American medical schools and how value to the patient could be improved by standardizing the training and making the training more rigorous and adhering to the scientific process.

Well, not quite midway through the century, in the 1940s, we saw, again, a transformational change occurring in American medicine. How did this change come about? Actually, there were some discoveries that preceded the 1940s by a little bit. Sir Alexander Fleming discovered penicillin in 1928. At the time, it was just more or less a laboratory curiosity that the growth of a mold in a Petri dish could inhibit the growth of a bacteria, but it was American ingenuity and American know-how that took this concept and made possible the distillation and production of large amounts of this compound.

Prior to the 1940s and prior to the intervention of American know-how, only small amounts of penicillin were available. Again, it was more of a laboratory curiosity than a useful treatment that could be made available to a broad spectrum of patients.

With the introduction of new techniques for bringing this medicine to the public, large amounts of medicine were made available, the price plummeted and, as a consequence, we ushered in the new antibiotic age in the early part of the 1940s. It was terribly significant. Many of our soldiers who were wounded during the invasion of Normandy on D–Day had wounds that ultimately would have been much more serious had infection become a problem, but now, because of the availability of penicillin, many of those infections could be treated, life and limb could be saved and spared. It was, indeed, a change that medicine had not previously seen.

There was another rather dramatic development during the 1940s, about the same time, Percy Julian, who was an African American scientist who we honored in this body during the last Congress. He didn't discover cortisone. Cortisone had previously been discovered but was only available by a labor-intensive process. You had to get it from the adrenal glands of an ox.

Cortisone was very difficult to obtain, very expensive and really wasn't available to treat much in the way of a large number of patients. It was available only as an experimental effort.

But Dr. Julian, who had experimented in biochemistry for a number of years and worked extensively with soybeans and soybean products, found a way to make a precursor to cortisone and, in fact, found a way to apply this for the commercial production of cortisone. Suddenly, this medicine, this miracle drug which had been available only in very small supply and terribly expensive, now became generally available to treat patients.

So we had the advent of anti-infective agents in the antibiotics and anti-inflammatory agents with cortisone, all of which occurred around the mid-1940s. What else happened in the mid-1940s? Of course, we were a country at war. As a consequence, the workforce in this country was severely contracted. In an effort to keep employees, what employees were available on the job, employers wanted to pay higher and higher wages to keep the employees there and keep them satisfied.

But the Federal Government, the President of the United States, President Roosevelt said, we are going to get in trouble with inflation if we are not careful, and put in place a series of wage and price controls to kind of keep the lid on this rapidly expanding sector of the economy. He felt it was justified because of a wartime situation.

Well, employers still wanted a way to attract employees, to hold employees, to keep employees, keep them happy, keep them satisfied, keep them healthy and well so they stayed on the assembly lines and stayed in the workforce. They devised a plan to offer health insurance and retirement benefits to employees that were under their employ.

Well, it was kind of controversial as to whether or not this would be something that was even available, whether or not it violated the spirit of the wage and price controls that were in place at the time, and, if it was something that could be made available, is this a benefit that would be taxed or not taxed? The Supreme Court in a historic decision in 1944 decided, number one, that this did not violate the spirit of wage and price controls. Just as importantly, they determined that these benefits provided as health insurance benefits and retirement benefits, in fact, were not taxable benefits. Thus, the era of employer-derived health insurance was born.

After the war, it continued because it was very popular. People liked that concept. They liked the fact that you, at the time you went to work, you received health insurance; so that was one worry that was lifted off of you that you didn't have to contend with. It changed forever the face of how medicine is practiced in this country, as much, I submit, as the introduction of penicillin and as much as the introduction of large-scale production of cortisone.

So we will quickly fast-forward to the 1960s. In the 1960s, again, we were seeing a big transformation in medical care, a big transformation in science, the newer antibiotics were available that could treat more and more diseases, more aggressive diseases. The whole era of chemotherapy began to be ushered in. Antidepressants were available for the first time, as well as antipsychotics, which had a profound effect on the census in psychiatric hospitals.

What else happened in the 1960s? Well, a little over 40 years ago, this Congress, at the direction of a fellow Texan, Lyndon Johnson, developed the Medicare and then subsequently the Medicaid programs to provide a social safety net for our seniors. Then, ultimately, with the introduction of the Medicaid program, it provided a social

safety net for people who were too poor to afford health insurance.

So there was greater access, greater access for the aged, for people who were disabled, and for people who historically had been not allowed into the medical system because of a poor financial situation. But, the government established for the first time an enormous footprint in the practice of medicine in that for the first time it paid for a significant amount of the practice of medicine.

Now, the current situation is that about 50 percent of the health care dollar is derived from the United States Congress, from the Federal Government. The other 50 percent is not all private pay; it's private, commercial insurance as well as people who pay bills out of their pocket, self-pay individuals, and I will actually include the 4.5 million people that own health savings accounts. I would include them in that group as well.

Of course, there are people who just simply do not pay the bill; there is bad debt. There is also charitable care that is given by a doctor or a hospital to a patient and no payment is expected.

Now, the big question before us is can this hybrid system that has just sort of grown up, can this hybrid system be sustained? The tension that exists within this system, I think, creates a dynamic for continued change and for medicine to continue to evolve and continue to reinvent itself.

But, as I said, we are on the brink of a time of transformational change. I believe that in the early part of the 21st century we will see and we have seen changes in medicine as a result of cracking the genetic code. Genomic medicine, which was a phrase that I wouldn't even have been aware of during medical school or residency, now is part of our regular parlance.

Diseases that used to be treated only with surgery are now treated with medicines. There are going to be vast changes on the horizon as far as the treatment of disease goes as we begin to understand more about how the human genome affects the course of health and disease, how we can intervene earlier at a lower cost to prevent disease and, quite honestly, extend life over time.

But, we are also poised at a time where it looks as if, because of frustrations with the current system, because it doesn't provide all of the coverage that we think it should to every person who we think needs it, we are poised here in this Congress to begin debating an ever greater expansion of the Federal Government's role in health care in this country.

It will ultimately be up to us to decide is this a good thing or a bad thing. Since we live in a representative Republic, it will be up to the American people to decide is this something that we want to see more of or less of. They will, of course, register those thoughts with their votes, not only in the 2008 election but in the 2010 election.

I would submit to you that it is important that we keep in mind really where the fundamental unit of production is in this vast medical machine that we have in this country. What is the widget that is produced by the vast medical machine?

Well, my impression is that it is the interaction that takes place between the doctor and the patient in the treatment room, whether you like to say the operating room or the emergency room, but, nonetheless, it is the interaction between the doctor and the patient. That is the fundamental unit of production in American medicine. How do we interact that?

Well, my opinion is anything that will deliver value to that interaction is one of those things that we ought to encourage. Anything that detracts from value or anything that serves to drive apart the doctor-patient interaction is something that may be seen as pernicious. It's all about empowering the patient and not an insurance company, not the Federal Government. We need to focus on those policies that will bring that power back to the patient, will bring that value back to the doctor-patient interaction.

A lot of people would argue that we need health care reform. In fact, remember, that was a big argument in 1992 in the Presidential election and in 1993, the year that followed, and then, ultimately, nothing was accomplished and the situation stayed as it is. But they kept talking about health care reform, health care reform, health care reform.

Well, reform is what you need if the system is working just jim-dandy, just working extra special well, and you only need some marginal changes around the edges. But since we are upon a time of great scientific advancement, changes in how we handle information technology, changes in how we even approach medicine, the whole era of personalized medicine is just a little bit over the horizon, and we may well see that in my lifetime, certainly in my children's lifetime.

Medicine is on the cusp or the threshold of some big changes. Is reform going to be enough to enact the social policies that we need here in Congress as well as permit those transformational changes that are occurring in science and occurring in the delivery of medical care?

Now, I would submit that only by keeping a portion of the free enterprise system involved in health care, only by that method are we likely to continue to generate the kind of instability we need in a system in order to foster change, in order to foster growth, in fact, in order to drive that transformational process.

If, suddenly, we are at complete equilibrium and there is no tension on the system anymore, what's going to cause it to grow? If, in fact, we devolve to a single-payer system where the Federal Government picks up the entire tab for medical care from cradle to grave, and there are some people who think that would be the correct response, the correct way to go, what will change? What will be the impetus to change? What will be the reason to change anything about medicine?

What you see today, if you enact that system, is what you will see 20 years from now, 40 years from now, 60 years from now. The transformational change that I think will be responsible for some of the greatest gifts that medicine could give to humankind, suddenly the spark, the spark of incentive would be removed and we would have a steady state that would be well paid for, a lot of people would be well taken care of, but the improvements, the advancements would be lacking in such a system.

If we move toward a system that is more patient driven, rather than one that's driven by insurance companies, rather than one that's driven by governments, I think we will usher in that new era of transformation in American medicine.

During the course of that, we have got to keep health care affordable. We have got to keep the monitor on the person in the middle, the person who acts as that barrier between the doctor and the patient, what we describe as a middleman. We have to keep that very close tab on what's happening in that arena. That's one of the things that prevents a patient from knowing the value of care they receive. It's one of the things that prevents a doctor from knowing how much the care they are ordering is going to cost or what burden that patient will have to bear. We have anesthetized everyone by putting a third-party payer in the middle of that mix.

Now, questions do come up as to how we bring about those changes and not obstruct changes that we want to see happen, but, again, keep in mind things like the advancements in medicine that are going to occur as a result of discovery of the human genome and further elucidation of the human genome, concepts like rapid learning. When I was in medical school, we all just worshipped at the altar of the double-blind crossover study in order to prove that something was effective or not.

But we live in a time when computational speed and capability is so vast, and the speed of learning is so fast, that, you know, it may no longer be as necessary as it once was to select the correct sample size and go out and do all the statistical tests. We can just simply monitor everyone, everyone who is on Lipitor, everyone who is on a statin, see what their complications are, see what their health benefits are that people who are on statin live as long or longer than a closely matched age and gender-matched group of individuals who are on no such therapy. We can begin to develop those concepts, and the data is there and will accumulate rapidly because of advances that are being made in health information technology.

□ 2100

That's the way that, ultimately, we're going to be able to curtail some of the costs of taking care of chronic diseases and, in fact, beating chronic diseases; and I would include cancer in that group. And above all, we do have to ensure an adequate workforce to be able to provide that care.

Now, I alluded a few minutes ago at the point of transformational change, but we also run the risk of getting caught up in transaction. You know, if you think back to 1993 and the changes in health care that were discussed at the time, we really weren't talking about any kind of health care change. We were talking about change in the administration of insurance policies.

As a result, since we got caught up, in this body, in the transactional, we forgot about the transformational. And again, as a result, there really wasn't much happened, except we left the field essentially empty, and HMOs and managed care came in, took over a large market share. And that was the time, at least in my experience as a physician, when some of the worst excesses of HMOs and managed care occurred: care being denied, patients being put out of the hospital too soon. And then Congress was in a very reactive mode: you've got to have this many days after delivery, this many days in the hospital after a mastectomy.

Well, that clearly wasn't the way to go about it, but that is the risk that we run if we focus on the transactional and forget the transformational. So all three things, affordability, accountability and advancement, must be considered and must be given equal weight in any change that comes about.

Within the concept of affordability, it's really not how much money you spend; it's how you spend it and are you getting value for the dollar that you spend in health care. And I would circle back and bring it back to that interaction between the doctor and the patient in the treatment room. How do we deliver value to that fundamental unit of production of medical care? And if a policy that we propose delivers value, then that is something that really should be looked at and one that should be carefully debated and perhaps enacted into law.

But if you look at that fundamental interaction between the doctor and the patient in the treatment room and it is fundamentally deleterious, well, maybe that's something that we should not be doing. We see examples of this within the insurance environment all the time.

And I would use the bill that we voted on last week, the State Children's Health Insurance Program. Good things in the bill, but some bad things in the bill. Some of the bad things is we tend to take children off of private health insurance and move them onto the State's Children's Health Insurance Program; and we do that for successive, for families who earn excessively larger and larger incomes.

Now, we can argue what the top line was; the top line reported in the bill was $60,000. But on the floor of this House, the chairman of the Energy and Commerce Committee admitted to me that States could disregard $20,000 income for housing, $10,000 in income for clothing, and $10,000 in income for transportation. We're up to over $100,000 with the income set-asides that some States could develop.

Well, what's going to happen to taking all these children off of private health insurance, perhaps coverage that the employer provides their mom and dad and moves them on to an SCHIP policy? Many pediatricians around the country find that the reimbursement for a State Children's Health Insurance policy in their State reimburses at a fundamentally lower rate than the private plans. Even though the private plans aren't great, they're better than the State Children's Health Insurance policy.

So what if a pediatrician's earnings or gross bookings for their practice go down by 30 or 40 percent on that segment of patients? Well, if you make that segment of patients successively larger, it's going to be more and more difficult for them to make up that gap; and what they will do is what doctors have always done: they'll open a little earlier, they'll stay open a little later and they'll kind of squeeze a few more patients into every hour.

Now, I ask you, is that a way to drive up the value in that doctor-patient interaction? I don't think so. I think if you squeeze more and more patients into that hour, if you increase that doctor's work day so they're having to make decisions on less and less rest with more and more stress, we are ultimately likely to negatively affect the value of that doctor-patient interaction.

So certainly that's one aspect of the bill for me that was extremely important for us to fully evaluate; and, unfortunately, we didn't get to evaluate it. We didn't get to debate it. We didn't get to do it in committee. We didn't get really to debate it on the floor. It was kind of an up-or-down vote: take it or leave it. And that's fine if that's the way you want to run things. But for me it was a fundamentally flawed idea because it damaged the value of the doctor-patient interaction.

Other programs that may improve the doctor-patient interaction, I'm aware of a large employer in my district back home, school district, to be precise, that has a number of employees under their insurance policy that provides a $20-a-month premium reduction for anyone who undergoes some pretty basic screening, blood pressure, weight and doing a little blood work. So there's a $250 value returned to the enrollee in the health plan over a year's time. So obviously that's a value. It's a value to the insurance company because now they're able to identify perhaps that silent person with a cholesterol up to here or a blood sugar that's an undiagnosed and unmonitored diabetic.

They can identify those individuals; and if the individual is desirous of help, they can get them into the proper type of care that will lower the likelihood of a heart attack with the attendant time in the intensive care unit, perhaps coronary artery bypass grafting, perhaps even the risk of sudden death or the complications of untreated diabetes, problems with eyesight, the problems with circulation, leg amputation, all of the kidney disease that goes along with untreated diabetes. Perhaps we can begin to get a handle on this earlier in the course of the disease so that the disease course may be modified and ultimately less costly.

Well, I would submit that that insurance company has found a way to deliver value to the doctor-patient interaction; and, in fact, I would think that's behavior that this body would want to encourage, not discourage, amongst private insurance players.

But these are just two examples of where value for the doctor-patient interaction can be increased or decreased. And as a consequence, when I apply that test to any health care policy, my decision about that, whether or not to support that health care policy, is likely to be based on the fundamental question, are we delivering value to the doctor-patient interaction? If the answer is yes, that's a program that's worthy of further study, debate, and perhaps enacting. If the answer is no, then it becomes fairly easy for me to say that's not a policy that I would be inclined to support at the present time.

Now, one of the things we move on to or other aspects of affordability that we should talk about, I did allude earlier to the fact that there are now, according to recent data that was released last April, 4.5 million people who are covered under health savings accounts. That's up about a million and a half from the year before. And, certainly, while it is not a vast segment of coverage, the reality is we could cover a great deal more people who are uninsured if they just simply knew about these products.

In the mid-1990s when I went to look for an insurance policy for an adult child, it was just almost impossible to get a private individually owned insurance policy for someone in their mid-20s. No one wanted to talk to you about one single policy. We won't even discuss it unless you've got a group of five or 10, and then we're going to charge you a great deal for that. Now, I was ultimately able to get insurance for that individual.

But what a change 10 years later. Any individual getting out of college today, mid-20s, off their parents insurance for the first time in their life, maybe they want to go start a business. Maybe they haven't quite found that right job yet; but rather than going without health insurance, they now have an option. They can go to the

Internet and in the search engine of choice type in health savings account and very quickly they'll be taken to sites that will provide them a vast array of choices in high deductible insurance policies. These policies are typically paid for with after-tax dollars, which is a limitation, I admit, and one that this Congress should take up and deal with. But oftentimes we're talking about individuals who are not in the higher income earning brackets or perhaps pay no Federal income tax at all. So the fact that it's not a tax deductible expense is not of great import to them.

But the fact that you can get a high deductible insurance policy that, with a $2,000 to $5,000 deductible that ranges in price from about $55 a month to $75 a month, well, that's a pretty significant savings over what we typically associate with the cost of insurance, which is obviously much greater than that.

So that young individual who's just starting out doesn't need to start out life without insurance coverage. It's not something that they need to forego. Yeah, it's a high deductible policy, so guess what? If you go in for a flu shot or you go in for some relatively minor difficulty likely as not that's going to be something that will have to be borne by the individual.

But if that individual has a catastrophic event, a motorcycle accident, an accident or pregnancy and requires prolonged hospitalization, that hospitalization is covered after the deductible is met. And how powerful is that to be able to put that type of protection in the hands of a whole segment of society that 10 years ago had no choice at all, no option. You just simply cannot buy or find insurance no matter how big a check you're willing to write, because I was willing to write a big check to get insurance coverage at that time, but it just wasn't available. Ten years later it's readily available. It's up on the Internet. And because of competition on the Internet, we've driven the price down, so affordability obviously has improved.

Now, the other great things about a health savings account is you can put money away. If you do pay taxes, you can put away money with pre-tax dollars, put money into essentially a medical IRA, or a health savings accounts. You can actually begin to accumulate dollars in that health savings account. And the good news is that over time, if that money is not used for medical expenses, it can only be used for medical expenses, but if it's not used, it doesn't go back to someone else at the end of the year. It doesn't even go back to the Federal Government if you die too soon. That money is yours. It is yours to use for your health expenses, or it is then delivered on to your heirs and assigns if you meet an untimely demise, but that money is yours. It doesn't belong to the Federal Government. The money you put into that health savings account stays under your command and control for the rest of your life as long as it is spent for health care expenses.

So you can see, even a young individual who doesn't have the financial wherewithal to contribute the full amount, say the $2,000 or the $5,000 every month to a health savings account, still can put some number of dollars away that will grow over time. And since we're talking about young individuals, well, the time value of money comes into play. And if you begin such an account when you're 25, by the time you're 65 and ready to face retirement, there may be a significant accumulation of dollars in that account. And the good news is there is no one can take that away from you.

Now another thing that we've worked on in this Congress and something that I would argue would be a positive in the values section for delivering value to the doctor-patient interaction are what are called association health plans. Now, association health plans by themselves are not going to drive down the cost of the, or the number of the, uninsured; but they will help control the ever-rising cost of health insurance which, of course, is what drives a lot of small businesses out of the business of providing health insurance. So association health plans have been voted on in the two previous Congresses several times since I arrived here in the beginning of 2003.

And the concept is pretty simple. It just says small businesses can kind of group together to get the purchasing power, the purchasing clout of a much larger organization and use that ability to aggregate themselves to get a better deal with an insurance company, to get a better deal in providing insurance to their employees. So if you have, say, a group of Realtors, a group of dentists offices, for example, a group of chambers of commerce employees, you can put this group together as long as they have similar business models. That's why the term ''association'' is used. They can be put together to go out and purchase or to make bids on the commercial insurance market and, again, get a little bit more of that purchasing clout that large organizations have.

And one of the reasons that association health plans have been contentious in this House is because for them to be effective, particularly in medium and small-sized States, you've got to have the ability to go and take in a group of people that may cross a State line. Now, a State as big as Texas, which at one time was its own country, that's not as big an issue. But still you will get a better economy of scale if you are able to draw in more people into this association that then goes out and buys insurance.

For whatever reason, we passed it in the House, three or four times in the last 4 years, but unfortunately it never did pass in the Senate. They had Senator ENZI, who was at the time chairman of the Senate Health Committee, make a good run at it last year, got all the principals in the room and tried to get them to craft an agreement on that, but ultimately was not able to get that done. And that's a shame, that's too bad because again this is one of those things that would fundamentally deliver value to the doctor-patient interaction because it would hold down the cost, the ever-increasing cost, bend that growth curve a little bit on the increasing cost, the ever-increasing cost of health insurance, and allow more people to keep and retain their insurance coverage.

Now, the President brought up in his State of the Union message here last January, and it's been talked about on and off again over the past six to eight months, the issue of equal tax treatment for employer-derived insurance and insurance that's owned by the individual. We've really not made any great progress, but I do believe the concept is one that's worthy of study, that's worthy of debate in this House. I already alluded to that fact a little earlier in the talk that once you have the employer-derived insurance as a pre-tax expense, that alters the playing field and it, in fact, encourages the use of that type of insurance and maybe even encourages the use of that type of insurance a little too much.

□ 2115

It encourages people to be over-insured because, look, I can't really pay you any more without distorting my salary structure but I will give you this more generous insurance package. And as a consequence, more insurance benefits are added to that person's benefits package, and it may, in fact, be more insurance than they actually need. So they are paying for something that they don't actually need.

On the other end of the spectrum, you have the individual who is out there pricing insurance now in the private market, and perhaps they do earn enough money to pay income taxes, and it would be great to extend or expand their purchasing power for that insurance by allowing them to pay for that with pretax dollars.

There is going to be a lot of debate on that over the next several years, I expect. In my mind, it is the only sane and smart way to go to, again, decouple the insurance product from the tax code and kind of put everybody on an equal footing. It's either deductible for everyone or not deductible for everyone. But let's put everyone on the same playing field there because only in that way will we get true equity and only in that way will we get the demand for the type of products that, again, ultimately will have the competitive forces that will push the price down. And after all, the kind of competition that is available on the Internet, the same type of competition that's available now with health savings accounts, and since they are after-tax items anyway, they are not under the same restrictions, but to get that same type of

competitive influence from pricing on the Internet that will help keep the cost of health care coverage more affordable for more people. It's kind of analogous to the people who sell car insurance and who say 15 minutes can save you big bucks on your car insurance if you are willing to invest 15 minutes on a telephone call to a particular insurance company. They have done a lot of clever things with their advertising with animated lizards and unfrozen cavemen and the like, but the reality is they have taken the concept of the type of competitive edge you can get by utilization of the Internet with car insurance. If we had the same ability to do that with health insurance, how much better would that be? Because we could drive the price down, because now people would be competing with large volumes, large numbers of patients. Now companies would be competing with large numbers of patients, and, in fact, I think we would see an improvement on the price structure rather than this continued year-after-year increase in prices and this continued year-after-year of picking only the people that we want to insure and leaving others out. This is a way of broadening the base and lowering the rate. We liked that concept in our tax policy; we should like that concept in our insurance policies as well.

Madam Speaker, mandates are another issue that will come up from time to time. The health care program that was popularized in the State of Massachusetts, very famously, depends upon an individual mandate. It is your obligation and responsibility to have insurance, and you will have insurance or we will buy it for you and charge you for it. If you don't want to pay us, we will take that money out of your State income tax refund that you are due at the first of the year. So that is one way to get people to buy insurance, to be sure.

Now, in 1993, when the Clinton health care plan was discussed, they talked about employer mandates: We're going to require every employer to participate in an employer-derived health insurance program or they are going to have to pay a large amount in order for their employees to get coverage elsewhere.

So employer mandates and individual mandates are certainly techniques that have been tried in the past, and we may see them tried again in the future.

State mandates are where a State says any insurance policy that is written in the State, you have to provide coverage for these items. It varies from State to State. Some States are quite generous, and as a consequence, their insurance rates are high. Some States are more spartan, and as a consequence, their insurance rates are more reasonable. But State mandates, individual mandates, employer mandates, in my opinion, have the ability of driving up the cost and limiting the care because they remove the competitive influences that otherwise would be brought by the competition that's available in the open market and just keeping free enterprise involved in medicine.

I guess the counterpart to mandates, for all its faults and for all of the sort of anguished discussion that we had about Medicare part D over the past several years, Medicare part D now provides pharmaceutical benefits, pharmaceutical coverage to 90 percent of the Nation's seniors, and it does so with a 90 percent satisfaction rate. And there is not a mandate in the program. And how do they do it? They provided programs that people actually wanted. That would be a novel approach. Instead of a mandate, you make something that is marketable. You make something that's desirable. You make something that patients and families are going to say that's a good idea and it's reasonably priced and I am going to do that. Mandates, on the other hand, tend to drive things in the other direction. And ultimately, although there may be a transient reduction in price long term, it has a negative influence on price and causes prices to inflate and increase over time.

Madam Speaker, I can hardly come to the floor of the House and talk about changes in our health care system without at least briefly talking about changes in the way the medical justice system is handled in this country. And the reason that it is so important to me is my State, my home State of Texas, changed the nature of the argument 4 years ago and since then has been reaping the benefits of fundamental and sound medical liability reform.

Now, the Texas legislation that passed in the legislature that convened in 2003, and subsequently we had to undergo a constitutional amendment in September of 2003, it provided a cap on noneconomic damages. The so-called Medical Injury Compensation Reform Act of 1974, as passed by the State of California, was adopted and modernized in the Texas plan. But it was a Medical Injury Compensation Reform Act-style reform that was done in my home State of Texas.

Now, caps on noneconomic damages out in California in 1975 were set at $250,000. In Texas, with the passage of this legislation, there was a cap set at $250,000 for a physician if the physician was involved; $250,000 set for the hospital if a hospital was involved; and $250,000 for a second hospital or a nursing home if one was involved. So there was an aggregate cap of $750,000. At the same time, there was no cap placed on actual damages, real damages, that were sustained in a medical liability suit and no cap placed on punitive damages if those were awarded by a judge in a medical liability suit.

The result of all of this was that a State that was in turmoil, a State that was in chaos in the year 2002, today is eminently stable when you talk about its medical justice system because of these commonsense reforms that were enacted back in 2003. The benefits that we have seen for my old insurer of record, Texas Medical Liability Trust, my medical liability premiums had been increasing by double digits every year, year after year for about the 4 years before I concluded my practice and came to Congress. The very next year after the passage of this bill in 2003, prices dropped. They dropped 12 percent. They have continued to drop. So the aggregate reduction in premium prices over the 4 years since this passed has been 22 percent for physicians insured under the Texas Medical Liability Trust. And that is in addition to double-digit increases that were happening every year up to 2003. Now we have had a 22 percent reduction. That's a significant change.

One of the most important things, though, was the number of medical liability insurers that existed in the State of Texas had gone from 17 down to two. You are not going to get much in the way of a competitive edge if you have only got two people willing to write medical liability insurance in your State. So by the start of 2003, we were truly in crisis with the fleeing of medical liability insurers from our State.

What happened after the law passed? The insurers started to come back in. Now, many of them wanted to come back in and say, we're going to have to charge you more money because Texas is still an unproven deal and we're not sure we want to come in at the rates you are going to set. But Commissioner Montemayor, who was then the Commissioner of Insurance in the State of Texas said, if you are going to come back in, you're going to come back in at reasonable rates. And as a consequence today, I'm not sure of the top number of Texas insurance companies, but certainly above 15 and may well be above 20 insurance companies that have come back to the State, and, most importantly, they have come back without an increase in their rates.

One of the unintended beneficiaries of this reform was the smaller not-for-profit hospital in the State of Texas. Smaller and medium-sized hospitals, self-insured, they had to put a lot of money away against a possible bad outcome in a court. With the passage of this law and with some return of sensibility and stability to what their actual outlay may be if they lost a case, smaller hospitals and medium-sized hospitals were able to take some of that money that they had put away in accounts to guard against a possible adverse finding in court, and now they were able to take that money and use it for capital expansion, nurses' salaries, the kinds of things you want your smaller not-for-profit hospital to be doing in your small and medium-sized community.

So it was a very big boon not only to physicians but also to hospitals. And, again, I would submit is that a win or a loss for someone who wants to deliver value to the fundamental doctor-patient interaction in the treatment

room? Obviously, it's a win. We have more doctors coming to the State. We have so many doctors coming to the State, the Texas State Board of Medical Examiners can't keep up with the pressure, with the demand on new licenses for doctors who want to get licensed to practice in Texas. So that is a good thing. Texas as a whole has been underprovidered, if ''providered'' can be used as a verb. Texas as a whole has been underprovidered for some time. The national average is 260 doctors per 100,000 population. Texas sits at about 186. But the situation is improving month over month because of some of the commonsense changes we made in medical liability insurance.

And one last thing I would add. If I'm from Texas and we've already done this, what do I care about the rest of the country that their medical justice system perhaps remains with the scales uneven and tipped to one side or the other? Well, the reason I care is because now, as a Member of Congress, we have to deal with the Federal budget every year. We have to decide how much money we are going to give Medicare and Medicaid every year. Consider this: A study done back in 1996 at Stanford University looking at the cost to the Medicare system for treatment of heart disease, the additional cost for the treatment of heart disease when factoring in the cost for defensive medicine, back in 1996, that cost was calculated to be just under $30 billion. Well, that was 12 years ago. I rather suspect that number would be higher today if anyone went back in and recalculated those figures. So it is significant. That is practically 10 percent of the money we budget every year, the money we appropriate every year to pay for the Medicare system. It is a significant savings to the Medicare system if, in fact, we can capture these savings.

Just the Texas bill alone introduced in the House of Representatives was scored by the Congressional Budget Office as saving $3.8 billion over 5 years just with the language of the Texas bill, to say nothing of what it would do on putting negative pressure, downward pressure on the cost of defensive medicine. And $3.8 billion is not a big figure when we talk about money up here in Congress. It's usually tens or hundreds of billions of dollars. But I have got to tell you what, $3.8 billion is real money, and in a year where we are scratching around trying to find every dollar that we can, that $3.8 billion is significant. And, again, I, frankly, do not understand why the House wouldn't consider taking this up, because this is a commonsense solution to a problem that vexes many States around the country.

And perhaps one of the even more pernicious effects of the medical liability crises in some States is the fact that it directs the best and brightest of our young people in a career path other than medicine. If I am going to spend all that time in school, if I'm going to accumulate all that student debt, and then when I get out, I have got to pay these high liability premiums and you go to court and they make you look like a bad guy, I don't think I want any part of it. It does have a negative effect on attracting the best and brightest into our physician workforce.

The physician workforce is important. I want to talk about that in greater detail. But just consider this: A residency program director out of one of the big hospitals up in New York a few years ago, when I asked her, ''Does the medical liability crisis impact your residency training program at all?'' she told me that, well, currently we are taking people into our residency program that we wouldn't have interviewed 5 years ago.

□ 2130

In other words, the pool of available applicants for their residency program had contracted because of the chilling effect, the negative effect of the medical liability insurance in that State. And these are our children's doctors; these are our children's children's doctors. I fail to see how the advancement of medical care is furthered by allowing policies that have that type of an effect on our physician workforce.

But let's talk a little bit about the physician workforce in the time that remains because this is another important part of where we go with health care reform, health care transformation in this country. And three bills that have recently been introduced, H.R. 2583, H.R. 2584 and H.R. 2585, deal with the problems surrounding the physician workforce.

Now, just a little bit less than 2 years ago, Alan Greenspan, as one of his last trips around the Capitol, came and talked to a group of us one morning. And a question was posed to him: What do you think about Medicare? Are we ever going to be able to pay for the unfunded liability of Medicare in the future? And he stopped and thought for a moment and said, Yes. I think when the time comes Congress will make the hard choices, make the hard decisions, and, indeed, we will be able to salvage and pay for the Medicare system. And he paused for a moment and then went on to say, But what concerns me more is, will there be anyone there to deliver the services when you require them?

And that, Madam Speaker, is a crucial point in this discussion. And that is the point behind the three bills that were introduced earlier this year to create incentives for hospitals to provide residency programs, to create incentives for medical students to go into medicine in the first place and, finally, to encourage physicians who are more mature in their practice to stay in their practice.

Creating more residency programs. There are some hospitals in the country that would welcome a residency program. They have the patient load. They could get the accreditation from the American Council of Graduate Medical Education, but the barrier for entry is just simply too high, the cost of starting a residency program is too high.

So this bill would provide loans to hospitals to begin residency programs where none have existed in the past, particularly in fields in high-need medical specialties in medically underserved areas, things like general surgery; things like family practice; things like obstetrics and gynecology. This would be the subset of residency programs that would be encouraged with this legislation.

And, as a consequence, since it is a loan program, the money would be paid back and over time would recirculate so more and more programs could be added to the Nation's training programs, particularly, again, for high-need primary care specialties in medically underserved areas.

H.R. 2584 dealt more with the younger individual who is either in medical school or perhaps thinking about a profession in health care. And this bill would provide incentives, it would provide scholarships, it would provide loan forgiveness, it would provide tax relief for individuals who, at the time of their conferring of their degrees and the beginning of their practice, would agree to practice in areas that are medically underserved and, again, in high-need specialties.

Now, this concept is actually an older concept. It was around when I was in medical school, but we need to modernize it for the 21st century.

And what really brought it home for me was visiting the gulf coast area after Hurricane Katrina. So many doctors had left, and so many more doctors were contemplating leaving. How in the world are they ever going to maintain a health care workforce in that part of the country unless they grow their own doctors in place? This is a way to allow that to happen, and of course there are other medically underserved areas around the country that might benefit from this as well.

Again, back in my home State of Texas, the Texas Medical Association puts out a periodical called ''Texas Medicine.'' This was the cover of their March issue, which raised the specter or the question: ''Running Out of Doctors.'' And these two bills were largely inspired by the work done in this article.

And one of the concepts that was put forward in this article was that medical residents tend to stay where they train; they don't go very far. The fruit doesn't fall very far from the tree. So a medical resident who trains in a town is likely to set up practice within 50 or 100 miles of that town. That is the concept behind setting up these residencies in smaller and medium-sized communities, smaller hospitals that have the need and have the patient load that will allow for the training and teaching and allow those physicians to stay in that practice area.

Well, you might ask, how does this deliver value to that doctor-patient

interaction that I've talked about several times tonight? Well, there are several ways. Number one, in just having the availability and the access of a physician. You can't deliver value to the doctor-patient interaction if you don't have a doctor there to interact with the patient. So that is certainly one very fundamental way that it can improve it. But another way, and perhaps a less tangible way, is if a doctor goes into practice within 50 miles of where they did their training, what do they know about that place? Well, they know the community. Their family, their wives and their children are probably going to be more comfortable in that community, so there is increased job satisfaction that the doctor will have in that community. I'm sorry, I should have said wives or husbands would have in that community. So there is increased personal satisfaction.

But the other thing is, you know the doctors in the area, you know who's good and you know who's not so good. Referral patterns that are established during a 3- or 4-year residency can be continued. And this is the additional value that this type of training will bring to our young physicians in the State and allow them to be better physicians when the time comes for them to begin their practice.

The final bill, 2585, deals with a problem that we've had in this Congress for as long as I've been here, in fact, before I got here, and that is the problem that we have with reimbursing physicians in the Medicare system. The current Medicare system of pricing is one that is not based on any sort of reality. Hospitals, drug companies, HMOs each get sort of a cost-of-living adjustment every year for their funding sources; but physicians, for whatever reason, don't get that cost-of-living adjustment. They don't get what's called the Medical Economic Index. What they get is called the Sustainable Growth Rate Formula, which generally pushes their reimbursement rates down year over year. And over the next 10 years time, the budgetary projection is for physician payment rates for Medicare patients to be reduced on the order of 30–38 percent. Well, that's untenable. No doctor can continue to practice; they can't even plan for their practice. They can't plan for hiring; they can't plan for the purchase of new equipment all of the time they're laboring under that type of restriction.

2585 would repeal the Sustainable Growth Rate Formula in 2 years' time. It resets the baseline for 2008 and 2009, which does allow for a positive update for physicians in 2008 and 2009, with no smoke and mirrors, no fancy footwork. It is just something that could be done.

And then we aggregate all of the savings that accrue to the Medicare system because we are doing things better, cheaper, and faster in the Medicare system currently. As a consequence, that savings can be used to offset what is described as the cost of repealing the Sustainable Growth Rate Formula over 10 years' time.

Consider this, the Medicare Trustees Report from last June said that the bad news is Medicare is still going broke, but the good news is it's going to go broke a year later than we told you last year. The reason for that is 600,000 hospital beds were not filled last year because doctors are doing things better in their practices, they are keeping patients out of the hospital, they are doing procedures in an ambulatory surgery center; and as a consequence, the overall cost price pressure on the Medicare system has reduced. The problem is that doctors don't get to have any credit for that reduction. It all goes to the hospitals, drug companies, nursing homes and HMOs, not to the part B of Medicare, which is, after all, where physicians are paid.

We need to change this. We need to make those savings only attributable to part B. And as a consequence, we can drive down the cost of repealing the Sustainable Growth Rate Formula. And by postponing that repeal for 2 years' time, but at the same time providing a positive update for 2008 and 2009, I believe we have a system in place that can be a win-win for Congress, for doctors, and for the American patient, the Medicare patient, who has increased difficulty with finding a Medicare physician.

Two other proposals in that bill, 2585, would be to provide positive updates for doctors who voluntarily improve information technology in their offices. We all know this is something that is going to have to happen. This is something that is going to have to occur. Let's give a little bit of a positive update, a little bit of a positive bonus. Yes, patients who aren't in the Medicare system will also benefit from that, but we're not getting a tremendous amount, about a 3 percent bonus per year for voluntary improvements in health information technology.

Let's also make available for physicians who voluntarily report quality measures, let's also make a positive update available for them as well. And the consequences of that is people will begin to focus on the quality aspect if you just simply make a physician aware of what their expenditures in the Medicare system were for the past year. That information is confidential. It's not something that's published; other people aren't aware of it. But doctors tend to be relatively competitive, and if they have that number available to them, they are likely to behave in a way that will try to drive that number down. Doctors are goal-directed, doctors are competitive, doctors want to be the best at what they are. Well, let's give them the data and see if they can't compete on that level.

The other thing is I think we need to make that information available to the patient as well: What did it cost the patient to provide for the treatment over the cycle of care for the past year? And, again, these are less defined, but equally important, ways we can begin to deliver value to that doctor-patient interaction.

The health information technology is so important. Many doctors are sitting on the sidelines right now. It's like buying a VCR in the mid-1980s: Do you go with Beta or VHS? And it's hard to know what the technology is going to look like in 5 years; and the person who guesses right will be rewarded, the person who guesses wrong will be penalized.

So there is a lot of tension, a lot of nervousness out there when you talk to physicians' offices. And there is no question about it, these things add a lot of time to the doctor's day, time that is not readily compensated in any other formula. So we need to consider adding that positive update, such as was done in H.R. 2585.

Well, Madam Speaker, we cannot rise to the transformational change required in this country without keeping the best doctors involved and without incentivizing and training the best doctors for tomorrow. This is going to require a near-term, a mid-term and a far-term, a long-term strategy. We will not be able to master the transformational changes and challenges without America's best and brightest still involved in the teaching and in the practice of medicine.

This is a bipartisan issue. It doesn't affect only one side of the aisle. It doesn't only affect the other side of the aisle. It requires each of us to work together.

Madam Speaker, I will submit our congressional approval ratings right now are at historic lows; and the reason they're at historic lows is not for the reason that most people think up here. The reason they're at historic lows is because we won't work together to get a single thing done for the American people, and this is one of those things that they want done.

Now, I left my beloved profession a little over 4 years ago to come and serve here in Congress. I didn't come to just sit and watch as things happened and things were brought to us by other people. I came to be actively involved in the process, and I intend to remain involved in the process.

I have outlined numerous solutions here tonight. I am grateful to the leadership on my side for giving me the opportunity to talk about these things and would only submit that there is a great deal more to discuss, and there will be more to come later.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CARNEY (at the request of Mr. HOYER) for today.

Mr. GENE GREEN of Texas (at the request of Mr. HOYER) for today.

Ms. KILPATRICK (at the request of Mr. HOYER) for today.

Mr. KLEIN of Florida (at the request of Mr. HOYER) for today.

Ms. SHEA-PORTER (at the request of Mr. HOYER) for today on account of family medical reasons.

Mr. CONYERS (at the request of Mr. HOYER) for today until 7 p.m. on account of travel problems.

Mr. BUYER (at the request of Mr. BOEHNER) for today on account of family illness.

Mr. WAMP (at the request of Mr. BOEHNER) for today on account of a family commitment.

Mr. HULSHOF (at the request of Mr. BOEHNER) for today and October 30 until 3 p.m. on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BISHOP of New York) to revise and extend their remarks and include extraneous material:)

Mr. BISHOP of New York, for 5 minutes, today.

Mr. ISRAEL, for 5 minutes, today.

Mr. PETERSON of Minnesota, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. MICHAUD, for 5 minutes, today.

Mr. HARE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, November 5.

Mr. JONES of North Carolina, for 5 minutes, November 5.

Mr. BURTON of Indiana, for 5 minutes, today and October 30, 31, and November 1.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. DENT, for 5 minutes, today.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 30, 2007, at 9 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3902. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Captain Sean A. Pybus to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3903. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7993] received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3904. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7991] received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3905. 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.

3906. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of defense equipment to the Government of Italy (Transmittal No. DDTC 067-07); to the Committee on Foreign Affairs.

3907. A letter from the Assistant Secretary for Legislative Affiars, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of defense equipment to the Government of Canada (Transmittal No. DDTC 083-07); to the Committee on Foreign Affairs.

3908. 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 technical data, defense articles and services to the Republic of Korea (Transmittal No. DDTC 070-07); to the Committee on Foreign Affairs.

3909. 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 technical data, defense articles and services to the Governments of Germany and the United Kingdom (Transmittal No. DDTC 069-07); to the Committee on Foreign Affairs.

3910. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and 36(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 articles and defense services with the Government of Japan (Transmittal No. DDTC 049-07); to the Committee on Foreign Affairs.

3911. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and 36(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 major defense equipment with the Government of Spain (Transmittal No. DDTC 077-07); to the Committee on Foreign Affairs.

3912. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-165, ''Energy Efficiency Standards Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3913. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-164, ''District of Columbia Free Clinic Captive Insurance Company Establishment Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3914. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-163, ''Closing of a Public Alley in Square 452, S.O. 06-1034 Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3915. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-131, ''Homestead Housing Preservation Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3916. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-132, ''Child's Right to Nurse Human Rights Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3917. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-133, ''Bank Charter Modernization Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3918. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-162, ''Quality Teacher Incentive Clarification Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3919. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-134, ''Closing of a Portion of 8th Street, S.E., and the Public Alley in Squares 5956 and W-5956, S.O. 05-4555, Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

3920. A letter from the Associate Special Counsel for Legal Counsel and Policy, Office of Special Counsel, transmitting the Office's final rule — Privacy Act of 1974; Implementation — received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3921. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting a report on a navigation improvement project for Haines, Alaska; to the Committee on Transportation and Infrastructure.

3922. A letter from the Director, Office of Environmental Policy and Compliance, Department of the Interior, transmitting the Department's review of the Chief of Engineers' proposed report on the Lower Colorado River Basin, Phase I, Texas; to the Committee on Transportation and Infrastructure.

3923. A letter from the Director of Regulations Management Office of Regulation Policy & Management, VA, Department of Veterans Affairs, transmitting the Department's final rule — Government-Furnished Headstone and Marker Regulations (RIN: 2900-AM64) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3924. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Accreditation of Service Organization Representatives and Agents (RIN: 2900-AM29) received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 3877. A bill to require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States; with amendments (Rept. 110–411). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2262. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; with an amendment (Rept. 110–412). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 3921. A bill to provide nationwide subpoena authority for actions brought under the September 11 Victim Compensation Fund of 2001 (Rept. 110–413). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANGEL: Committee on Ways and Means. H.R. 3920. A bill to amend the Trade Act of 1974 to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers and firms, and for other purposes; with an amendment (Rept. 110–414, Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Education and Labor and Energy and Commerce discharged from further consideration. H.R. 3920 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2830. Referral to the Committee on the Judiciary extended for a period ending not later than October 30, 2007. Refereral to the Committee on Energy and Commerce extended for a period ending not later than November 16, 2007.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MILLER of North Carolina (for himself, Mr. TURNER, Mr. COLE of Oklahoma, Mrs. BOYDA of Kansas, Mr. LANGEVIN, Ms. SLAUGHTER, Mrs. MALONEY of New York, Mr. HIGGINS, and Ms. MCCOLLUM of Minnesota):

H.R. 3981. A bill to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes; to the Committee on Natural Resources.

By Mr. BOSWELL (for himself, Mr. CLEAVER, and Mr. BAIRD):

H.R. 3982. A bill to continue to prohibit the hiring, recruitment, or referral of unauthorized aliens, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALTMIRE:

H.R. 3983. A bill to amend the Internal Revenue Code of 1986 to make permanent certain tax benefits relating to elementary and secondary schools; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 3984. A bill to amend the Internal Revenue Code of 1986 to make permanent the expensing of certain environmental remediation costs; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. OBERSTAR, Mr. MICA, and Mr. DUNCAN):

H.R. 3985. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR (for himself, Mr. MICA, Ms. NORTON, and Mr. GRAVES):

H.R. 3986. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BACA (for himself, Mrs. NAPOLITANO, Ms. HARMAN, Mr. CUELLAR, Mr. FORTUÑO, Mr. FILNER, Mr. AL GREEN of Texas, and Mr. NUNES):

H.R. 3987. A bill to provide emergency tax relief for persons affected by California wildfires in October of 2007; to the Committee on Ways and Means.

By Ms. GRANGER (for herself, Mr. GOHMERT, Mr. POE, Mr. SAM JOHNSON of Texas, Mr. HALL of Texas, Mr. HENSARLING, Mr. BARTON of Texas, Mr. CULBERSON, Mr. BRADY of Texas, Mr. AL GREEN of Texas, Mr. MCCAUL of Texas, Mr. CONAWAY, Mr. THORNBERRY, Mr. PAUL, Mr. HINOJOSA, Mr. REYES, Mr. EDWARDS, Ms. JACKSON-LEE of Texas, Mr. NEUGEBAUER, Mr. GONZALEZ, Mr. SMITH of Texas, Mr. LAMPSON, Mr. RODRIGUEZ, Mr. MARCHANT, Mr. DOGGETT, Mr. BURGESS, Mr. ORTIZ, Mr. CUELLAR, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARTER, and Mr. SESSIONS):

H.R. 3988. A bill to designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the ''Master Sergeant Kenneth N. Mack Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. MCHUGH:

H.R. 3989. A bill to amend the Clean Air Act to reduce mercury, carbon dioxide, sulfur dioxide, and nitrogen oxide emissions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Science and Technology, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. ALLEN, Mr. BACA, Ms. BALDWIN, Ms. BERKLEY, Mr. BLUMENAUER, Mr. BURTON of Indiana, Mrs. CAPPS, Mr. COSTA, Mr. CROWLEY, Ms. DELAURO, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, Ms. HIRONO, Mr. HONDA, Mr. INSLEE, Mrs. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. POE, Ms. LORETTA SANCHEZ of California, Mr. SHAYS, Ms. SOLIS, Mr. TIERNEY, Mr. WU, Ms. SUTTON, Ms. ROYBAL-ALLARD, Ms. KILPATRICK, Mr. ROTHMAN, Mr. CARNEY, Mr. DICKS, Mr. VAN HOLLEN, and Mr. AL GREEN of Texas):

H.R. 3990. A bill to reduce sexual assault and domestic violence involving members of the armed forces and their family members and partners through enhanced programs of prevention and deterrence, enhanced programs of victims services, and strengthened provisions for prosecution of assailants, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 3991. A bill to amend title 10, United States Code, to extend the time limit for the use of education benefits by members of the Selected Reserve and certain members of the reserve component, and for other purposes; to the Committee on Armed Services.

By Mr. BOYD of Florida (for himself, Mr. GILCHREST, Mr. COHEN, Ms. SUTTON, and Mr. WICKER):

H. Con. Res. 243. Concurrent resolution supporting the efforts of the Iraq Neighbors Process Ministerial meeting and encouraging the ongoing engagement of the international community to stabilize Iraq and achieve peace in the Middle East; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 89: Mrs. BONO.
H.R. 135: Mr. MARSHALL.
H.R. 136: Mr. ENGLISH of Pennsylvania.
H.R. 138: Mr. ENGLISH of Pennsylvania.
H.R. 160: Mr. WELCH of Vermont.
H.R. 275: Mr. SHERMAN.
H.R. 281: Mr. ROTHMAN and Mr. BISHOP of New York.
H.R. 303: Mr. FEENEY.
H.R. 464: Mr. MARKEY and Ms. LORETTA SANCHEZ of California.
H.R. 677: Mr. SPRATT.
H.R. 758: Mr. LATHAM and Mr. RODRIGUEZ.
H.R. 873: Mr. SESTAK.
H.R. 876: Mr. DAVID DAVIS of Tennessee.
H.R. 971: Mr. WALDEN of Oregon and Mr. OLVER.
H.R. 1023: Mr. CANNON, Mr. COBLE, Mrs. TAUSCHER, Mr. BUYER, Ms. ESHOO, and Mr. HARE.
H.R. 1061: Mr. ALLEN.
H.R. 1070: Ms. KILPATRICK.
H.R. 1073: Mr. PALLONE.
H.R. 1091: Mr. MCINTYRE.
H.R. 1093: Mr. REHBERG, Mr. LATHAM, and Mr. WU.
H.R. 1108: Mr. SESTAK.
H.R. 1110: Mrs. MYRICK, Mr. CONAWAY, Mr. KLEIN of Florida, Mr. KLINE of Minnesota, Mr. LINCOLN DIAZ-BALART of Florida, Ms. SCHAKOWSKY, and Mr. LIPINSKI.
H.R. 1188: Mr. KILDEE.
H.R. 1192: Mr. WOLF, Mr. SESTAK, and Mr. TURNER.

H.R. 1228: Mr. CUMMINGS.
H.R. 1236: Mr. BOREN, Mrs. MYRICK, Mr. MILLER of North Carolina, Mr. FALEOMAVAEGA, Mr. DONNELLY, Mr. ISRAEL, Ms. ROYBAL-ALLARD, and Mr. CANNON.
H.R. 1286: Mr. COURTNEY.
H.R. 1295: Mr. BROUN of Georgia and Mr. PICKERING.
H.R. 1398: Mr. MCCRERY.
H.R. 1415: Mr. WAXMAN.
H.R. 1498: Mr. ABERCROMBIE.
H.R. 1518: Mr. GENE GREEN of Texas.
H.R. 1524: Mr. ALEXANDER and Mr. KINGSTON.
H.R. 1534: Ms. ESHOO.
H.R. 1565: Ms. MCCOLLUM of Minnesota.
H.R. 1609: Mr. DANIEL E. LUNGREN of California, Mr. KELLER, and Mrs. JONES of Ohio.
H.R. 1619: Ms. WATERS.
H.R. 1621: Mr. LANGEVIN.
H.R. 1650: Mr. PERLMUTTER.
H.R. 1667: Mr. ROTHMAN.
H.R. 1738: Mr. HARE, Mr. SESTAK, Mrs. CUBIN, Mr. ARCURI, Mr. BOUCHER, and Mr. RUPPERSBERGER.
H.R. 1919: Mr. WELCH of Vermont.
H.R. 1921: Mr. HONDA.
H.R. 1932: Mr. ALLEN.
H.R. 2053: Mr. ALLEN.
H.R. 2116: Mr. KUHL of New York, Mr. REYNOLDS, and Mr. HILL.
H.R. 2156: Mr. WELCH of Vermont.
H.R. 2160: Ms. SLAUGHTER.
H.R. 2176: Mr. KENNEDY.
H.R. 2188: Mr. FILNER.
H.R. 2246: Ms. BERKLEY and Mr. PORTER.
H.R. 2266: Ms. SUTTON.
H.R. 2371: Mr. SOUDER.
H.R. 2385: Mr. SESTAK.
H.R. 2387: Mr. CALVERT.
H.R. 2417: Mr. ENGLISH of Pennsylvania and Mr. SHULER.
H.R. 2470: Mr. KENNEDY and Mr. COSTELLO.
H.R. 2580: Mr. MANZULLO, Ms. FOXX, and Mr. FEENEY.
H.R. 2651: Mr. KENNEDY.
H.R. 2711: Mr. KUCINICH and Mr. PRICE of North Carolina.
H.R. 2827: Mr. BOOZMAN.
H.R. 2840: Ms. JACKSON-LEE of Texas.
H.R. 2852: Mr. WYNN.
H.R. 2910: Mr. MEEK of Florida.
H.R. 2914: Mr. BOUCHER.
H.R. 2915: Ms. ROYBAL-ALLARD and Mr. BOUCHER.
H.R. 2933: Mr. MCINTYRE, Mr. BOYD of Florida, Mr. WILSON of South Carolina, Mr. DINGELL, Mr. ENGLISH of Pennsylvania, and Ms. FALLIN.
H.R. 3008: Mr. SHULER.
H.R. 3029: Mrs. MALONEY of New York and Mr. FORTUÑO.
H.R. 3041: Mr. BLUMENAUER.
H.R. 3099: Mr. LAMPSON.
H.R. 3109: Mr. AKIN.
H.R. 3144: Mr. FRANKS of Arizona.
H.R. 3189: Mr. UDALL of Colorado.
H.R. 3204: Ms. SUTTON.
H.R. 3219: Mr. KAGEN.
H.R. 3232: Mr. DOYLE, Mr. UDALL of Colorado, Mr. WICKER, Ms. CORRINE BROWN of Florida, Mr. PRICE of North Carolina, Mrs. CUBIN, Mr. HOLDEN, Mr. SHIMKUS, and Mrs. BLACKBURN.
H.R. 3251: Mr. GRIJALVA.
H.R. 3289: Mr. ROTHMAN, Mr. AL GREEN of Texas, and Ms. WASSERMAN SCHULTZ.
H.R. 3298: Mr. GRIJALVA.
H.R. 3317: Mr. CUELLAR and Mr. ABERCROMBIE.
H.R. 3320: Mr. SHERMAN.
H.R. 3326: Mr. CLAY.
H.R. 3327: Mr. GENE GREEN of Texas and Mr. REICHERT.
H.R. 3339: Mr. ROTHMAN.
H.R. 3397: Ms. SUTTON.
H.R. 3401: Mr. ABERCROMBIE.
H.R. 3406: Mrs. DAVIS of California, Mr. GUTIERREZ, Ms. VELÁZQUEZ, and Mr. PASTOR.
H.R. 3414: Mr. ENGLISH of Pennsylvania.
H.R. 3429: Mr. MURPHY of Connecticut and Mr. HARE.
H.R. 3430: Mr. ROTHMAN and Mr. ALLEN.
H.R. 3453: Mr. GERLACH, Mr. GONZALEZ, and Ms. SLAUGHTER.
H.R. 3480: Mr. SHULER.
H.R. 3533: Mr. BONNER and Mr. SHERMAN.
H.R. 3541: Mr. HOLT and Mr. GENE GREEN of Texas.
H.R. 3544: Mr. HOLT.
H.R. 3547: Mr. ENGLISH of Pennsylvania.
H.R. 3548: Mr. BLUMENAUER.
H.R. 3563: Mr. GENE GREEN of Texas.
H.R. 3609: Mr. RYAN of Ohio.
H.R. 3618: Mr. KELLER of Florida.
H.R. 3622: Mrs. MALONEY of New York, Mr. COBLE, Mr. LINCOLN DAVIS of Tennessee, Mr. WOLF, Mrs. BLACKBURN, and Mr. PASTOR.
H.R. 3630: Mr. BLUMENAUER.
H.R. 3645: Mr. SHULER.
H.R. 3660: Ms. HOOLEY.
H.R. 3664: Mr. SOUDER.
H.R. 3691: Ms. GIFFORDS and Mr. HINOJOSA.
H.R. 3705: Mr. KUCINICH.
H.R. 3752: Mr. WOLF.
H.R. 3691: Ms. GIFFORDS and Mr. HINOJOSA.
H.R. 3789: Mr. BURTON of Indiana.
H.R. 3793: Ms. JACKSON-LEE of Texas, Mr. GONZALEZ, Mr. COSTELLO, and Mr. CROWLEY.
H.R. 3818: Mr. CULBERSON, Mr. SESSIONS, and Mr. STEARNS.
H.R. 3840: Mr. ANDREWS.
H.R. 3846: Ms. MOORE of Wisconsin, Mr. BISHOP of Georgia, Mr. GRIJALVA, Mr. Payne, Mr. RUPPERSBERGER, Mr. FATTAH, Mrs. NAPOLITANO, and Mr. JACKSON of Illinois.
H.R. 3852: Mr. DAVIS of Kentucky.
H.R. 3865: Mr. WELCH of Vermont and Mr. TERRY.
H.R. 3877: Mr. HINCHEY.
H.R. 3887: Ms. WASSERMAN SCHULTZ, Mr. ACKERMAN, Mr. INGLIS of South Carolina, Mr. ENGEL, Mr. MILLER of Florida, Mr. DANIEL E. LUNGREN of California, and Ms. SUTTON.
H.R. 3908: Mr. GOODLATTE and Mr. GARRETT of New Jersey.
H.R. 3910: Mr. HASTINGS of Florida.
H.R. 3911: Mr. BRADY of Pennsylvania, Mr. ENGLISH of Pennsylvania, Mr. ALTMIRE, Mr. GERLACH, Mr. SESTAK, Mr. PATRICK MURPHY of Pennsylvania, Ms. SCHWARTZ, Mr. DOYLE, Mr. DENT, Mr. HOLDEN, and Mr. TIM MURPHY of Pennsylvania.
H.R. 3915: Mr. WYNN and Mrs. JONES of Ohio.
H.R. 3918: Mr. BISHOP of Georgia.
H.R. 3950: Mrs. MYRICK and Mrs. BLACKBURN.
H.R. 3951: Mrs. BONO.
H.R. 3956: Mr. WILSON of Ohio.
H.R. 3958: Mr. WOLF.
H.J. Res. 30: Ms. SCHAKOWSKY.
H.J. Res. 35: Mr. CONYERS.
H.J. Res. 55: Mr. GOODE.
H.J. Res. 58: Mr. PUTNAM, Mr. ROSS, Mr. ADERHOLT, Ms. GRANGER, Mr. ENGLISH of Pennsylvania, and Mr. STARK.
H. Con. Res. 28: Mr. KNOLLENBERG and Mrs. DAVIS of California.
H. Con. Res. 81: Mr. STARK and Mr. COSTELLO.
H. Con. Res. 162: Mr. GINGREY.
H. Con. Res. 163: Mr. SOUDER and Mr. FARR.
H. Con. Res. 204: Mr. ENGLISH of Pennsylvania.
H. Con. Res. 214: Ms. JACKSON-LEE of Texas.
H. Con. Res. 230: Ms. HIRONO.
H. Con. Res. 235: Mr. LOBIONDO.
H. Con. Res. 236: Mr. MCCARTHY of California, Mr. HERGER, and Mr. CALVERT.
H. Con. Res. 239: Mr. ADERHOLT.
H. Res. 111: Mr. PICKERING, Mrs. BLACKBURN, Mr. MCCRERY, Ms. CORRINE BROWN of Florida, and Ms. FALLIN.
H. Res. 163: Mr. BISHOP of New York.
H. Res. 185: Ms. WASSERMAN SCHULTZ and Mr. CARNAHAN.
H. Res. 335: Mr. HOLDEN and Mr. SESSIONS.
H. Res. 336: Mr. GRIJALVA.
H. Res. 353: Mr. GENE GREEN of Texas.
H. Res. 563: Ms. RICHARDSON and Mr. GONZALEZ.
H. Res. 598: Mr. BROUN of Georgia.
H. Res. 684: Mr. ROSS.
H. Res. 690: Mrs. MYRICK.
H. Res. 695: Mr. GARY G. MILLER of California, Mr. ALLEN, Mr. RADANOVICH, Mr. MCINTYRE, Mr. BURTON of Indiana, and Mr. ETHERIDGE.
H. Res. 713: Mr. BILIRAKIS and Mr. BLUNT.
H. Res. 715: Mr. ENGLISH of Pennsylvania.
H. Res. 726: Ms. BALDWIN and Mr. SMITH of Washington.
H. Res. 740: Mrs. CHRISTENSEN, Mr. LANGEVIN, Mr. FATTAH, Ms. WATERS, Mr. CAPUANO, Mr. INGLIS of South Carolina, and Mr. REICHERT.
H. Res. 743: Mr. FATTAH, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. BOSWELL, Mr. ISRAEL, Mr. HONDA, Mr. COHEN, Mr. MARKEY, and Mr. KAGEN.
H. Res. 759: Mr. GONZALEZ and Ms. SLAUGHTER.
H. Res. 760: Mr. KLEIN of Florida, Mr. SHAYS, Mr. SESTAK, and Mr. HARE.
H. Res. 770: Mr. DAVID DAVIS of Tennessee, Mr. KNOLLENBERG, Mr. LEWIS of Georgia, Mr. BURTON of Indiana, Mrs. EMERSON, Mrs. CAPPS, Mr. MURPHY of Connecticut, Mr. MAHONEY of Florida, Mr. DREIER, Mr. SMITH of Texas, Mrs. MALONEY of New York, Mr. LEVIN, and Mr. SKELTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2074: Mr. MCCAUL of Texas.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, MONDAY, OCTOBER 29, 2007 No. 165

Senate

The Senate met at 3 p.m. and was called to order by the Honorable MARIA CANTWELL, a Senator from the State of Washington.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer.

Let us pray.

O God, our Father, we wait to serve You as You desire. Make us alert to the needs of those lives You seek to touch. Lead us to opportunities to transform hurting people, bringing relief to captives and comfort to the oppressed.

Empower Your Senators in this endeavor. Use them as ambassadors of reconciliation. Give them such winsome dispositions that they will bless even those who are hard of heart and withered in spirit. May they comfort those who are brought low by sorrow, and lift those who are bowed by life's burden. Use them to inspire those who walk through the valley of shadows.

We pray in Your precious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARIA CANTWELL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 29, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARIA CANTWELL, a Senator from the State of Washington, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. CANTWELL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, the Senate will be in a period of morning business for 90 minutes, with the first hour under the control of Senator BOXER and the remaining 30 minutes under the control of the Republicans.

Following morning business, the Senate will resume consideration of the Amtrak legislation. While no rollcall votes will occur today, Members should be here to offer amendments, if they have any, to this legislation.

As a reminder, a bipartisan cloture motion was filed on the Amtrak legislation. Members should file all germane amendments by 3:30 today.

MEASURE PLACED ON CALENDAR—S. 2247

Mr. REID. Madam President, I understand that S. 2247 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2247) to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

Mr. REID. Madam President, I object to any further proceedings with respect to this legislation.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that my remarks not count against the time of Senator BOXER or the Republicans.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PASSING THE ENERGY BILL

Mr. REID. Madam President, last night, temperatures fell in many parts of the east coast and, frankly, even the west coast has been getting cold. It was cold in Searchlight. I talked to my brother this morning and he had to start his fire. Searchlight is much colder than Las Vegas. In parts of northern Nevada, it has been very cold.

All over America, and this morning in the DC area, for the first time this year, people had to reach into their closets for scarves, heavier suits, and even coats for the first time this season. In other parts of the country, there have been colder days earlier. In DC, this is the first one we have gotten.

In Las Vegas, even though it still reaches the high 80s during the day this time of year, even now you can feel an overnight chill in the air. There are parts of Nevada that are really cold. We have had freezing weather in Ely and Elko already this year.

As the temperature falls all over the country, we begin to think about the cost of heating our homes for the winter. That cost has risen steadily during the 7 years of the Bush administration, and we have become even more dependent on fossil fuel.

This morning, as our thoughts turned toward the cold months ahead, the price of oil rose to an all-time record of $93 a barrel. If we don't turn the tide by

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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reducing our dependence on oil and foreign energy sources, every American will be forced to pay more and more to heat our homes and fill our gas tanks.

I went over to my office in the Hart building today. I don't get over there as much as I would like, but I went around and talked to everybody. I have a wonderful employee who has been with me for many years. Her name is Carrie. She lives in Mechanicsville, MD. When the rain hit, it took her 3 hours to get to work and 2½ hours to get home. On a normal day, it takes an hour and a half. She sold her vehicle she loved so much, which was a Chevrolet Tahoe. It would cost her $40 every 2 days for gasoline. She bought a smaller car, and her cost for fuel has dropped significantly. Not just Carrie, but everybody in the country is more aware of the cost of energy. Whether it is for their vehicles or whether it is for their homes, the cost of oil is significant.

We are addicted to oil. That is not just me saying that. Even President Bush said it—even though I think he hasn't done anything about it. He acknowledged we are addicted to oil. I have said on the floor time and again, and I will say it again today: Today in America, we will burn 21 million barrels of oil. Tomorrow, we will use the same; the day after, the same. It is not going down, it is going up. We use 21 million barrels of oil a day. That is almost 3 gallons for every man, woman, and child in our country every day. That is enough oil, every day, to fill a swimming pool, or an oil pool, 10 feet deep, the length and width of 200 football fields—every day. How does the Earth have that much oil? But it does.

Day after day, we consume oil at twice the rate of any other industrialized nation. Our consumption only continues to go up. This oil addiction has become a three-pronged crisis: It does threaten our economy, no question about that. Look what it has done to our environment. It is threatening our national security.

A 10-percent increase in oil prices costs an estimated 150,000 Americans jobs and more than $100 billion of American dollars.

Since 2001, oil prices have risen by more than 230 percent. So clearly these impacts are real and harmful to working families.

Those hard-working, hard-earned American dollars are coming out of the pockets of families, and where is it going? Overseas. Last year, Americans sent almost $300 billion to foreign countries to pay for imported oil. I am not stretching the truth to say that many of those dollars went to governments that don't have our foreign policy interests at heart.

Meanwhile, the world's leading scientists have reached a consensus that the global warming crisis is real, grave, and it is growing. The Nobel Peace Prize was offered this year to, of course, Al Gore and the U.N. study group, which shared it with him, dealing with global warming.

Global warming is here. For people to write, as some do—people who are so determined to say there is no global warming, that is a figment of their imagination. It is here. Why? Because of our gluttony for oil.

Earlier this year, the House and Senate both passed a landmark, comprehensive piece of energy legislation to tackle each prong of the energy crisis. If we can finalize this and help lower prices by reducing our dependence upon oil, we would be developing renewable fuel alternatives and punishing price gougers and begin to turn the tide of global warming.

The legislation we passed was bipartisan. It wasn't just a Democratic bill. We had Republican help. I am happy to see the Presiding Officer here today because no one in recent years has done more to focus on the problems with energy than the Senator from Washington, Senator CANTWELL. Because of the strength and conviction of the Senator from Washington, who was attacked personally in her last election campaign, because she was on the right side of the issue, it didn't affect her; in fact, it probably helped her.

We have to turn the tide of global warming. Remember, we use 21 million barrels of oil a day. By increasing our CAFE standards by 2020, we can save well over a million barrels a day, and some say even more.

In our legislation, we require an additional savings of 10 million barrels a day, on average, by 2030. We set an ambitious schedule to replace about one-fifth of our petroleum consumption with renewable fuels.

At the Nevada Test Site, where we set off approximately a thousand nuclear devices—most of them underground and a few above ground—you could cover that Nevada Test Site with solar panels today, with today's technology, and supply enough electricity for the whole country. It can be done. It is not being done because we have the utilities which, in most every place in the country, are regulated monopolies. They don't want to do it because it is easier to use fossil fuel. Natural gas is expensive, so now we have a mad rush to coal.

I so appreciate that Kansas and Oklahoma, in the last couple of weeks, said: No coal. This is the area we all need to look to, the States of Kansas and Oklahoma. We should look to them as role models because they have done the right thing.

We also need more cooperation from energy companies. The utilities aren't going to do it. Last year, oil companies brought in almost $120 billion in profits. Yet they are doing nothing to help us. The automobile industry is doing nothing to help us. Certainly, the Bush-Cheney administration—the most energy-dependent administration in history—nobody has been closer to the oil industry than this administration. They both made their fortunes in oil.

Instead, though, lobbyists for the oil, auto, and coal industries are trying their best to weaken our bill or stop its progress. In Nevada, I came out against the coal-fired plants they are pushing there. They are spending millions of dollars in the small State of Nevada to try to show I am wrong by opposing coal-fired plants, saying: We want to build a bridge to alternative energy. Let us build a few coal-fired plants and then we will do it.

That is a lost cause. They are doing that because it is the cheapest way to do it. They could build solar plants, wind, and geothermal for no more than what it cost to build these coal-fired plants. It would be as many construction jobs, but it would be something different. If it hasn't been done before, they don't want to do it. Imagine where we would be today if they agreed to join us in this fight. We know the administration simply had secret meetings and made sweetheart deals with the oil companies, and they refused to let the press know about it. The press went to court, and the court upheld the secrecy of the White House.

The time to stand in the way of progress should be long past. Since we passed the Energy bill on a bipartisan basis, Senate Republicans have stopped us from going to conference. We cannot stop. We need to continue to work with the House to pass a bill, despite these challenges. I hope and believe Democrats and Republicans will find common ground and set a new course that will keep us safe for our economy and protect our planet.

In the Senate, our bill had something the House bill didn't. It raises CAFE standards, a renewable portfolio. It seems we ought to be able to marry the two and agree to the demand of the American people.

Today's record oil prices alone should be enough to convince us we must act quickly to complete the Energy bill and pass it into law.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period for the transaction of morning business for 90 minutes, with Senators permitted to speak therein for up to 10 minutes each, with Senator BOXER controlling the first 60 minutes, and the last 30 minutes under the control of the Republicans.

The Senator from California.

GLOBAL WARMING

Mrs. BOXER. Madam President, I have been waiting to speak to the Senate to place in the RECORD the case that we have to make to take action to ease the impact of unfettered global

warming. I think most Americans know by now—at least those who follow environmental issues—that on our committee, we have Senator INHOFE, who is the former chairman, in a very different place than the current chairman, myself. Senator INHOFE spoke for a couple of hours on this subject last week, and I told him I would come down and put forward my thoughts. I am sure he will want to respond to what I say. That is what the Senate should be. We should be able to debate. I have been looking forward to this debate because, frankly, there are very few isolated and lonely voices who keep on saying we do not have to worry about global warming. Those voices are getting fewer and fewer.

The reality is that a growing and diverse group of voices has recognized the importance of addressing global warming.

Here are a few calls to action. Some might surprise you. For example, President Bush, on September 28, said:

> [Y]ears from now our children are going to look back at the choices we make today, at this deciding moment. . . .

He goes into it and says:

> . . . it will be a moment when we turn the tide against greenhouse gas emissions instead of allowing the problem to grow. . . .

This is President Bush in September.

Again, some of these voices are surprising as we build our case for action in the Senate.

Gov. Charlie Crist, a Republican Governor from Florida, said:

> We're all on the same planet. We need to work together to make sure the environment is an issue at the forefront. It shouldn't be a political issue. It's a global issue. It's not bipartisan. It's nonpartisan.

Certainly, in my own State, Governor Schwarzenegger and the Democrats in the legislature have worked very closely to make sure we move against unfettered global warming.

''Vatican to Become World's First Carbon-Neutral State.'' This is very recent, this year:

> The Vatican is installing solar panels and purchasing greenhouse gas offsets to become the first carbon-neutral sovereign state.

We can see that everyone is working together except for a few. It is unfortunate because in the Senate, a few can stop us from doing our work. We already heard about some of the problems we are having getting the Energy bill through. But I am very optimistic because we have had a bipartisan breakthrough in the Environment and Public Works Committee with Senators WARNER and LIEBERMAN getting together and putting forward a very solid bill which, if it is enacted, will be the most far-reaching global warming bill in the world today.

Earlier this year, the U.S. Climate Action Partnership, known as USCAP, which includes major corporations, joined together with environmental groups to issue a call for action on global warming, calling for reductions of 60 to 80 percent in greenhouse gas emissions by 2050. I thought I would go over some of the members of U.S. Climate Action Partnership because, again, there are just a few voices out there saying we are putting our head in the sand, this isn't a problem. But mainstream America is with the program. Let me tell my colleagues who they are. I am just going to read a few: Alcoa, Boston Scientific Corporation, BP America, Caterpillar, Inc., Chrysler, ConocoPhillips, Deere, Duke Energy, DuPont, Environmental Defense, Ford Motor Company, General Electric, General Motors, Johnson & Johnson, National Wildlife Federation, Natural Resources Defense Council, PepsiCo, Pew Center on Global Climate Change, PG&E Corporation, Shell, Siemens Corporation, Dow Chemical Company, the Nature Conservancy, World Resources Institute, and Xerox corporation.

We can see the diverse members of the American family from corporate America to environmental organizations that have gotten together and have urged us to cap greenhouse gas emissions and cut them. It is very important that we think about the amazing coalition that is out there behind us addressing global warming. When we hear some Senators come down to the floor of the Senate and say this is ridiculous, this isn't an issue, just remember this list of mainstream America urging us forward, urging us to act.

Why should so many industries be calling upon us to enact climate legislation? Because they recognize a couple of points. One, the science is strong, it is irrefutable, and a sound business future for America lies in dealing with climate change. We cannot grow, we cannot move forward if we all of a sudden turn around and our planet is under threat. We cannot have a business looking out 50 years that does not think about this. We have to think about our grandkids and our great-grandkids, and corporate America thinks about the people who are going to come forward to continue the work of that corporation. They recognize the threat, but they also recognize the opportunities.

Let's read from USCAP's call for action. It is very clear:

> We believe that a national mandatory policy on climate change will provide the basis for the United States to assert world leadership in environmental and energy technology innovation, a national characteristic for which the United States has no rival. Such leadership will assure U.S. competitiveness in this century and beyond.

This is a very strong call for action from Republicans, from Democrats, from Independents, from corporate America, from the environmental community, and others that have joined together.

All you have to do, Madam President, is pick up a newspaper, any newspaper—I don't care if it is a Republican editorial board, a Democratic editorial board, or Independent—and you will see an amazing amount of evidence as to global warming and its potential impact. I am going to go through a few recent headlines. I asked my staff—and they do an amazing job for me—to follow the news and let me know what is being written, what the scientists are saying. So I am going to give you just an example of some of these headlines. If we can walk away from this, then it seems to me we are being irresponsible. We have to listen to them.

Early warning signs: ''Greenhouse Gases Fueled 2006 U.S. Heat.'' This is Reuters.

> According to NOAA—

That is the National Oceanic and Atmospheric Administration. That is the Bush administration's NOAA—

> ''the annual average U.S. temperature in 2006 was 2.1 degrees Fahrenheit above the 20th century average and the ninth consecutive year of above-normal U.S. temperatures'' and that this was a result of ''greenhouse gas emissions—not El Nino or other natural phenomena.''

This is our American Government under the President who has been very loath to move on global warming, warning us about these high temperatures.

''Scientists Report Severe Retreat of Arctic Ice.''

> The Cap of floating sea ice on the Arctic Ocean, which retreats under summer's warmth, this year shrank more than one million square miles—or six Californias—below the average minimum area reached in recent decades.

Again, these are scientists from the National Snow and Ice Data Center in Boulder, CO. This is not a matter of opinion; this is fact. They are measuring the ice. I was in Greenland. I saw it myself. Several of us went. It is the most awesome sight to behold, to see these icebergs, the size of a coliseum, bigger than this beautiful Senate floor, taller than this room, floating into the ocean. Each iceberg is an average of 9,000 years old, and they melt within 12 months from the time they get into the ocean. So let's not put our heads in the sand or under the water.

More early warning signs: ''China Blames Climate Change for Extreme Weather.'' This is China. China doesn't really want to move forward. They have been slow to come to the table.

> According to an official from Chinese Meteorological Administration's Department of Forecasting Services and Disaster Mitigation, ''It should be said that one of the reasons for the weather extremes this year has been unusual atmospheric circulation brought about by global warming.''

A lot of people around here say: Let's not do anything until the Chinese come to the table. Now the Chinese are telling us we better watch out for this global warming.

''As Sea Level Rises, Disaster Predicted for Va. Wetlands.'' My colleague, JOHN WARNER, was present at a very important set of hearings where we looked at the impact of global warming on his State. It says:

> At least half, and perhaps as much as 80 percent, of the wetlands would be covered in too much water to survive if sea levels rise 1½ to 2 feet. The analysis was conducted by Wetlands Watch, an environmental group.

Senator WARNER and his colleagues from the DC area all came to that hearing and were very concerned.

''From Greenland to Antarctica, the world is losing its ice faster than anyone thought possible.'' This was in the National Geographic.

Scientists are finding that glaciers and ice sheets are surprisingly touchy. Instead of melting steadily, like an ice cube on a summer day, they are prone to feedbacks, when melting begets more melting and the ice shrinks precipitously.

This is what is happening. You can come down on this floor and you can put a blindfold over your eyes and you can put your hands over your ears and say: I see no problem, I hear no problem. Then you are not really taking in the signs.

''Fires a 'Consequence of Climate Change.''' This is touching my heart because my State has been burning, and all of my colleagues know this and all of them have been most wonderful to us—to Senator FEINSTEIN and to me—about offering help and assistance. In the long run, we need to do something about global warming or we are going to have that horrible combination of drought, low humidity, high temperatures, and terrible winds—weather extremes, Madam President, that you have experienced from time to time. This is what we are going to see.

Greek Prime Minister Costas Kerryman said:

The weather phenomena this year favored, as never before, the outbreak of destructive fires. We are already living with the consequences of climate change.

This gives you an idea. There are some more. ''Climate Change Pollution Rising—Thanks to Overwhelmed Oceans and Plants.''

This is the ''Scientific American.'' We are not taking articles here to show you where there is bias.

The world's oceans and forests are already so full of CO_2 that they are losing their ability to absorb this climate change culprit.

This according to the Proceedings of the National Academy of Sciences.

So, yes, someone is going to come to the floor and say: Oh, look at this great scientist, Mr. ABC, or whatever his name, and he is challenging this. Well, he is challenging the world's leading scientists. And I think it is very important to say there are always people who will say HIV doesn't cause AIDS; there are always people who will say, geez, cigarette smoking doesn't cause cancer; but thank God—thank God—this Government has followed the preponderance of the science and we now are making progress. How sad it would be if America sits on the sidelines while the whole world looks to us for leadership on global warming.

Here is this one.

''The Future Is Drying Up.''

According to Nobel Laureate Steven Chu, diminished supplies of fresh water might prove a far more serious problem than slowly rising seas.

He also remarked:

''The most optimistic climate models for the second half of this century suggest that 30 to 70 percent of the snowpack will disappear.''

No wonder we have people visiting our offices who are already hurting from the recreation industry in this Nation. They see what is happening. They see the handwriting on the wall. We have to act.

Here is this quote:

There's a two-thirds chance there will be a disaster, and that's in the best case scenario.

That is from a prize-winning Nobel laureate. Then this:

''Study Links CO_2 to Demise of Grazing Lands.'' From the Los Angeles Times.

Rising levels of carbon dioxide may be contributing to the conversion of the world's grasslands into a landscape of woody shrubs, much less useful for livestock grazing.

So this has implications for the very way of life we have here in America.

''Parks Face Climate Threat.''

A report shows how climate change could have a huge effect on the Great Smokey Mountains, the Blue Ridge Parkway and other national parks.

This according to a new report by—by whom?—the National Parks Conservation Association.

Folks, this is mainstream thinking. Mainstream thinking. We have to act.

''Likely Spread of Deserts to Fertile Land Requires Quick Response, U.N. Report Says,'' New York Times.

Enough fertile land could turn into desert within the next generation to create an ''environmental crisis of global proportions'' based on a new U.N. report. The report warns of large-scale migrations and political instability in parts of Africa and Central Asia. The report recommends national and international action to address global warming.

Another call to action. And here, from the Intergovernmental Panel on Climate Change, which just won the Nobel Peace Prize, along with former Vice President Al Gore:

Projected trends in climate-change-related exposures of importance to human health will increase the number of people suffering from death, disease and injury from heatwaves, floods, storms, fires, and droughts.

So to come down here and talk about the polar bear and say the polar bear is fine—A, the polar bear is not fine, and we will talk about it; but this isn't about the polar bear. This is about God's creation that is in jeopardy. We had testimony from scientists that 40 percent of the species that were created are going to be gone. Now, it is our turn to do our part. That is why I have been working so closely with the religious community, the evangelical community. They are concerned about God's creation, and we ought to be. We talk a good game about it. We talk about values. We talk about it, so let us do something to show we are willing to protect this gift from God we have been given.

''Why Frogs Are Dying.''

Climate change is no longer merely a matter of numbers from a computer model. With startling swiftness, it is reordering the natural world.

Newsweek. That is a Newsweek article.

We need scientific facts, not science fiction. In the past, we have had science fiction writers come and testify before our committee. Those days are over.

''Global Warming May Be Behind Increases in Insects and Disease-Carrying Animals,'' Newsday.

Rising global temperatures may be helping to spark a population boom in insects and disease-carrying animals, creating unexpected threats to human populations, a number of scientific reports say.

That is not a pretty future for my new grandson, to think about being exposed to all these vectors that have not attacked us, but this is what lies in our future if we do nothing.

''WHO—the World Health Organization—77,000 People Die Annually in Asia-Pacific Region From Climate Change.'' ''Pollution Cutting Life Expectancy in Europe.'' This was in USA Today.

According to a Report by the European Environment Agency: ''Poor air and water quality, and environmental changes blamed on global warming, have cut Europeans' life expectancy by nearly a year, Europe's environmental agency warned.''

Well, Europe is moving forward. To be honest with you, the bills they are looking at in Europe don't quite match the bill we are looking at in the EPW Committee. That is why I am so proud of the work Senator LIEBERMAN and Senator WARNER have done, and we are only making this bill better.

''Report Calls on Europe to Move on Global Warming.''

The European Commission report warns that unless there is planning, European countries will face ''increasingly frequent crises and disasters which will prove much more costly and also threaten Europe's social and economic systems and its security.''

The point is, when you invest now, you save $5 later. That is a fact. We know that from Sir Nicholas Stern, who headed the World Bank.

Now, how about national security? One of the reasons I got so concerned about this is when I learned what our own Pentagon and our own intelligence people are saying to us. And what are they saying to us?

A report commissioned by the Department of Defense in 2003 found that the impacts of global warming would cause the U.S. to ''find itself in a world where Europe will be struggling internally, with large numbers of refugees washing up on its shores and Asia in serious crisis over food and water. Disruptions and conflict will be endemic features of life.''

And, of course, our Pentagon and our Department of Defense are very concerned about that happening with our allies in Europe.

''Warming Will Exacerbate Global Water Conflicts.''

According to many studies, including the IPCC, changing weather patterns will leave millions of people without dependable supplies of water for drinking, irrigation, and power.

Now, the reason I took so much time and made all these charts—because it did take a while to get them done—is

to show the breadth and the depth of the concern in this country, in the world, to make the point that there is a huge movement in this country and in the world to address global warming. We are not going to listen to those who have their heads in the sand or, frankly, have decided they want to leave this for another generation. That would be irresponsible. I know you, Madam President, and I share a conviction that this is our job. This information has been given to us on our watch, and we intend to stand up to the challenge.

When Senator INHOFE came on the floor, he made a number of statements which were not true, and I am going to deal with a couple of them. He used an MIT report in a misleading fashion. Senator INHOFE has frequently claimed an MIT report shows the Boxer and Lieberman bills would lead to a $4,500 tax on a family of four. But the author of the MIT report, John Reilly, said:

Senator INHOFE misread his findings. Rather than impose a tax of $4,500 as Inhofe described it, he said, the study shows the regulation could generate a substantial amount of Federal revenue for the government to give back to Americans. A family of four, Reilly said, could earn an additional $4,500 if the United States adopted a carbon tax or auctioned off carbon credits.

So let us not misquote authors around here, because that is not the right thing to do for them nor is it the right thing to do to mislead our colleagues.

I mentioned the polar bears before, and many of us have been touched to see the polar bears clinging to smaller and smaller pieces of ice in order to survive. Senator INHOFE has claimed—and he claimed it on the floor—that the polar bear populations are increasing.

The best-studied population, in Canada's western Hudson Bay, fell by 22 percent from 1,194 animals in 1987 to 935 in 2004, according to—who—the U.S. Fish and Wildlife Service.

Our own people are telling us that the polar bear is in trouble.

The World Conservation Union projects that the bears' numbers will drop by 30 percent by 2050 due to continued loss of Arctic sea ice.

I think it is important that we talk about facts. Science must dictate what we do, not ideological arguments that don't have any weight behind them. The leading scientists of the world, including the Intergovernmental Panel on Climate Change, which I earlier mentioned, and which won the Nobel prize along with Vice President Gore, and the IPCC included hundreds of scientists, the best scientists from 130 nations—they tell us clearly that global warming is happening now and human activities are the cause. I believe we can meet this challenge, with hope, not fear. I believe when we meet this challenge, we will be stronger as a nation and we will be healthier as a nation.

And, by the way, we will create a whole new array of green-dollar jobs. My own State, a leader in the environment, has proven the point that when you step out and you address the needs of the environment, what comes with it are only good things—prosperity, job creation, and healthier families. We are doing it in our State with global warming and, by the way, many other States are following. If we did nothing, it would be a shame. It would be a shame if the America we love so much stood by and said: Well, gee, let a few States go off on their own.

This is a seminal issue, and we need to do something about it, because doing nothing is not an option we can afford. The potential consequences will be devastating for our families in the future and for the world.

We are seeing the early warning signs. People can come down to this floor and say whatever they want. We have seen melting of snow, we have seen melting of permafrost, increased temperatures, warming of lakes, rivers, oceans, changing in the seasons, shifts in the ranges of plant and animal species, rising sea levels.

In the future, we can expect to see more extreme weather events, more severe heatwaves, droughts and flooding, increased storm surges and, sadly, an increased incidence of wildfires. We will see extinction of species, we will see freshwater resources at risk. By 2020, between 75 million and 250 million people will be exposed to increased water stress due to climate change in Africa.

In Asia there will be problems. Warming in the western mountains of America is projected to cause decreased snowpack and reduced summer flows, resulting in even greater competition for already overallocated water resources.

I mentioned this figure before—we did hold 20 hearings on global warming. At one of them, we had scientists who were experts on wildlife. I remember sitting there, being so saddened to hear that if we do nothing, 40 percent of God's species on planet Earth could face extinction.

Now we hear our oceans are at risk as well. The British Royal Society projects that progressive acidification of oceans due to increasing carbon dioxide is expected to have terrible impacts on marine life, such as corals and their dependent species. You have heard of coral bleaching. It is cause by increased water temperatures as well as the oceans becoming acidic from storing excess carbon. The water becomes so acidic some marine life, such as shellfish and coral reefs, can no longer form their shell, as it dissolves in the acidic water.

The IPCC found that pests, diseases, and fire are having terrible impacts on forests, with an extended period of high fire risk and large increases in areas burned. Again, I wish to use this moment to thank the firefighters in my State, all of them—local, State, Federal—working seamlessly together. We have the most extraordinary heroic firefighters in California, as we do all over this country. Their jobs are becoming more and more dangerous as these fires are so strong and are fueled by droughts, high temperatures, low humidity, and high winds.

I mentioned before that in July, I was in Greenland. I was there with 10 Senators and Dr. Richard Alley, an expert on ice from Penn State, who accompanied us on the trip. It was amazing to see this whole situation with him at my side. What I learned from him is Greenland's ice is melting faster than anyone thought. In some places, the glacier ice is moving so quickly, if you stand there you can actually observe it moving.

In the past year, new islands were discovered that were previously connected to the main mass of ice. The Greenland ice sheet holds enough ice to raise sea levels globally by 23 feet. Think about 23 feet. Sea level increases of only a few feet will cause major disruptions.

I wish to talk about public health. Public health officials have issued a call to action. We had a hearing the other day and we heard from the Director of the Centers for Disease Control and Prevention. Unfortunately, her testimony was heavily edited by the White House. I am working very hard, with other colleagues, to get her original draft. Let me tell you, we are not going to rest until we get that. But the fact is the public has a right to know everything about global warming and the threat it poses to their families and to their communities.

At the same hearing where we heard from Dr. Gerberding, the Commissioner of the Tennessee Department of Health presented the committee with a position statement from the Association of State and Territorial Health Officials on Climate Change and Public Health. Their statement was adopted unanimously.

Yes, if a Senator wants to come down here and condemn all the public health officials in the country and claim they get some benefit out of this, let the Senator do it. The fact is, they have said they support the latest findings of the U.N., and they recognize that climate change has far-reaching implications for public health.

According to the IPCC, climate change has already altered the distribution of some infectious disease vectors and the seasonal distribution of some allergenic pollen and increased heat wave-related deaths.

We are already seeing and we are already feeling the difference. If trends continue, we could see increased malnutrition and related disorders, including those related to child growth and development. We will see increases in the number of people suffering from disease, injury, death because of heat waves and because of droughts and fires and all the things we mentioned.

The World Health Organization has estimated that human-induced changes in the Earth's climate lead to at least 5 million cases of illness and more than 150,000 deaths every year already.

We saw the European heat wave which caused countless numbers of illnesses and claimed 35,000 lives. That is accurate—35,000 lives were lost.

You can come down to this floor and you can say everything is beautiful, but you are not in touch with reality.

We are beginning to see right here in America what happens when the water warms. The Associated Press reported on September 27 that a 14-year-old boy died from an infection caused by an amoeba after swimming in Lake Havasu. According to a CDC official, these amebas thrive in warm water and as water temperatures continue to rise, we can expect to see more cases of these amoeba infections.

We are going to see an increase of ground-level ozone or smog because that is formed at higher temperatures. We know smog damages lungs and can cause asthma in our kids. We already have asthma as the leading cause of school absences in my State. I cannot speak for other States, but we have major problems with dangerous smog days.

We know about wildlife. We know, as I said, that 40 percent of the species are at risk of extinction if we do nothing to reduce global warming. The U.S. Fish and Wildlife Service concluded that shrinking sea ice is the primary cause for the decline in polar bear populations. Senator INHOFE comes down and says the polar bears are doing great: Wrong. False information. Listen to your own administration's U.S. Fish and Wildlife Service. The shrinking sea ice is the primary cause for the decline in polar bear populations.

Guess what. This administration—because it was threatened by a lawsuit—proposed listing the polar bear as threatened under the Endangered Species Act. So come down here and show pictures of those magnificent polar bears, saying everything is fine—that is wrong. It is wrong by every measure, by every scientific account, by our own U.S. Fish and Wildlife Service.

Global warming is a national security issue, as I mentioned before. People are telling me this current humanitarian catastrophe in Darfur is already linked to the extended drought in the region. The Secretary General of the United Nations said the Darfur conflict began as an ecological crisis, arising at least in part from climate change. This is happening right under our nose. The Senate and the House have been asleep at the wheel—until recently.

A report commissioned by the Department of Defense found the impacts of global warming would cause the United States to ''find itself in a world where Europe would be struggling. . . .'' Projected global warming ''poses a serious threat to America's national security'' and ''acts as a threat multiplier for instability. . . .'' This is all from retired admirals and generals. This is not from BARBARA BOXER. This isn't from Al Gore. This isn't from MARIA CANTWELL. This isn't from Senator WARNER. It isn't from Senator LIEBERMAN. This is from our own retired admirals and generals: Projected global warming poses a serious threat to America's national security.

The United States, they said, could more frequently be drawn into situations of conflict ''to help provide stability before conditions worsen and are exploited by extremists.'' Such missions could be long and require the United States to remain for ''stability and reconstruction efforts . . . to avert further disaster.''

That report also warns of ''extreme weather events, drought, flooding, sea level rise, retreating glaciers, habitat shifts . . . the increased spread of life-threatening diseases'' and increased scarcity of clean water that could ''result in multiple chronic conditions'' and ''foster the conditions for internal conflicts, extremism, and movement toward increased authoritarianism and radical ideologies.''

I have never seen an issue such as this, where we have such a unanimous call for action, a unanimous call for action—from the business community, from environmental organizations, from admirals and generals, from the Department of Defense, from the Wildlife Service—from all over the world. As yet we are nowhere, but we hope to change that.

What are our States and our local governments saying? They are taking action.

I have had the pleasure of having Mayor Gregg Nickels of Seattle before the Committee. He started the Mayors' Climate Protection Agreement in 2005. To date, mayors from nearly 700 cities across America, representing 75 million Americans, have pledged to reduce their greenhouse gas emissions.

So come down to the floor and say what you want. But 75 million Americans are already acting. Come to the floor, say what you want, but the world is passing you by if you close your ears, cover your eyes, and convince yourself that you know more than the scientists of the world know.

California is the sixth largest economy of the world. I am so proud to represent California—37 million people and a spirit of entrepreneurship, a spirit of neighbor helping neighbor. It is an incredible place.

California has set the gold standard with its landmark global warming program, Republican Governor Schwarzenegger and a Democratic legislature setting us on a clear path toward 80 percent cuts by 2050.

You know, what is important about the California experience is look at what we have already done on per-capita energy use. I am so honored that you are in the chair, Madam President, because of your expertise on energy.

We have kept our per-capita energy use steady for more than 30 years, while per-capita energy consumption in the rest of the Nation has doubled. If the whole country could have been as efficient as California, we would have saved an amount of energy equivalent to all the oil we import from the Middle East each year. Can you imagine that? So when people fight against doing something about global warming, I say: If you look at the low-hanging fruit, which is energy efficiency, and look at what my State has done and now other States are doing, we can get halfway there without one sacrifice.

I don't think anyone has ever said that Californians do not lead a very happy, pleasant life. I don't think anyone looks at Californians: Oh, those poor people, they are so unhappy because they are energy efficient.

On the contrary, we have a booming economy and we have people who are feeling good about themselves because of the contribution they have made. It does not take much to get a refrigerator that is more efficient or get a car that gets better mileage or get an air-conditioner that cuts your energy use in half. I have done it. I have done these things. I am saving money. I am driving my Prius, and I am waving to the gas station because I don't have to go in very often to fill up my car.

People all over this country are already so far ahead of where we are. If you want to come down to the floor, if you want to take issue with 75 million Americans, be my guest. But you are not being honest with the facts. The facts are clear.

Twenty-nine States have completed climate action plans and a number of States have established mandatory reduction targets, again including my home State. Last week, Gov. Kathleen Sibelius of Kansas wrote an open letter to the people of her State, expressing her support for clean energy. What is happening in Kansas? Good things. The State's environment secretary rejected applications to build two new coal-fired powerplants. They want cleaner energy. They want clean energy. They see they are going to move in that direction. The Governor of Kansas understands what we are facing. If you want to come down on the floor and tell her she is wrong, be my guest. It is a free country. But you know what? You are not going to change her mind and you are not going to change the minds in so many States that are moving so far past us it makes your head spin.

Addressing global warming has major benefits. I have given you the truth about the dangers of global warming because a lot of people walk away. I wanted you to hear the truth about the dangers of global warming. Now I want to tell you what gives me hope. When we step up to the plate, we are going to benefit. We cannot only prevent the most dangerous effects of climate change, but we are going to be better off for it. I already mentioned Sir Nicholas Stern, former chief economist of the World Bank. He said: Spend a dollar now, save $5 later. So people are going to come on the floor and they are going to say: Oh my God, they are spending money on this.

No, we are going to save money, because if we can avert the worst problems of global warming—you can't

build a flood protection tall enough unless we do something now. Do you know what it costs to build that flood protection? We know because we passed the Water Resources Protection Act and we kept our promises to the people of New Orleans and the others from Katrina and Rita who suffered so much.

To take a little segue, the President is threatening to veto that bill. Now, that is one where Senator INHOFE and I are exactly together. We cannot walk away from building an infrastructure, but the point is, building an infrastructure to protect against the type of floods that could come if we do not act is going to be so much more expensive than investing the dollars now. And that is the point.

Since 1990, Britain has reduced its greenhouse gas emissions by 15 percent. Guess what. Britain's economy has grown 40 percent. So people can come down to this floor and say: Oh, it is going to wreck our economy. Wrong again. It did not happen in California; it did not happen in Britain.

Britain's environmental industries are the fastest growing sector of the country's economy. I was just there a couple of months ago. They are so excited. Their environmental jobs grew to 500,000 from 135,000 in just the last 5 years.

There is a study at UC Berkeley, University of California, Berkeley. They say that the State product in California, the gross State product, by 2020 will be up by as much as $74 billion, with 89,000 new jobs created because of our work on global warming and our laws.

I have been to Silicon Valley. You are familiar with the entrepreneurial spirit there. They are just waiting to make the kind of investments necessary, but they need to have a clue as to what we are going to do. If we walk away from a cap-and-trade system, which will put a market price on carbon, they are not going to make those investments.

The entrepreneurs in Silicon Valley are on the cutting edge. New companies are starting every day to respond to the growing demand for clean energy and more efficient vehicles and other technologies.

Sun Microsystems is already reaping the benefits of greater efficiency. I just went to visit Sun Microsystems. They made some simple changes in the way they cool their computer servers. They have been able to cut their electrical consumption in half. I will tell you, simple things can save so much energy. Simple things can cut down on global warming.

Tesla Motors, I would urge all of you to follow that company. They are producing an all-electric car with performance that rivals or even exceeds the world's best sports cars. It is exciting. It is in production. It is all electric.

Ms. CANTWELL. Will the Senator yield?

Mrs. BOXER. I will yield to the Senator from Washington.

Ms. CANTWELL. First, I compliment the Senator for her very articulate understanding of the impact of greenhouse gases and where our country needs to go. So thank you for your leadership. We are so happy that you are chairing that committee and showing the fortitude to make sure this legislation starts moving through the Senate.

You mentioned California's experience. I wonder if you would just elaborate on that one more time because I think the point may have been—it sounds so simple but yet so complex. California's savings is what we are trying to do in the Energy bill. Here we have a 20-percent reduction of fuel consumption and a 20-percent reduction of greenhouse gases. That is why we need to pass the Energy bill. But you are talking about California's efficiency, and the efficiency that it achieved was monumental and significant. If you would, emphasize or explain how it is that we should be doing the same thing in the Senate in moving forward on efficiency.

Mrs. BOXER. I thank my dear friend, such a great leader on energy reform, for taking to the floor. I want to say to you, Senator CANTWELL, in California we have kept our per capita energy use steady. In other words, each person's energy use over time has stayed steady for more than 30 years, while the per capita energy use in the rest of the Nation doubled.

Now, we have done it in ways that were very comfortable for people. You know, you look at the energy for appliances, you look at building codes, you look at all the things that we have done, simple things, things you are trying to do in the Energy bill.

Ms. CANTWELL. Madam Chair, did that cost California jobs?

Mrs. BOXER. It created jobs. We have been a leader in jobs. We are very prosperous. We believe our landmark legislation on global warming, the studies show, will create thousands and tens of thousands of green-collar jobs.

I think the point I would like to emphasize, and I know my friend from Missouri will be amazed at this, if every other State were just to emulate that, had emulated that, and we all did this as a national goal, not just one State's goal, we would have saved an amount of energy equivalent to all of the oil we import from the Middle East each year.

That is the amount of savings from the simple things that we can do, some of the things that my friend is trying so hard to get done in the Energy bill.

The fact is, when I look at the whole issue of global warming as a good news/bad news story, the bad news is we really have not tackled it here. The good news is there is so much we can do, so easily, with such benefits.

Certainly, energy efficiency is one.

Ms. CANTWELL. Madam Chair, I thank the Senator from California for answering that question and again for her great leadership on trying to push forward global warming and climate impact legislation in the Senate.

We do have to move forward. Her resiliency in saying the committee will address it, the committee will mark up legislation is the next step in what we need to do in following through. I applaud her for her dedication and for answering that question.

At $90 a barrel for oil, I certainly wish the rest of the Nation would have followed what California has done in that consumption reduction because it would have helped all of us on today's oil prices.

Mrs. BOXER. Madam President, how much time do I have remaining?

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator has 9 minutes remaining.

Mrs. BOXER. Thank you very much. I would just say that the California story is a good news story. California is trying to do more. They have asked the Bush administration for a waiver to move forward in the transportation sector. That waiver has not been forthcoming.

California has gotten 50 waivers in the past. For some reason now there has been a very slow-walking act that has gone along with this request for a waiver. I am hoping that our committee is going to invite many of the Governors of the various States to the Capitol to talk about why it is so key for the Bush administration to grant the waiver.

When I started to talk about what is happening now with the entrepreneurial spirit in my State, I talked about Sun Microsystems reaping the benefits of energy efficiency to their plant.

First of all, they were able to consolidate the space that houses all of their computers, which was a big help. Secondly, just by moving forward with a new way to cool their computers, cool their computers in a low-energy way, they cut their energy bills in half.

I talked about Tesla Motors producing an all-electric car. It is a beautiful car. They are not marketing it as a way to fight global warming. They are marketing it as a beautiful car, one of the fastest cars in the world.

Tesla Motors, I hope you will go and take a look. Their first model is going to be very expensive, we know that. But their next models are going to be half the price. And they hope in the future to get to the $30,000 range. Now, what we are talking about is clean automobiles, zero emissions of greenhouse gases.

There is another company, Bloom Energy, in San Jose. They are creating the next generation of fuel cell electrical generation systems. I visited there and the scientists were explaining how all of this works. I can tell you this technology has the potential to revolutionize the way that electricity is generated. It holds the potential to bring clean electricity to parts of the world that have no electricity now.

So what are the benefits, the benefits of new technology? New jobs, cleaner

air as we reduce the pollution that causes global warming, by increasing our use of clean, renewable energy sources such as wind and solar, driving more efficiently, less polluting cars and trucks, and increasing efficiency. We will reduce other forms of air population too: sulphur dioxide, nitrogen oxides, mercury.

These are issues about which Senators CARPER and ALEXANDER are very concerned. They sit on the Environment and Public Works Committee. With this bill we will see that those pollutants will be reduced as we cut global warming pollution. And that means cleaner, healthier air for us all to breathe.

Now, the IPCC also concluded that household benefits from reduced air pollution as a result of action to reduce greenhouse gas emissions can be substantial. So when I say: I meet this crisis with hope, not fear, I mean it. I think it is going to create jobs. I think it is going to make our communities healthier. I think it is going to make our air healthier. I think it is going to reduce our dependance on foreign countries to supply oil, which is now up to $90 a barrel.

We know oil is a critical strategic interest of America. Our reliance on oil-rich rogue states and unstable regimes has been at the heart of wars and interventions in the Middle East. As we develop these clean, renewable sources of energy, which is all going to be done by the private sector, my venture capitalists at home cannot wait to make these investments, but they will not make them unless we take the lead on a strong anti-global-warming bill.

Now, world leadership, the United States has always been the world leader on environmental protection. The core environmental laws that we created and enacted, most of them through the committee on which I am so proud to be a part of, the Clean Water Act, the Clean Air Act, Safe Drinking Water Act, National Environmental Policy Act, and others, have been models for environmental policy around the globe. The global warming legislation we pass will take its place alongside those landmark laws. It is time for us to step up and set the pace.

Now, again, our States are doing it. I want our States to continue. I really do. But I really do believe this is an issue that belongs in the Senate. By leading now, we can ensure that the solutions to global warming are designed in ways that are good for America, good for our businesses, good for our consumers, good for our kids. We have the technology and know-how to export. Now is the time to move forward.

Well, I have been working very closely with Senators WARNER and LIEBERMAN as they have assembled their bill. I was so impressed with the effort they have invested in seeking out the views of Senators and other groups, environmental organizations, business organizations.

They have looked at all the other global warming bills that have been proposed: the Sanders-Boxer bill, the Kerry-Snowe bill. They have looked at the Lieberman-McCain bill and the Bingaman bill. I think those are all of them. There has been a broad range of views that they have reconciled in the process. I have laid out some important principles that I believe must be reflected in the legislation. Any bill has to have the emission reductions that will avoid dangerous climate change. It must be flexible to have look-back, to make sure we are on course. We need an emissions trading program so there is a price put on carbon by the private sector. We must protect the pioneering State efforts that are already underway. We need to ensure that other countries are stepping up and doing what they have to do. There are ways to enforce that, frankly, because a lot of folks want to trade with us. If they want to come in and trade with us, they better make sure they are not adding to this problem.

Natural resources and wildlife concerns must be addressed. We must support American workers in their transition as we move to a greener economy and see, again, as they have in Great Britain, how many jobs would be created.

I also want to express the moral imperative that was really brought to me by the religious community. The most vulnerable here and around the world have to be protected. I know we have colleagues who continue to say we have to do it, and they are absolutely right.

There is no time to waste because the longer we wait, the harder it will be to achieve the goals we have to achieve—before we find we are spending a fortune on flood control and we are spending a fortune to try to mitigate the terrible ravages that global warming will bring.

The point is, with good legislation we have these lookbacks. If we are on target, fine. If we are doing too much, we have a way to back off. If we are not doing enough, we could do more. That is the beauty of the Lieberman-Warner bill.

I believe there is unprecedented momentum for change. Yes, you are going to have a few voices come down here and say this is ridiculous, this does not make any sense. That is fine. That is their right. But, again, in every great issues debate, you always have a few people who stand outside the mainstream, and I respect that. I absolutely give the folks who have that point of view all the time they want to express themselves.

But the bill Senators Warner and Lieberman have crafted can set us on the path to achieving the goal of avoiding dangerous climate change. It is a bipartisan, mainstream breakthrough, and I am committed to further strengthening this legislation as we move forward because the legislation establishes a framework on which we can build. It embodies key concepts—such as cap and trade and lookbacks and it draws on the other strong global warming bills that have been proposed. It gets us started. Time is short.

Now, there are a few who will say we should not do anything.

Madam President, I ask unanimous consent for 60 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. BOXER. I thank my friends for yielding me that 60 seconds because what I want to do is wrap up.

Some will say: This is not an urgent problem. Do nothing.

Others will say: Do nothing until you go to the extreme, until you go to the 90-percent cut. Let's wait for a new President. Let's wait for a new Congress. Let's wait for a new day. Let's wait for the Sun to come out. Let's wait for the rain to fall.

I do not ascribe to either of those extremes.

We have the facts now. We have a good bill now. We have an unprecedented opportunity to send a signal to this country and to the world that we are ready, finally, to move to calm the effects of unfettered global warming. I think we can do it. I think we can be successful at it, and I do approach this with great hope.

Some have tried to argue that we should not act now. These people say we should wait for a new President, a new Congress, another day.

As I say, there is no time to waste. Right now, there is unprecedented momentum for change. We must harness that momentum to pass strong global warming legislation. We have a small window of time to get started down this path. The longer we wait to get started, the harder it will be to achieve the emissions reductions we know we need to reach. Starting now will send a signal to the world and the business community as they make their future plans that the United States is serious about its leadership role.

Some have asked me, Why should we pass legislation now, when the President has said he is opposed to mandatory caps on global warming pollution and a cap-and-trade system?

The President and I agree that technology is the solution. But he still won't accept that it won't happen on its own, not unless the price of carbon is built into the process. We still hope to change his mind, but even if we do not, we must begin the hard work of the legislative process. It takes time, patience, fortitude, and courage. Very few laws are passed the first time around. We must take good legislation as far as we can. It is our job to start down the path.

I have a vision for my 11-year-old grandson and for my new grandson who was born a few months ago.

My vision is that these children and yours will grow up and be able to know the gifts of nature that we saved for them, that they will understand we made the right choice for them—we protected the planet that is their home—that because of our action they

will not be shackled into fighting wars over the last drops of water or oil or remaining acres of arable cropland. They will not have to spend their last treasure building higher flood walls, bigger levees, and fortified cities to escape rising seas and angrier hurricanes.

Their cars will run on clean renewable fuels that do not pollute the air they breathe. The United States will lead in exporting clean technologies and products that are the engine of a new green economy. We will lead the world in showing the way to live well, in a way that respects the Earth.

To make this vision a reality, we must face our challenge in a way that overcomes our differences, and that defies our party affiliations.

Madam President, I yield the floor to my friend, Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Thank you, Madam President. It is my understanding—I would ask for clarification—I am entitled to 30 minutes.

The PRESIDING OFFICER. The Republicans control the remaining 30 minutes of morning business.

Mr. INHOFE. Thank you very much.

GLOBAL WARMING

Mr. INHOFE. Madam President, let me, first of all, say it would be very difficult to, in only 30 minutes, refute everything that was just said. Interestingly enough, I was honored to have about 2 hours 10 minutes on the floor last Friday to tell the truth about this subject of global warming. I have had a chance to do that. I have very carefully written down all the points that were made by my good friend from California, and I am going to try to get through these as quickly as I can within that 30-minute period of time.

First of all, on the wildfires in California—this is interesting because everything that is out there that is distasteful is blamed on global warming. People say: Oh, it must be true; that is what I read in the newspapers.

I believed, 4½ years ago, it was true. We all know that the Northern Hemisphere has been going through a period—up until about 7 years ago—where it was warming. That has stopped. But it was true at that time. So I assumed it had something to do with manmade gases until we started looking at it and realizing the science just isn't there.

On wildfires out in California, just real quickly, it is interesting, the Los Angeles Times headline was ''Global warming not a factor in wildfires.'' An excerpt from the article reads: Are the massive fires burning across southern California a product of global warming? They say no. Scientists—almost unanimously—say that has nothing to do with it.

In fact, it is kind of interesting; it is reported: The Santa Ana winds, which typically have gusts of up to 45 miles per hour, were recorded at more than 80 miles per hour several times this week—strong but inside the range of normal variability.

Meteorologist Joseph D'Aleo said this past Friday:

> The unfortunate fires can be explained very nicely by natural factors.

Environmentalists would not allow brush clearing. He goes on to talk about the prohibition against clearing up accumulated brush from the areas surrounding housing developments that was instituted at the insistence of the Sierra Club and other environmental organizations.

Climatologist Patrick Michaels debunks the wildfire-global warming link. Do not blame this on global warming. There is no trend whatsoever in the frequency of heavy-rainfall years and so forth. He goes on and on. So that just flat is not true.

Now, the Senator from California has claimed, on several occasions, it would be cheaper in the long run to immediately enact regulatory policies aimed at controlling the Earth's global temperatures. The claim is clearly wrong. Of the half dozen major bills introduced in the Senate, all will harm the economy, yet none will put a dent in global warming, even if the worst fears were well founded.

Earlier this month, the Environmental Protection Agency concluded that over the long run each bill before Congress, including those that would reduce U.S. emissions by 70 percent—70 percent—would only reduce global concentration of greenhouse gases by 4 percent—just 4 percent.

Here is something that is interesting. When former Vice President Al Gore was in office, he went to Tom Wigley, who at that time was a very renowned scientist and one of his top advisers. He said: What would happen if all developed nations—not the developing nations such as China and other countries where they do not have any control over what can be done there, but if developed nations all signed on to the Kyoto treaty and lived by their emissions, how much would it reduce the Earth's temperature in 50 years? The result was 0.07 degrees Celsius. Now, that is if everybody did this and inflicted all the damage.

In June of this year, China—this is something which is kind of interesting; they try to blame America and our emissions on greenhouse gases—they were projecting we would be the No. 1 greenhouse gas emitter by 2040. We were shocked to find out that just recently China already passed us. So they are increasing their emissions of greenhouse gases at a real rapid rate. As a matter of fact, we went through the 15 years prior to 2005 by having no new coal-fired generating plants. China is now cranking out one every 3 days. This is kind of interesting because as we lose jobs to China, because we do not have the energy here, they are going to be using technologies that are not nearly as ecologically refined as ours. So it is going to end up having the effect of even more and more greenhouse gases.

Now, when Time magazine named the Model T Ford the 20th century's worst environmental product because it brought mobility and prosperity, it was clear that common sense has been turned on its head in this country. Almost a century ago, when the first Model T was rolling off the assembly line, the average American could expect a lifespan of 53 years and an inflation-adjusted income of only $5,300 a year. Now that the automobile is here and we can take people long distances—to hospitals and that type of thing—we are now looking at an average lifespan at 78 years as opposed to 53 years and an annual income, adjusted for inflation, of $32,000. Yet, despite this, some are still making the claim it will not be all that harmful to the economy to take drastic action in trying to do something about this. They keep insisting that China and other countries will mimic us. I think it is pretty reasonable that when China's Deputy Director General for Environmental Affairs makes such uncompromising, clear statements of China's policies to pursue an economic growth agenda first and foremost, we would be wise to take him at his word.

Adopting these policies will only cost the country trillions of dollars over time on the naive belief that if China sees how serious our country is, it will decide, in the goodness of its heart, to do this. This is just not right. They made it very clear they do not have any interest in doing that at all.

Now, when we talk about the Kyoto protocol—which is the first one that came along—I think it is interesting that of all 15 Western European countries that joined the Kyoto protocol, only 2 out of 15 have lived within the emissions, have emitted the amounts that were acceptable by the protocol. One of those is Great Britain, and right now they are increasing their emissions of greenhouse gases.

The facts above may be what prompted the journal Nature to publish an article declaring that Kyoto is dead and that we need a new approach, one remarkably similar to the Bush approach, and that is the Asian Pacific Partnership Act, which I talked about for quite a while last Friday, which I will not repeat now.

The Senator from California relied on the 2006 Stern report from Britain to bolster her claim. Senator BOXER stated:

> This is a very important moment in time. The cost of doing nothing, according to the leading economist on this topic in the world, Nicholas Stern, is five times what the cost will be to address this issue now.

Now, I do think this is worth spending a little bit of time on because my good friend, the junior Senator from California, spent quite a bit of time on this subject.

What did the experts say about the Stern report?

Economist Richard Tol of Hamburg University, one of the world's leading

environmental economists, tore apart the Stern report on January 26, saying:

If a student of mine were to hand in this report on a Master's thesis . . . [it is] likely I would give him an ''F'' for fail. There is a whole range of very basic economics mistakes that somebody who claims to be a Professor of Economics simply should not make.

Tol said, according to the BBC:

Stern consistently picks the most pessimistic for every choice that one can make. He overestimates through cherry-picking, he double counts particularly the risks and he underestimates what development and adaptation will do to impacts.

Danish statistician Bjorn Lomborg critiqued the Stern report in a November 2, 2006, Wall Street Journal op-ed piece. He said:

The report seems hastily put-together, with many sloppy errors. As an example, the cost of hurricanes in the U.S. is said to be both 0.13 percent of U.S. GDP and 10 times that figure.

Lomborg wrote:

It seems naive to believe that the world's 192 nations can flawlessly implement Mr. Stern's multi-trillion-dollar, century-long policy proposal. Will nobody try to avoid its obligations? Why would China and India even participate?

Particularly when they stated they would not do it.

Roger Pielke, Jr., the director of the University of Colorado's Center for Science and Technology Policy Research, also chided the Stern report for ''cherry picking'' data on October 30, 2006. Pielke wrote:

The Stern Report's selective fishing out of a convenient statement from one of the background papers prepared for our workshop is a classic example of cherry picking a result from a diversity of perspectives, rather than focusing on the consensus of the entire spectrum of experts that participated in our meeting.

Quoting further, he said:

To support its argument the Stern Report further relies on a significantly flawed report from the Association of British Insurers, which we critiqued here. Its presentation of the future costs of disasters and climate change is highly selective to put it mildly.

Australian Paleoclimate scientist Dr. Bob Carter ridiculed the Stern report in a November 3, 2006, article:

The Stern warning could join Paul Ehrlich's ''The Population Bomb'' and the ''Club of Rome's Limits to Growth'' in the pantheon of big banana scares that proved to be unfounded.

It goes on and on in some detail criticizing the report.

Yale University's Sterling Professor of Economics William Nordhaus recently authored a study on the economic effects of climate change titled ''The Challenge of Global Warming: Economic Models and Environmental Policy.'' The study revealed that so-called global warming solutions would cost two or even three times the benefits they would theoretically achieve. Nordhaus was specifically critical of Stern's use of novel methodology, in which he assumes a near zero discount rate which dramatically increases the benefits of addressing global warming.

The New York Times captured the views of mainstream economists in its February 21, 2007, article by David Leonhardt, when he cited Nordhaus's concerns, adding:

This was fairly tame compared with the comments of another Yale economist, Robert O. Mendelsohn. ''I was awestruck,'' he said, comparing Sir Nicholas to ''The Wizard of Oz.'' But ''my job is to be Toto.''

It goes on and on and on.

Even Alan Greenspan talks about spending quite a bit of time on this. He said: There is no effective way to meaningfully reduce emissions without negatively impacting a larger part of the economy.

Now, if you look at the Wharton study—there it is, right there. If you look at this, I hope people understand there is no question that there are scientists who actually believe that man-made gases are a major contributor to climate change. I don't believe—and the scientists I outlined last Friday—one thing is sure and that is the cost to America, should we decide to take one of these steps. Keep in mind, all of this is pushed on us by the United Nations, similar to a lot of other things we have to live with. But if you look at the last four largest tax increases in the last three decades, the most recent one was a $32 billion tax increase in 1993 called the Clinton-Gore tax increase, a $32 billion tax increase. I can remember coming to the floor—it was an increase on all the rates, the rates of individuals, regardless of income range. There were all kinds of increases. Yet as bad as that was, and as we were talking about the huge tax increase—$32 billion—the Wharton School of Economics estimates the Kyoto cost would have been over $300 billion; in other words, ten times the largest tax increase in modern history.

I think people do have to understand that, because there have been all kinds of articles. The op-ed piece in the Financial Post by Wayne Weingarten said that the cost of reducing greenhouse gases through cap-and-trade regulations are not trivial. If implemented, cap-and-trade policies would add significant costs to production and would likely have a severe negative impact on long-term growth and an estimated $10,800 per U.S. family—$10,800.

Recently the MIT study which was referred to, I think, by Senator BOXER, the MIT study analyzed how energy producers would have to spend to buy allowances if they were auctioned, and the cost to energy producers to buy these allowances would be equal to $4,500 per household family. Now, all of these seem to be unanimous in terms of what it would cost, and I think we all understand that.

For fear that I might lose—or run out of time, I am going to real quickly go over some of the things I did last Friday, talking about what has happened in 2007. In August of 2007, a peer-reviewed study published in the ''Geophysical Research Letters'' finds global warming over the last century linked to natural causes. The September peer-reviewed study counters the global warming theory by finding carbon dioxide did not end during the last ice age. In October of 2007, the Danish National Space Study concluded the Sun still appears to be the main forcing agent.

By the way, all the way through this, we have approximately 11 other quotes that I will submit for the record talking about how the scientists have come out and talked about how expensive it was.

The geologist at the University of Pennsylvania, Dr. Giegengack, makes comments. He says:

If we reduced the rate at which we put carbon into the atmosphere, it won't reduce the concentration in the atmosphere; CO_2 is just going to come back out of these reservoirs.

He talked about natural reservoirs, which are oceans, soil, and permafrost.

Going back to Dr. Giegengack, he says:

In terms of global warming's capacity to cause the human species harm, I don't think it makes it into the top 10.

He said that in an interview at the University of Pennsylvania.

Now, again, if we have time, we will come back and expand a little bit on that.

What I have done is written down as quickly as I could the things the junior Senator came out with. She spent a lot of—let's put the polar bear back up there. People wonder why they always keep using polar bears. Everybody loves animals. This was a Time magazine top seller. They had this poor polar bear standing on this last cube of ice out there. It says: ''Be worried. Be Very Worried.'' That is the same publication that in 1975 said another ice age is coming; we are all going to die.

Let's talk about the polar bear. I think this is kind of a classic case of reality versus unproven computer model predictions. The Fish and Wildlife Service estimates that the polar bear population is currently 20,000 to 25,000 bears; whereas, in the 1950s and 1960s, the estimates were 5,000 to 10,000 polar bears. We currently have an estimated four to five times more polar bears than we did 50 years ago.

A 2002 U.S. Geological Survey of wildlife in the Arctic Refuge Coastal Plain noted that polar bear populations may now be near historic highs.

Top biologists such as Canadian biologist Dr. Mitchell Taylor, the director of wildlife research, dismissed these fears about polar bears with evidence-based data on Canada's polar bear populations. He says: Of the 13 populations of polar bears in Canada, 11 are stable or increasing in number.

There is only one that is dropping down, and that is in the western—what was it, the Hudson Bay area. This is the one the junior Senator from California talked about, and that is going down in population, mostly because of the hunting rules that have been established in that area.

The next thing she talked about was computer models. This is interesting because everyone now has debunked

the whole idea that computer models were accurate. Even the New York Times has been forced to acknowledge the overwhelming evidence that the Earth is currently well within natural climate variation. This inconvenient reality means that all the warming doomsayers have to back up their climate fears are unproven computer models predicting future doom. Of course, you can't prove a prediction of the climate in 2100 wrong today, which reduces the models to speculating on what could or might or may happen 50 years from now or 100 years from now.

But prominent U.N. scientists have publicly questioned the reliability of climate models. This is kind of interesting because it is the U.N. that started this whole thing. The IPCC, the scientists, Dr. Jim Renwick, a lead author of the IPCC Fourth Assessment Report—this is the United Nations—publicly admitted that climate models may not be so reliable after all.

He stated in June:

> Half of the variability in the climate system is not predictable, so we don't expect to do terrifically well.

Let me repeat, a U.N. scientist admitted half of the variability in the climate system is not predictable.

Also in June, another high-profile U.N. lead author, Dr. Kevin Trenberth, echoed Renwick's sentiments about climate models by referring to them as nothing more than story lines.

Keep in mind, what we are talking about are the things that all this is based on and the distinguished junior Senator from California spent about 15 minutes of her 1 hour talking about—computer models. They have all been debunked.

Now, as far as Greenland is concerned, this is kind of interesting because, in fact, current temperatures in Greenland—and Greenland has been the poster boy for climate alarmists—the current temperatures are cooler than the temperatures there in the mid 1930s and 1940s, according to multiple peer-reviewed studies. You heard me right. Greenland has cooled since the 1940s, a fact the media and global warming activists conceal. Greenland reached its highest temperatures in 1941, according to a peer-reviewed study published in the June of 2006 issue of the ''Journal of Geophysical Research.'' Keep in mind the 80 percent of manmade CO_2 after these high temperatures.

According to a July 2007 report from the Environment and Public Works Committee on Greenland:

> Research in 2006 found that Greenland has been warming since the 1880s, but since 1955, temperature averages at Greenland stations have been colder than the period between 1881 and 1995. Another 2006 peer-reviewed study concluded the rate of warming in Greenland from 1920 to 1930 was about 50 percent higher than the warming from 1995 to 2005. One 2005 study found Greenland gaining ice in the interior higher elevations and thinning ice at the lower elevations.

So it has gone over and over again, the fact that it is factual, that it has actually been getting cooler in Greenland.

By the way, I think it is also interesting when you talk about global warming, consistently through the last several decades, the Southern Hemisphere has actually been getting cooler. The last time I checked, the Southern Hemisphere was part of the globe.

So I think if we want to talk about some of the changes in terms of the scientists that have been coming along, we could do that. I think one of the well-known—the scientist staff writer, Juliet Eilperin, from the Washington Post conceded that climate skeptics appear to be expanding rather than shrinking.

Geologist Peter Sciaky echoes this growing backlash of leftwing activists about global warming. He describes himself as a ''liberal and a leftist'' and wrote on June 9:

> I do not know a single geologist who believes that global warming is a man-made phenomena.

I think that former Vice President Gore's biggest worry is becoming a reality right now, and that is that all these scientists who were on his side 10 years or so ago are now on the other side saying: Wait a minute, we thought we were right at that time.

The 60 scientists who were advising the Prime Minister of Canada and advised him back in the middle 1990s to sign onto the Kyoto Treaty, after reevaluating, they said:

> If, back in the mid 1990s, we knew what we know today about climate, Kyoto would almost certainly not exist, because we would have concluded it was not necessary.

So you get back to the 60 scientists who advised the Prime Minister at that time to join in the Kyoto Treaty, and right now they have all signed a letter advising Prime Minister Harper not to join on or sign onto any successor of the Kyoto Treaty.

So when we talk about Claude Allegra from France, David Bellamy from the U.K, and Nir Shaviv from Israel, these are people who were on the other side who have come over.

I think that in my 2-plus-hour presentation I made last Friday, I covered most of the things—the objections that were given on the floor by my good friend, Senator BOXER. I see my friend from New Mexico is here. If he would like me to yield the remainder of my time to him, I say to Senator DOMENICI, I would be glad to do so.

Mr. DOMENICI. Senator, how much time is that?

Mr. INHOFE. I don't know.

The PRESIDING OFFICER (Mr. WHITEHOUSE). About 4½ minutes remain.

Mr. DOMENICI. I appreciate that. First, I wish to thank the Senator. I wish to say to the Senate, I talked to Senator LOTT, and I understand that when the 4½ minutes is up, the regular order will be that we return to Amtrak; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. The Senator indicated to me he was next with some amendments, but he would be willing to give me about 5 minutes. Now, we can do it either way. We can say, I would like 5 minutes before—what I have been given here, plus 5 before we go to the bill.

The PRESIDING OFFICER. Does the Senator seek unanimous consent?

Mr. DOMENICI. I ask unanimous consent to that effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. That means I can go up to 9½. I am not sure I will, but who knows. This is a favorite subject, so I might talk all night if you let me.

ENERGY

Mr. DOMENICI. Mr. President, I am here because the distinguished majority leader spoke today, and I wasn't here when he talked about the two Energy bills that are outstanding—maybe it is three. The House has a couple of Energy bills and we have one, and they are languishing, so to speak, because there is no conference, no official conference. The distinguished majority leader used the phrase, saying we ought to marry the two bills. Now, the leader knows I have every bit of respect for him, and I have talked with him about this Energy bill at least 10 times. I have even suggested in writing some ideas about how we might have a conference that is not a conference but accomplishes the same thing. With that, I wish to say right off, Mr. Leader and fellow Senators, these two bills are so different, so different, that they are incompatible.

So you cannot say marry them, because that marriage cannot last. You cannot start it because the bills are diametrically different, with the exception of a few pieces that are not terribly relevant that are the same. What they have, we don't have; what we have, they don't have. You cannot marry them. It is a hard job to work a bill when you don't have a conference.

I will repeat what I have suggested. At least 2 Republican Senators who were part of the big bill—maybe myself from the Energy Committee, and maybe Senator STEVENS from Commerce—have to be part of negotiating every part of the bill or it is going to be very difficult to get 60 votes in the Senate. I cannot make it any clearer. That is what I have told them. I still say that. I don't know where we do it, but maybe we could informally agree to something like that. So don't bring up a big piece of the bill that has been negotiated out between some House Members and Senate Members but you have not worked it with the Senators who put together the basic pieces of the big bill in the Senate.

As a member of the Senate Energy Committee for 30 years, I have learned a lot about what it takes to pass a comprehensive, bipartisan energy bill and get it signed. As chairman in 2005, I shepherded through the Senate the

most comprehensive Energy bill in decades. Over time, when fully implemented, this bill will have a very positive impact across every sector of energy. Strengthening America's energy security doesn't have an overnight solution. It is not something that can be accomplished in 5-second bites. Instead, it requires long vision and courage to make a difficult decision. Both the Senate and the House have passed bills, as I indicated. While the Senate bill takes big, important steps to diversify our fuel sources to increase our energy efficiency and conservation, the House bill does little more than, in a sense, increase the energy cost for America.

The majority leader suggested that we marry these bills, as I indicated. However, this marriage of convenience would be an inconvenient burden. I would call it an incompatibility for those who fill up their gas tanks and heat their homes.

The centerpiece of our Senate efforts on energy is a mandate which would require an increasing portion of our fuel to come from advanced biofuels such as cellulosic ethanol. These newly advanced, clean biofuels will eventually help make America less dependent upon foreign oil. The House Energy bill contains no such provisions and, in fact, takes steps that would reduce our domestic energy supply. This led a former Member of the Senate to write:

> unless Congress includes provisions for increasing supply, this will remain an energy bill without energy.

Again, that was a former Senator. I think people could guess who it is. He is from down South, maybe from Louisiana.

The House repeals numerous provisions of the Energy Policy Act of 2005 that are already increasing domestic energy production. Across the country, applications for drilling permits are on the rise. I know a little bit about it. That is out in my part of the country. I know that sounds wrong, but they are on the rise. Last year, we did produce more oil than we did before because the activities are taking place. We will need to continue this rise to keep up with our Nation's demand for domestic oil and natural gas. Instead of expediting the process of domestic oil and gas production, the House bill slows it down. Instead of decreasing domestic gas and oil exploration and production costs, the House bill increases the costs.

I guess the answer to that is, well, everybody is making too much money, so increase costs. Frankly, we don't generally do that in the United States. That is what we have tried before when we had such strange things as a tax on the rich. We tried an extra tax on oil because it was making too much money. We got in big trouble because it never did work.

The price tag is a $16 billion tax increase on American oil and gas production—on big and small businesses alike. This is a conservative estimate, and I fear one that will increase behind closed doors.

The House bill results in a punitive fee on deep sea production or, in the alternative, a ban on future leasing altogether. That one is an interesting one. People look at that and say it is good, we ought to do it. Incidentally, that is so anti-American, you cannot believe it. I believe it is also unconstitutional as an ex post facto law. But that is not the issue. That is one of the things we are not going to marry up because plenty of Members in the Senate—at least on our side of the aisle—think that because a mistake was made—not made by a Republican President, it was made during the Presidency of our last Democratic President. A mistake was made and the royalty requirements were not included and the bids let. Those people who got those bids and didn't pay any royalties were trying to collect from them after the fact. That is one of their provisions in the House bill and not in ours. You could tell that is in for a heavy fight.

I don't know whether you could pass a bill in the Senate that had the division they have. They say any of those companies in that position, they pay up something they don't owe, but they pay it up anyway or they cannot drill for 20 years. I cannot imagine anything that looks more anti-American, more like a banana republic that takes over oil companies and releases them and nobody knows what is going on. These types of measures will reduce our domestic energy supply, increase our energy cost and, over time, play into the hands of the large state-owned oil companies in unstable regions around the world.

The House-passed Energy bill is a gift to our global competitors in China, Russia, and the Middle East. This is not just an energy issue, it is a national security issue. The more we increase our dependence, the less secure we become. The higher prices we put on energy at home, the greater the costs we place on our strategic competitiveness abroad.

The House Energy bill doesn't end at increasing costs for consumers at the pump. It also targets those of us who use electricity. By requiring States that lack natural resources to meet an unachievable, mandatory, renewable portfolio standard, we increase costs. Those who cannot meet this standard will simply pay a fee. Remember, that was not offered in the Senate. My friend, the chairman of the committee, is for that and he didn't offer it. I speculate that he didn't offer it because it might have made the bill impossible to pass. But it is in the House bill, so it is not so easy to say let's go and marry them. Somebody has to sit down and talk seriously about whether that kind of provision can stand the test of a head count as to whether we can get a bill through the Senate.

If I am needed, I am needed to help get a bill. If I am not needed to get a bill, you can marry anything to anything and bring it to the floor and see what can happen.

I have been a long-time supporter of renewable energy in both the appropriations process and in the Energy Policy Act of 2005. I led efforts to protect an offshore wind project in unfair opposition. The bill I authored provided the largest and most important tax incentives for renewable energy in American history. We don't need to do anything else to help with wind energy. It is growing at the most rapid pace of any of the renewables. As a matter of fact, it is my understanding the orders for turbines for wind energy are so far behind that you have no wait for 2 years. Most of them are being made overseas. You see, it won't do any good—we don't need more States mandated to produce 15 percent of their energy through wind, and they are allowing a 4-percent credit or something. We ought to increase the tax incentive, so it is not going out too quickly.

I support sound, smart policy on increasing our domestic renewable energy supply, but I oppose tax increases on the American energy consumers.

The next 30 years will bring a massive shift in American wealth if we continue to increase our dependence on foreign oil. That is what will happen. Plainly and simply, the Senate bill moves away from this trend. The House bill does not; it accelerates it. I will say that again. The next 30 years will bring a massive shift of American wealth if we continue to increase our dependence. That shift is at an incredible level at this point.

For these reasons, we cannot simply marry these two bills in the dark of the night. Instead, we need a bipartisan conference committee similar to the one we had in 2005. If we cannot get it in any official way, we are going to have to find a way to do it. It cannot be expected that those on the other side of the aisle will meet with certain Republicans and they will change these bills and say now we have married the bills and we can pass them. That will not happen.

This is a difficult bill on the Senate side but a good one. As a matter of fact, I can say the bill that passed the Senate is one of the best bills we have ever passed. It sort of came from three committees, and it is different, but it will certainly, over 10 years, do a lot for our country. But you don't put on top of it a tax—this tax of $16 billion. They tried it here and it was defeated on the Energy bill. But because the House has it, there is talk that we have to marry it up and take their tax provision. Where are you going to get the votes for that? And that is so with other things that are in the House bill and not in ours.

I thank Senator LOTT for being patient. Clearly, we will discuss the issue more and maybe sit down at a table and talk about it among Senators of both parties.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 294, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 294) to reauthorize Amtrak, and for other purposes.

Pending:

Lautenberg (for Carper) amendment No. 3454 (to amendment No. 3452), of a perfecting nature.

Allard amendment No. 3455, to strike the provisions repealing Amtrak's self-sufficiency requirements.

Bond (for DeMint) amendment No. 3467, to require Amtrak to disclose the Federal subsidy of every ticket sold for transportation on Amtrak.

Bond (for DeMint) amendment No. 3468, to increase competition in the American rail system by allowing any qualified rail operator or transportation company to compete for passenger rail service.

Bond (for DeMint) amendment No. 3469, to clarify the level of detail to be included in the modern financial accounting and reporting system required under section 203.

Bond (for DeMint) amendment No. 3470, to require the Performance Improvement Plan to address reaching financial solvency by eliminating routes and services that do not make a profit.

Bond amendment no. 3464, to amend section 24101 of title 49, United States Code, to clarify Amtrak's mission.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, regarding the Amtrak legislation, work was done on Friday and it is being worked on now by our staffs. We had additional amendments that were filed this afternoon and we are going through them.

In the meantime, we have cleared on both sides some nine amendments in a variety of areas. Our staffs have worked together, and we have reviewed these amendments. They look constructive to me. They are from both sides of the aisle—from Senators CRAPO, TESTER, ALLARD, BOND, DEMINT, SANDERS, COBURN, and HUTCHISON. So we will, in a few moments, offer these amendments en bloc for acceptance.

I see that Senator DOMENICI has left the floor. I appreciate his remarks on the energy legislation. As on so many issues, he has been one of our most thoughtful and committed leaders on a variety of subjects. I used to call him our ''No. 1 utility player.'' Wherever you had a complicated substantive issue, if you needed someone to come and talk about it sensibly, whether it was budget issues, energy issues, appropriations, energy plants, nuclear issues, he has been such a great Member for many years. The Senate will truly miss him upon his retirement. Once again, I thought his remarks a few moments ago were extremely thoughtful and pointed out some of what we need to be doing in the energy policy of this country, and the many problems with trying to get to conference.

The biggest problem in getting to conference is that the two bills are almost irreconcilable. In our bill, we had some very strong requirements with regard to fuel efficiency standards. We knocked out the energy taxes, we refused to put in a high percentage of renewables mandates, and we came out with a bill that had in it something worth having, but we still had some problems.

The House had nothing on CAFE standards, the fuel efficiency standards. They went the other direction on renewables, and they went the other direction on taxes.

We have a real mess on our hands. We need a national energy policy, but we need one that, hopefully, will create more energy for our country and not more dependence on foreign oil.

We will continue to see if we can find ways to work together across the aisle and across the Capitol to see what can be done. We need to do something, but I fear we have created such a hodgepodge, we may not be able to reach agreement on how to proceed.

AMENDMENTS NOS. 3475, 3483, 3488, 3485, 3484, 3477, 3476, 3473, 3472, EN BLOC

Mr. LOTT. Mr. President, I have a package of amendments that have been cleared on both sides. On behalf of Senator LAUTENBERG and myself and the leadership on both sides, I ask unanimous consent that the amendments be considered and agreed to en bloc, and the motions to reconsider be laid upon the table en bloc: Coburn amendment No. 3475, DeMint amendment No. 3483, Hutchison amendment No. 3488, Bond amendment No. 3485, DeMint amendment No. 3484, Crapo amendment No. 3477, Allard amendment No. 3476, Sanders amendment No. 3473, and Tester amendment No. 3472.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 3475

(Purpose: To require Amtrak to publish a comprehensive annual financial report that allocates revenues and costs among each of its routes)

On page 14, line 25, strike ''and'' at the end and all that follows through page 15, line 20, and insert the following:

(2) shall implement a modern financial accounting and reporting system; and

(3) shall, not later than 90 days after the end of each fiscal year through fiscal year 2012—

(A) submit to Congress a comprehensive report that allocates all of Amtrak's revenues and costs to each of its routes, each of its lines of business, and each major activity within each route and line of business activity, including—

(i) train operations;

(ii) equipment maintenance;

(iii) food service;

(iv) sleeping cars;

(v) ticketing; and

(vi) reservations;

(B) include the report described in subparagraph (A) in Amtrak's annual report; and

(C) post such report on Amtrak's website.

AMENDMENT NO. 3483

(Purpose: To encourage private sector funding of passenger trains)

On page 58, lines 3 through 5, strike ''its operation of trains funded by the private sector in order to minimize its need for Federal subsidies.'' and insert ''the operation of trains funded by, or in partnership with, private sector operators through competitive contracting to minimize the need for Federal subsidies.''

AMENDMENT NO. 3488

(Purpose: To express the sense of the Senate regarding the need to maintain Amtrak as a national passenger rail system)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE NEED TO MAINTAIN AMTRAK AS A NATIONAL PASSENGER RAIL SYSTEM.

(a) FINDINGS.—The Senate makes the following findings:

(1) In fiscal year 2007, 3,800,000 passengers traveled on Amtrak's long distance trains, an increase of 2.4 percent over fiscal year 2006.

(2) Amtrak long-distance routes generated $376,000,000 in revenue in fiscal year 2007, an increase of 5 percent over fiscal year 2006.

(3) Amtrak operates 15 long-distance trains over 18,500 route miles that serve 39 States and the District of Columbia. These trains provide the only rail passenger service to 23 States.

(4) Amtrak's long-distance trains provide an essential transportation service for many communities and to a significant percentage of the general public.

(5) Many long-distance trains serve small communities with limited or no significant air or bus service, especially in remote or isolated areas in the United States.

(6) As a result of airline deregulation and decisions by national bus carriers to leave many communities, rail transportation may provide the only feasible common carrier transportation option for a growing number of areas.

(7) If long-distance trains were eliminated, 23 States and 243 communities would be left with no intercity passenger rail service and 16 other States would lose some rail service. These trains provide a strong economic benefit for the States and communities that they serve.

(8) Long-distance trains also provide transportation during periods of severe weather or emergencies that stall other modes of transportation.

(9) Amtrak provided the only reliable long-distance transportation following the September 11, 2001 terrorist attacks that grounded air travel.

(10) The majority of passengers on long-distance trains do not travel between the endpoints, but rather between any combination of cities along the route.

(11) Passenger trains provide transportation options, mobility for underserved populations, congestion mitigation, and jobs in the areas they serve.

(12) Passenger rail has a positive impact on the environment compared to other modes of transportation by conserving energy, reducing greenhouse gas emissions, and cutting down on other airborne particulate and toxic emissions.

(13) Amtrak communities that are served use passenger rail and passenger rail stations as a significant source of economic development.

(14) This Act makes meaningful and important reforms to increase the efficiency, profitability and on-time performance of Amtrak's long-distance routes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) long-distance passenger rail is a vital and necessary part of our national transportation system and economy; and

(2) Amtrak should maintain a national passenger rail system, including long-distance routes, that connects the continental United States from coast to coast and from border to border.

AMENDMENT NO. 3485

(Purpose: To provide a mission statement for Amtrak, and for other purposes)

On page 11, between lines 22 and 23, insert the following:

(e) AMTRAK'S MISSION.—

(1) Section 24101 is amended—

(A) by striking ''**purpose**'' in the section heading and inserting ''**mission**'';

(B) by striking subsection (b) and inserting the following:

''(b) MISSION.—

''(1) IN GENERAL.—The mission of Amtrak is to provide efficient and effective intercity passenger rail mobility consisting of high quality service that is trip-time competitive with other intercity travel options and that is consistent with the goals of subsection (d).

''(2) PERFORMANCE MEASUREMENT.—All measurements of Amtrak performance, including decisions on whether, and to what extent, to provide operating subsidies, shall be based on Amtrak's ability to carry out the mission described in paragraph (1).''; and

(C) by redesignating paragraphs (9) through (11) in subsection (c) as paragraphs (10) through (12), respectively, and inserting after paragraph (8) the following:

''(9) provide redundant or complimentary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available;''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 241 is amended by striking the item relating to section 24101 and inserting the following:

''24101. Findings, mission, and goals''.

On page 18, line 7, strike ''and''.

On page 18, strike lines 8 and 9 and insert the following:

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis;

(15) prior fiscal year and projected equipment reliability statistics; and

(16) capital and operating expenditure for anticipated security needs.

AMENDMENT NO. 3484

(Purpose: To include private rail passenger operators on the Next Generation Corridor Equipment Pool Committee)

On page 97, line 13, insert ''host freight railroad companies, passenger railroad equipment manufacturers, and other passenger railroad operators as appropriate,'' after ''Administration,''.

AMENDMENT NO. 3477

(Purpose: To give additional consideration to States with limited Amtrak service when considering new intercity passenger rail routes)

On page 24, line 6, insert ''intercity passenger rail service or by'' after ''served by''.

On page 25, strike lines 10 through 16 and insert the following:

(e) PIONEER ROUTE.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Seattle and Chicago (commonly known as the ''Pioneer Route''), which was operated by Amtrak until 1997, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the Pioneer Route or along segments of such route.

AMENDMENT NO. 3476

(Purpose: To require Amtrak to develop a plan to operate within budgetary limits, including a longterm plan)

On page 56, strike lines 12 through 17 and insert the following:

(1) PLAN REQUIRED.—Section 24101(d) is amended—

(A) by striking ''plan to operate within the funding levels authorized by section 24104 of this chapter, including the budgetary goals for fiscal years 1998 through 2002.'' and inserting ''plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2007, including the budgetary goals for fiscal years 2007 through 2012.''; and

(B) by striking the last sentence and inserting ''Amtrak and its Board of Directors shall adopt a long term plan that minimizes the need for Federal operating subsidies.''.

AMENDMENT NO. 3473

(Purpose: To clarify that the Secretary of Transportation should favor projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment in selecting projects to receive capital investment grants to support intercity passenger rail service)

On page 66, line 10, insert '', including projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment'' before the period.

AMENDMENT NO. 3472

(Purpose: To require Amtrak to conduct a 1-time evaluation of passenger rail service between Chicago and Seattle through Southern Montana)

On page 25, between lines 16 and 17, insert the following:

(f) NORTH COAST HIAWATHA ROUTE.—Not later than 1 year after the date of enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Chicago and Seattle, through Southern Montana (commonly known as the ''North Coast Hiawatha Route''), which was operated by Amtrak until 1979, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the North Coast Hiawatha Route or along segments of such route, provided that such service will not negatively impact existing Amtrak routes.

AMENDMENTS NOS. 3455 AND 3464 WITHDRAWN

Mr. LOTT. Mr. President, I ask unanimous consent that the following pending amendments be withdrawn: amendments Nos. 3455 and 3464.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are withdrawn.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BYRD pertaining to the submission of S. Res. 358 are printed in Today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

Mr. BYRD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, parliamentary inquiry: I wish to speak as in morning business.

The PRESIDING OFFICER. That will take unanimous consent.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

FLORIDA AND THE DNC

Mr. NELSON of Florida. Mr. President, I have come to the Senate floor today to inform colleagues of both parties that there is a monumental legal issue that has arisen between the Democratic National Committee and the voters of the State of Florida, specifically the 4¼ million registered Democrats. The Democratic National Committee, the DNC, has exacted punishment upon Florida Democrats because the State legislature of Florida moved its Presidential primary from March to January 29. Both parties said they would bring about retribution on any one State, other than four privileged States—the Nevada caucus, the Iowa caucus, the New Hampshire primary, and the South Carolina primary—if any other State moved ahead of February 5, earlier than February 5.

The Florida Legislature, in its wisdom last spring—last May, May of this year—decided to make the move to January 29. This is a legislature that is two-thirds Republican. That legislation, setting the date of January 29, was signed into law by Governor Crist, who himself is a Republican.

In the course of deliberation of the legislation, the Democratic leader in the State senate offered an amendment to move the primary later, from January 29, 2008, to February 5, thus to comply with the request and rules of the DNC. That amendment was voted down.

Thus, a duly called election, pursuant to State law, is, in fact, going to be conducted by the machinery of the government of the State of Florida and paid for by the government of the State of Florida—estimated to the tune of some $18 million of taxpayer money—in order to have this Presidential primary. Because Florida law set the date of January 29, municipalities have now moved all of their elections to concur with January 29. Indeed, also on the ballot is expected to

be a major constitutional amendment for the voters to decide upon having to do with a different subject matter, a matter of great import to the people of Florida, and that is the amount of their real estate taxes. In other words, it is expected to be a big turnout on January 29. That is Florida law.

But the DNC took great umbrage at the State of Florida and said: Under the rules we are going to penalize you by taking away one-half of your delegates. Concurrently, the Republican National Committee likewise took away one-half of the delegates at the quadrennial nominating conventions to be held later this year. Then the DNC decided it was going to exact additional punishment and took the punitive measure of taking away all of Florida's delegates.

But that is not all. The DNC then further decided that it would penalize Florida further by prohibiting the Presidential candidates from coming into the State and campaigning. Campaigning was defined under the rules of the DNC as talking with voters, having any kind of communication, hiring staff, opening an office, having any kind of advertising, whether in print or electronically, or holding press conferences; in other words, to muzzle the Presidential candidates so they could not go into the State of Florida—with one huge exception: that they could go into the State of Florida to raise money. They couldn't campaign, couldn't talk to ordinary voters, but they could come in to raise money.

The net effect is the only way a Florida Democrat could have interaction with a Presidential candidate one on one is to have to pay for that participation.

This was further enhanced by the four States that I mentioned that want to go first—the Iowa caucus, the Nevada caucus, the New Hampshire primary, and the South Carolina primary—those four States exacting a pledge in writing from the Presidential candidates who said they would not have any campaigning in a State that moved its primary earlier than February 5—except those four States.

This is a little sensitive for us in Florida, naturally, as I have just come from the State Democratic Convention where not any of the major Presidential candidates have appeared. But, of course, they come and go from time to time into Florida to raise money. Of course, what a contrast that is, since the only penalty by the Republican National Committee was to take away half of Florida's Republican delegates. They did not stop their candidates from coming in. Indeed, 1 week ago—a significant contrast with the State Republican Convention—all of the Presidential candidates were there, and indeed they ended up, the State Republican Convention, with a televised debate of all the Republican Presidential candidates.

This should concern not only Floridians, and it should concern not only Democrats, it ought to concern all voters because it is the principle of one person, one vote. That is a principle that has long been established in law and established by the Supreme Court of the United States. In order to enforce that principle, I, along with others, including the chairman of our Florida Democratic delegation, Congressman ALCEE HASTINGS, have filed a federal lawsuit in Federal District Court against the political party bosses in Washington. Our lawsuit is about the right of every American to have access to the ballot box and to have their ballot counted and to have their ballot counted as intended.

In this lawsuit we are fighting for every person who takes time to stand in line in the rain or in the cold, at the local church or the precinct house, to vote and to come outside from that precinct house feeling as if they did their part in this grand American process.

Those of us who filed this lawsuit believe there is no reason that can excuse the denial of this fundamental right to vote. Certainly, as we see by this fracas that has erupted by members of the DNC saying: Go on and have your Presidential primary vote, Florida, on January 29, but just make it a beauty contest because it is not going to count—it certainly points to the fact that this Presidential primary system is broken, and it desperately needs to be reformed. But the answer is not to deny people the right to vote and to have that vote count.

For 2008, there is an easy, short-term fix. This Senator suggested this fix last summer to Howard Dean in writing, in person, and over the telephone; that is, if you had the States that want to go early to move up a little early, then everyone has the same order, and the law of Florida is complied with since there is nothing we can do about it. It is the law. The election in the Presidential primary process is going to be January 29 in Florida.

No one would pay any attention to that easy, short-term fix, but that is in effect what is happening right now because, as of yesterday, Iowa Democrats joined Iowa Republicans and moved the Presidential caucus up to January 3. It is expected that the New Hampshire secretary of State—who has sole authority to set the date of New Hampshire's primary election—will move the date of the primary in New Hampshire to something within a week of Iowa's January 3 caucus. What was suggested as a compromise last summer, without all of this punishment that has been levied, in effect is starting to happen.

For the long term we can fashion a solution that takes into account the larger States as well as the small States. Let all of them have a fair say in a system rotating regional primaries, similar to the ones Senator LEVIN and I have introduced in the Senate. But in the process of exacting this punishment on Florida, it is equally troubling that the average citizen in Florida can no longer see their candidates for President because, as I explained, the party bosses have barred them from campaigning in Florida—except for the private fundraisers.

This is unacceptable. Paying for political participation is unacceptable, and in a bygone era—one that we do not want to return to—that was called a poll tax.

Just recently we saw a measure of Florida voters overwhelmingly agree, regardless of their party affiliation, that they do not think this is right. A just-released Quinnipiac Poll says by a margin of 62 to 16 Florida voters—that is, Republicans, Independents, and Democrats—believe it is wrong to strip us of the delegates to the nominating convention. That same poll also shows the delegate ban may be hurting our own Presidential candidates.

In this latest Quinnipiac Poll, it has been basically neck and neck between Presidential candidate Giuliani and Presidential candidate Clinton. As Clinton was in the lead, now Giuliani has suddenly gone into the lead. Very significantly, in that same Quinnipiac Poll of independent voters, 22 percent of those independent voters said they are less likely to consider voting for the Democrat for President in the general election because of the DNC's shenanigans.

Mr. Chairman, Howard Dean, I hope you are listening to our plea. If you are not going to listen on the merits of the case, that polling data is certainly why, Mr. Chairman Dean, you should lift the ban because you are giving an additional opportunity, an advantage to the Republicans in the general election in the State of Florida.

I have today formulated a motion for summary judgment to be offered in the next couple of days in the Federal District Court where the lawsuit has been filed. Today is the last day upon which the defendant, Chairman Howard Dean, and the defendants, the members of the Democratic National Committee, have to answer the lawsuit. Upon the basis of their answer, it is my intention and the intention of the other plaintiffs to this lawsuit of filing a motion for summary judgment that sets out the legal and constitutional arguments of why the judge should, in fact, stop this travesty of taking away votes from more than 4.25 million registered Democratic voters in the State of Florida.

It does not have to be this way. If, in fact, the DNC recognizes that all these other States are moving forward to earlier dates, then the sequence is preserved for those who wanted to be first. Whether that is justified, their sequence is preserved, and we can go on about getting our eye focused on the November 2008 election, instead of going through all of this rhubarb that is now engulfing the election apparatus.

It is my hope that now the other States are jumping to an earlier date, the DNC will see the wisdom of putting

this all behind us, of joining together as the family we are, stop the family squabbles, unite, and then start focusing later on the 2008 November election.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. CANTWELL. Madam President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. SENATE TRAVEL REGULATIONS

Mrs. FEINSTEIN. Madam President, I wish to inform all Senators that the Committee on Rules and Administration has updated the U.S. Senate Travel Regulations. The Ethics Committee recently issued guidance to the Rules Committee that making more than one reservation for official travel with a participating airline would not constitute a gift under Senate rule XXXV, the Gift Rule. Consistent with the Ethics Committee's guidance, the transportation expenses section of the U.S. Senate Travel Regulations has been updated to address the issue of making more than one reservation on scheduled flights.

The following statement has been added to I.B of the transportation expenses section, found on page IV–64 of the U.S. Senate Handbook:

3. A Member shall be permitted to make more than one reservation on scheduled flights with participating airlines when such action assists the Member in conducting his/her official business.

This change is effective immediately.

Madam President, I ask unanimous consent that the updated U.S. Senate Travel Regulations be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AUTHORITY OF THE COMMITTEE ON RULES AND ADMINISTRATION TO ISSUE SENATE TRAVEL REGULATIONS

The travel regulations herein have been promulgated by the Committee on Rules and Administration pursuant to the authority vested in it by paragraph 1(n)(1)8 of Rule XXV of the Standing Rules of the Senate and by section 68 of Title 2 of the United States Code, the pertinent portions of which provisions are as follows:

STANDING RULES OF THE SENATE

Rule XXV

Paragraph 1(n)(1)8

(n)(1) Committee on Rules and Administration, to which committee shall be referred . . . matters relating to the following subjects: . . .

8. Payment of money out of the contingent fund of the Senate or creating a charge upon the same . . .

UNITED STATES CODE

Title 2 section 68

Sec. 68. Payments from contingent fund of Senate

No payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee on Rules and Administration of the Senate . . ..

UNITED STATES SENATE TRAVEL REGULATIONS

Revised by the Committee on Rules and Administration.

United States Senate, effective October 1, 1991 as amended January 1, 1999, as further amended December 7, 2006, as further amended October 26, 2007.

General regulations

I. Travel Authorization

A. Only those individuals having an official connection with the function involved may obligate the funds of said function.

B. Funds disbursed by the Secretary of Senate may be obligated by:

1. Members of standing, select, special, joint, policy or conference committees.

2. Staff of such committees.

3. Employees properly detailed to such committees from other agencies.

4. Employees of Members of such committees whose salaries are disbursed by the Secretary of the Senate and employees appointed under authority of section 111 of Public Law 95–94, approved August 5, 1977, when designated as ''ex officio employees'' by the Chairman of such committee. Approval of the reimbursement voucher will be considered sufficient designation.

5. Senators, including staff and nominating board members. (Also individuals properly detailed to a Senator's office under authority of Section 503(b)(3) of P.L. 96–465, approved October 17, 1980.)

6. All other administrative offices, including Officers and staff.

C. An employee who transfers from one office to another on the same day he/she concludes official travel shall be considered an employee of the former office until the conclusion of that official travel.

D. All travel shall be either authorized or approved by the chairman of the committee, Senator, or Officer of the Senate to whom such authority has been properly delegated. The administrative approval of the voucher will constitute the approvals required. It is expected that ordinarily the authority will be issued prior to the expenses being incurred and will specify the travel to be performed as such possible unless circumstances in a particular case prevent such action.

E. Official Travel Authorizations: The General Services Administration, on behalf of the Committee on Rules and Administration, has contracted with several air carriers to provide discount air fares for Members, Officers, and employees of the Senate only when traveling on official business. This status is identifiable to the contracting air carriers by one of the following ways:

1. The use of a government issued travel charge card.

2. The use of an ''Official Travel Authorization'' form which must be submitted to the air carrier prior to purchasing a ticket. These forms must be personally approved by the Senator, chairman, or Officer of the Senate under whose authority the travel for official business is taking place. Payment must be made in advance by cash, credit card, check, or money order. The Official Travel Authorization forms are available in the Senate Disbursing Office.

II. Funds for Traveling Expenses

A. Individuals traveling on official business for the Senate will provide themselves with sufficient funds for all current expenses, and are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

1. Travel Advances

(a) Advances to Committees (P.L. 81–118)

(1) Chairmen of joint committees operating from the contingent fund of the Senate, and chairmen of standing, special, select, policy, or conference committees of the Senate, may requisition an advance of the funds authorized for their respective committees.

(a) When any duty is imposed upon a committee involving expenses that are ordered to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee charged with such duty, the receipt of such chairman for any sum advanced to him[her] or his[her] order out of said contingent fund by the Secretary of the Senate for committee expenses not involving personal services shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of such chairman, as soon as practicable, to furnish to the Secretary of the Senate vouchers in detail for the expenses so incurred.

(2) Upon presentation of the properly signed statutory advance voucher, the Disbursing Office will make the original advance to the chairman or his/her representative. This advance may be in the form of a check, or in cash, receipted for on the voucher by the person receiving the advance. Under no circumstances are advances to be used for the payment of salaries or obligations, other than petty cash transactions of the committee.

(3) In no case shall a cash advance be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall an advance in the form of a check be paid more than fourteen (14) calendar days prior to the commencement of official travel. Requests for advances in the form of a check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel. The amount of the advance then becomes the responsibility of the individual receiving the advance, in that he/she must return the amount advanced before or shortly after the expiration of the authority under which these funds were obtained.

(Regulations Governing Cash Advances for Official Senate Travel adopted by the Committee on Rules and Administration, effective July 23, 1987, pursuant to S. Res. 258, October 1, 1987, as applicable to Senate committees)

(4) Travel advances shall be made prior to the commencement of official travel in the form of cash, direct deposit, or check. Travel advance requests shall be signed by the Committee Chairman and a staff person designated with signature authority.

(5) Cash: Advances for travel in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected Officer of the Senate) shall sign the travel advance form to acknowledge receipt of the cash.

(6) In those cases when a travel advance has been paid, every effort should be made by the office in question to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(7) Travel advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding advance at the end of the 30 day period will be notified by the Disbursing Office that they must repay within 15 days, or their salary may be garnished in order to satisfy their indebtedness to the Federal government.

(8) In those cases when a travel advance has been paid for a scheduled trip which prior to commencement is canceled or postponed indefinitely, the traveler should immediately return the travel advance to the Senate Disbursing Office.

(9) No more than two (2) travel advances per traveler may be outstanding at any one time.

(10) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket expenses for the trip in question. The minimum travel advance that can be authorized for the official travel expenses of a Committee Chairman and his/her staff is $200.

(11) The aggregate total of travel advances for committees shall not exceed $5,000, unless otherwise authorized by prior approval of the Committee on Rules and Administration.

(b) Advances to Senators and their staffs (2 U.S.C. 58(j))

(Regulations for Travel Advances for Senators and Their Staffs adopted by the Committee on Rules and Administration, effective April 20, 1983, pursuant to P.L. 97–276)

(1) Travel advances from a Senator's Official Personnel and Office Expense Account must be authorized by that Senator for himself/herself as well as for his/her staff. Staff is defined as those individuals whose salaries are funded from the Senator's account. An employee in the Office of the President Pro Tempore, the Deputy President Pro Tempore, the Majority Leader, the Minority Leader, the Majority Whip, the Minority Whip, the Secretary for the Conference of the Majority, or the Secretary for the Conference of the Minority shall be considered an employee in the office of the Senator holding such office.

(2) Advances shall only be used to defray official travel expenses . . .

(3) Travel advances shall be made prior to the commencement of official travel in the form of cash, direct deposit, or check. Travel advance requests shall be signed by the Member and a staff person designated with signature authority.

(4) Cash: Advances in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected Officer of the Senate) will sign the travel advance form to acknowledge receipt of the cash.

(5) In no case shall a travel advance in the form of cash be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall an advance in the form of a direct deposit or check be paid more than fourteen (14) calendar days prior to the commencement of official travel. Requests for advances in the form of a direct deposit or check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel.

(6) In those cases when a travel advance has been paid, every effort should be made by the office in question to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(7) Travel advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding advance at the end of the 30 day period will be notified by the Senate Disbursing Office that they must repay within 15 days, or their salary may be garnisheed in order to satisfy their indebtedness to the Federal government.

(8) In those instances when a travel advance has been paid for a scheduled trip which prior to commencement is canceled or postponed indefinitely, the traveler in question should immediately return the travel advance to the Senate Disbursing Office.

(9) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket travel expenses for the trip in question. The minimum travel advance that can be authorized for the official travel expenses of a Senator and his/her staff is $200. No more than two (2) travel advances per traveler may be outstanding at any one time.

(10) The aggregate total of travel advances per Senator's office shall not exceed 10% of the expense portion of the Senators' Official Personnel and Office Expense Account, or $5,000, whichever is greater.

(c) Advances to Administrative Offices of the Senate

(Regulations Governing Cash Advances for Official Senate Travel, adopted by the Committee on Rules and Administration, effective July 23, 1987, pursuant to S. Res. 258, October 1, 1987, as amended, as applicable to Senate administrative offices)

(1) Travel advances shall be made prior to the commencement of official travel in the form of cash, direct deposit, or check. Travel advance requests shall be signed by the applicable Officer of the Senate and a staff person designated with signature authority.

(2) Cash: Advances in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected Officer of the Senate) will sign the travel advance form to acknowledge receipt of the cash.

(3) In no case shall a travel advance be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall an advance in the form of a direct deposit or check be paid more than fourteen (14) calendar days prior to the commencement of official travel. Requests for advances in the form of a direct deposit or check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel.

(4) In those cases when a travel advance has been paid, every effort should be made by the office in question to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(5) Travel advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding advance at the end of the 30 day period will be notified by the Disbursing Office that they must repay within 15 days, or their salary may be garnisheed in order to satisfy their indebtedness to the Federal government.

(6) In those instances when a travel advance has been paid for a scheduled trip which prior to commencement is canceled or postponed indefinitely, the traveler in question should immediately return the travel advance to the Senate Disbursing Office.

(7) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket travel expenses for the trip in question. The minimum travel advance that can be authorized for the official travel expenses of a Senator Officer and his/her staff is $200. No more than two (2) travel advances per traveler may be outstanding at any one time.

(d) Office of the Secretary of the Senate (2 U.S.C. 61a–9a)

(1) . . . The Secretary of the Senate is authorized to advance, with his discretion, to any designated employee under his jurisdiction, such sums as may be necessary, not exceeding $1,000, to defray official travel expenses in assisting the Secretary in carrying out his duties . . .

(e) Office of the Sergeant at Arms and Doorkeeper of the Senate (2 U.S.C. 61f–1a)

(1) For the purpose of carrying out his duties, the Sergeant at Arms and Doorkeeper of the Senate is authorized to incur official travel expenses during each fiscal year not to exceed sums made available for such purpose under appropriations Acts. With the approval of the Sergeant at Arms and Doorkeeper of the Senate and in accordance with such regulations as may be promulgated by the Senate Committee on Rules and Administration, the Secretary of the Senate is authorized to advance to the Sergeant at Arms or to any designated employee under the jurisdiction of the Sergeant at Arms and Doorkeeper, such sums as may be necessary to defray official travel expenses incurred in carrying out the duties of the Sergeant at Arms and Doorkeeper. The receipt of any such sum so advanced to the Sergeant at Arms and Doorkeeper or to any designated employee shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of the traveler, as soon as practicable, to furnish to the Secretary of the Senate a detailed voucher of the expenses incurred for the travel to which the sum was so advanced, and make settlement with respect to such sum. Payments under this section shall be made from funds included in the appropriations account, within the contingent fund of the Senate, for the Sergeant at Arms and Doorkeeper of the Senate, upon vouchers approved by the Sergeant at Arms and Doorkeeper.

(Committee on Rules and Administration regulations for travel advances for the Office of the Senate Sergeant at Arms)

(a) General—With the written approval of the Sergeant at Arms or designee, advances from the contingent expense appropriation account for the Office of the Sergeant at Arms may be provided to the Sergeant at Arms or the Sergeant at Arms' staff to defray official travel expenses, as defined by the U.S. Senate Travel Regulations. Staff is defined as those individuals whose salaries are funded by the line item within the ''Salaries, Officers, and Employees'' appropriation account for the Office of the Sergeant at Arms.

(b) Forms—Travel advance request forms shall include the date of the request, the name of the traveler, the dates of the official travel, the intended itinerary, the authorizing signature of the Sergeant at Arms or his designee, and a staff person designated with signature authority.

(c) Payment of Advances—

(i) Travel advances shall be paid prior to the commencement of official travel in the form of cash, direct deposit, or check.

(ii) Advances in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected

Officer of the Senate) will sign the travel advance form to acknowledge receipt of the cash.

(iii) In no case shall a travel advance in the form of cash be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall a travel advance in the form of a direct deposit or check be paid more than fourteen (14) days prior to the commencement of official travel. Requests for travel advances in the form of a direct deposit or check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel.

(d) Repayment of Advances—

(i) The total of the expenses on a travel voucher shall be offset by the amount of the corresponding travel advance, providing for the payment (or repayment) of the difference between the outstanding advance and the total of the official travel expenses.

(ii) In those cases when a travel advance has been paid, every effort should be made to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(iii) Travel Advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding travel advance at the end of the 30-day period will be notified by the Senate Disbursing Office that they must repay within 15 days, or their salary may be garnisheed in order to satisfy their indebtedness to the Federal Government.

(iv) In those instances when a travel advance has been paid for a scheduled trip which prior to commencement is cancelled or postponed indefinitely, the traveler in question should immediately return the travel advance to the Senate Disbursing Office.

(e) Limits—

(i) To minimize the payment of travel advances, whenever possible, travelers are expected to utilize the corporate and individual travel cards approved by the Committee on Rules and Administration.

(ii) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket travel expenses for the trip in question.

(iii) The minimum travel advance that can be authorized for official travel expenses is $200. No more than two (2) cash advances per traveler may be outstanding at any one time.

2. Government Travel Plans

(a) Government Charge Cards

(1) Individual government charge cards authorized by the General Services Administration and approved by the Committee on Rules and Administration are available to Members, Officers, and employees of the Senate for official travel expenses.

(a) The employing Senator, chairman, or Officer of the Senate should authorize only those staff who are or will be frequent travelers. The Committee on Rules and Administration reserves the right to cancel the annual renewal of the card if the employee has not traveled on official business during the previous year.

(b) All reimbursable travel expenses may be charged to these accounts including but not limited to per diem expenses and incidentals. Direct pay vouchers to the charge card vendor (currently Bank of America) may be submitted for the Airfare, train, and bus tickets charged to this account. All other travel charges on the account must be paid to the traveler for him/her to personally reimburse the charge card vendor.

(c) Timely payment of these Individually Billed travel accounts is the responsibility of the cardholder. The General Services Administration contract requires payment to the account within 60 days before suspension is enforced on the account. The account is cancelled and the cardholder's credit is revoked when a past due balance is carried on the card for 120 days.

(2) One Centrally Billed government charge account authorized by the General Services Administration and approved by the Committee on Rules and Administration are available to each Member, Committee, and Administrative Office for official transportation expenses in the form of airfare, train, and bus tickets, and rental cars.

(a) Direct pay vouchers to the charge card vendor (currently Bank of America) may be submitted for the airfare, train, and bus tickets, and rental car expenses charged to this account.

(b) Other transportation costs, per diem expenses, and incidentals are not authorized charges for these accounts unless expressly authorized by these regulations or through prior approval from the Committee on Rules and Administration.

(c) Timely payment of these Centrally Billed travel accounts is the responsibility of the cardholder, usually the Office Manager or Chief Clerk of the office. The General Services Administration contract requires payment to the account within 60 days before suspension is enforced on the account. The account is cancelled and the cardholder's credit is revoked when a past due balance is carried on the card for 120 days.

(3) A centrally billed account may be established through the approved Senate vendor (currently the Combined Airlines Ticket Office (CATO)) and will be charged against an account number issued to each designated office; there are no charge cards issued for such an account.

III. Foreign Travel

A. Reimbursement of foreign travel expenses is not authorized from the contingent fund of Member offices.

B. Committees, including all standing, select, and special committees of the Senate and all joint committees of the Congress whose funds are disbursed by the Secretary of the Senate, are authorized funds for foreign travel from their committee budget and through S. Res. 179, 95–1, notwithstanding Congressional Delegations which are authorized foreign travel funds under the authority of the Mutual Security Act of 1954 (22 U.S.C. 1754).

C. (Restrictions)—amendment to Rule XXXIX of the Standing Rules of the Senate, pursuant to S. Res. 80, agreed to January 28, 1987.

1. (a) Unless authorized by the Senate (or by the President of the United States after an adjournment sine die), no funds from the United States Government (including foreign currencies made available under section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b), as amended) shall be received by any Member of the Senate whose term will expire at the end of a Congress after—

(1) the date of the general election in which his successor is elected; or

(2) in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the second regular session of that Congress.

(b) The travel restrictions provided by subparagraph (a) with respect to a Member of the Senate whose term will expire at the end of a Congress shall apply to travel by—

(1) any employee of the Member;

(2) any elected Officer of the Senate whose employment will terminate at the end of a Congress; and

(3) any employee of a committee whose employment will terminate at the end of a Congress.

2. No Member, Officer, or employee engaged in foreign travel may claim payment or accept funds from the United States Government (including foreign currencies made available under section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)) for any expense for which the individual has received reimbursement from any other source; nor may such Member, Officer, or employee receive reimbursement for the same expense more than once from the United States Government. No Member, Officer, or employee shall use any funds furnished to him[/her] to defray ordinary and necessary expenses of foreign travel for any purpose other than the purpose or purposes for which such funds were furnished.

3. A per diem allowance provided a Member, Officer, or employee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member, Officer, or employee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses.

IV. Reimbursable Expenses: Travel expenses (i.e., transportation, lodging, meals and incidental expenses) which will be reimbursed are limited to those expenses essential to the transaction of official business while away from the official station or post of duty.

A. Member Duty Station(s): The official duty station of Senate Members shall be considered to be the metropolitan area of Washington, D.C.

1. During adjournment sine die or the August adjournment/recess period, the usual place of residence in the home state, as certified for purposes of official Senate travel, shall also be considered a duty station.

2. Each Member shall certify in writing at the beginning of each Congress to the Senate Disbursing Office his/her usual place of residence in the home state; such certification document shall include a statement that the Senator has read and agrees to the pertinent travel regulations on permissible reimbursements.

3. For purposes of this provision, ''usual place of residence'' in the home state shall encompass the area within thirty-five (35) miles of the residence (by the most direct route). If a Member has no ''usual place of residence'' in his/her home state, he/she may designate a ''voting residence,'' or any other ''legal residence,'' pursuant to state law (including the area within thirty-five (35) miles of such residence), as his/her duty station.

B. Officer and Employee Duty Station

1. In the case of an officer or employee, reimbursement for official travel expenses other than interdepartmental transportation shall be made only for trips which begin and end in Washington, D.C., or, in the case of an employee assigned to an office of a Senator in the Senator's home state, on trips which begin and end at the place where such office is located.

2. Travel may begin and/or end at the Senate traveler's residence when such deviation from the duty station locale is more advantageous to the government.

3. For purposes of these regulations, the ''duty station'' shall encompass the area within thirty-five (35) miles from where the Senator's home state office or designated duty station is located.

C. No employee of the Senate, relative or supervisor of the employee may directly benefit monetarily from the expenditure of appropriated funds which reimburse expenses associated with official Senate travel. Therefore, reimbursements are not permitted for mortgage payments, or rental fees associated with any type of leasehold interest.

D. A duty station for employees, other than Washington, D.C., may be designated by

Members, Committee Chairmen, and Officers of the Senate upon written designation of such station to the Senate Disbursing Office. Such designation shall include a statement that the Member or Officer has read and agrees to the pertinent travel regulations on permissible reimbursements. The duty station may be the city of the office location or the city of residence.

E. For purposes of these regulations, the metropolitan area of Washington, D.C., shall be defined as follows:

1. The District of Columbia
2. Maryland Counties of
a) Charles
b) Montgomery
c) Prince Georges
3. Virginia Counties of
a) Arlington
b) Fairfax
c) Loudoun
d) Prince William
4. Virginia Cities of
a) Alexandria
b) Fairfax
c) Falls Church
d) Manassas
e) Manassas Park
5. Airport locations of
(a) Baltimore/Washington International Thurgood Marshall Airport
(b) Ronald Reagan Washington National Airport
(c) Washington Dulles International Airport

F. When the legislative business of the Senate requires that a Member be present, then the round trip actual transportation expenses incurred in traveling from the city within the United States where the Member is located to Washington, D.C., may be reimbursed from official Senate funds.

G. Any deviation from this policy will be considered on a case by case basis upon the written request to, and approval from, the Committee on Rules and Administration.

V. Travel Expense Reimbursement Vouchers

A. All persons authorized to travel on official business for the Senate should keep a memorandum of expenditures properly chargeable to the Senate, noting each item at the time the expense is incurred, together with the date, and the information thus accumulated should be made available for the proper preparation of travel vouchers which must be itemized on an official expense summary report and stated in accordance with these regulations. The official expense summary report form is available at the Senate Disbursing Office or through the Senate Intranet.

B. Computer generated vouchers should be submitted with a signed original. Every travel voucher must show in the space provided for such information on the voucher form the dates of travel, the official travel itinerary, the value of the transportation, per diem expenses, incidental expenses, and conference/training fees incurred.

C. Travel vouchers must be supported by receipts for expenses in excess of $50. In addition, the Committee on Rules and Administration reserves the right to request additional clarification and/or certification upon the audit of any expense seeking reimbursement from the contingent fund of the Senate regardless of the expense amount.

D. When presented independently, credit card receipts such as Visa, Master Charge, or Diners Club, etc. are not acceptable documentation for lodging. If a hotel bill is lost or misplaced, then the credit card receipt accompanied by a certifying letter from the traveler to the Financial Clerk of the Senate will be considered necessary documentation. Such letter must itemize the total expenses in support of the credit card receipt.

Transportation Expenses

I. Common Carrier Transportation and Accommodations

A. Transportation includes all necessary official travel on railroads, airlines, helicopters, buses, streetcars, taxicabs, and other usual means of conveyance. Transportation may include fares and such expenses incidental to transportation such as but not limited to baggage transfer. When a claim is made for common carrier transportation obtained with cash, the travel voucher must show the amount spent, including Federal transportation tax, and the mode of transportation used.

1. Train Accommodations

(a) Sleeping-car accommodations: The lowest first class sleeping accommodations available shall be allowed when night travel is involved. When practicable, through sleeping accommodations should be obtained in all cases where more economical to the Senate.

(b) Parlor-car and coach accommodations: One seat in a sleeping or parlor car will be allowed. Where adequate coach accommodations are available, coach accommodations should be used to the maximum extent possible, on the basis of advantage to the Senate, suitability and convenience to the traveler, and nature of the business involved.

2. Airplane Accommodations

(a) First-class and air-coach accommodations: It is the policy of the Senate that persons who use commercial air carriers for transportation on official business shall use less than first-class accommodations instead of those designated first-class with due regard to efficient conduct of Senate business and the travelers' convenience, safety, and comfort.

(b) Use of United States-flag air carriers: All official air travel shall be performed on United States-flag air carriers except where travel on other aircraft (1) is essential to the official business concerned, or (2) is necessary to avoid unreasonable delay, expense, or inconvenience.

B. Change in Travel Plans: When a traveler finds he/she will not use accommodations which have been reserved for him/her, he/she must release them within the time limits specified by the carriers. Likewise, where transportation service furnished is inferior to that called for by a ticket or where a journey is terminated short of the destination specified, the traveler must report such facts to the proper official. Failure of travelers to take such action may subject them to liability for any resulting losses.

1. ''No show'' charges, if incurred by Members or staff personnel in connection with official Senate travel, shall not be considered payable or reimbursable from the contingent fund of the Senate.

2. Senate travelers exercising proper prudence can make timely cancellations when necessary in order to avoid ''no show'' assessments.

3. A Member shall be permitted to make more than one reservation on scheduled flights with participating airlines when such action assists the Member in conducting his/her official business.

C. Compensation Packages: In the event that a Senate traveler is denied passage or gives up his/her reservation due to overbooking on transportation for which he/she held a reservation and this results in a payment of any rebate, this payment shall not be considered as a personal receipt by the traveler, but rather as a payment to the Senate, the agency for which and at whose expense the travel is being performed.

1. Such payments shall be submitted to the appropriate individual for the proper disposition when the traveler submits his/her expense account.

2. Through fares, special fares, commutation fares, excursion, and reduced-rate round trip fares should be used for official travel when it can be determined prior to the start of a trip that any such type of service is practical and economical to the Senate.

3. Round-trip tickets should be secured only when, on the basis of the journey as planned, it is known or can be reasonably anticipated that such tickets will be utilized.

D. Ticket Preparation Fees: Each Chairman, Senator, or Officer of the Senate may, at his/her discretion, authorize in extenuating circumstances the reimbursement of penalty fees associated with the cancellation of through fares, special fares, commutation fares, excursion, reduced-rate round trip fares and fees for travel arrangements, provided that reimbursement of such fees offers the best value and does not exceed $30.

E. Frequent Flyer Miles: Travel promotional awards (e.g. free travel, travel discounts, upgrade certificates, coupons, frequent flyer miles, access to carrier club facilities, and other similar travel promotional items) obtained by a Member, officer or employee of the Senate while on official travel may be utilized for personal use at the discretion of the Member or officer pursuant to this section.

1. Travel Awards may be retained and used at the sole discretion of the Member or officer only if the Travel Awards are obtained under the same terms and conditions as those offered to the general public and no favorable treatment is extended on the basis of the Member, officer or employee's position with the Federal Government.

2. Members, officers and employees may only retain Travel Awards for personal use when such Travel Awards have been obtained at no additional cost to the Federal Government. It should be noted that any fees assessed in connection with the use of Travel Awards shall be considered a personal expense of the Member, officer or employee and under no circumstances shall be paid for or reimbursed from official funds.

3. Although this section permits Members, officers and employees of the Senate to use Travel Awards at the discretion of the Member or officer, the Committee encourages the use of such Travel Awards (whenever practicable) to offset the cost of future official travel.

F. Indirect Travel: In case a person, for his/her own convenience, travels by an indirect route or interrupts travel by direct route, the extra expense will be borne by the traveler. Reimbursement for expenses shall be allowed only on such charges as would have been incurred by the official direct route. Personal travel should be noted on the traveler's expense summary report when it interrupts official travel.

G. Public Transportation During Official Travel: Transportation by bus, streetcar, subway, or taxicab, when used in connection with official travel, will be allowed as an official transportation expense.

H. Dual Purpose Travel: Dual purpose travel occurs when a Senator, staffer, or other official traveler conducts both Senatorial office business and Committee office business during the same trip. The initial point at which official business is conducted will determine the fund which will be charged for travel expenses from and to Washington, D.C. Examples include:

1. If committee business is conducted at the first stop in the trip, travel expenses from Washington, D.C., to said point and return will be chargeable to the committee's funds. Additional travel expenses from said point to other points in the United States, incurred by reason of conducting senatorial business, will be charged to the Senators' Official Personnel and Office Expense Account.

2. If senatorial business is conducted at the first stop in the trip, travel expenses from Washington, D.C., to said point and return will be chargeable to the Senators' Official Personnel and Office Expense Account. Committee funds will be charged with any additional travel expenses incurred for the purpose of performing committee business.

I. Interrupted Travel: If a traveler interrupts official travel for personal business, the traveler may be reimbursed for transportation expenses incurred which are less than or equal to the amount the traveler would have been reimbursed had he/she not interrupted travel for personal business. Likewise, if a traveler departs from or returns to a city other than the traveler's duty station or residence for personal business, then the traveler may be reimbursed for transportation expenses incurred which are less than or equal to the amount the traveler would have been reimbursed had the witness departed from and returned to his/her duty station or residence.

II. Baggage

A. The term ''baggage'' as used in these regulations means Senate property and personal property of the traveler necessary for the purposes of the official travel.

B. Baggage in excess of the weight or of size greater than carried free by transportation companies will be classed as excess baggage. Where air-coach or air-tourist accommodations are used, transportation of baggage up to the weight carried free on first-class service is authorized without charge to the traveler; otherwise excess baggage charges will be an allowable expense.

C. Necessary charges for the transfer of baggage will be allowed. Charges for the storage of baggage will be allowed when such storage was solely on account of official business. Charges for porters and checking baggage at transportation terminals will be allowed.

III. Use of Conveyances: When authorized by the employing Senator, Chairman, or Officer of the Senate, certain conveyances may be used when traveling on official Senate business. Specific types of conveyances are privately owned, special, and private airplane.

A. Privately Owned

1. Chairmen of committees, Senators, Officers of the Senate, and employees, regardless of subsistence status and hours of travel, shall, whenever such mode of transportation is authorized or approved as more advantageous to the Senate, be paid the appropriate mileage allowance in lieu of actual expenses of transportation. This amount should not exceed the maximum amount authorized by statute for use of privately owned motorcycles, automobiles, or airplanes, when engaged in official business within or outside their designated duty stations. It is the responsibility of the office to fix such rates, within the maximum, as will most nearly compensate the traveler for necessary expenses.

2. In addition to the mileage allowance there may be allowed reimbursement for the actual cost of automobile parking fees (except parking fees associated with commuting); ferry fees; bridge, road, and tunnel costs; and airplane landing and tie-down fees.

3. When transportation is authorized or approved for motorcycles or automobiles, mileage between points traveled shall be certified by the traveler. Such mileage should be in accordance with the Standard Highway Mileage Guide. Any substantial deviations shall be explained on the reimbursement voucher.

4. In lieu of the use of taxicab, payment on a mileage basis at a rate not to exceed the maximum amount authorized by statute will be allowed for the round-trip mileage of a privately owned vehicle used in connection with an employee going from either his/her place of abode or place of business to a terminal or from a terminal to either his/her place of abode or place of business: Provided, that the amount of reimbursement for round-trip mileage shall not in either instance exceed the taxicab fare for a one-way trip between such applicable points, notwithstanding the obligations of reasonable schedules.

5. Parking Fees: Parking fees for privately owned vehicles may be incurred in the duty station when the traveler is engaged in interdepartmental transportation or when the traveler is leaving their duty station and entering into a travel status. The fee for parking a vehicle at a common carrier terminal, or other parking area, while the traveler is away from his/her official station, will be allowed only to the extent that the fee, plus the allowable mileage reimbursement, to and from the terminal or other parking area, does not exceed the estimated cost for use of a taxicab to and from the terminal.

6. Mileage for use of privately owned airplanes shall be certified from airway charts issued by the National Oceanic and Atmospheric Administration, Department of Commerce, and will be reported on the reimbursement voucher and used in computing payment. If a detour was necessary due to adverse weather, mechanical difficulty, or other unusual conditions, the additional air mileage may be included in the mileage reported on the reimbursement voucher and, if included, it must be explained.

7. Mileage shall be payable to only one of two or more employees traveling together on the same trip and in the same vehicle, but no deduction shall be made from the mileage otherwise payable to the employee entitled thereto by reason of the fact that other passengers (whether or not Senate employees) may travel with him/her and contribute in defraying the operating expenses. The names of Senate Members or employees accompanying the traveler must be stated on the travel voucher.

8. When damages to a privately owned vehicle occur due to the negligent or wrongful act or omission of any Member, Officer, or employee of the Senate while acting within the scope of his/her employment, relief may be sought under the Federal Tort Claims Act. Information on who to contact will go here.

B. Special

1. General:

(a) The hire of boat, automobile, aircraft, or other conveyance will be allowed if authorized or approved as advantageous to the Senate whenever the Member or employee is engaged on official business outside his/her designated duty station.

(b) Where two or more persons travel together by means of such special conveyance, that fact, together with the names of those accompanying him/her, must be stated by each traveler on his/her travel voucher and the aggregate cost reimbursable will be subject to the limitation stated above.

(c) If the hire of a special conveyance includes payment by the traveler of the incidental expenses of gasoline or oil, rent of garage, hangar, or boathouse, subsistence of operator, ferriage, tolls, operator waiting time, charges for returning conveyances to the original point of hire, etc., the same should be first paid, if practicable, by the person furnishing the accommodation, or his/her operator, and itemized in the bill.

2. Rental Cars:

(a) In no case may automobiles be hired for use in the metropolitan area of Washington, D.C., by anyone whose duty station is Washington, D.C.

(b) Reimbursements for rental of special conveyances will be limited to the cost applicable to a conveyance of a size necessary for a single traveler regardless of the number of authorized travelers transported by said vehicle, unless the use of a larger class vehicle on a shared cost basis is specifically approved in advance by the Committee on Rules and Administration, or the form 'Request for a Waiver of the Travel Regulations' is submitted with the voucher, and found in order upon audit by the Rules Committee.

(c) For administrative purposes, reimbursement may be payable to only one of two or more Senate travelers traveling together on the same trip and in the same vehicle.

(d) Government Rate: In connection with the hire of an automobile for the use in conducting Senate business outside of Washington, D.C., it should be noted that the Military Traffic Management Command (MTMC), a division of the Department of Defense, arranges all rental car agreements for the government.

(1) These negotiated car rental rates are for federal employees traveling on official business and include unlimited mileage, plus full comprehensive and collision coverage (CDW) on rented vehicles at no cost to the traveler.

(2) For guidance on rate structure and the companies participating in these rate agreements, call the approved Senate vendor (currently the Combined Airline Ticket Office (CATO)).

(3) Individuals traveling on behalf of the United States Senate should use these companies to the maximum extent possible since these agreements provide full coverage with no extra fee. The Senate will not pay for separate insurance charges; therefore, any individuals who choose to use non-participatory car rental agencies may be personally responsible for any damages or liability accrued while on official Senate business.

(e) Insurance: In connection with the rental of vehicles from commercial sources, the Senate will not pay or reimburse for the cost of the loss/damage waiver (LDW), collision damage waiver (CDW) or collision damage insurance available in commercial rental contracts for an extra fee.

(1) The waiver or insurance referred to is the type offered a renter to release him/her from liability for damage to the rented vehicle in amounts up to the amount deductible on the insurance included as part of the rental contract without additional charge.

(2) The cost of personal accident insurance is a personal expense and is not reimbursable.

(3) Accidents While On Official Travel: Collision damage to a rented vehicle, for which the traveler is liable while on official business, will be considered an official travel expense of the Senate up to the deductible amount contained in the rental contract. Such claims shall be considered by the Sergeant at Arms of the Senate on a case by case basis and, when authorized, settled from the contingent fund of the Senate under the line item—Reserve for Contingencies. This is consistent with the long-standing policy of the government to self-insure its own risks of loss or damage to government property and the liability of government employees for actions within the scope of their official duties.

(4) However, when damages to a rented vehicle occurs due to the negligent or wrongful act or omission of any Member, Officer, or employee of the Senate while acting within the scope of his/her employment, relief may be sought under the Federal Tort Claims Act.

3. Charter Aircraft:

(a) Reimbursements for charter aircraft will be limited to the charges for a twin-engine, six seat plane, or comparable aircraft.

Charter of aircraft may be allowed notwithstanding the availability of commercial facilities, if such commercial facilities are not such that reasonable schedules may be kept. When charter aircraft is used, an explanation and detail of the size of the aircraft, i.e., seating capacity and number of engines, shall be provided on the face of the voucher.

(b) In the event charter facilities are not available at the point of departure, reimbursement for charter from nearest point of such availability to the destination and return may be allowed.

(c) When a charter aircraft larger than a twin-engine, six seat plane is used, the form ''Request for a Waiver of the Travel Regulations'' is submitted with the voucher.

C. Private Airplane: Interpretative Ruling of the Select Committee on Ethics, No. 412, issued August 11, 1986

''In some circumstances, a Member who uses a private airplane is required to reimburse the provider of the aircraft to avoid either a prohibited gift under the Senate Gift Rule or a prohibited in-kind contribution to an unofficial office account. Senate Rule 38 (Prohibition of Unofficial Office Accounts), generally prohibits private sources from providing funds or services to defray a Member's officially related expenses. Thus, if a friend offers to loan a Member an aircraft to attend town meetings across the Member's home state, the Member must reimburse for the use of the aircraft to comply with Rule 38. Senate Rule 35 (Gifts) prohibits Members from accepting from an individual or organization with a direct interest in legislation, gifts aggregating over $100 in a calendar year (The rule also prohibits gifts aggregating $300 per calendar year from anyone who is not a relative). Thus, if a lobbyist offers a Member the use of his airplane to fly the Member on a vacation trip, and if the value of the use of the airplane is over $100, the member must provide reimbursement to comply with Rule 35.

''In most circumstances, where reimbursement is not required, the Member will still need to determine the value of the use of the aircraft because, if the value is $250 or more, the use of the aircraft must be disclosed on the Member's annual financial disclosure forms.

''In determining the value of an item for both reimbursement and disclosure purposes, the Committee has consistently stated that the applicable standard is the value of the item to the recipient. In the use of private aircraft, the Committee concluded that the value to a Member would be the cost he would have to incur to purchase the same level of service in the open market. The Committee felt that the level of service generally provided in using private aircraft is most nearly equivalent to first-class service provided by commercial carriers where such commercial service is available. Where no regularly scheduled commercial service is available, to obtain the same service provided by the use of a private aircraft, a Member would be required to charter an airplane.

''Ruling: The Committee has agreed on the following method for calculating the value of the use of an aircraft for both reimbursement and disclosure:

''1. If the cities between which the Member is flying have regularly scheduled air service, regardless of whether such service is direct, then the value of the use of the aircraft is the cost of a first-class ticket from the point of departure to the destination.

''2. If the cities have regularly scheduled air service, but only standard (coach) rate, then the value of the use of the aircraft is the coach rate.

''3. If either the city from which the Member flies or his destination does not have regularly scheduled air service, then the value of the use of the aircraft is the cost of chartering the same or a similar aircraft for that flight.

''The Committee notes that its ruling is generally consistent with Federal Election Commission regulations pertaining to the use of private aircraft by candidates for Federal office.

''The Committee further notes that the Committee on Rules and Administration has adopted travel regulations pertaining to the level of reimbursement to be provided from official funds to Members who seek such reimbursement for air transportation costs they have paid. Our ruling addresses only the reimbursement which Members must make to the individual or organization whose aircraft he uses, not the level of reimbursement Members may receive from official funds.

''Note: The Gifts Rule limit discussed in this ruling has changed. But the method of calculating the value of the use of an aircraft remains the same.''

IV. Interdepartmental Transportation

A. The reimbursement for interdepartmental transportation is authorized as a travel expense pursuant to 2 U.S.C. 58(e) but only for the incidental transportation expenses incurred within the duty station in the course of conducting official Senate business. Such reimbursement would include the following expenses:

1. Mileage when using a privately owned vehicle

2. Bus, subway, taxi-cab, parking, and auto rental. (However, reimbursement is prohibited for auto rental expenses within the Washington D.C., metropolitan area duty station.)

B. Pursuant to S. Res. 294, agreed to April 29, 1980, section 2.(1), reimbursements and payments shall not be made for commuting expenses, including parking fees incurred in commuting.

Subsistence Expenses

1. Per Diem Expenses

A. Allowance

1. Per diem expenses include all charges for meals, lodging, personal use of room during daytime, baths, all fees and tips to waiters, porters, baggagemen, bell boys, hotel servants, dining room stewards and others on vessels, laundry, cleaning and pressing of clothing, and fans in rooms. The term ''lodging'' does not include accommodations on airplanes or trains, and these expenses are not subsistence expenses.

(a) Laundry: Laundry expenses must be incurred during the mid-way point of a trip. Reimbursable laundry expenses are for the refreshing of clothing during a trip, but not the maintenance of the clothing.

(b) Meals: Reimbursable expenses incurred for meals while on official travel include meals and tips for the traveler only and may not include alcohol.

2. Per diem expenses will not be allowed an employee at his/her permanent duty station and will be allowed only when associated with round trip travel outside his/her permanent duty station.

(a) Training: Meals in the duty station are only reimbursable when they are incurred during a training session. If the cost of the meal is included in the training session, then a meal certification form should be included with the voucher. The Committee on Rules and Administration will consider these on a case by case basis. Meal certification forms are available at the Disbursing Office or on the Senate intranet.

(1) Training is defined as a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional or technical fields which are or will be directly related to the performance by the employee of official duties for the Senate, in order to increase the knowledge, proficiency, ability, skill and qualifications of the employee in the performance of official duties.

(2) Meetings in the duty station where meals are served, such as but not limited to Chamber of Commerce monthly meetings do not constitute training. Therefore, the meals associated with these meetings are not an authorized reimbursable expense.

3. In any case where the employee's tour of travel requires more than two months' stay at a temporary duty station, consideration should be given to either a change in official station or a reduction in the per diem allowance.

4. Where for a traveler's personal convenience/business there is an interruption of travel or deviation from the direct route, the per diem expenses allowed will not exceed that which would have been incurred on uninterrupted travel by a usually traveled route and the time of departure from and return to official business shall be stated on the voucher.

5. Per diem expenses will be allowed through the time the traveler departs on personal business and will be recommenced at the time he/she returns to official business. Such dates and times shall be stated on the voucher.

B. Rates

1. The per diem allowances provided in these regulations represent the maximum allowance, not the minimum. It is the responsibility of each office to see that travelers are reimbursed only such per diem expenses as are justified by the circumstances affecting the travel. Maximum rates for subsistence expenses are established by the General Services Administration and are published in the Federal Register. Maximum per diem rates for Alaska, Hawaii, the Commonwealth of Puerto Rico, and possessions of the United States are established by the Department of Defense and are also published in the Federal Register. In addition, per diem rates for foreign countries are established by the Department of State and are published in the document titled, ''Maximum Travel Per Diem for Foreign Areas.''

(a) Per diem expenses reimbursable to a Member or employee of the Senate in connection with official travel within the continental United States shall be made on the basis of actual expenses incurred, but not to exceed the maximum rate prescribed by the Committee on Rules and Administration for each day spent in a travel status. Any portion of a day while in a travel status shall be considered a full day for purposes of per diem entitlement.

(b) When travel begins or ends at a point in the continental United States, the maximum per diem rate allowable for the portion of travel between such place and the place of entry or exit in the continental United States shall be the maximum rate prescribed by the Committee on Rules and Administration for travel within the continental United States. However, the quarter day in which travel begins, in coming from, or ends, in going to, a point outside the continental United States may be paid at the rate applicable to said point, if higher.

(c) In traveling between localities outside the continental United States, the per diem rate allowed at the locality from which travel is performed shall continue through the quarter day in which the traveler arrives at his/her destination: Provided, that if such rate is not commensurate with the expenses incurred, the per diem rate of the destination locality may be allowed for the quarter day of arrival.

(d) Ship travel time shall be allowed at not to exceed the maximum per diem rate prescribed by the Committee on Rules and Administration for travel within the continental United States.

C. Computations

1. The date of departure from, and arrival at, the official station or other point where official travel begins and ends, must be shown on the travel voucher. Other points visited should be shown on the voucher but

date of arrival and departure at these points need not be shown.

2. For computing per diem allowances official travel begins at the time the traveler leaves his/her home, office, or other point of departure and ends when the traveler returns to his/her home, office, or other point at the conclusion of his/her trip.

(a) The maximum allowable per diem for an official trip is computed by multiplying the number of days on official travel, beginning with the departure date, by the maximum daily rate as prescribed by the Committee on Rules and Administration. If the maximum daily rate for a traveler's destination is higher than the prescribed daily rate, then the form ''Request for a Waiver of the Travel Regulations'' must be submitted with the voucher showing the maximum daily rate for that location and found in order upon audit by the Rules Committee.

(b) Total per diem for an official trip includes lodging expenses (excluding taxes), meals (including taxes and tips), and other per diem expenses as defined by these regulations.

Incidental Expenses

I. Periodicals: Periodicals purchased while in a travel status should be limited to newspapers and news magazines necessary to stay informed on issues directly related to Senate business.

II. Traveler's Checks/Money Orders: The service fee for preparation of traveler's checks or money orders for use during official travel is allowable.

III. Communications

A. Communication services such as telephone, telegraph, and faxes, may be used on official business when such expeditious means of communications is essential. Government-owned facilities should be used, if practical. If not available, the cheapest practical class of commercial service should be used.

B. Additionally, one personal telephone call will be reimbursed for each day that a Senator or staff member is in a travel status. The calls may not exceed an average of five minutes a day, and cannot be reimbursed at a rate higher than $5.00 without itemized documentation.

IV. Stationery: Stationery items such as pens, paper, batteries, etc. which are necessary to conduct official Senate business while in a travel status are authorized.

V. Conference Center/Meeting Room Reservations: The fee for the reservation of a meeting room, conference room, or business center while on official travel is allowable.

VI. Other: This category would be used (with full explanation on the Expense Summary Report for Travel) to disclose any expense which would occur incidentally while on official travel, and for which there is no other expense category, i.e., interpreting services, hotel taxes, baggage cart rental, etc.

Conference and Training Fees

Training of Senators' Office Staff: The Senators' Official Personnel and Office Expense Account is available to defray the fees associated with the attendance by the Senator or the Senator's employees at conferences, seminars, briefings, or classes which are or will be directly related to the performance of official duties.

A. When such fees (actual or reduced) are less than or equal to $500, have a time duration of not more than five (5) days, and have been asked to be waived or reduced for Government participation, reimbursement shall be made as an official travel expense. However, if the fee or time duration for meetings is in excess of the aforementioned, reimbursement shall be made as a non-travel expense.

B. Reimbursement shall not be allowed for tuition or fees associated with classes attended to earn credits towards an advanced degree or certification.

C. The costs of meals that are considered an integral, mandatory and non-separable element of the conference, seminar, briefing, or class will be allowed as part of the attendance fee when certified by the registrant. The meal certification form, which must accompany the reimbursement voucher, is available in the Disbursing Office or through the Senate Intranet.

II. Training of Committee Employees: Section 202 (j) of the Legislative Reorganization Act of 1946 provides for the expenditure of funds available to standing committees of the Senate for the training of professional staff personnel under certain conditions. It is the responsibility of each committee to set aside funds within its annual funding resolution to cover the expenses of such training.

A. Prior approval for attendance by professional staff at seminars, briefings, conferences, etc., as well as committee funds earmarked for training, will not be required when all of the following conditions are met:

1. The sponsoring organization has been asked to waive or reduce the fee for Government participation.

2. The fee involved (actual or reduced) is not in excess of $500.

3. The duration of the meeting does not exceed five (5) days.

B. When such fees are less than or equal to $500, have a time duration of not more than five (5) days, and have been requested to be waived or reduced for Government participation, reimbursement shall be made as a non-training, official travel expense. However, if the fee or time duration for meetings is in excess of the aforementioned, reimbursement shall be made as an official training expense. Reimbursement shall not be allowed for tuition or fees associated with classes attended to earn credits towards an advanced degree or certification.

C. If the fee or time duration for meetings is in excess of the aforementioned, advance approval by the Committee on Rules and Administration must be sought. Training requests should be received sufficiently in advance of the training to permit appropriate consideration by the Committee on Rules and Administration.

D. The costs of meals that are considered an integral, mandatory, and non-separable element of the conference, seminar, briefing, or class will be allowed as part of the attendance fee when certified by the registrant. The meal certification forms which must accompany the reimbursement voucher are available in the Disbursing Office or through the Senate Intranet.

III. Training of Administrative Offices Staff: The administrative approval of the voucher is the only approval required by the Committee on Rules and Administration. Training expenses of staff shall be limited to those fees associated with the attendance by staff at conferences, seminars, briefings, or classes which are or will be directly related to the performance of official duties. However, reimbursement shall not be allowed for tuition or fees associated with classes attended to earn credits towards an advanced degree or certification.

Special Events

Retreats: Reimbursement of official travel expenses for office staff retreats is allowable from the contingent fund provided they follow the restrictions and authorizations in these regulations. Reimbursement of expenses for meeting rooms and equipment used during the retreat also is allowable. The vouchers for retreat expenses should be noted as retreat vouchers.

A. Discussion of Interpretative Ruling of the Select Committee on Ethics, No. 444, issued February 14, 2002

''*An office retreat may be paid for with either or both official funds (with Rules Committee approval) or principal campaign committee funds. Private parties may not pay expenses incurred in connection with an office retreat. Campaign workers may attend, at campaign expense, office retreats if their purpose in attending is to engage in official activities, such as providing feedback from constituents on legislative or representational matters.*''

B. When processing direct pay vouchers payable either to each individual traveler or to the vendor providing the retreat accommodations, prior approval by the Committee on Rules and Administration is not required. Retreat expenses, including but not limited to per diem, may be charged to the office's official centrally billed government travel charge card and paid on direct vouchers to the charge card vendor. Any deviation from this policy will be considered on a case by case basis upon the written request to, and approval from, the Committee on Rules and Administration.

C. Spreadsheet of Expenses

1. The Member office, Committee, or Administrative office, must attach to the retreat voucher(s) a spreadsheet detailing each day of the retreat broken out by breakfast, lunch, dinner, and lodging for each traveler attending the retreat.

2. For each traveler, the spreadsheet should list his/her duty station, additional per diem expenses incurred outside of the retreat, and any other retreat attendee the traveler shared a room with during the retreat. Any non-staff members attending the retreat also should be detailed on the spreadsheet. The ''Waiver of the Travel Regulations'' form does not need to be attached to retreat voucher(s) for the sharing of rooms.

3. The per diem expenses for staff members attending a retreat within their duty station are not reimbursable but should be detailed on the spreadsheet. All expenses for non-staff members attending the retreat are not reimbursable, but their attendance at the retreat must be taken into account when computing a per traveler cost on the spreadsheet.

II. Funerals: 2 USC 68–2 restricts reimbursement from the contingent fund of the Senate to those expenses that are intimately and directly connected with the routine legislative process of the Senate. Pursuant to S. Res. 458, agreed to October 4, 1984 and S. Res. 263, agreed to July 30, 1998, reimbursement for travel expenses incurred for attendance at funerals of individuals other than current or retired Senators by a Member, officer, or employee of the Senate is not authorized.

Senators' Office Staff

Legislative Authority (2 U.S.C. 58(e), as amended)

(e) Subject to and in accordance with regulations promulgated by the Committee on Rules and Administration of the Senate, a Senator and the employees in his office shall be reimbursed under this section for travel expenses incurred by the Senator or employee while traveling on official business within the United States. The term ''travel expenses'' includes actual transportation expenses, essential travel-related expenses, and, where applicable, per diem expenses (but not in excess of actual expenses). A Senator or an employee of the Senator shall not be reimbursed for any travel expenses (other than actual transportation expenses) for any travel occurring during the sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which the Senator is a candidate for public office (within the meaning of section 301(b) of the Federal Election Campaign Act of 1971), unless his candidacy in such election is

uncontested. For purposes of this subsection and subsection 2(a)(6) of this section, an employee in the Office of the President Pro Tempore, Deputy President Pro Tempore, Majority Leader, Minority Leader, Majority Whip, Minority Whip, Secretary of the Conference of the Majority, or Secretary of the Conference of the Minority shall be considered to be an employee in the office of the Senator holding such office.

II. Regulations Governing Senators' Official Personnel and Office Expense Accounts Adopted by the Committee on Rules and Administration Pursuant to Senate Resolution 170 agreed to September 19, 1979, as amended.

Section 1. For the purposes of these regulations, the following definitions shall apply:

(a) Documentation means invoices, bills, statements, receipts, or other evidence of expenses incurred, approved by the Committee on Rules and Administration.

(b) Official expenses means ordinary and necessary business expenses in support of the Senators' official and representational duties.

Section 2. No reimbursement will be made from the contingent fund of the Senate for any official expenses incurred under a Senator's Official Personnel and Office Expense Account, in excess of $50, unless the voucher submitted for such expenses is accompanied by documentation, and the voucher is personally signed by the Senator.

Section 3. Official expenses of $50 or less must either be documented or must be itemized in sufficient detail so as to leave no doubt of the identity of, and the amount spent for, each item. Items of a similar nature may be grouped together in one total on a voucher, but must be itemized individually on a supporting itemization sheet.

Section 4. Travel expenses shall be subject to the same documentation requirements as other official expenses, with the following exceptions:

(a) Hotel bills or other evidence of lodging costs will be considered necessary in support of per diem.

(b) Documentation will not be required for reimbursement of official travel in a privately owned vehicle.

Section 5. No documentation will be required for reimbursement of the following classes of expenses, as these are billed and paid directly through the Sergeant at Arms and Doorkeeper:

(a) official telegrams and long distance calls and related services;

(b) stationery and other office supplies procured through the Senate Stationery Room for use for official business.

Section 6. The Committee on Rules and Administration may require documentation for expenses incurred of $50 or less, or authorize payment of expenses incurred in excess of $50 without documentation, in special circumstances.

Committee and Administrative Office Staff

(Includes all committees of the Senate, the Office of the Secretary of the Senate, and the Office of the Sergeant at Arms and Doorkeeper of the Senate)

I. Legislative Authority (2 U.S.C. 68b)

''No part of the appropriations made under the heading 'Contingent Expenses of the Senate' may be expended for per diem and subsistence expenses (as defined in section 5701 of Title 5) at rates in excess of the rates prescribed by the Committee on Rules and Administration; except that (1) higher rates may be established by the Committee on Rules and Administration for travel beyond the limits of the continental United States, and (2) in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate, reimbursement for such expenses may be made on an actual expense basis of not to exceed the daily rate prescribed by the Committee on Rules and Administration in the case of travel within the continental limits of the United States.''

II. Incidental Expenses: The following items may be authorized or approved when related to official travel:

1. Commissions for conversion of currency in foreign countries.

2. Fees in connection with the issuance of passports, visa fees; costs of photographs for passports and visas; costs of certificates of birth, health, identity; and affidavits; and charges for inoculations which cannot be obtained through a federal dispensary when required for official travel outside the limits of the United States.

III. Hearing Expenses (committees only)

A. In connection with hearings held outside of Washington, D.C., committees are authorized to pay the travel expenses of official reporters having company offices in Washington, D.C., or in other locations, for traveling to points outside the District of Columbia or outside such other locations, provided:

1. Said hearings are of such a classified or security nature that their transcripts can be accomplished only by reporters having the necessary clearance from the proper federal agencies;

2. Extreme difficulty is experienced in the procurement of local reporters; or

3. The demands of economy make the use of Washington, D.C., reporters or traveling reporters in another area highly advantageous to the Senate; and further provided, that should such hearings exceed five days in duration, prior approval (for the payment of reporters' travel expenses) must be obtained from the Committee on Rules and Administration.

IV. Witnesses Appearing Before the Senate (committees only)

A. The authorized transportation expenses incurred and associated with a witness appearing before the Senate at a designated place of examination pursuant to S. Res. 259, agreed to August 5, 1987, will be those necessary transportation expenses incurred in traveling from the witness' place of residence to the site of the Senate examination and the necessary transportation expenses incurred in returning the witness to his/her residence.

B. If a witness departs from a city other than the witness' city of residence to appear before the Senate or returns to a city other than the witness' city of residence after appearing before the Senate, then Senate committees may reimburse the witness for transportation expenses incurred which are less than or equal to the amount the committee would have reimbursed the witness had the witness departed from and returned to his/her residence. Any deviation from this policy will be considered on a case by case basis upon the written request to, and approval from, the Committee on Rules and Administration.

C. Service fees for the preparation or mailing of passenger coupons for indigent or subpoenaed witnesses testifying before Senate committees shall be considered reimbursable for purposes of official travel.

D. Transportation expenses for witnesses may be charged to the Committee's official centrally billed government travel charge card and paid on direct vouchers to the charge card vendor. Additionally, per diem expenses for indigent witnesses may be charged to the Committee's official government charge card and paid on direct vouchers to the charge card vendor.

V. Regulations Governing Payments and Reimbursements from the Senate Contingent Funds for Expenses of Senate Committees and Administrative Offices

(Adopted by the Committee on Rules and Administration on July 23, 1987, as authorized by S. Res. 258, 100th Congress, 1st session, these regulations supersede regulations adopted by the Committee on October 22, 1975, and April 30, 1981, as amended.)

Section 1. Unless otherwise authorized by law or waived pursuant to Section 6, herein, no payment or reimbursement will be made from the contingent fund of the Senate for any official expenses incurred by any Senate committee (standing, select, joint, or special), commission, administrative office, or other authorized Senate activity whose funds are disbursed by the Secretary of the Senate, in excess of $50, unless the voucher submitted for such expenses is accompanied by documentation, and the voucher is certified by the properly designated staff member and approved by the Chairman or elected Senate Officer. The designation of such staff members for certification shall be done by means of a letter to the Chairman of the Committee on Rules and Administration. ''Official expenses,'' for the purposes of these regulations, means ordinary and necessary business expenses in support of a committee's or administrative office's official duties.

Section 2. Such documentation should consist of invoices, bills, statements, receipts, or other evidence of expenses incurred, and should include ALL of the following information:

(a) date expense was incurred;

(b) the amount of the expense;

(c) the product or service that was provided;

(d) the vendor providing the product or service;

(e) the address of the vendor; and

(f) the person or office to whom the product or service was provided.

Expenses being claimed should reflect only current charges. Original copies of documentation should be submitted. However, legible facsimiles will be accepted.

Section 3. Official expenses of $50 or less must either be documented or must be itemized in sufficient detail so as to leave no doubt of the identity of, and the amount spent for, each item. However, hotel bills or other evidence of lodging costs will be considered necessary in support of per diem expenses and cannot be itemized.

Section 4. Documentation for services rendered on a contract fee basis shall consist of a contract status report form available from the Disbursing Office. However, other expenses authorized expressly in the contract will be subject to the documentation requirements set forth in these regulations.

Section 5. No documentation will be required for the following expenses:

(a) salary reimbursement for compensation on a ''When Actually Employed'' basis;

(b) reimbursement of official travel in a privately owned vehicle;

(c) foreign travel expenses incurred by official congressional delegations, pursuant to S. Res. 179, 95th Congress, 1st session;

(d) expenses for receptions of foreign dignitaries, pursuant to S. Res. 247, 87th Congress, 2nd session, as amended; and

(e) expenses for receptions of foreign dignitaries pursuant to Sec. 2 of P.L. 100–71 effective July 11, 1987.

Section 6. In special circumstances, the Committee on Rules and Administration may require documentation for expenses incurred of $50 or less, or authorize payment of expenses incurred in excess of $50 without documentation.

Section 7. Cash advances from the Disbursing Office are to be used for travel and petty cash expenses only. No more than $5000 may be outstanding at one time for Senate committees or administrative offices, unless otherwise authorized by law or resolution, and no more than $300 of that amount may be used for a petty cash fund. The individual receiving the cash advance will be personally liable. The Committee on Rules and Administration may, in special instances, increase these non-statutory limits upon written request by the Chairman of that committee and proper justification.

Section 8. Documentation of petty cash expenses shall be listed on an official petty cash itemization sheet available from the Disbursing Office and should include ALL of the following information:

(a) date expense was incurred;

(b) amount of expense;

(c) product or service provided; and

(d) the person incurring the expense (payee).

Each sheet must be signed by the Senate employee receiving cash and an authorizing official (i.e., someone other than the employee(s) authorized to certify vouchers). Original receipts or facsimiles must accompany the itemization sheet for petty cash expenses over $50.

Section 9. Petty cash funds should be used for the following incidental expenses:

(a) postage;

(b) delivery expenses;

(c) interdepartmental transportation (reimbursements for parking, taxi, subway, bus, privately owned automobile (p.o.a.), etc.;

(d) single copies of publications (not subscriptions);

(e) office supplies not available in the Senate Stationery Room; and

(f) official telephone calls made from a staff member's residence or toll charges incurred within a staff member's duty station.

Petty cash funds should not be used for the procurement of equipment.

Section 10. Committees are encouraged to maintain a separate checking account only for the purpose of a petty cash fund and with a balance not in excess of $300.

Section 11. Vouchers for the reimbursement of official travel expenses to a committee chairman or member, officer, employee, contractor, detailee, or witness shall be accompanied by an ''Expense Summary Report—Travel'' signed by such person. Vouchers for the reimbursement to any such individual for official expenses other than travel expenses shall be accompanied by an ''Expense Summary Report—Non-Travel'' signed by such person.

Appendix A: The Federal Tort Claims Act

Pursuant to the provisions of S. Res. 492, agreed to December 10, 1982, the Sergeant at Arms has the authority to consider and ascertain and, with the approval of the Committee on Rules and Administration, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of Title 28, United States Code (The Federal Tort Claims Act), any claim for money damages against the United States for injury or loss of property or personal injury or death caused by negligent or wrongful act or omission of any Member, Officer, or Employee of the Senate while acting within the scope of his/her employment. Any compromise, adjustment, or settlement of any such claim not exceeding $2,500 shall be paid from the contingent fund of the Senate on a voucher approved by the Chairman of the Committee on Rules and Administration.

Payments of awards, compromises, or settlements in excess of $2,500 are obtained by the agency by referring the award, compromise, or settlement to the General Accounting Office for payment. Appropriations of funds for the payment of judgments and compromises are made available for payment of awards, compromises, and settlements under the Federal Tort Claims Act.

However, any award under the Federal Tort Claims Act in excess of $25,000 cannot take effect except with the prior written approval of the Attorney General.

ADDITIONAL STATEMENTS

ACKNOWLEDGING THE LOUISIANA HONORAIR

• Mr. VITTER. Madam President, today I acknowledge and honor a very special group, the Louisiana HonorAir. Louisiana HonorAir is a not-for-profit organization that flies as many as 200 World War II veterans up to Washington, DC, free of charge. On November 3, 2007, a group of 105 veterans and their guardians will reach Washington on this very special program.

While visiting Washington, DC, the veterans will tour sights, such as the Arlington National Cemetery, the Korean Memorial, and the World War II Memorial. The program provides many veterans with their only opportunity to see the great memorials dedicated to their service.

Thus, today, I ask my colleagues to join me in honoring these great Americans and thanking them for their devotion and service to our Nation.•

CELEBRATION OF QUILTS OF VALOR FOUNDATION

• Mr. CARPER. Madam President, today I wish to celebrate the Quilts of Valor Foundation. In a time when thousands of American families are sending their loved ones around the world to fight for the safety and security of all of us here at home, the Quilts of Valor Foundation has stepped forward to give something back to our wounded heroes. This foundation has pledged to sew and donate a Quilt of Valor to every servicemember wounded in the Iraq and Afghanistan wars. Their mission is to offer comfort and support to our wounded heroes.

An organization not about politics, but about people, the Quilts of Valor Foundation was established in November 2003 by Catherine Roberts of Seaford, DE, Since that time, thousands of volunteers from all over the United States have created over 13,000 quilts for our injured service men and women. With the help of military chaplains at medical centers throughout the United States, Europe and in Iraq and Afghanistan, the Quilts of Valor Foundation locates wounded soldiers and presents them with a hand-made quilt. That quilt is a symbol of the respect and honor that we as a country hold for them and their sacrifice.

The organization has two main missions which frame their important service to our country. First and foremost, the Quilts of Valor Foundation is dedicated to honoring those men and women who have been wounded, whether physically or psychologically, in Iraq and Afghanistan with a Quilt of Valor. Second, the Quilts of Valor Foundation hopes that by teaching young people to quilt and by spreading a culture of volunteerism, a new generation of Americans will become more civically involved and dedicated to bettering our Nation in whatever way they can.

I would like to acknowledge and sincerely thank Catherine Roberts, the Quilts of Valor Foundation, and all the volunteers, especially those in Delaware, who put so much time, money, effort, and love into every quilt to comfort our servicemembers and let them know how much we at home value their sacrifices.•

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2247. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 1498. A bill to amend the Lacey Act Amendments of 1981 to prohibit the import, export, transportation, sale, receipt, acquisition, or purchase in interstate or foreign commerce of any live animal of any prohibited wildlife species, and for other purposes (Rept. No. 110–210).

By Mrs. BOXER, from the Committee on Environment and Public Works:

Report to accompany H.R. 50, a bill to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994 (Rept. No. 110–211).

Report to accompany H.R. 465, a bill to reauthorize the Asian Elephant Conservation Act of 1997 (Rept. No. 110–212).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON (for himself and Mr. COLEMAN):

S. 2252. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for host families of foreign exchange and other students from $50 per month to $200 per month, and for other purposes; to the Committee on Finance.

By Mr. BAYH (for himself and Mr. LUGAR):

S. 2253. A bill to provide adjustments in payment to certain hospitals under the Medicaid program; to the Committee on Finance.

By Mr. COCHRAN:

S. 2254. A bill to establish the Mississippi Hills National Heritage Area in the State of Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. HUTCHISON (for herself, Mr. CORNYN, and Mr. INHOFE):

S. 2255. A bill to amend the National Trails System Act to provide for studies of the Chisholm Trail and Great Western Trail to determine whether to add the trails to the National Trails System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 2256. A bill to establish an Office of International and Domestic Product Safety and a Product Safety Coordinating Council to improve the management, coordination, promotion, and oversight of product safety responsibilities, develop a centralized public database for product recalls, advisories, and alerts, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN (for himself, Mr. MCCONNELL, Mrs. BOXER, Mr. DODD, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 2257. A bill to impose sanctions on officials of the State Peace and Development

Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH (for himself and Mr. BYRD):

S. Res. 358. A resolution expressing the importance of friendship and cooperation between the United States and Turkey; to the Committee on Foreign Relations.

By Mr. KENNEDY (for himself, Mr. KERRY, Mr. REED, Mr. WHITEHOUSE, Mr. DODD, Mr. LIEBERMAN, Ms. SNOWE, Ms. COLLINS, Mr. LEAHY, and Mr. SUNUNU):

S. Res. 359. A resolution congratulating the Boston Red Sox on winning the 2007 World Series; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1200

At the request of Mr. DORGAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

S. 1299

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1299, a bill to establish on behalf of consumers a fiduciary duty and other standards of care for mortgage brokers and originators, and to establish standards to assess a consumer's ability to repay, and for other purposes.

S. 1587

At the request of Ms. SNOWE, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1587, a bill to amend the Internal Revenue Code to allow a special depreciation allowance for reuse and recycling property and to provide for tax-exempt financing of recycling equipment, and for other purposes.

S. 1731

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1731, a bill to provide for the continuing review of unauthorized Federal programs and agencies and to establish a bipartisan commission for the purposes of improving oversight and eliminating wasteful Government spending.

S. 1858

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1858, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated follow-up care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 1871

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1871, a bill to provide for special transfers of funds to States to promote certain improvements in State unemployment compensation laws.

S. 1921

At the request of Mr. WEBB, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1921, a bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes.

S. 1963

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1963, a bill to amend the Internal Revenue Code of 1986 to allow bonds guaranteed by the Federal home loan banks to be treated as tax exempt bonds.

S. 2062

At the request of Mr. DORGAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2062, a bill to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act, and for other purposes.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2125

At the request of Mr. KOHL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2125, a bill to improve public awareness in the United States among older individuals and their families and caregivers about the impending Digital Television Transition through the establishment of a Federal interagency task force between the Federal Communications Commission, the Administration on Aging, the National Telecommunications and Information Administration, and the outside advice of appropriate members of the aging network and industry groups.

S. 2136

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2136, a bill to address the treatment of primary mortgages in bankruptcy, and for other purposes.

S. 2159

At the request of Mrs. HUTCHISON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2159, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration.

S. 2172

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2172, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to prohibit the importation of gems and hardwoods from Burma, to support democracy in Burma, and for other purposes.

S.J. RES. 22

At the request of Mr. BAUCUS, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to Medicare coverage for the use of erythropoiesis stimulating agents in cancer and related neoplastic conditions.

S. RES. 356

At the request of Mr. DURBIN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from New York (Mrs. CLINTON) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. Res. 356, a resolution affirming that any offensive military action taken against Iran must be explicitly approved by Congress before such action may be initiated.

S. RES. 357

At the request of Mr. BIDEN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 357, a bill designating the week of November 11 through November 17, 2007, as ''National Veterans Awareness Week'' to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BIDEN (for himself, Mr. MCCONNELL, Mrs. BOXER, Mr. DODD, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 2257. A bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes; to the Committee on Foreign Relations.

Mr. BIDEN. Mr. President, today, I rise to introduce a bipartisan bill to promote the restoration of civilian, democratic rule to the troubled state of Burma. The goal of the Burma Democracy Promotion Act is to help create the right conditions for the peaceful, negotiated transfer of power from

the generals who have ruled Burma for almost 2 decades to a newly-constituted civilian, democratic government.

In order to do this, we need to bring pressure to bear on the Burmese generals directly responsible for the bloody crackdown on peaceful protestors last month. This bill imposes new financial sanctions and travel restrictions on the leaders of the junta and their associates and tightens the economic sanctions imposed by the Congress in 2003 by outlawing the importation of Burmese gems and timber to the U.S. Carefully targeted sanctions can support our diplomacy. In this case, the sanctions are designed to provide leverage on the generals, who seem largely indifferent to the suffering of ordinary people. Until now, the generals have managed largely to avoid the bite of existing economic sanctions, enjoying their shopping trips abroad and stashing their riches outside of Burma. We hope to change that.

But unilateral pressure alone will not get the job done. We need a diplomatic offensive. Importantly, this bill creates a new position of Special Representative and Policy Coordinator for Burma. The Special Representative will work with Burma's neighbors and other interested countries, including the members of the EU and the Association of Southeast Asian Nations, to develop a comprehensive approach to the problem, including sanctions, dialogue, and support for non-governmental organizations providing humanitarian relief to the Burmese people. We need China, India, and Thailand, among others, to join with us to convince the generals that it is time for change.

While we work for a negotiated solution to the current crisis, we must not forget the Burmese people. This bill authorizes new assistance for the hundreds of thousands of Burmese who have been forced from their homes and are now refugees or who continue to suffer inside the country because of the mismanagement and brutality of the military regime.

It is time for Burma to begin a new day in which all of the people, including Burma's many minority groups, work together to rebuild what nearly 20 years of disastrous military rule have destroyed. With the support of the international community, a new government can build a more prosperous and democratic state, one that is at peace with its neighbors and that respects the human rights of all of its people. The Burmese Army should be, and can be, a part of this new Burma. The sanctions called for in this measure will be lifted provided only that the generals release all of their political prisoners, engage in a substantive dialogue with the advocates of democracy in Burma, and afford non-governmental organizations access to address the humanitarian needs of the Burmese people. These are reasonable, modest, objectives, and if met, would brighten the prospects for Burma's future.

Mr. President, others in this body have a long record of leadership on Burma policy, including the Minority Leader, Senator MCCONNELL, who I am proud to have as a cosponsor on this bill, and Senator MCCAIN. This bill was drafted in consultation with the staff of Senator MCCAIN, and includes some portions of a bill he introduced earlier this month. I want to thank Senator MCCAIN for his initiative and commend him for his strong voice on this issue. I have also relied on the wisdom of my old friend Congressman LANTOS, who has already introduced legislation on Burma in the House. Finally, I want to thank the Senator from California, Senator BOXER, for cosponsoring this legislation and for chairing an important Senate Foreign Relations Committee hearing on Burma that helped to shape this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no ojection, the text of the bill was ordered to be printed in the Record, as follows:

S. 2257

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 ''Burma Democracy Promotion Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Beginning on August 19, 2007, hundreds of thousands of citizens of Burma, including thousands of Buddhist monks and students, participated in peaceful demonstrations against rapidly deteriorating living conditions and the violent and repressive policies of the State Peace and Development Council, the ruling military regime in Burma—

(A) to demand the release of all political prisoners, including 1991 Nobel Peace Prize winner Aung San Suu Kyi; and

(B) to urge the SPDC to engage in meaningful dialogue to pursue national reconciliation.

(2) The SPDC violently confronted unarmed demonstrators, killing, injuring, and imprisoning citizens, including several thousand Buddhist monks, and continues to forcefully restrict peaceful forms of public expression.

(3) The Department of State's 2006 Country Reports on Human Rights Practices found that the SPDC—

(A) routinely restricts freedoms of speech, press, assembly, association, religion, and movement;

(B) traffics in persons;

(C) discriminates against women and ethnic minorities;

(D) forcibly recruits child soldiers and child labor; and

(E) commits other serious violations of human rights, including extrajudicial killings, custodial deaths, disappearances, rape, torture, abuse of prisoners and detainees, and the imprisonment of citizens arbitrarily for political motives.

(4) Aung San Suu Kyi has been arbitrarily imprisoned or held under house arrest for more than 12 years.

(5) On September 25, 2007, President Bush announced that the United States would—

(A) tighten economic sanctions against Burma, and block property and interests in property of—

(i) certain senior leaders of the SPDC;

(ii) individuals who provide financial backing for the SPDC; and

(iii) individuals responsible for violations of human rights and for impeding the transition to democracy in Burma; and

(B) impose an expanded visa ban on individuals—

(i) responsible for violations of human rights; and

(ii) who aid, abet, or benefit from the efforts of the SPDC to impede the efforts of the people of Burma to transition to democracy and ensure respect for human dignity.

(6) The Burmese regime and its supporters finance their ongoing violations of human rights, undemocratic policies, and military activities through financial transactions, travel, and trade involving the United States, including the sale of gemstones and hardwoods.

(7) The SPDC seeks to evade the sanctions imposed in the Burmese Freedom and Democracy Act of 2003. Millions of dollars in gemstones that are exported from Burma ultimately enter the United States, but the Burmese regime attempts to conceal the origin of the gemstones in an effort to evade sanctions. For example, over 90 percent of the world's ruby supply originates in Burma but only 3 percent of the rubies entering the United States are claimed to be of Burmese origin. The value of Burmese gemstones is predominantly based on their original quality and geological origin, rather than the labor involved in cutting and polishing the gemstones.

(8) Burma is home to approximately 60 percent of the world's native teak reserves. More than ¼ of the world's internationally traded teak originates from Burma, and hardwood sales, mainly of teak, represent more than 11 percent of Burma's official foreign exchange earnings.

(9) Burma officially exports tens of millions of dollars worth of rubies, sapphires, pearls, jade, and other precious stones each year and the SPDC owns a majority stake in all mining operations within the borders of Burma.

(10) On October 11, 2007, the United Nations Security Council, with the consent of the People's Republic of China, issued a statement condemning the violence in Burma, urging the release of all political prisoners, and calling on the SPDC to enter into a United Nations-mediated dialogue with its political opposition.

(11) The United Nations special envoy Ibrahim Gambari traveled to Burma from September 29, 2007 through October 2, 2007, holding meetings with SPDC leader General Than Shwe and democracy advocate Aung San Suu Kyi in an effort to promote dialogue between the SPDC and democracy advocates.

(12) The leaders of the SPDC will have a greater incentive to cooperate with diplomatic efforts by the United Nations, the Association of Southeast Asian Nations, and the People's Republic of China if they come under targeted economic pressure that denies them access to personal wealth and sources of revenue.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given the terms in section 5318A(e)(1) of title 31, United States Code.

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

(3) ASEAN.—The term ''ASEAN'' means the Association of Southeast Asian Nations.

(4) PERSON.—The term ''person'' means—

(A) an individual, corporation, company, business association, partnership, society, trust, any other nongovernmental entity, organization, or group; and

(B) any successor, subunit, or subsidiary of any person described in subparagraph (A).

(5) SPDC.—The term ''SPDC'' means the State Peace and Development Council, the ruling military regime in Burma.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a citizen of the United States or who owes permanent allegiance to the United States; and

(B) a person that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if individuals described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such entity.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) condemn the continued repression carried out by the SPDC;

(2) work with the international community, especially the People's Republic of China, India, Thailand, and ASEAN, to foster support for the legitimate democratic aspirations of the people of Burma and to coordinate efforts to impose sanctions on those directly responsible for human rights abuses in Burma;

(3) provide all appropriate support and assistance to aid a peaceful transition to constitutional democracy in Burma;

(4) support international efforts to alleviate the suffering of Burmese refugees and address the urgent humanitarian needs of the Burmese people; and

(5) identify individuals responsible for the repression of peaceful political activity in Burma and hold them accountable for their actions.

SEC. 5. SANCTIONS.

(a) LIST OF OFFICIALS OF THE SPDC.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of—

(A) officials of the SPDC who have played a direct and substantial role in the repression of peaceful political activity in Burma or in the commission of other human rights abuses, including any current or former officials of the security services and judicial institutions of the SPDC; and

(B) any other Burmese persons who provide substantial economic and political support for the SPDC.

(2) UPDATES.—The President shall regularly submit updated versions of the list required under paragraph (1).

(b) SANCTIONS.—

(1) VISA BAN.—A person included on the list required under subsection (a) shall be ineligible for a visa to enter the United States.

(2) WAIVER.—The ban described in subparagraph (1) may be waived only if the President submits written certification to Congress that such waiver is in the national interests of the United States.

(3) FINANCIAL SANCTIONS.—

(A) BLOCKED PROPERTY.—No property or interest in property belonging to a person described in subparagraph (C) may be transferred, paid, exported, withdrawn, or otherwise dealt with if—

(i) the property is located in the United States or within the possession or control of a United States person, including the overseas branch of a United States person; or

(ii) the property comes into the possession or control of a United States person after the date of the enactment of this Act.

(B) FINANCIAL TRANSACTIONS.—No United States person may engage in a financial transaction with the SPDC or with a person described in subparagraph (C).

(C) PERSON DESCRIBED.—A person is described in this subparagraph if the person is—

(i) an official of the SPDC;

(ii) included on the list required under subsection (a); or

(iii) an immediate family member of a person included on the list required under subsection (a), if the President determines that the person included on the list—

(I) effectively controls the property, for purposes of subparagraph (A); or

(II) would benefit from a financial transaction, for purposes of subparagraph (B).

(c) AUTHORITY FOR ADDITIONAL BANKING SANCTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General of the United States, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit or impose conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by any financial institution (as that term is defined in section 5312 of title 31, United States Code) or financial agency that is organized under the laws of a State, territory, or possession of the United States, for or on behalf of a foreign banking institution, if the Secretary determines that the account might be used—

(A) by a foreign banking institution that holds property or an interest in property belonging to a person on the list required under subsection (a); or

(B) to conduct a transaction on behalf of a person on the list required under subsection (a).

(2) AUTHORITY TO DEFINE TERMS.—The Secretary of the Treasury may, by regulation, further define the terms used in paragraph (1) for purposes of this section, as the Secretary considers appropriate.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to prohibit any contract or other financial transaction with any nongovernmental humanitarian organization in Burma.

(e) EXCEPTIONS.—

(1) IN GENERAL.—The prohibitions and restrictions described in subsections (b) and (c) shall not apply to medicine, medical equipment or supplies, food, or any other form of humanitarian assistance provided to Burma as relief in response to a humanitarian crisis.

(2) ADDITIONAL EXCEPTIONS.—The Secretary of the Treasury may, by regulation, authorize exceptions to the prohibitions and restrictions described in subsection (b) and (c)—

(A) to permit the United States to operate its diplomatic mission;

(B) to permit United States citizens to visit Burma; and

(C) for such other purposes as the Secretary determines to be necessary.

(f) PENALTIES.—Any person who violates any prohibition or restriction described in subsection (b) or (c) shall be subject to the penalties under section 6 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as for a violation under that Act.

(g) TERMINATION OF SANCTIONS.—The sanctions imposed under subsection (b) or (c) shall apply until the President determines and certifies to the appropriate congressional committees that the SPDC has—

(1) unconditionally released all political prisoners, including Aung San Suu Kyi and other members of the National League for Democracy;

(2) entered into a substantive dialogue with democratic forces led by the National League for Democracy and the ethnic minorities of Burma on transitioning to democratic government under the rule of law; and

(3) allowed humanitarian access to populations affected by armed conflict in all regions of Burma.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 6. PROHIBITION ON IMPORTATION OF BURMESE GEMS, HARDWOODS, AND OTHER ITEMS.

Section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003 (50 U.S.C. 1701 note) is amended by striking ''a product of Burma.'' and inserting ''produced, mined, manufactured, grown, or assembled in Burma, including—

''(A) any gemstone or rough unfinished geological material mined or extracted from Burma, whether imported as a loose item or as a component of a finished piece of jewelry; and

''(B) any teak or other hardwood timber, regardless of the country in which such hardwood timber is milled, sawn, or otherwise processed, whether imported in unprocessed form or as a part or component of finished furniture or another wood item.''.

SEC. 7. SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.

(a) UNITED STATES SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.—The President shall appoint a Special Representative and Policy Coordinator for Burma, by and with the advice and consent of the Senate.

(b) RANK.—The Special Representative and Policy Coordinator for Burma appointed under subsection (a) shall have the rank of ambassador and shall hold the office at the pleasure of the President.

(c) DUTIES AND RESPONSIBILITIES.—The Special Representative and Policy Coordinator for Burma shall—

(1) promote a comprehensive international effort, including multilateral sanctions, direct dialogue with the SPDC and democracy advocates, and support for nongovernmental organizations operating in Burma and neighboring countries, designed to restore civilian democratic rule to Burma and address the urgent humanitarian needs of the Burmese people;

(2) consult broadly, including with the Governments of the People's Republic of China, India, Thailand, and Japan, and the members of ASEAN and the European Union to coordinate policies toward Burma;

(3) assist efforts by the United Nations Special Envoy to secure the release of all political prisoners in Burma and to promote dialogue between the SPDC and leaders of Burma's democracy movement, including Aung San Suu Kyi;

(4) consult with Congress on policies relevant to Burma and the future and welfare of all the Burmese people, including refugees; and

(5) coordinate the imposition of Burma sanctions within the United States Government and with the relevant international financial institutions.

SEC. 8. SENSE OF CONGRESS ON COORDINATION WITH THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS.

It is the sense of Congress that the United States—

(1) joins the foreign ministers of member nations of ASEAN that have expressed concern over the human rights situation in Burma;

(2) encourages ASEAN to take more substantial steps to ensure a peaceful transition to democracy in Burma;

(3) welcomes steps by ASEAN to strengthen its internal governance through the adoption of a formal ASEAN charter;

(4) urges ASEAN to ensure that all members live up to their membership obligations and adhere to the core principles of ASEAN, including respect for, and commitment to, human rights; and

(5) would welcome a decision by ASEAN, consistent with its core documents and its new charter, to review Burma's membership in ASEAN and consider appropriate disciplinary measures, including suspension, until such time as the Government of Burma has demonstrated an improved respect for, and commitment to, human rights.

SEC. 9. SUPPORT FOR CONSTITUTIONAL DEMOCRACY IN BURMA.

(a) IN GENERAL.—The President is authorized to assist Burmese democracy activists who are dedicated to nonviolent opposition to the SPDC in their efforts to promote freedom, democracy, and human rights in Burma.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 to the Secretary of State for each of the fiscal years 2008 and 2009 to—

(1) provide aid to democracy activists in Burma;

(2) provide aid to individuals and groups conducting democracy programming outside of Burma targeted at a peaceful transition to constitutional democracy inside Burma; and

(3) expand radio and television broadcasting into Burma.

SEC. 10. SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS ADDRESSING THE HUMANITARIAN NEEDS OF THE BURMESE PEOPLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the international community should increase support for nongovernmental organizations attempting to meet the urgent humanitarian needs of the Burmese people.

(b) LICENSES FOR HUMANITARIAN OR RELIGIOUS ACTIVITIES IN BURMA.—Section 5 of the Burmese Freedom and Democracy Act of 2003 (50 U.S.C. 1701) is amended—

(1) by inserting ''(a) OPPOSITION TO ASSISTANCE TO BURMA'' before ''The Secretary''; and

(2) by adding at the end the following:

''(b) LICENSES FOR HUMANITARIAN OR RELIGIOUS ACTIVITIES IN BURMA.—Notwithstanding any other provision of law, the Secretary of the Treasury is authorized to issue multi-year licenses for humanitarian or religious activities in Burma. Licenses issued pursuant to this section shall be subject to annual review.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $20,000,000 to the Secretary of State for each of the fiscal years 2008 and 2009 to support operations by nongovernmental organizations designed to address the humanitarian needs of the Burmese people inside Burma and in refugee camps in neighboring countries.

SEC. 11. REPORT ON MILITARY AID TO BURMA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that—

(1) contains a list of countries that provide military aid to Burma; and

(2) describes the military aid provided by each of the countries described in paragraph (1).

(b) MILITARY AID DEFINED.—In this section, the term ''military aid'' includes—

(1) the provision of weapons, military vehicles, and military aircraft;

(2) the provision of military training; and

(3) conducting joint military exercises.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form and may include a classified annex.

SEC. 12. SENSE OF CONGRESS ON INTERNATIONAL ARMS SALES TO BURMA.

It is the sense of Congress that the United States should lead efforts in the United Nations Security Council to impose a mandatory international arms embargo on Burma, curtailing all sales of weapons, ammunition, military vehicles, and military aircraft to Burma until the SPDC releases all political prisoners, restores constitutional rule, and holds free and fair elections to establish a new government.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 358—EXPRESSING THE IMPORTANCE OF FRIENDSHIP AND COOPERATION BETWEEN THE UNITED STATES AND TURKEY

Mr. SMITH (for himself and Mr. BYRD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 358

Whereas the United States and Turkey share common ideals and a clear vision for the 21st century, in which freedom and democracy are the foundation of peace, prosperity, and security;

Whereas Turkey is a strong example of a predominantly Muslim country with a true representative democratic government;

Whereas for more than 50 years a strategic partnership has existed between the United States and Turkey, both bilaterally and through the North Atlantic Treaty Organization, which has been of enormous political, economic, cultural, and strategic benefit to both countries;

Whereas the Government of Turkey has demonstrated its opposition to terrorism throughout the world, and has called for the international community to unite against this threat;

Whereas Turkey maintains an important bilateral relationship with Israel and seeks to play a constructive role in Middle East peace negotiations;

Whereas Operation Enduring Freedom entered its 6th year on October 7th, 2007;

Whereas Turkey commanded the International Security Assistance Force in Afghanistan twice, from July 2002 to January 2003, and from February 2005 to August 2005;

Whereas Turkey has provided humanitarian and medical assistance in Afghanistan and in Iraq;

Whereas the Government of Turkey has made its base in Incirlik available for United States missions in Iraq and Afghanistan;

Whereas Secretary of Defense Robert Gates credits United States air bases in Turkey with handling 70 percent of all air cargo deployed into Iraq;

Whereas 95 percent of the Mine-Resistant Ambush-Protective vehicles (MRAPs) deployed into Iraq transit through air bases in Turkey;

Whereas MRAPs protect coalition forces from improvised explosive devices and roadside bombs;

Whereas the people of Turkey have been victims of terrorist attacks by Al-Qaeda on November 15, 2003, and November 20, 2003;

Whereas the United States supports Turkey's bid for membership in the European Union; and

Whereas the Secretary of State has listed the Kurdistan Workers' Party, which has taken up arms against Turkey since its founding, as a Foreign Terrorist Organization in accordance with section 219 of the Immigration and Nationality Act, as amended: Now, therefore, be it

Resolved, That the Senate—

(1) reiterates its strong support for the strategic alliance between the United States and Turkey;

(2) urges Prime Minister Recep Tayyip Erdogan of Turkey to communicate the continuing support of the Senate and of the people of the United States to the people of Turkey;

(3) condemns the violent attacks conducted by the Kurdistan Workers' Party over the last 2 decades;

(4) urges Kurdish leaders in Iraq to deny safe harbor for terrorists and to recognize bilateral agreements between Iraq and Turkey for cooperation against terrorism;

(5) encourages the Government of Turkey and the Government of Iraq to continue to work together to end the threat of terrorism; and

(6) thanks Prime Minister Erdogan and the people and Government of Turkey for—

(A) assuming command of the International Security Assistance Force in Kabul, Afghanistan from July 2002 to January 2003, and from February 2005 to August 2005;

(B) providing humanitarian and medical assistance in Afghanistan and in Iraq;

(C) their willingness to contribute to international peace, stability, and prosperity, especially in the greater Middle East region; and

(D) their continued discussions with officials in the United States and Iraq regarding constructive stabilization efforts in northern Iraq.

Mr. BYRD. Mr. President, today marks the 84th anniversary of the founding of the Republic of Turkey. It is an auspicious occasion to commemorate the abiding and enduring partnership between two great nations.

In 1923, following the collapse of the 600-year-old Ottoman Empire and a 3-year war of independence, a Turkish World War I hero, Mustafa Kemal, helped found the Republic of Turkey. Kemal, who was later given the name Ataturk, meaning ''father of the Turks,'' rejected the crumbling structures and outdated modes of empire and embraced instead a platform of reform and modernization, a legacy that continues in Turkey to this day and to this hour.

Today Turkey is the most successful example in the Muslim world of a secular representative democracy. Turkey's economy has grown at a record pace in recent years to become the world's 19th largest. Literacy and education rates continue to climb, as life expectancy has improved and poverty rates have declined. Turkey stands as an inspiration to reformers in the greater Middle East and throughout the world.

Turkey has been a consistent and loyal ally of the people of the United States. From World War II, when Turkey entered the fight on the side of the allies, to the cementing of the United States-Turkish alliance in the 1947 Truman doctrine to Turkey's accession to the North American Treaty Organization in 1952, Turkey has been a friend of the American people.

During the long Cold War, Turkey was a bulwark on the edge of the Iron Curtain, and it was a critical ally. Turkey later helped the United States to

patrol the no-fly zones over Iraq after the first Persian Gulf war and aided the U.S. Armed Forces in Afghanistan after the September 11 attacks.

Turkey, which has the second largest army in NATO, commanded the International Security Assistance Force in Afghanistan twice, in 2002 and 2005, and Turkish troops continue to contribute to security efforts there.

It is difficult to overstate the critical importance of Turkey's cooperation with United States missions in the region. United States Defense Secretary Robert Gates recently estimated that 70 percent—let me say that again, 70 percent—of the air cargo deployed into Iraq to support United States troops there transits through airbases in Turkey.

I perhaps should say that again. It is difficult to overstate the critical importance of Turkey's cooperation with United States missions in the region. United States Defense Secretary Robert Gates recently estimated that 70 percent of the air cargo deployed into Iraq to support United States troops there transits through airbases in Turkey.

Turkey, as a predominantly Muslim country with an important bilateral relationship with Israel, seeks to play a constructive role in Middle East peace negotiations and continues to be an important ally in a dangerous and turbulent region. Turkey occupies a strategically critical territory between Europe and Asia, bordering such challenging neighbors as Iran, Syria, and Iraq.

Furthermore, I say, as the United States increasingly looks to diversify its sources of energy, it is important for us to remember that Turkey forms a crucial energy corridor to the West, capable of bringing oil and natural gas from the steppes of Eurasia to the shores of the Mediterranean Sea.

Turkey is, in short, central to the interests of the United States. Now is a good time to be reminded of that fact, as tensions build in the Kurdish region and tempers flare over the proper words to use to describe a century-old tragedy. Whatever one's views may be about that tragedy—politically, economically, geographically, strategically, and militarily—as our soldiers—our soldiers, U.S. soldiers, American soldiers—are in harm's way in Iraq and Afghanistan, the United States can ill-afford to lose such an important friend and ally as Turkey.

This is a critical moment for Turkey. The Turkish people recently elected a new government, led by Prime Minister Erdogan and President Abdullah Gul. Let me say that once more. This time I think I can say that better. This is a critical moment for Turkey. The Turkish people recently elected a new government led by Prime Minister Erdogan and President Abdullah Gul. These decisive elections demonstrated the vibrant and healthy spirit of Turkey's democracy and the commitment of Turkey's people to the democratic process. However, the young government is facing a number of serious challenges as it simultaneously seeks to guard against a very real threat from Kurdish terrorists, assuage Turkish nationalists and the military, and maintain the secular character of the State, all while continuing Turkey's bid for European Union membership. We should offer the Turkish Government all the support we can give in these noble endeavors.

Much like the United States, Turkey continues to struggle with the darker moments of its history. The terrible treatment of Armenians prior to and during the first World War, as well as the treatment of other minorities, including Greeks, Alevis, and Kurds, is a matter that continues to haunt the people of Turkey. In recent years, however, there have been encouraging signs: historians conferences, attempts to improve relations with Armenia, and growing acceptance of the Kurdish language.

This is what free people and open democracies do. They debate and they examine their history and the conscience of their people. Given time and patience, their past can be confronted in a truthful and candid way. Many of us would like to see more progress from Turkey in this area. There continue to be issues about which our two countries disagree. This should be no surprise. Members of the same family disagree at times, and our best friends are often those who criticize us most openly. But there is a time for criticism and a time for praise, and criticism can be constructive. Today is a day to celebrate the great Turkish nation and its people and to acknowledge the strong ties that bind our countries together. That is the reason I am cosponsoring a resolution with my colleague, Senator GORDON SMITH—to affirm the friendship and the alliance of the American and Turkish peoples. May our ties continue to grow stronger with the passage of time.

SENATE RESOLUTION 359—CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2007 WORLD SERIES

Mr. KENNEDY (for himself, Mr. KERRY, Mr. REED, Mr. WHITEHOUSE, Mr. DODD, Mr. LIEBERMAN, Ms. SNOWE, Ms. COLLINS, Mr. LEAHY, and Mr. SUNUNU) submitted the following resolution; which was considered and agreed to:

S. RES 359

Whereas on October 28, 2007, the Boston Red Sox won the 2007 World Series by a 4-game sweep of the Colorado Rockies;

Whereas the Colorado Rockies deserve great credit for their historic performance during the 2007 baseball season and post-season, in which the Rockies won a remarkable 21 of the final 22 games heading into the World Series;

Whereas the Boston Red Sox victory was the second world title of the Red Sox in 4 years and the seventh world title in the 107-year history of the revered New England team;

Whereas the 2007 Red Sox world championship team, like the 2004 Red Sox world championship team, epitomized the very best in sportsmanship, team spirit, and heart in the course of winning the American League Championship Series and the World Series;

Whereas the 2007 Red Sox world championship team honored the careers of all former Red Sox legends, including Bobby Doerr, Carl Yastrzemski, Carlton Fisk, Jimmie Foxx, Cy Young, Johnny Pesky, Dom DiMaggio, Joe Cronin, Jim Rice, and Ted Williams;

Whereas the Red Sox were led back to the World Series this season by the determination of 2004 world championship team veterans, including Manny Ramirez, David Ortiz, Tim Wakefield, Curt Schilling, Jason Varitek, Mike Timlin, Kevin Youkilis, and Doug Mirabelli;

Whereas the 2007 season produced new Red Sox stars, including Josh Beckett, Jacoby Ellsbury, Dustin Pedroia, Julio Lugo, Mike Lowell, Jonathan Papelbon, Hideki Okajima, Daisuke Matsuzaka, J.D. Drew, Jon Lester, and rookie right-hander Clay Buchholz, who in his second major league start, pitched the 17th no-hitter in Red Sox history;

Whereas Red Sox manager Terry Francona has won a remarkable 2 World Series in the past 4 years at the helm of the Red Sox and assembled one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox president and chief executive officer Larry Lucchino and general manager Theo Epstein ended an 86-year World Series drought in 2004 and ushered in a new era in Boston baseball that has been confirmed in 2007;

Whereas the Red Sox, playing before 44,588 Cleveland Indian fans who stood just one game away from celebrating their team's first World Series appearance in a decade, demonstrated the highest qualities of teamwork and determination by winning the first game of a historic run reminiscent of the 2004 American League Championship Series;

Whereas the Red Sox outscored their opponents 59-15 during a 7-game winning streak ending in a victory in game 4 of the World Series in Colorado;

Whereas the Red Sox have won their last 8 consecutive World Series games;

Whereas Josh Beckett, Jonathan Papelbon, and Daisuke Matsuzaka delivered masterful post-season pitching performances, and Curt Schilling demonstrated again why he is considered to be one of the most dominant post-season pitchers in baseball history;

Whereas Jon Lester exhibited incredible courage and determination and provided inspiration to many by pitching 5⅔ shutout innings in game 4 of the World Series, just 1 year after undergoing chemotherapy for lymphoma;

Whereas Mike Lowell, who led the Red Sox with 120 runs-batted-in during 2007, batted .400 during the World Series, with 6 runs scored and 4 runs-batted-in, to earn the most valuable player award;

Whereas pitching phenomena Daisuke Matsuzaka and Hideki Okajima have helped produce close ties between the people of New England and Japan with their extraordinary play this year;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 54-year support of the ''Jimmy Fund'' of the Dana-Farber Cancer Institute, contributing to the ongoing battle against childhood cancers;

Whereas fans of the Red Sox are found in every corner of the United States and across the globe, far beyond Boston and New England; and

Whereas the members of the ''Red Sox Nation'' express their immense gratitude to the entire Red Sox team for an inspiring 2007 season and for bringing another world championship title to Boston: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2007 Major League Baseball World Series and the players, manager, coaches, support staff, and team owners and executives whose ability, hard work, dedication, and spirit made this season possible; and

(B) the Colorado Rockies for their extraordinary success during the 2007 season in winning the National League Championship; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Red Sox manager Terry Francona;

(B) Red Sox general manager Theo Epstein;

(C) Red Sox president and chief executive officer Larry Lucchino;

(D) Red Sox principal owner John Henry; and

(E) Red Sox chairman Tom Werner.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3472. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes.

SA 3473. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3474. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3475. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3476. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3477. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3478. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3479. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3480. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3481. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3482. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3483. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3484. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3485. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3486. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3487. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3488. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 294, supra.

SA 3489. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3472. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 25, between lines 16 and 17, insert the following:

(f) NORTH COAST HIAWATHA ROUTE.—Not later than 1 year after the date of enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Chicago and Seattle, through Southern Montana (commonly known as the ''North Coast Hiawatha Route''), which was operated by Amtrak until 1979, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the North Coast Hiawatha Route or along segments of such route, provided that such service will not negatively impact existing Amtrak routes.

SA 3473. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 66, line 10, insert '', including projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment'' before the period.

SA 3474. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. FOOD AND BEVERAGE SERVICE.

(a) QUARTERLY REPORT.—The National Railroad Passenger Corporation (referred to in this section as ''Amtrak'') shall submit a quarterly report to Congress and to the Secretary of Transportation that sets forth the profit or loss, as applicable, relating to the provision of food and beverage service on each rail line operated by Amtrak.

(b) CONTRACT RENEGOTIATION.—If the food and beverage service on a specific Amtrak rail line incurs a loss in any fiscal year, Amtrak shall renegotiate any applicable contracts relating to food and beverage service (including associated labor contracts) for such rail line in an effort to—

(1) reduce the cost of such service; and

(2) increase to likelihood to make a profit in the following fiscal year.

(c) DISCONTINUANCE.—If the food and beverage service on a specific Amtrak rail line incurs a loss in any 2 consecutive fiscal years, Amtrak shall terminate such service on such rail line.

(d) REINSTATEMENT.—Amtrak may reinstate food and beverage service that was discontinued under subsection (c) if—

(1) at least 1 year has elapsed since the date on which such service was discontinued on the applicable rail line;

(2) Amtrak submits a credible proposal to Congress and to the Secretary of Transportation for generating food and beverage service profits on such rail line for each of the following 5 fiscal years; and

(3) the Secretary of Transportation, or the designee of the Secretary, certifies to Congress that the proposal submitted under paragraph (2) will likely generate food and beverage service profits on such rail line for each of the following 5 fiscal years.

SA 3475. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 14, line 25, strike ''and'' at the end and all that follows through page 15, line 20, and insert the following:

(2) shall implement a modern financial accounting and reporting system; and

(3) shall, not later than 90 days after the end of each fiscal year through fiscal year 2012—

(A) submit to Congress a comprehensive report that allocates all of Amtrak's revenues and costs to each of its routes, each of its lines of business, and each major activity within each route and line of business activity, including—

(i) train operations;

(ii) equipment maintenance;

(iii) food service;

(iv) sleeping cars;

(v) ticketing; and

(vi) reservations;

(B) include the report described in subparagraph (A) in Amtrak's annual report; and

(C) post such report on Amtrak's website.

SA 3476. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 56, strike lines 12 through 17 and insert the following:

(1) PLAN REQUIRED.—Section 24101(d) is amended—

(A) by striking ''plan to operate within the funding levels authorized by section 24104 of this chapter, including the budgetary goals for fiscal years 1998 through 2002.'' and inserting ''plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2007, including the budgetary goals for fiscal years 2007 through 2012.''; and

(B) by striking the last sentence and inserting ''Amtrak and its Board of Directors shall adopt a long term plan that minimizes the need for Federal operating subsidies.''.

SA 3477. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 24, line 6, insert ''intercity passenger rail service or by'' after ''served by''.

On page 25, strike lines 10 through 16 and insert the following:

(e) PIONEER ROUTE.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Seattle and Chicago (commonly known as the ''Pioneer Route''), which was operated by Amtrak until 1997, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the Pioneer Route or along segments of such route.

SA 3478. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which

was ordered to lie on the table; as follows:

At the end add the following:

TITLE V—E-RATE PROTECTION

SEC. 501. PROHIBITION ON USE OF E-RATE FUNDS TO PROVIDE CELL PHONES TO STAFF.

The Federal Communications Commission shall ensure that no funds provided to an elementary school, secondary school, or library for purposes of section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)9B)) are used to provide cell phones to—

(1) bus drivers;

(2) janitors;

(3) school administrators; or

(4) other such staff employed by the elementary school, secondary school, or library.

SA 3479. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

TITLE V—REPEAL OF CERTAIN COMMUNICATIONS TAXES

SEC. 501. REPEAL OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''Communications Services and''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid pursuant to bills first rendered more than 90 days after the date of the enactment of this Act.

SA 3480. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ADDITIONAL FINANCIAL REPORTING.

(a) REPORTS.—

(1) IN GENERAL.—Beginning with the first fiscal year beginning after the date of the enactment of this Act, Amtrak shall file with the Secretary of Transportation—

(A) not later than 60 days after the end of each fiscal year, an annual report containing the information required by the Securities and Exchange Commission to be included in annual reports under such sections on Form 10–K, as such form may be revised from time to time; and

(B) periodic reports within the time frame and containing the information prescribed in Form 8–K of the Securities and Exchange Commission, as such form may be revised from time to time.

(2) REGISTRANT DEFINED.—As used in the reports required under paragraph (1)—

(A) Amtrak shall be deemed to be the ''registrant'' described in the forms of the Securities and Exchange Commission; and

(B) references contained in such forms to Securities and Exchange Commission regulations are incorporated in this section by reference.

(3) INTERNAL CONTROL REPORT.—Beginning with the annual report for fiscal year 2010, Amtrak shall comply with the rules prescribed by the Securities and Exchange Commission implementing sections 302 and 404 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7241 and 7262).

(b) FINANCIAL REPORTING.—

(1) IN GENERAL.—The report required under subsection (a)(1)(B) shall include all revenue and expenses associated with rail operations by route, including asset depreciation.

(2) SEGMENT REPORTING.—Beginning with the reports for fiscal year 2010, Amtrak shall include segment reporting in the report required under subsection (a)(1)(A). Amtrak, after consultation with the Secretary of Transportation, shall determine the appropriate segment reporting under this paragraph.

(c) SUPPORTING MATTER.—The Secretary of Transportation shall have access to the audit documentation and any other supporting matter of Amtrak and its independent auditor in connection with any information submitted under this section.

(d) REVISED REQUIREMENTS.—The Secretary of Transportation may initiate proceedings (to be conducted in accordance with regulations that the Secretary shall prescribe) to improve the quality, accuracy, or completeness of Amtrak data required under this section if—

(1) the data have become significantly inaccurate or can be significantly improved; or

(2) the Secretary determines that those revisions are otherwise necessitated by the public interest.

(e) CONFIDENTIAL INFORMATION.—If Amtrak determines that any document or portion of a document, or other matter, provided to the Secretary of Transportation in a nonpublic annex under this section or under subsection (c) contains information that is exempt from public disclosure under section 552(b) of title 5, United States Code, Amtrak shall, at the time of providing such matter to the Secretary, submit written notification to the Secretary of such determination that describes the documents or other matter for which confidentiality is sought and the reasons for such determination.

(f) MONTHLY PERFORMANCE REPORTS.—Amtrak shall include in each monthly performance report—

(1) expenses relating to food and beverage operations, including the cost of meals and food and beverage contractor performance;

(2) expenses relating to non-payroll employees, including post-retirement health care expenses, supplemental executive retirement plans, and performance bonuses; and

(3) depreciation expenses for the capital assets on each passenger rail route.

SA 3481. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 215 and insert the following:

SEC. 215. PROHIBITION ON FINANCIAL GUARANTEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, beginning on the date of the enactment of this Act, the Federal Government shall not make any financial guarantee or commitment to amortize Amtrak's outstanding indebtedness.

(b) SAVINGS PROVISION.—Nothing in this section may be construed to prohibit the Federal Government from honoring any financial guarantee or commitment made by the Federal Government before the date of the enactment of this Act.

SA 3482. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, after line 22, add the following:

SEC. 224. PROHIBITION OF FEDERAL SUBSIDIES FOR FOOD AND BEVERAGE SERVICE.

Federal funds may not be used by the National Railroad Passenger Corporation to subsidize food and beverage service on Amtrak trains until Amtrak is in compliance with section 24305(c)(4) of title 49, United States Code.

SA 3483. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 58, lines 3 through 5, strike ''its operation of trains funded by the private sector in order to minimize its need for Federal subsidies.'' and insert ''the operation of trains funded by, or in partnership with, private sector operators through competitive contracting to minimize the need for Federal subsidies.''.

SA 3484. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 97, line 13, insert ''host freight railroad companies, passenger railroad equipment manufacturers, and other passenger railroad operators as appropriate,'' after ''Administration,''.

SA 3485. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 11, between lines 22 and 23, insert the following:

(e) AMTRAK'S MISSION.—

(1) Section 24101 is amended—

(A) by striking ''**PURPOSE**'' in the section heading and inserting ''**MISSION**'';

(B) by striking subsection (b) and inserting the following:

''(b) MISSION.—

''(1) IN GENERAL.—The mission of Amtrak is to provide efficient and effective intercity passenger rail mobility consisting of high quality service that is trip-time competitive with other intercity travel options and that is consistent with the goals of subsection (d).

''(2) PERFORMANCE MEASUREMENT.—All measurements of Amtrak performance, including decisions on whether, and to what extent, to provide operating subsidies, shall be based on Amtrak's ability to carry out the mission described in paragraph (1).''; and

(C) by redesignating paragraphs (9) through (11) in subsection (c) as paragraphs (10) through (12), respectively, and inserting after paragraph (8) the following:

''(9) provide redundant or complimentary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available;''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 241 is amended by striking the item relating to section 24101 and inserting the following:

''24101. Findings, mission, and goals''.

On page 18, line 7, strike ''and''.

On page 18, strike lines 8 and 9 and insert the following:

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis;

(15) prior fiscal year and projected equipment reliability statistics; and

(16) capital and operating expenditure for anticipated security needs.

SA 3486. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 13 and 14, insert the following:

''(12) To review rail crossing safety improvements, including improvements using new safety technology.

SA 3487. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 95, between lines 2 and 3, insert the following:

''(13) A review of the safety of all public railway-highway grade crossings, including security measures, safety conditions, past accidents, possible safety improvements, and any other factors that the Secretary considers relevant.

SA 3488. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. SENSE OF THE SENATE REGARDING THE NEED TO MAINTAIN AMTRAK AS A NATIONAL PASSENGER RAIL SYSTEM.

(a) FINDINGS.—The Senate makes the following findings:

(1) In fiscal year 2007, 3,800,000 passengers traveled on Amtrak's long distance trains, an increase of 2.4 percent over fiscal year 2006.

(2) Amtrak long-distance routes generated $376,000,000 in revenue in fiscal year 2007, an increase of 5 percent over fiscal year 2006.

(3) Amtrak operates 15 long-distance trains over 18,500 route miles that serve 39 States and the District of Columbia. These trains provide the only rail passenger service to 23 States.

(4) Amtrak's long-distance trains provide an essential transportation service for many communities and to a significant percentage of the general public.

(5) Many long-distance trains serve small communities with limited or no significant air or bus service, especially in remote or isolated areas in the United States.

(6) As a result of airline deregulation and decisions by national bus carriers to leave many communities, rail transportation may provide the only feasible common carrier transportation option for a growing number of areas.

(7) If long-distance trains were eliminated, 23 States and 243 communities would be left with no intercity passenger rail service and 16 other States would lose some rail service. These trains provide a strong economic benefit for the States and communities that they serve.

(8) Long-distance trains also provide transportation during periods of severe weather or emergencies that stall other modes of transportation.

(9) Amtrak provided the only reliable long-distance transportation following the September 11, 2001 terrorist attacks that grounded air travel.

(10) The majority of passengers on long-distance trains do not travel between the endpoints, but rather between any combination of cities along the route.

(11) Passenger trains provide transportation options, mobility for underserved populations, congestion mitigation, and jobs in the areas they serve.

(12) Passenger rail has a positive impact on the environment compared to other modes of transportation by conserving energy, reducing greenhouse gas emissions, and cutting down on other airborne particulate and toxic emissions.

(13) Amtrak communities that are served use passenger rail and passenger rail stations as a significant source of economic development.

(14) This Act makes meaningful and important reforms to increase the efficiency, profitability and on-time performance of Amtrak's long-distance routes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) long-distance passenger rail is a vital and necessary part of our national transportation system and economy; and

(2) Amtrak should maintain a national passenger rail system, including long-distance routes, that connects the continental United States from coast to coast and from border to border.

SA 3489. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, after line 22, add the following:

SEC. 224. PASSENGER RAIL COST STUDY.

(a) IN GENERAL.—The National Railroad Passenger Corporation shall conduct a study to determine the potential cost and economic impact of passenger rail service between Scranton, Pennsylvania and Binghamton, New York.

(b) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report containing the results of the study conducted under this section to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

SEQUENTIAL REFERRAL EXTENSION

Ms. CANTWELL. Madam President, as in executive session, I ask unanimous consent that the sequential referral of the nomination of Julia L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, to the Committee on Judiciary be extended until November 2, 2007; further that if the nomination is not reported at that time, the nomination then be automatically discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 255, R. Lyle Laverty to be Assistant Secretary for Fish and Wildlife; that the nomination be confirmed; the motion to reconsider be laid upon the table; the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF THE INTERIOR

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

CONGRATULATING THE BOSTON RED SOX

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 359, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 359) congratulating the Boston Red Sox on winning the 2007 World Series.

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 359

Whereas on October 28, 2007, the Boston Red Sox won the 2007 World Series by a 4-game sweep of the Colorado Rockies;

Whereas the Colorado Rockies deserve great credit for their historic performance during the 2007 baseball season and post-season, in which the Rockies won a remarkable 21 of the final 22 games heading into the World Series;

Whereas the Boston Red Sox victory was the second world title of the Red Sox in 4 years and the seventh world title in the 107-year history of the revered New England team;

Whereas the 2007 Red Sox world championship team, like the 2004 Red Sox world championship team, epitomized the very best in sportsmanship, team spirit, and heart in the course of winning the American League Championship Series and the World Series;

Whereas the 2007 Red Sox world championship team honored the careers of all former Red Sox legends, including Bobby Doerr, Carl Yastrzemski, Carlton Fisk, Jimmie Foxx, Cy Young, Johnny Pesky, Dom DiMaggio, Joe Cronin, Jim Rice, and Ted Williams;

Whereas the Red Sox were led back to the World Series this season by the determination of 2004 world championship team veterans, including Manny Ramirez, David Ortiz, Tim Wakefield, Curt Schilling, Jason Varitek, Mike Timlin, Kevin Youkilis, and Doug Mirabelli;

Whereas the 2007 season produced new Red Sox stars, including Josh Beckett, Jacoby Ellsbury, Dustin Pedroia, Julio Lugo, Mike Lowell, Jonathan Papelbon, Hideki Okajima, Daisuke Matsuzaka, J.D. Drew, Jon Lester, and rookie right-hander Clay Buchholz, who in his second major league start, pitched the 17th no-hitter in Red Sox history;

Whereas Red Sox manager Terry Francona has won a remarkable 2 World Series in the past 4 years at the helm of the Red Sox and assembled one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox president and chief executive officer Larry Lucchino and general manager Theo Epstein ended an 86-year World Series drought in 2004 and ushered in a new era in Boston baseball that has been confirmed in 2007;

Whereas the Red Sox, playing before 44,588 Cleveland Indian fans who stood just one game away from celebrating their team's first World Series appearance in a decade, demonstrated the highest qualities of teamwork and determination by winning the first game of a historic run reminiscent of the 2004 American League Championship Series;

Whereas the Red Sox outscored their opponents 59-15 during a 7-game winning streak ending in a victory in game 4 of the World Series in Colorado;

Whereas the Red Sox have won their last 8 consecutive World Series games;

Whereas Josh Beckett, Jonathan Papelbon, and Daisuke Matsuzaka delivered masterful post-season pitching performances, and Curt Schilling demonstrated again why he is considered to be one of the most dominant post-season pitchers in baseball history;

Whereas Jon Lester exhibited incredible courage and determination and provided inspiration to many by pitching 5⅔ shutout innings in game 4 of the World Series, just 1 year after undergoing chemotherapy for lymphoma;

Whereas Mike Lowell, who led the Red Sox with 120 runs-batted-in during 2007, batted .400 during the World Series, with 6 runs scored and 4 runs-batted-in, to earn the most valuable player award;

Whereas pitching phenomena Daisuke Matsuzaka and Hideki Okajima have helped produce close ties between the people of New England and Japan with their extraordinary play this year;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 54-year support of the ''Jimmy Fund'' of the Dana-Farber Cancer Institute, contributing to the ongoing battle against childhood cancers;

Whereas fans of the Red Sox are found in every corner of the United States and across the globe, far beyond Boston and New England; and

Whereas the members of the ''Red Sox Nation'' express their immense gratitude to the entire Red Sox team for an inspiring 2007 season and for bringing another world championship title to Boston: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2007 Major League Baseball World Series and the players, manager, coaches, support staff, and team owners and executives whose ability, hard work, dedication, and spirit made this season possible; and

(B) the Colorado Rockies for their extraordinary success during the 2007 season in winning the National League Championship; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Red Sox manager Terry Francona;

(B) Red Sox general manager Theo Epstein;

(C) Red Sox president and chief executive officer Larry Lucchino;

(D) Red Sox principal owner John Henry; and

(E) Red Sox chairman Tom Werner.

ORDERS FOR TUESDAY, OCTOBER 30, 2007

Ms. CANTWELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m, Tuesday, October 30; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that there then be period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 294, the Amtrak legislation; that on Tuesday, the Senate stand in recess from 12:30 until 2:15 p.m. for the respective party conference meetings; further, I ask unanimous consent that the Members have until 12 noon to file any second-degree amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Ms. CANTWELL. Madam President, as a reminder to Members, a couple of votes with respect to amendments are expected to occur prior to the cloture vote; therefore, up to three rollcall votes could occur prior to the Senate recessing for the caucus meetings.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. CANTWELL. Madam President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Tuesday, October 30, 2007, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Monday, October 29, 2007:

DEPARTMENT OF THE INTERIOR

R. LYLE LAVERTY, OF COLORADO, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

COMMENDATION OF THE SECOND CHANCE PROGRAM OF NEW MEXICO

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mrs. WILSON of New Mexico. Madam Speaker, there are over two million people incarcerated in the United States, and nearly 6 percent of the adult population is under some form of correctional supervision.

Over the past 25 years, prison populations have grown 377 percent and prison budgets have grown 600 percent. The burden currently borne by the American taxpayer exceeds $162 billion annually.

The U.S. Department of Justice reports that the average criminal recidivism rate in the United States is 65 percent, and nearly two thirds of United States money is spent dealing with recidivism. Recidivism costs taxpayers over $35 billion a year in enforcement costs, and over $17 billion for additional court costs.

Over 80 percent of the crimes in the United States are committed by recidivists. The only continuous factor for the past 25 years linked to recidivism is drug addiction, two-thirds of the prison population recidivate, two-thirds of the prison population is addicted and approximately 90 percent of the incarcerated addicted recidivate.

The Second Chance Program is a secure long-term residential rehabilitation program treating substance abusers in the criminal justice system providing the judiciary an alternative to traditional incarceration.

The purpose of the Second Chance Program is to provide secure, long term rehabilitation and then transition individuals back into society so they can lead a stable life free of crime and drugs.

The Second Chance Program protocol is a non-medical social detoxification model of treatment based on nutrition, exercise and education.

The Second Chance Program has shown in three independent university studies to have a 90 percent success rate, and has been operational and achieving rehabilitation results in New Mexico for 1 year.

Congratulations to the Second Chance Program for successfully completing its first year of servicing the courts of New Mexico.

HONORING MR. SCOTT MARIAN

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. TANCREDO. Madam Speaker, I rise today to honor the commitment and dedication of Scott Marian of Denver, Colorado who passed away unexpectedly on October 21st, 2007. Scott was a dedicated supporter of conservative causes and candidates and dedicated his life to following a path he believed to be morally correct.

He was active in politics for more than two decades including heading up a statewide initiative and running for the Colorado Legislature. Scott's career spanned from mortgage banking to owning his own business in Colorado.

Scott's life was one of great success and great difficulties but he always found comfort in his faith, his family and his friends. His dedication to spiritual needs of himself and others led his Priest to say his was one of the most prepared souls to join the Heavenly Father.

He was a great American, often spreading the positive attributes of capitalism and the word of God in the same breath. He inspired others to find their voice and express themselves in politics and faith.

Scott leaves behind his parents Joseph and Jean Marian, as well as his brother Craig, sisters Susan, Michelle, and Cheryl and eight nieces and nephews.

IN RECOGNITION OF THE FIFTIETH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA TROOP 515

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the Boy Scouts of America Troop 515 in Cleveland, Ohio, on the occasion of their 50th anniversary. In the time Troop 515 has been in existence, it has served to teach young men the value of hard work, citizenship and leadership.

Troop 515 has had over 1,000 scouts in its ranks, with 35 of those scouts rising to the rank of Eagle Scout. Many of these scouts have gone on to serve their communities, influencing social policy and businesses alike. This troop has served the greater Cleveland community as an organization where young men can learn essential skills to serve them in their adult lives.

Madam Speaker and colleagues, please join me in recognizing the Boy Scouts of America Troop 515. For 50 years, Troop 515 has been committed to serving Cleveland and our citizens. I thank them for their service and I wish them another 50 years of vibrant leadership and civic engagement.

RECOGNIZING CHARLENE MAURO FEARON FOR RECEIVING THE FLORIDA OUTSTANDING HIGH SCHOOL SCIENCE TEACHER AWARD

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the U.S. Congress, it is an honor for me to rise today to recognize Charlene Mauro Fearon, this year's recipient of the Outstanding High School Science Teacher Award from the Florida Association of Science Teachers.

Ms. Fearon currently teaches marine-science at Navarre High School in Navarre, Florida. She has been an educator for over 9 years, and prior to teaching, she worked as a marine science instructor and animal care specialist at Sea World in Orlando.

With thousands of teachers in the State, the Florida Association of Science Teachers critically examines the character and performance of each nominee. Teachers are evaluated on their ability to identify and address their students' educational needs and the impact they have on the students' learning. Only teachers with great enthusiasm for the subject matter and committed devotion to their pupils are considered.

This is not the first time Ms. Fearon has been recognized for her exceptional teaching skills. In 2005, she was named the Santa Rosa County Teacher of the Year, and in 2004 she was a recipient of the John Beakley Marine Science Educator of the Year Award. Students and faculty alike praise her for the passion she devotes to her work. Her enthusiasm for the subject matter combined with her expertise of the material has sparked an overwhelmingly positive response from her students.

Through her hard work and dedication in the field of education, the impact she has had on her students and the difference she has made in their lives have proven her to be among the great teachers of the Nation. We are honored and proud to have her as one of our own.

Madam Speaker, on behalf of the U.S. Congress, I am proud to recognize Charlene Mauro Fearon on this outstanding achievement for her exemplary contribution to the education of our children.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1009, I was not present. Please note that I view rollcall No. 1009 as a re-vote of rollcall No. 982 on October 18, 2007 where I voted

no. Had I been present, I would have voted "no."

TRIBUTE TO MR. MARK ALVARADO

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. ARCURI. Madam Speaker, I rise today in recognition of Mr. Mark Alvarado, a resident of my congressional district in upstate New York. Mark currently serves as the field representative for New York DeMolay, but he is leaving this position at the end of the fiscal year.

DeMolay is a youth organization that develops leadership skills, civic awareness and personal responsibility among young men. With more than one thousand chapters worldwide, the organization combines its serious mission with a fun approach.

Mark's first experience with DeMolay came when he joined, and later became the master councilor of, the David J. Nye chapter in Ohio. After serving as the secretary and president for Northeast Ohio, he became the state secretary in July 1995. Due to his outstanding work in Ohio, Mr. Alvarado was offered a position at the DeMolay International Headquarters in Kansas City, Missouri. In 2002, he became the field representative for New York DeMolay.

During his tenure as field representative, Mark has traveled throughout the state to help the members of New York DeMolay as they have contributed approximately ten thousand hours of community service per year. He has developed and implemented a membership education curriculum, and planned conventions, athletic weekends and charity functions.

Perhaps Mark's greatest accomplishment as field representative has been the redevelopment and expansion of the Mohawk Valley chapter, which is based in my hometown of Utica. Due to his encouragement and support, the chapter has become involved in many community events, including the Boilermaker Road Race and the St. John's Day Festival.

In recognition of his work with DeMolay, Mark has received numerous honors including the Leadership Correspondence Course, the Blue Honor Key, the Chevalier, the Legion of Honor and the Representative DeMolay Award.

Mark's exceptional dedication is to be commended. As the father of two teenagers, I recognize the importance of organizations like DeMolay that encourage young people to get involved in their communities. I thank him for his commitment and wish him luck as he pursues his future goals.

PERSONAL EXPLANATION

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. EMANUEL. Madam Speaker, I was absent from the Chamber for rollcall votes 1003 and 1005 on October 25, 2007. Had I been present, I would have voted "aye" on rollcall vote 1003 and "no" on rollcall vote 1005.

RECOGNIZING THE RETIREMENT OF TERRY NEUSTAEDTER AS PRINCIPAL OF BERRYHILL ELEMENTARY SCHOOL

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. MILLER of Florida. Madam Speaker, it is an honor for me to rise today and recognize the retirement of Terry Neustaedter, a great educator.

For over 33 years, Terry has served as the principal of Berryhill Elementary School in Milton, FL, and under his leadership the school's size, facilities, and reputation have flourished. When he took the helm at Berryhill in 1974, the school served 350 students with a faculty and staff of only 35 people, and when he retires at the end of this year the student body will have more than doubled to 850 students and a faculty and staff of 115.

When the State of Florida implemented the Florida Comprehensive Assessment Test, FCAT to determine how well schools were meeting the standards set by the No Child Left Behind Act, every school principal was faced with a new challenge of making sure the schools under their charge lived up to its highest potential. Within 2 years, Terry Neustaedter had Berryhill Elementary School earning an "A" grade, and it has remained that way ever since. In addition, the Florida Department of Education recently awarded Berryhill with a Certificate of Achievement for having exceeded the standard for annual progress, and the school is 1 of only 12 schools out of 1,400 to receive such distinction.

Terry's leadership of Berryhill Elementary was not limited to just within the school walls. The school has received numerous awards on both the State and local level for community involvement, especially in the area of volunteering in the surrounding community. These volunteer efforts have included helping raise money for the American Heart Association and the American Cancer Association, and for many years Berryhill has received the Department of Veteran Affairs "Outstanding Service" award recognizing its outstanding service to our nation's veterans through the Voluntary Service Program. In addition, he has brought programs into the school that teach the importance of civic participation through activities such as voting, reinforcing the importance of being involved with one's community.

Madam Speaker, Terry's leadership and friendly positive demeanor will be missed by past and current students of Berryhill Elementary School. I am confident that those following in his footsteps will aspire to achieve the same great results for our Nation's youth as Terry has achieved, and I know he will continue to be looked up to as a great educator.

IN RECOGNITION OF LYNDA SACKETT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Lynda Sackett as she retires from her position as Director of Dance at the Beck Center for the Arts in Lakewood, Ohio. For the last 40 years, she has touched the lives of thousands of young dance artists as she has worked to establish the Beck Center as a great arts resource for Northeast Ohio.

Lynda began her career in the 1960s in Beck Center's Theatre Education Program. During the 1970s, she helped to create the Dance Education Program and has led that program ever since. Her passion for dance and for the arts led her to get even more involved with the Beck Center, serving as both director of Outreach Education and program director for Visual Arts Education while continuing to lead the dance program.

In her honor, the Beck Center has recently announced the establishment of the Lynda Sackett Endowment Fund for Dance Education. This money will serve to honor Lynda's spirit and dedication to dance by continuing her efforts to reach out to the community and encourage more young people to learn about the art of dance.

Madam Speaker and colleagues, please join me in honoring Lynda Sackett for her service to her community and to arts education.

CONGRATULATING JUNIOR ACHIEVEMENT OF ROCKY MOUNTAIN INCORPORATED

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. TANCREDO. Madam Speaker, today I am honored to acknowledge the achievements of Junior Achievement of Rocky Mountain Incorporated for serving Colorado's youth attending Littleton public schools. This year, Junior Achievement is being recognized by the Colorado Association of Partners in Education for its outstanding volunteerism and academic contributions in the fields of economics and finance. Their commitment has instilled a strong sense of financial prowess and capitalist spirit within the youth of their community; a valuable asset which will undoubtedly yield great benefits in the years to come.

The successful history of Junior Achievement mirrors the entrepreneurial character it strives to instill. Founded in 1919, it has grown from being an after school mentoring program to become the world's largest organization focused on educating students on the dynamics and benefits of local and global financial markets. By introducing young individuals to the values of economics, they are better prepared and responsible to establish and manage their financial and personal goals as they grow older.

In addition, all Junior Achievement programs are taught by volunteers who successfully mentor roughly 8 million individuals annually. These volunteers are comprised of a myriad of experiences and backgrounds, from business professionals to college students. They instill economic knowledge and understanding in youth and reflect the importance of service to local communities; a value which my district is distinguished to have.

Madam Speaker, it is my distinct pleasure to have such a fine organization at work in my district. Please join me in congratulating Junior Achievement for their many successes.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. SHUSTER. Madam Speaker, on rollcall No. 1008, Motion to Recommit with Instructions on H.R. 3963, I was not present. Had I been present, I would have voted "yes."

CONGRATULATING SETH S. GROSS UPON BEING NAMED ''MAN OF THE YEAR'' BY B'NAI B'RITH AMOS LODGE NO. 136

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Seth S. Gross, who was named "Man of the Year" by the B'nai B'rith Amos Lodge No. 136 of Scranton, PA.

Mr. Gross graduated from Scranton Central High School in 1959 and received his bachelor's degree from the University of Pittsburgh in 1962. After attending the College of Insurance, he worked for Chubb and Son in New York City before returning to Scranton to join his father, Abraham, his mother, Lillian and his uncle, Bernard Gross, in Gross-Brown Associated Agencies, Inc.

He remained associated with Gross-Brown until 1994, when it merged with Chamberlain Insurance. Mr. Gross continues to be associated with Chamberlain and Reinheimer Insurers, Inc.

He is a past president of the Northeastern Pennsylvania Chapter of Chartered Property Casualty Underwriters and has taught classes for the CPCU designation.

Mr. Gross has served as president of many Jewish and community organizations over the years, including the Scranton Lions Club, the Lackawanna Audubon Society, Jewish Family Service of Lackawanna County, Junior Achievement of Northeastern Pennsylvania, Temple Israel of Scranton and the Scranton Jewish Community Center. He is currently president of the Jewish Federation of Northeastern Pennsylvania and he serves on the boards of Jewish Family Service, the JCC and Temple Israel.

Mr. Gross previously served on the board of the Scranton Hebrew Day School and on the United Way allocations panel.

He has also worked on the Pennsylvania Film Festival/Scranton Tomorrow Committee and the First Night Celebration in Scranton. Mr. Gross was the recipient of the Scranton Jewish Community Center Young Leadership Award, its Man of the Year Award and its Lifetime Achievement Award.

Mr. Gross is married to the former Sheryl Jacobowitz. The couple has two daughters and three grandchildren.

Madam Speaker, please join me in congratulating Mr. Gross. His contributions to the business and community sectors in Scranton and the northeastern Pennsylvania region have earned him well-deserved respect and admiration, which are reflected in this honor being bestowed on him by B'nai B'rith Amos Lodge No. 136.

TRIBUTE TO MARGARET ALEROTEK

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Ms. CORRINE BROWN of Florida. Madam Speaker, I rise today to honor the life of Margaret Alerotek a dedicated advocate for peace in Northern Uganda. Margaret passed away on Tuesday, July 31, 2007, and is survived by her adoptive mother, Abitmo Rebecca Odongkara, and siblings.

Margaret participated in many meetings on Capitol Hill during her time in the United States. She was greatly impressed by the opportunity to address a group of young African Americans who are helping to shape U.S. policy. During her May 8, 2007, visit, Ms. Alerotek met with Congressional Black Associates, a Congressional staff association and provided insight regarding international efforts to alleviate poverty and to end the involvement of children in conflict throughout Africa. Sadly, Margaret passed away shortly after her return to Uganda on Tuesday, July 31, 2007 at the age of 27.

Margaret was born in 1980 in the Gulu District of Northern Uganda and was later adopted at the age of 3 when her parents were murdered by Lord's Resistance Army rebels. Margaret graduated from the Uganda Christian University with honors and served for almost 3 years as communications officer for World Vision, a Christian humanitarian organization.

In December 2006 when the Lord's Resistance Army walked out of the Juba Peace talks, 26-year-old Margaret reached out to the LRA leadership and the Ugandan Government chief negotiator to break the silence. The parties recommitted themselves to the peace talks.

One month before her death, at the conclusion of her briefing, with the Congressional Black Associates, Margaret was asked, "Why do you continue to advocate for peace in Northern Uganda at great risk to yourself?" She replied, "Because they are my people."

The impact of Margaret's life is immeasurable—not only because of her work, but more importantly, because of the power of her example. Margaret chose not to be consumed by the misfortune of being an orphan in a country consumed by war. She instead chose to stand on its shoulders and become a powerful advocate for peace, hope and reconciliation.

Margaret was a remarkable young woman. Her leadership, sacrifice and courage serves as an example to people everywhere. For this reason, I rise today to honor the life and service of Ms. Margaret Alerotek.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately Tuesday, October 23, 2007, I was unable to cast my vote on the Motion to Table H. Res. 767 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 986 on the Motion to Table H. Res. 767, I would have voted "nay."

RETIREMENT OF MR. ALAN G. WILSON

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. HARE. Madam Speaker, I rise today to recognize Mr. Alan G. Wilson, garrison manager at Rock Island Arsenal, for his outstanding military service and contributions to the Quad Cities community on the occasion of his retirement.

For over 35 years, Mr. Wilson dedicated his life to serving our country. From 1966 to 1967, Mr. Wilson served in active duty in the U.S. Army. He later began his civilian career as a management analyst in the U.S. Weapons Command at the Department of Defense.

In 1974, he was transferred to the new Armaments Command at Rock Island Arsenal (RIA). After various high-level positions at RIA, Mr. Wilson became the first civilian garrison manager at the U.S. Army Garrison-Rock Island Arsenal in 2004.

In his role as garrison manager, Mr. Wilson was responsible for installation operations, which included managing an $89 million budget, supervising 60 tenant activities and overseeing 6,600 government and contracted employees.

During his tenure as garrison manager, Mr. Wilson was credited for high-performing installations during the BRAC 2005 round and addressing other BRAC-related issues such as housing and office space. Mr. Wilson also led efforts to integrate the installation with the larger Quad Cities community, resulting in an estimated economic impact of $1 million daily to the Quad Cities region.

Continuously recognized by superiors for his hard work, Mr. Wilson has received several Exceptional Performance Awards, two Superior Civilian Service Awards, two Commander's Awards, and the Achievement Medal for Civilian Service. Most recently, he was honored with the Meritorious Civilian Service Award for his exemplary record of professionalism and dedication to the U.S. Installation Management Command.

Madam Speaker, on behalf of the constituents of the 17th Congressional District of Illinois, I congratulate Mr. Wilson on his retirement and thank him for his honorable service to our Nation. Alan, you will be missed. I wish you and your family well as you embark on a new life chapter and congratulate you for an admirable career.

ON THE OUTSTANDING SERVICE OF JIM BATES TO THE HOUSE BUDGET COMMITTEE

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. SPRATT. Madam Speaker, with the recent decision by Jim Bates to leave the Budget Committee staff to serve as a program associate director at OMB, the Congress has lost a dedicated public servant and the Budget Committee has lost an important institutional resource. But our loss is OMB's gain. Jim served on the Budget Committee staff for nearly 20 years, starting in 1988 as a budget analyst for the Republican staff and eventually becoming staff director to Jim Nussle when he was chairman and to Paul Ryan as ranking member. During that long tenure, Jim rightfully came to be known as one of the top budget experts in Washington.

Jim has a deep knowledge of both the programmatic and numbers side of the budget, on the one hand, and the budget process, on the other hand. One reason Jim knows the budget rules so well is that he helped to write them. He has been centrally involved in such budget milestones as the budget agreements of 1990 and 1997, as well in the debates we have had over the years about how to best structure the budget process.

Year in and year out, he has been critically involved in the development, consideration, and enforcement of the congressional budget resolution—the key blueprint for Congress's spending and revenue decisions. Throughout, Jim has been a strong advocate for the importance of the congressional budget process, in general, and the role of the Budget Committee, in particular. We will miss Jim Bates and his steady presence as he leaves the Congress to begin his new job. But he departs with great respect and sincere appreciation that he has earned from my colleagues on both sides of the aisle.

DEPARTURE OF DEPARTMENT OF VETERANS AFFAIRS SECRETARY R. JAMES NICHOLSON

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. BUYER. Madam Speaker, I rise to honor and bid farewell to a distinguished leader and patriot, the Honorable R. James Nicholson, Secretary of the Department of Veterans Affairs.

Throughout his life, Secretary Nicholson has been a devoted servant to his country and fellow citizens. His bio is a classic American story that illustrates the potential each individual holds as a result of the liberty and freedom we cherish in this great Nation.

Secretary Nicholson's deeply held faith and hard work ethic reflect his heritage. One of seven children, he left his family and the peaceful Iowa farm on which he was raised, to graduate from the United States Military Academy at West Point. During his 8 years on active duty, Secretary Nicholson served as an Army officer and Airborne Ranger in the Republic of Vietnam. He also served in the Army Reserves for 22 years, retiring with the rank of colonel.

In addition to a distinguished military career, Secretary Nicholson holds an impressive list of academic accomplishments. He holds a master's degree from Columbia University and a law degree from the University of Denver. Secretary Nicholson was also successful as an entrepreneur and political activist. He established a thriving business in Denver, and ascended to become chairman and chief executive officer of the Republican National Committee.

In 2001, President George W. Bush appointed him Ambassador to the Holy See. Secretary Nicholson was subsequently knighted by Pope John Paul II in 2003 for his advocacy on a number of humanitarian issues.

Secretary Nicholson's life of service to others culminated in his appointment as head of the second largest Cabinet Department. As Secretary of Veterans Affairs, he proved to be a tireless and innovative advocate for his fellow veterans.

Our Nation will be eternally grateful for his devotion to the men and women who have defended our freedom and way of life. Secretary Nicholson decided to leave Government service to pursue other interests, and fulfilled his final day as VA Secretary on September 30, 2007.

Madam Speaker, I urge my colleagues to join me today in recognizing the tremendous career of Secretary Nicholson and to thank him for his leadership and honorable service to our country. I wish him and his wife, Suzanne, the very best of luck and happiness during the next chapter of their lives.

TRIBUTE TO MR. JOSEPH M. LAUFER

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. SAXTON. Madam Speaker, I rise today in recognition of Mr. Joseph M. Laufer. On November 29, 2007, Mr. Laufer will receive the 2007 Lloyd Ritter Community Service Award on behalf of the Volunteer Center of Burlington County, NJ.

In 1997, Mr. Laufer retired as an associate dean at Burlington County College after 27 years of tireless service. Yet, he has continued to reach out and dedicate his time to the residents of Burlington County. Some of his recent activities include maintaining and updating the Southampton Township website and assisting a local fire relief company in obtaining a preservation grant. He has also served as a member of the Jack Allen Early Country Living Museum, the Roebling Main Gate Museum, the Rancocas Valley Tourism Association, the Burlington County Historical Society, and he volunteers at the Holy Eucharist Parish in Tabernacle.

In addition, Mr. Laufer does not shy away from providing valuable leadership to area organizations. He was appointed the Burlington County Historian in 2003 and elected president of the H.B. Smith Industrial Village Conservancy, the director of alumni relations for the Lenape High School District, and finally, was a past president of the Southampton Historical Society and Library Board.

Madam Speaker, the Burlington County community has truly benefited from Mr. Laufer's experience. As he is honored by the Volunteer Center of Burlington County for this very special award, I would like to extend my sincere gratitude for his desire to utilize his talents for the greater good and enduring commitment to improving the lives of those around him.

TRIBUTE TO WANDA CHANEY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. BRADY of Pennsylvania. Madam Speaker, I rise on this occasion to honor Wanda Chaney, a dedicated employee of the CAO, for her service to the House of Representatives.

Wanda Chaney began her career at the U.S. House of Representatives in 1994 serving as a user information specialist in the User Assistance Office, now known as the CAO Technology Call Center. Wanda soon went on to be a technical support representative (TSR) providing excellent service with enthusiasm and passion. Wanda's dedication and leadership qualities soon found Wanda leading a team of TSRs whose mission was to provide timely and efficient services to Member offices.

Throughout Wanda's career, she continued to expand her services beyond technical support. Wanda's contribution to the transitioning of Congresses cannot be overstated. Wanda moved services to a higher standard, raising the bar for all who assisted her in these endeavors. Wanda identified the problems facing Members as they transition in and out of Congress and presented practical and time-saving solutions for Members and staff. Wanda can be credited for infusing technology in the dissemination of information critical to new Members of Congress. She created an interactive CD-ROM to familiarize Members with technology services provided by the House. She introduced an interactive web page to help offices navigate through the transition.

Wanda's contribution to the rollout of U.S. Active Directory for user authentication to the House ensured that Members' requirements were satisfied and complete. There are countless examples of how Wanda made a difference in the provisioning of technology services to Member offices.

A common theme shared by her customers and colleagues speaks to her commitment, resourcefulness and drive to provide a meaningful solution to any problem sent her way. Wanda's ability to see the "big" picture, understand the needs of her customers and passion for doing what's right are inspiration to all.

Wanda gave tirelessly in the pursuit of excellence and it is an honor to recognize her service to the U.S. House of Representatives.

PROVIDING FOR CONSIDERATION OF H.R. 3963, CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 25, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise today in strong support of H.R. 3963, a revised version of the Children's Health Insurance bill which the President vetoed on October 3 despite strong bipartisan support. Like the original, this bill ensures health care coverage for 10 million children.

This bill will preserve coverage for all 6.6 million children currently covered and will reach millions more children who are currently eligible but not yet enrolled. It is vital that we pass this important legislation to ensure that our nation's children receive the health care they deserve.

We cannot allow our children to slip through the cracks.

An overwhelming majority of the American people and Governors of both parties support our efforts to provide health insurance for our children.

Democrats have reached out to Republicans to craft this revised bill to address concerns that were raised with the original bill.

Today's vote will give the American people the opportunity to see whether these were legitimate concerns or merely political excuses.

This revised bill gives the President another opportunity to protect America's most vulnerable children. Let's send the President this bill giving him the chance to finally get this right.

I encourage my colleagues to join me in fulfilling our moral obligation to our nation's children by supporting this bill and giving them the health care they need and deserve.

HONORING ROSALIE DOWNS

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. DAVIS of Virginia. Madam Speaker, I rise today to honor Ms. Rosalie Downs, who will retire on January 2, 2008, after completing 50 years of federal service.

In 1957, Ms. Downs began her career with the Director of Accounting and Finance at the Department of the Air Force. She went on to work for the Directorate of Intelligence, Policy and Management Group the next year, and then moved to the Directorate of Operations, Bases and Units Division. In 1964, she assumed her current duties as Secretary of the Congressional Inquiry Branch, and in 1970, began serving in the Congressional Inquiry Division, Directorate of Legislative Liaison, Office of the Secretary of the Air Force. During this period, the outstanding professional skill, leadership and ceaseless efforts of Ms. Downs resulted in key contributions to the effectiveness and success of the Congressional Inquiry Division. In this capacity, Ms. Downs performed superbly across a broad spectrum of congressional issues, while expertly assisting the Directorate in providing timely responses to tens of thousands of inquiries from Congress.

During her 50 years of work in the Office of Legislative Liaison, Ms. Downs has provided dedicated and professional service to both the United States Senate and the House of Representatives. She has developed close working relationships with many of our staffs, and her efforts have greatly enhanced congressional understanding of Air Force personnel matters. The distinctive accomplishments of Ms. Rosalie A. Downs culminate a long and distinguished career in the service of the federal government, and reflect great credit upon herself and the Department of the Air Force.

Madam Speaker, in closing, I would like to extend my heartfelt thanks to Rosalie Downs for her 50 years of service and dedication to the Federal Government. I ask my colleagues to join me in congratulating Ms. Downs on her retirement and wishing her the best of luck in all future endeavors.

COMMENDING MICHAEL TOMPKINS FOR BEING INSTALLED AS CHAIRMAN OF THE NATIONAL APARTMENT ASSOCIATION

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. GINGREY. Madam Speaker, I rise today to commend Michael Tompkins on being installed as Chairman of the Board of the National Apartment Association. Mr. Tompkins has been a leading advocate for quality rental housing in the state of Georgia for nearly two decades, where he has served on the Atlanta Apartment Association for over 13 years.

Applying his knowledge of the apartment industry, Mr. Tompkins has been an asset to the Atlanta Apartment Association, serving in a variety of roles, including president in 2001. In 2004, Mr. Tompkins served as president of the Georgia Apartment Association.

In addition to the impact Mr. Tompkins has made on the quality of rental property in the southeast, his philanthropic endeavors have also benefited the well-being of our community. He volunteers his time serving on several non-profit organization boards including the Southeastern Trustee for Boys and Girls Clubs, Atlanta Community Food Bank and the Emory University Board of Trustees, to name a few.

Madam Speaker, it is no small wonder that word of Mr. Tompkins' leadership in the advocacy of quality rental housing spread quickly, and he will now take his expertise to the national level, where he will chair an association comprised of more than 51,000 members and responsible for more than 6.1 million apartment homes nationwide.

Madam Speaker, I ask that my colleagues join me in honoring Michael Tompkins for his commitment to improving the quality of rental homes in this country and representing the interests of renters throughout our nation.

IN RECOGNITION OF GENERAL KEVIN P. CHILTON

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. LAMBORN. Madam Speaker, I rise today to express my gratitude for General Kevin P. Chilton's service as Commander of the Air Force Space Command at Peterson Air Force Base. During his time there, General Chilton commanded over 39,700 professionals responsible for providing North American Aerospace Defense command and U.S. Strategic Command with combat forces and capabilities. In addition to managing the development, acquisition and operation of the Air Force's missile and space systems, the General also supervised missile warning and launch facilities, satellite command and control, and America's intercontinental ballistic missile force.

Before coming to AFSPC, General Chilton served as Commander, 8th Air Force, and Joint Functional Component Commander for Space and Global Strike, U.S. Strategic Command. General Chilton, who graduated from the United States Air Force Academy in 1976, is a Guggenheim Fellow with a Master of Science in mechanical engineering from Columbia University. After graduating from U.S. Air Force Test Pilot School in 1984 with the Liethen-Tittle Award for top graduate, General Chilton conducted weapons testing in models of F–4 and F–15. In 1987 he entered the National Aeronautics and Space Administration where he served as Deputy Program Manager for Operations for the International Space Station Program and flew on three space shuttle missions.

A capable leader, General Chilton has served on the Air Force Space Command Staff, the Joint Staff, the Air Staff and was the Commander of the 9th Reconnaissance Wing. His distinguished career has been marked by numerous awards including the Distinguished Service Medal, Defense Superior Service Medal with two Oak Leaf Clusters, Distinguished Flying Cross, and NASA Outstanding Leadership Medal.

I wish to offer my sincere appreciation to General Chilton for his dedicated service to our nation and his contributions to Air Force Space Command.

THE MILITARY DOMESTIC AND SEXUAL VIOLENCE RESPONSE ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Ms. SLAUGHTER. Madam Speaker, today, as we recognize Domestic Violence Awareness Month, I am proud to introduce the Military Domestic and Sexual Violence Response Act. This important piece of legislation will ensure greater protections for service members and their families if they become victims of violence. It also will strengthen programs to prevent violence against fellow soldiers and military families.

Unfortunately, sexual assault and domestic violence are pervasive and serious problems

throughout all branches of the military. In March 2007, the Department of Defense (DoD) released their third annual sexual assault report, which stated that there were 2,947 allegations of sexual assaults reported in 2006; a 24 percent increase from 2005. In 2004, the DoD reported 9,000 incidents of spousal abuse. A 2005 Sexual Harassment and Assault Survey of the Service Academies found 6 percent of females and 1 percent of males said they were sexually assaulted in 2004–2005, and less than half the females who experienced sexual assault reported it. In this same survey, 60 percent of female cadets indicated sexual harassment was about the same as when they first enrolled at their academy.

While the DoD has been making efforts to improve its prevention and response to domestic and sexual violence, victim services remain incomplete and inconsistent among the various branches. There have been reports that victims advocates, charged with protecting the victim's rights, have been denied resources to do their job, and in some instances been forced off the base altogether. Furthermore, DoD policies are not codified in the Uniform Code of Military Justice (UCMJ) and do not offer the same level of rights and protections afforded to civilian victims. Perhaps most importantly, victims are unable to seek confidential counseling and treatment without fear that their records might become public if they press charges against their assailant.

My bill, the Military Domestic and Sexual Violence Response Act, seeks to bring military law up to par with civilian laws by establishing a comprehensive approach for the military to address domestic violence and sexual assault among our soldiers. Specifically, this bill will:

Establish an Office of Victims Advocate (OVA) within DoD, bring the Family Advocacy Program under OVA, and create a Director of OVA to oversee and coordinate efforts to prevent and respond to cases of family violence, domestic violence, sexual assault, and stalking with the military and among military families;

Codify rights, restitution policies, treatment and other services for victims within the UCMJ, including creating comprehensive confidentiality protocols to protect the rights of victims within military law;

Strengthen policies for reporting, prosecuting and treating perpetrators of violence;

Create counseling and treatment programs through the Department of Veterans Affairs.

The military should be at the forefront of prosecuting assailants and setting the highest standards for treatment of service men and women, or military family members, victimized by sexual assault and domestic violence. Our Armed Forces must be able to guarantee the most basic protections to ensure these victims can receive necessary counseling, treatment, and justice.

If a victim cannot access essential care for fear of stigma, threats to their career, or because they just do not know what resources are available, the military will continue to lose valuable female and male soldiers. These men and women who serve our country in uniform put themselves in harm's way to protect our Nation from threats at home and abroad. They deserve the same rights and protections as the civilians whose freedoms they protect. My bill ensures service members are adequately protected when dealing with the horrible tragedy of sexual assault or domestic violence.

Do not allow our brave service members to be victimized twice, once by their perpetrator and then again by the military's lack of appropriate, compassionate, and confidential treatment and response.

Madam Speaker, I encourage all Members to join me in cosponsoring the Military Domestic and Sexual Violence Response Act.

IN HONOR OF THE 20TH ANNIVERSARY OF ST. STEPANOS ARMENIAN APOSTOLIC CHURCH, ELBERON, NJ

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. PALLONE. Madam Speaker, I rise today to honor the 20th anniversary of St. Stepanos Armenian Apostolic Church. St. Stepanos is across the street from my home in Elberon, New Jersey. It is a daily reminder to me of Armenian heritage and culture.

St. Stepanos is also named in honor of the patriarch of the Hovnanian family, who has contributed so much to my district and the goal of affordable housing across the Nation, The Hovnanian family is the main benefactor of the church and many of its activities.

St. Stepanos Church was consecrated in 1987. It sits on the site of St. Mary's Armenian Church, which served as the religious and cultural center for the Armenian community of the Jersey Shore for much of the 20th Century.

St. Stepanos is one of the most beautiful examples of Armenian architecture in the United States. One can easily feel that you are in Armenia by standing in front of it, or inside the sanctuary. On the 10th anniversary of its consecration, the church added an Armenian khachkars, a traditional ancient art form in which a cross is intricately carved out of stone, to further enhance its architectural splendor.

The Armenian School is an integral part of the St. Stepanos community, focusing on the study of Armenian language and culture, with participants ranging from age 4 to adult. Sunday school promotes St. Stepanos emphasis on religion within the Armenian community in Central New Jersey.

The Women's Guild organizes fundraisers, dinners, and cultural activities. It has become increasingly important in promoting a sense of community at St. Stepanos. The church's youth organization also hosts fundraisers and trips for the younger Armenian population at St. Stepanos. The activities hosted by the church in addition to its commitment to religion and culture only serve as further proof of the active role that St. Stepanos Armenian Apostolic Church has taken in the community throughout the years.

Madam Speaker, we are honored in New Jersey on the 20th anniversary of St. Stepanos to receive Supreme Patriarch and Catholicos of All Armenians, his Holiness Karekin II, from St. Etchmiadzin, Armenia. St. Stepanos has received many Armenian prelates over the years including the Patriarch of Jerusalem on its 10th anniversary, but this is the first time the head of the Armenian Church has visited.

I sincerely hope that my colleagues will join me in celebrating the 20th anniversary of St. Stepanos Church for its contributions to the Armenian-American residents of Central New Jersey, as well the larger Armenian-American community in the United States.

IN RECOGNITION OF MAJOR GENERAL ROBERT W. MIXON

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. LAMBORN. Madam Speaker, I rise today to express my sincere gratitude for Major General Robert W. Mixon's service to Fort Carson as Commanding General of Division West, First Army and previously as Commander of the 7th Infantry Division.

Before coming to Fort Carson, Major General Mixon, a 1974 graduate of the United States Military Academy at West Point, served as Deputy Director and Chief of Staff for Futures Center at the United States Army Training and Doctrine Command at Fort Monroe, Virginia. He was also the Deputy Commanding General, Assistant Commandant, and Director of the Unit of Action Maneuver Battle Lab at Fort Knox as well as the Assistant Division Commander 4th Infantry Division at Fort Hood.

Major General Mixon, an Armor Officer, has served in numerous capacities at the operations, planning and training levels including as Command of L Troop, 3rd Squadron, 11th Armored Cavalry Regiment at Bad Hersfeld, Germany, Command of 2nd Squadron, 3rd Armored Cavalry Regiment at Fort Bliss, Texas, and as Command of the 1st Brigade, 2nd Infantry Division, Republic of Korea.

A distinguished graduate of the War College, Major General Mixon also holds a Masters of Arts in History from Rice University and was an Assistant Professor of History at West Point from 1982 until 1985.

As Major General Mixon prepares to retire from the U.S. Army, he departs with an impeccable record of nobility and leadership of the utmost distinction. Soldiers who served under his command will always remember him to be a soldier's general. I would like to offer my sincere appreciation for his commitment to defending our country and the invaluable contributions he has made to Fort Carson.

CONGRATULATING CRIDER HEALTH CENTER

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. AKIN. Madam Speaker, I rise today to recognize the Crider Health Center, located in St. Charles, Missouri. Recently, the Department of Health & Human Services announced that Crider Health Center's application to become a Federally Qualified Health Center (FQHC) was approved.

For the past 27 years, the Crider Health Center has provided mental health treatment and services for underinsured and uninsured adults, children and families affected by persistent mental illness and serious emotional disorders. Since its inception, the Center has notably expanded its service programs to

meet the rapidly changing expectations in the area of mental health service delivery. Such dedication has enabled Crider to serve over 35,000 residents a year in a four-county area who are in desperate need of such services.

Previously, the Crider Health Center faced consistent challenges in obtaining medical and oral health care services for their patients. In fact, the nearest federally qualified health centers for persons living in this four-county area were in St. Louis, Potosi and Columbia, Missouri. Such distances created a considerable challenge in terms of access for low-income residents in Crider's service area.

Crider Health Center's new FQHC status will allow Crider to integrate its current mental health care services with primary and oral health care services. This integration not only allows Crider to better serve its consumers but aid in further addressing the health care disparities in the St. Louis region.

I congratulate the Crider Health Center's recent FQHC designation. The Crider Health Center is an exemplary example of the leadership we have in Missouri and I am pleased to honor them in their continued endeavor to provide for the needs of the people in the St. Louis region.

IN TRIBUTE TO MAJOR ALEA HOKUAO MORNINGSTAR

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. WILSON of South Carolina. Madam Speaker, poet and capitol tour guide Albert C. Caswell has penned a number of heartfelt tributes to our military, and recently, he has recognized the service of Major Alea Hokuao Morningstar, U.S. Army.

Major Morningstar has served in Iraq extending care to coalition and civilian casualties. As an emergency physician, she has served honorably and bravely at three combat support hospitals and as a field surgeon.

Major Morningstar symbolizes the professionalism of America's military. I want to thank her and all the brave men and women of our armed forces for their service. They are fighting to defend our freedom and protect American families.

I gladly submit the following into the RECORD.

A Morning Star,
That's who you are . . .
A light which shines so very fine . . . so very far, that's who you are . . .

A woman of heart,
Of Hopi Sioux, great American Indian blood . . . a fine woman of soul . . .
A healer, a great Hawaiian . . . For, but the gift of life . . . to so give, as what you chose . . .

A light,
In the darkest of days and nights . . .
Which burns bright, as a Morning Star . . . can cheat death, can so bless . . . and can give fight!

Out in darkness of evil war, out in harms way . . .
Amidst the darkness and solemn gray . . . amidst the death, and all of that sad decay . . .
To save a life, to hold a dying hero's hand until that night . . . Morning Star, that was your way . . .
As there, in The ER . . .
You'd hear the screams, and the devil's roar it seems . . . trying to save life, you'd go far!
All in the midst of his evil gore, all in the face of hell . . . you fine heart choose to swell, for one life more

Living in the shadow of death,
Pouring out your very heart and soul, until none lies left . . .
As with your God given skills, the gift of life and hope you instilled . . . staying with the dying until death!

A young hero's last vision, before they were gone . . .
A bright Morning Star, holding their hand . . . as was your decision, not leaving them alone . . .
The last Angel they would see on Earth, showing your worth . . . with tears in eyes your mission honed!

And in the coming years,
There will be many a tear, when in that moment it all comes back to you . . . so here . . .
But, what baby born . . . to save the world . . . or love so great, to this our world adorned that you saved here!

And for all of those Mothers of Sons,
And all of those Fathers of Daughters, who so lost their most precious of all loved ones . . .
They may gain strength, in knowing what your love to their dying loved ones so meant! At the end!

A Morning Star,
Yes, my Lady . . . that's who you are . . .
A light which shines so very bright . . . so very far, into the night, that's who you are!

High above,
With your gift of life, you gift of love . . .
Holding a dying hero's hand, On The Wings of a Dove!

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2007

SPEECH OF

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 24, 2007

Ms. HIRONO. Mr. Speaker, I rise to thank the 261 Members who supported H.R. 505, the Native Hawaiian Government Reorganization Act of 2007. I also want to encourage my colleagues who did not support the bill to talk to me and Congressman ABERCROMBIE to learn more about the merits of the legislation. The passage of the bill has been celebrated by the people of Hawaii—Native Hawaiians and non-Native Hawaiian alike. I thank all the members of this body for the respectful and deliberate manner in which the debate was conducted.

During the course of my remarks on the bill, I was privileged to place into the record several recent letters of support for H.R. 505, including letters from the Governor of the State of Hawaii, as well as the National Congress of American Indians and the American Bar Association, two of more than 50 national and state organizations that worked hard on behalf of the bill.

After the vote on the bill, I received another letter of support from the Japanese American Citizens League, one of many civil rights organizations championing the efforts of Native Hawaiians to regain their right of self-governance and self-determination.

Americans of Japanese ancestry fought their own battles against discrimination and subjugation, although for a shorter duration, when they were sent to relocation camps during World War II. They understand all too well the deprivation suffered by the Native Hawaiians, since their sovereign government was overthrown, and have lent their full support to the Native Hawaiian cause, which I deeply appreciate.

It is therefore important that this letter from the Japanese American Citizens League be inserted into the CONGRESSIONAL RECORD to reflect the support of the JACL for this historic vote to recognize the inherent sovereignty of the indigenous, native people of Hawaii. I thank the members of JACL for their valuable support.

JAPANESE AMERICAN
CITIZENS LEAGUE,
Washington, DC, Oct. 23, 2007.

Hon. MAZIE K. HIRONO,
1229 Longworth House Office Building, U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE HIRONO: The Japanese American Citizens League (JACL), the nation's oldest and largest Asian American civil rights organization, fully supports the passage of H.R. 505, The Native Hawaiian Government Reorganization Act of 2007 (NHGRA), introduced by the Members of the Hawai'i Congressional Delegation. The bill is scheduled for a vote before the House on Wednesday, October 24th and I ask that you vote in favor of the bill and against any motion to recommit H.R. 505.

A process of U.S. recognition is already available to American Indians and Alaska Natives, and enactment of NHGRA extends a similar process to Native Hawaiians. There are over 560 federally recognized Native governing entities functioning in the U.S, along side local, state and federal governing entities. Native Hawaiians are the indigenous people of Hawai'i, whose ancestors practiced sovereignty in their ancestral lands that later became part of the United States. The establishment of a process of federal recognition for Native Hawaiians moves us toward fairness in federal policy toward American Indians, Alaska Natives and Native Hawaiians.

Protection of Native Hawaiian culture, as well as existing Native Hawaiian programs is critical for future generations. Perpetuation of distinct, living cultures requires self-determination, and that is necessary for the Native Hawaiian culture as well. Enactment of NHGRA protects this greater self-determination, and thus the distinct culture. It protects existing programs because it establishes a single U.S. policy reaffirming that as the indigenous people of Hawai'i, Native Hawaiian people have a special political and legal relationship with the U.S., consistent with the Hawai'i Constitution, over 150 existing Federal laws addressing Native Hawaiians and the U.S. Constitution regarding Native people of the lands of the 50 states.

Sincerely,

FLOYD MORI,
National Director.

INTRODUCTION OF THE HEALTHY AIR AND CLEAN WATER ACT

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. McHUGH. Madam Speaker, I rise today to introduce the Healthy Air and Clean Water

Act. This legislation, drafted with the valued input and assistance from my constituents from the 23rd Congressional District of New York, is designed to combat four pollutants—mercury, carbon, nitrogen oxide, and sulfur dioxide—that are decimating our Nation's environment.

I have the distinct privilege of representing one of the largest congressional districts east of the Mississippi River. The district stretches from Lake Ontario on the west to Lake Champlain on the east, and is capped by the magnificent St. Lawrence River, with its famous Thousand Islands region. The district also includes the Adirondack Park, which is bigger than the Grand Canyon, Glacier, Yellowstone, and Yosemite National Parks combined and is world-renowned for its pristine beauty.

The environmental beauty of the region is not only enjoyed by my northern and central New York constituents, it also supports a vibrant tourism industry, with many choosing to visit in order to partake in such activities as boating, hunting and sport fishing. In addition, downhill and cross country skiing, snowmobiling, and ice fishing are but a few of the winter activities associated with the region that has twice been home to the Winter Olympics.

The Healthy Air and Clean Water Act would require the reduction of 90 percent of mercury emissions from coal-fired power plants by 2011. The need for this legislation is clearly illustrated by the fact that, due to high levels of mercury contamination, everyone within New York State is now advised to eat no more than one meal per week comprised of fish taken from New York State waters. Sadly, women of childbearing age and young children have been warned not to eat any of six types of fish caught from 55 bodies of water within the Adirondack Park area. Frankly stated, Madam Speaker, this state of affairs is unacceptable.

Carbon emissions are a leading cause of global warming and thus a threat to our environment as well as the economy of my district and throughout the country. Thus, the Healthy Air and Clean Water Act would reduce carbon dioxide emissions by 80 percent from the 2005 levels in the year 2050.

The bill also seeks to address acid rain, which is principally caused by the effects of nitrogen oxide and sulfur dioxide. Specifically, by January 1, 2010, the bill would require nitrogen oxide and sulfuric dioxide emissions to be reduced to 75 percent of the levels that these pollutants reached in 1997. As a lifelong resident of New York's north country, I have seen firsthand the impact acid rain has had upon the Adirondack Park and its High Peaks region. In fact, I am alarmed by the vast area of the Adirondack Mountains that has been ravaged by this silent killer; close to 700 lakes and ponds in the Park are too acidic to support their native plant and aquatic wildlife.

It is important to note, Madam Speaker, that acid rain's impact is far from limited to the Adirondacks alone. In Virginia, thousands of miles of Appalachian trout streams are at risk of becoming chronically acidic and thus unable to support wild brook trout populations. In the southern Appalachians, acid rain is altering soil chemistry and leaching valuable nutrients from the soil. And in Vermont, acid rain has killed more than half of large-canopy red spruce in the Green Mountains and approximately one-quarter of large-canopy red spruce in the White Mountains. Sadly, acid rain is also reducing sugar maple trees in central and western Pennsylvania as well.

In response, the Healthy Air and Clean Water Act would authorize funding for the operation and modernization of a number of programs that monitor the impact these pollutants have on our environment. These include, but are not limited to, the Clean Air Status and Trends Network, the National Atmospheric Deposition Program National Trends Network, and the National Atmospheric Deposition Program Mercury Deposition Network. My bill would further require the Environmental Protection Agency to submit reports to Congress to identify objectives that protect sensitive regional ecosystems, including but not limited to the Adirondack, mid-Appalachian, Catskill, Rocky, and Southern Blue Ridge Mountain ranges and water bodies of the Great Lakes, Lake Champlain, Long Island Sound, and the Chesapeake Bay.

Madam Speaker, as is often the case with proposed legislation, some may argue that my bill goes too far, while others may claim that it does not go far enough. However, while Congress continues the important and needed debate in our quest to craft the perfect global warming legislation, our constituents and environment wait. We cannot allow the perfect to become the enemy of good. Similarly, we cannot afford to commit a sin of omission. If we do not begin to take action now, clean and viable healthy waters and forests might well become a distant memory. There are always tradeoffs in public policy and I firmly believe the benefits of acting in this instance far outweigh all potential costs, particularly those of inaction.

I'd like to include, for the record, two letters of support for my bill, one from The Adirondack Council and the other from the Adirondack Mountain Club.

We can see the impact these four pollutants are having upon our environment and our health. The Healthy Air and Clean Water Act would address and reduce that impact and I urge my colleagues to join with me as I work to enact it into law.

ADIRONDACK MOUNTAIN CLUB,
October 10, 2007.

Re Healthy Air and Clean Water Act.

Hon. JOHN MCHUGH
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN MCHUGH: On behalf of the Adirondack Mountain Club, ADK, we would like to take this opportunity to express our strong support for your Healthy Air and Clean Water Act. We believe that passage of this four-pollutant bill is critical to achieving greater reductions in harmful nitrogen oxide, sulfur dioxide, mercury and carbon dioxide emissions.

ADK, a membership organization representing approximately 30,000 hikers, paddlers and cross-country skiers, advocates for the protection and responsible use of New York's Forest Preserve and other wild lands and waters.

We have a critical stake in the continued vitality of the federal Clean Air Act to effectively reduce air pollution from coal-fired electric generating facilities. Enforcement of the Clean Air Act has already resulted in significant reductions in air pollution emissions that are harmful to human communities, aquatic life and forest ecosystems in the Appalachians, Hudson Highlands, Catskills, Adirondacks and White Mountains. However, more needs to be done and we believe that your Healthy Air and Clean Water Act will lead to even greater reductions in air pollution,

CARBON DIOXIDE

Carbon dioxide emissions have been scientifically linked to global climate change. ADK is very pleased that the Healthy Air and Clean Water Act would cut carbon emissions from coal-burning power plants by 80 percent by 2050. Further, the requirement that EPA establish a market-based carbon emissions trading program by 2010 will provide an economic incentive for power plants to reduce carbon emissions.

Climate change threatens the local economies of the Adirondacks, Catskills and other areas that rely heavily on winter sports, such as snowmobiling, downhill and cross-country skiing and snowshoeing. Also, a study by the National Wildlife Federation found that lower summer stream flows and higher stream temperatures due to global warming could significantly reduce habitat for brook trout and other cold-water fish in New York.

As temperatures rise; the Adirondacks could be plagued by tree-destroying pests such as the Sirex woodwasp, hemlock woolly adelgid and Asian longhorned beetle.

We believe that the carbon dioxide cuts included in the Healthy Air and Clean Water Act are critical to reducing the impact of the many threats posed by global climate change.

MERCURY

ADK also supports the legislation's proposed cuts for hazardous mercury emissions. A 90 percent reduction in mercury emissions by 2011 is critical to addressing the devastating impacts of mercury on public health and wildlife.

A 2007 independent study by Charles Driscoll and the Hubbard Brook Research Foundation estimated that mercury emissions from US coal-fired power plants are responsible for 40 percent to 65 percent of mercury deposition in the Northeast. Current levels of mercury deposition in the Northeast are four to six times higher than the levels recorded in 1900. Ninety-six percent of the lakes in the Adirondack region and forty percent of the lakes in New Hampshire and Vermont exceed the recommended EPA action level for methyl mercury in fish. High mercury levels in fish from six reservoirs in the Catskills have prompted advisories that infants, children under the age of 15, and women of childbearing age should not eat any fish from these reservoirs. Further, mercury is present in two-thirds of Adirondack loons at levels that negatively impact their reproductive capacity, posing a significant risk to their survival.

The Healthy Air and Clean Water Act, if enacted, would significantly reduce harmful mercury emissions and penalize those coal-fired electric generating facilities that do not comply with the new standard. The legislation also requires the Environmental Protection Agency (EPA) to promulgate regulations regarding monitoring systems to measure mercury emissions. Monitoring systems are a critical component in effectively enforcing the new mercury standards.

NITROGEN OXIDE AND SULFUR DIOXIDE

The Healthy Air and Clean Water Act will reduce nitrogen oxide and sulfur dioxide emissions from power plants by 75 percent from 1997 levels by January of 2010. Such a reduction is critical to reducing the scourge of acid rain and acid deposition in New York.

As a result of acid rain, a. quarter of the lakes and ponds in the Adirandacks have become too acidic to support aquatic life. Acidic precipitation also depletes calcium from forest soils, leaving sugar maple and red spruce trees more vulnerable to insects and

winter kill. Since the 1960s, more than one half of the large canopy red spruce in the Adirondack and Green Mountains and one quarter of large canopy red spruce in the White Mountains have died.

ADK strongly supports the legislation's provision closing the existing loophole allowing old coal-burning power plants that were grandfathered from the Clean Air Act to continue operating without complying with the most recent new source performance standards. The new standards must be met either on the power plant's 30th birthday or within five years after the enactment of the act. As you know, the Adirondacks and other wild lands and waters in the Northeast are located downwind of many of these unremediated power plants whose emissions have damaged lakes and forests in these regions, as mentioned above. Further, ADK supports the legislation's balanced approach to regulating nitrogen oxide and sulfur dioxide through the use of market oriented mechanisms such as emissions trading, auctions or other allocation methods in order to achieve compliance with the emissions reduction requirements.

REPORTS AND FUNDING

ADK supports the legislation's requirement that the EPA submit a report to Congress by 2010 identifying objectives to protect sensitive regional ecosystems, such as the Adirondack Mountains. By 2019, the EPA will have to determine if the emissions reductions are sufficient to ensure that the objectives contained in the report are met. If not, EPA will have to promulgate regulations to ensure that said objectives are met.

As mentioned above, the Adirondack Mountains and other wild lands and waters in the Northeast have been seriously impacted by air pollution emitted by coal-fired electric generating power plants. The report and subsequent regulations if needed will ensure that these sensitive areas are better protected from the devastating effects of air pollution.

The funding measures contained in the legislation are also important. The authorization of funding for critical clean air networks and programs such as the National Atmospheric Deposition Program National Trends Network will provide needed support for continued monitoring of air pollution and its effect on the environment.

ADK strongly supports the Healthy Air and Clean Water Act. We believe that, if enacted, it will lead to significant and necessary reductions in nitrogen oxide, sulfur dioxide, mercury, and carbon dioxide emissions.

We look forward to working with you and your staff as this legislation advances through the legislative process.

Sincerely,

NEIL F. WOODWORTH,
Executive Director.
MARISA TEDESCO,
Conservation and Legislative Director.

THE ADIRONDACK COUNCIL,
October 15, 2007.

Hon. JOHN MCHUGH,
House of Representatives,
Washington, DC.

DEAR MR. MCHUGH: On behalf of the entire Board of Directors and staff of the Adirondack Council, I write to thank you for introducing the Healthy Air and Clean Water Act. This bill, if passed into law, would have profound benefits for the Adirondack Park of upstate New York.

Numerous studies have shown that the Adirondack Mountains have suffered some of the most devastation in the country due to the scourge of acid rain, caused by the emissions of sulfur dioxide and nitrogen oxides, which often come from Midwestern coal burning power plants. This has caused great damage to the forest of the over one million acres of true Wilderness within the Adirondack Park, as well as having nearly 700 water bodies lose their ability to sustain their native fish populations due to their unnaturally low pH.

In addition, the New York State Department of Health advises that women of childbearing age and children under age 15 should not eat any of six varieties of fish taken from either Adirondack or Catskill water bodies due to high levels of mercury contamination. Another eight species should not be consumed by women and children more than once a week for the same reason.

More recently, studies have concluded that if there is not a dramatic decrease in the emissions that cause climate change, upstate New York, including the Adirondack Park, may have the climate currently associated with southern states like Virginia or Georgia by the end of the century. This would create tremendous problems for the Adirondacks. Warmer weather would lead to the invasion by more exotic species, harming our native flora and fauna. Some species of trees associated with the colder climate of New York would slowly begin to move north to the cooler temperatures of Canada. Birds, such as the rare Bicknell's Thrush, would also leave New York in search of cooler breeding habitat. In addition, there would be many fewer days with snow cover on the ground in the Adirondacks, greatly diminishing the winter tourism economy, now associated with activities such as cross country and downhill skiing, snowmobiling, snowshoeing and ice fishing.

Once again, we wholeheartedly support your legislation, the Healthy Air and Clean Water Act, and will actively encourage your colleagues to become co-sponsors of it and pass it in the House of Representatives as soon as possible. We thank you once again for all of your efforts to limit the negative impacts of all four of the pollutants in your bill. We look forward to working with you to secure its passage and protect the people and environment of the Adirondack Park.

Sincerely,

BRIAN L. HOUSEAL,
Executive Director.

GO, MIKE JOSHI, GO

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Ms. SCHAKOWSKY. Madam Speaker, it is my honor to recognize and congratulate Mike Joshi for running in (and completing) yesterday's 32nd Annual Marine Corps Marathon.

Mike is the staff assistant in my Washington, DC office. He has shown great focus, commitment and dedication in the months leading up to yesterday's marathon. Mike is such a positive presence in the office and he has been such a good sport . . . allowing everyone in the office to "participate" in his training by sharing stories and updates from his evening and weekend runs.

I am told that when his coworkers saw Mike at mile 13 (the half way point), he was smiling and looking so relaxed . . . like it was mile 3, not 13. The characteristics that carried him over the finish line will continue to serve him well in the race that is life.

Congratulations Mike on this amazing accomplishment. Team SCHAKOWSKY is so proud of you.

MARKING PATH'S 30TH ANNIVERSARY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. SMITH of Washington. Madam Speaker, this year marks 30 years since PATH began working to create innovative solutions that enable communities worldwide to break longstanding cycles of poor health. Originally founded in 1977 as the Program for the Introduction and Adaptation of Contraceptive Technology (PIACT), PATH began by helping manufacturers set up facilities for making high-quality condoms in China.

Today, PATH implements health programs in many countries, works with a variety of private partners to develop new vaccines and microbicides, and has advanced more than 30 health technologies for low-resource settings. By collaborating with diverse public- and private-sector partners, PATH provides appropriate health technologies and vital strategies to improve global health and well-being worldwide.

Over the past three decades, PATH has worked in more than 100 countries and received many prestigious international awards for its work. PATH's president, Dr. Christopher Elias, was the Schwab Foundation's "U.S. Social Entrepreneur of the Year" in 2006 and the organization has earned four-star ratings from Charity Navigator, the Fast Company Social Capitalist Award, and recognition by Amazon.com as one of the ten most innovative nonprofits.

The breadth of PATH's work includes many innovative technologies. One example, the Uniject™ device, is a single-use syringe (auto-disabled to prevent reuse) used by USAID to prevent maternal deaths and by UNICEF to deliver life-saving vaccines. PATH also implements and expands programs to increase adoption of malaria control and childhood nutrition interventions in some of the world's poorest settings. Additionally, the organization's public-private partnerships work to create and introduce affordable vaccines to prevent malaria, meningitis, cervical cancer, diarrheal diseases, and other major illnesses.

PATH's efforts maximize health equity to ensure health products and programs reach the poorest and most vulnerable. They strengthen the capacity to foster demand-driven and scalable solutions by promoting an inclusive approach to innovation and discovery—one that builds strong partnerships with communities, industry, and local governments. Admirably, the organization enhances programmatic integration and improving the monitoring, evaluation, and dissemination of results.

As health inequities continue to persist, the effects of preventable disease and deaths become greater, particularly in our increasingly interconnected and global society. PATH demonstrates a commitment to address these threats. They have demonstrated dedication to finding innovative, scalable solutions for some of the world's greatest challenges by harnessing the promise of science and technology, the ingenuity of individuals and communities, and ensuring solutions can be realized for everyone.

Please join me in celebrating PATH's 30 years of success and innovation in improving the world's health.

H.R. 3985, THE OVER-THE-ROAD BUS TRANSPORTATION ACCESSIBILITY ACT OF 2007

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 29, 2007

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 3985 the ''Over-the-Road Bus Transportation Accessibility Act of 2007'', introduced today by the gentleman from Oregon (Mr. DEFAZIO). I am proud to cosponsor this important legislation, which will ensure that motorcoach accessibility regulations promulgated by the Department of Transportation, DOT, pursuant to the Americans with Disabilities Act, ADA, are fully implemented, vigorously monitored, and actively enforced.

In 1990, upon signing the landmark ADA into law, President George H. W. Bush stated that the ADA ''promises to open up all aspects of American life to individuals with disabilities—employment opportunities, government services, public accommodations, transportation, and telecommunications.'' In many respects, the Act has been implemented to result in expanded and enhanced transportation opportunities for individuals with disabilities. However, as a recent U.S. Court of Appeals case revealed, a troubling void in DOT's oversight of the over-the-road bus accessibility regulations has unnecessarily reduced the protection Congress intended to afford under the ADA.

In 1998, DOT adopted a final rule requiring vehicle modifications to intercity, charter, and tour buses to accommodate individuals with disabilities. These regulations set forth requirements for these transportation providers, referred to as over-the-road bus operators, to acquire or lease accessible vehicles or provide accessible service to passengers with disabilities on a 48-hour advanced notice basis. The requirements are phased in over time, and vary by type of service provided by a company, either fixed route or ''demand responsive'', such as charter and tour service. Alternative compliance requirements were established for small businesses.

The Federal Motor Carrier Safety Administration (''FMCSA'') is the modal agency responsible for ensuring that over-the-road bus transportation providers comply with DOT regulations, including safety rules. However, according to FMCSA's interpretation, the existing motor carrier statute limits the agency's ability to enforce the over-the-road bus accessibility regulations promulgated by DOT.

On December 19, 2006, the United States Court of Appeals for the D.C. Circuit, in Peter Pan Bus Lines, Inc. and Bonanza Acquisition, LLC V. Federal Motor Carrier Safety Administration, rejected FMCSA's assertion that the agency does not have discretion to interpret the law to allow FMCSA to consider compliance with ADA regulations in determining whether a bus company is fit to operate in interstate commerce. The case was remanded to FMCSA in February 2007, and the Court directed the agency to reexamine the statute.

FMCSA did not respond to the Court for more than 8 months, and I have no doubt the pattern of inaction would have continued without pressure from Congress. Earlier this month, Highways and Transit Subcommittee Chairman DEFAZIO and I sent a letter to Federal Motor Carrier Safety Administrator John Hill, expressing our intent to legislate a solution to this problem if the agency did not respond with its plans to make changes administratively to ensure that ADA requirements were being met by the over-the-road bus operators that FMCSA registers.

Last week, FMCSA issued a decision in response to the Court order. In the decision on remand, the agency defends its original position that the underlying statute does not provide the authority for FMCSA to consider compliance with ADA. The agency further argues that the Department of justice (''DOJ'') has enforcement authority under the ADA to investigate all alleged violations and commence a civil action in court, pursuant to part 36 of title 28, Code of Federal Regulations. This includes authority over transportation providers. Therefore, FMCSA concludes the agency has no role in taking action with respect to ADA violations by over-the-road bus companies. In fact, in the October 26, 2007 decision FMCSA states: ''If Congress intended to expand the fitness criteria to include compliance with additional DOT regulations, such as 49 CFR part 37, it presumably would have said so.''

Let there be no doubt—Congress will be saying so with this legislation. This bill removes any statutory ambiguity and gives FMCSA the authority to take action against violators of the ADA.

H.R. 3985 strengthens FMCSA's ability to monitor and enforce compliance with the Department of Transportation's regulations governing the accessibility of over-the-road bus transportation. The bill amends Section 13902(a)(1) of title 49, United States Code, to prohibit the agency from granting registration authority to a motor carrier providing over-the-road bus transportation who is not willing and able to comply with the accessibility regulations under subpart H of part 37, title 49, Code of Federal Regulations. The bill also clarifies that the Secretary may suspend, amend, or revoke a motor carrier's registration in the event of a willful failure to comply with regulations pursuant to the ADA. H.R. 3985 further requires the Department of Transportation and the Department of Justice to enter into a memorandum of understanding to ensure coordination between the two Departments, to clearly define each Department's roles and responsibilities in enforcing the provisions of the ADA, and to avoid duplication of effort.

Violations of ADA regulations are not a theoretical problem. Several newspaper articles have highlighted problems that individuals with disabilities have encountered in trying to ride curbside buses. Curbside bus companies operate fixed-route, intercity bus service, mainly between cities along the Northeast Corridor, picking up and dropping off passengers on the street rather than in bus terminals. A March 2, 2006 Washington Post investigation revealed that 11 companies that operate in the Northeast Corridor had violated ADA regulations. (See ''Bus Lines Cited in Federal Probe; 11 Firms Accused of Violating ADA''; Washington Post, March 2, 2006; Financial; page D1).

Madam Speaker, the Americans with Disabilities Act was enacted 17 years ago, and nearly a decade has passed since the Department of Transportation issued implementing regulations. This legislation, to ensure that the accessibility regulations promulgated by DOT are adhered to by all over-the-road bus operators, is both necessary and overdue.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 30, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 31

9 a.m.
Budget
To hold hearings to examine S. 2063, to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.
SD–608

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine the Uniformed Services Employment and Reemployment Rights Act (USERRA).
SD–562

10 a.m.
Environment and Public Works
To hold hearings to examine the licensing process for the Yucca Mountain Repository.
SD–406

Judiciary
To hold hearings to examine Foreign Intelligence Surveillance Act (FISA) amendments, focusing on ways to protect Americans' security and privacy while preserving the rule of law and government accountability.
SD–226

10:30 a.m.
Foreign Relations
Business meeting to consider S. Res. 334, expressing the sense of the Senate regarding the degradation of the Jordan River and the Dead Sea and welcoming cooperation between the peoples of Israel, Jordan, and Palestine, United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the ''Convention''), and the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the Agreement''), and signed by the United States, subject to ratification, on July 29, 1994 (Treaty Doc.103–39), Convention Between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and accompanying Protocol, signed on November 27, 2006, at Brussels (the ''proposed Treaty'') (Treaty Doc.110–03), Protocol Amending the Convention Between the Government of the United States of America and the Government of the Kingdom of Denmark for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Copenhagen May 2, 2006 (the ''Protocol'') (Treaty Doc.109–19), Protocol Amending the Convention Between the Government of the United States of America and the Government of the Republic of Finland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital, signed at Helsinki May 31, 2006 (the ''Protocol'') (Treaty Doc.109–18), and Protocol Amending the Convention Between the United States of America and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, Signed on August 29, 1989, signed at Berlin June 1, 2006 (the ''Protocol''), along with a related Joint Declaration (Treaty Doc.109–20).
SD–419

2:30 p.m.
Homeland Security and Governmental Affairs
Disaster Recovery Subcommittee
To hold hearings to examine post-catastrophe crisis, focusing on addressing the dramatic need and scant availability of mental health care in the Gulf Coast.
SD–342

Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee
To hold hearings to examine climate disclosure, focusing on measuring financial risks and opportunities.
SD–538

NOVEMBER 1

9 a.m.
Environment and Public Works
Private Sector and Consumer Solutions to Global Warming and Wildlife Protection Subcommittee
Business meeting to consider S. 2191, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases.
SD–406

9:30 a.m.
Indian Affairs
To hold an oversight hearing to examine the impact of the Flood Control Act of 1944 on Indian Tribes along the Missouri river.
SD–628

10 a.m.
Finance
To hold hearings to examine pending nominations.
SD–215

Health, Education, Labor, and Pensions
To hold hearings to examine the nominations of Gregory F. Jacob, of New Jersey, to be Solicitor, and Howard Radzely, of Maryland, to be Deputy Secretary, both of the Department of Labor.
SD–430

Judiciary
Business meeting to consider S. 1946, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, S. 2168, to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft, S. 352, to provide for media coverage of Federal court proceedings, and the nominations of John Daniel Tinder, of Indiana, to be United States Circuit Judge for the Seventh Circuit, and Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security.
SD–226

Intelligence
Meeting of conferees on proposed legislation authorizing funds for fiscal year 2008 for the intelligence community.
S–407, Capitol

2 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine the Small Business Administration, focusing on the efficacy of the 7(a) loan program.
SD–342

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

NOVEMBER 7

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine the performance and structure of the United States Court of Appeals for Veterans.
SD–562

10 a.m.
Rules and Administration
To hold hearings to examine the Government Accountability Office report focusing on funding challenges and facilities maintenance at the Smithsonian Institution.
SR–301

1:30 p.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine sovereign wealth fund acquisitions and other foreign government investments in the United States, focusing on economic and national security implications.
SD–538

NOVEMBER 8

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 86, to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers, S. 1365, to amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, S. 1449, to establish the Rocky Mountain Science Collections Center to assist in preserving the archeological, anthropological, paleontological, zoological, and geologic artifacts and archival documentation from the Rocky Mountain region through the construction of an on-site, secure collections facility for the Denver Museum of Nature and Science in Denver, Colorado, S. 1921, to

amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, S. 1941, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System, S. 1961, to expand the boundaries of the Little River Canyon National Preserve in the State of Alabama, S. 1991, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phases of the expedition, S. 2098, to establish the Northern Plains Heritage Area in the State of North Dakota, S. 2220, to amend the Outdoor Recreation Act of 1963 to authorize certain appropriations, and H.R. 1191, to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park.

SD–366

POSTPONEMENTS

OCTOBER 31

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine universal telephone service.

SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13497–S13529

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 2252–2257, and S. Res. 358–359. **Pages S13520–21**

Measures Reported:

S. 1498, to amend the Lacey Act Amendments of 1981 to prohibit the import, export, transportation, sale, receipt, acquisition, or purchase in interstate or foreign commerce of any live animal of any prohibited wildlife species, with amendments. (S. Rept. No. 110–210)

Report to accompany H.R. 50, to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994. (S. Rept. No. 110–211)

Report to accompany H.R. 465, to reauthorize the Asian Elephant Conservation Act of 1997. (S. Rept. No. 110–212) **Page S13520**

Measures Passed:

Congratulating Boston Red Sox 2007 World Series Champions: Senate agreed to S. Res. 359, congratulating the Boston Red Sox on winning the 2007 World Series. **Pages S13528–29**

Measures Considered:

Passenger Rail Investment and Improvement Act: Senate resumed consideration of S. 294, to reauthorize Amtrak, agreeing to the committee amendments, which will be considered as original text for purpose of further amendment, and taking action on the following amendments proposed thereto: **Pages S13509–12**

Adopted:

Lott (for Coburn) Amendment No. 3475, to require Amtrak to publish a comprehensive annual financial report that allocates revenues and costs among each of its routes. **Page S13509**

Lott (for DeMint) Amendment No. 3483, to encourage private sector funding of passenger trains. **Page S13509**

Lott (for Hutchison) Amendment No. 3488, to express the sense of the Senate regarding the need to maintain Amtrak as a national passenger rail system. **Pages S13509–10**

Lott (for Bond) Amendment No. 3485, to provide a mission statement for Amtrak. **Page S13510**

Lott (for DeMint) Amendment No. 3484, to include private rail passenger operators on the Next Generation Corridor Equipment Pool Committee. **Page S13510**

Lott (for Crapo) Amendment No. 3477, to give additional consideration to States with limited Amtrak service when considering new intercity passenger rail routes. **Page S13510**

Lott (for Allard) Amendment No. 3476, to require Amtrak to develop a plan to operate within budgetary limits, including a long-term plan. **Page S13510**

Lott (for Sanders) Amendment No. 3473, to clarify that the Secretary of Transportation should favor projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment in selecting projects to receive capital investment grants to support intercity passenger rail service. **Page S13510**

Lott (for Tester) Amendment No. 3472, to require Amtrak to conduct a 1-time evaluation of passenger rail service between Chicago and Seattle through Southern Montana. **Page S13510**

Withdrawn:

Allard Amendment No. 3455, to strike the provisions repealing Amtrak's self-sufficiency requirements. **Page S13510**

Bond Amendment No. 3464, to amend section 24101 of title 49, United States Code, to clarify Amtrak's mission. **Page S13510**

Pending:

Bond (for DeMint) Amendment No. 3467, to require Amtrak to disclose the Federal subsidy of every ticket sold for transportation on Amtrak. **Page S13509**

Bond (for DeMint) Amendment No. 3468, to increase competition in the American rail system by allowing any qualified rail operator or transportation company to compete for passenger rail service. **Page S13509**

Bond (for DeMint) Amendment No. 3469, to clarify the level of detail to be included in the modern financial accounting and reporting system required under section 203. **Page S13509**

Bond (for DeMint) Amendment No. 3470, to require the Performance Improvement Plan to address reaching financial solvency by eliminating routes and services that do not make a profit. **Page S13509**

During consideration of this measure, Senate also took the following action:

Lautenberg (for Carper) Amendment No. 3454 (to Amendment No. 3452), of a perfecting nature, fell when Sununu Amendment No. 3452 was withdrawn on Thursday, October 25, 2007. **Page S13509**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Tuesday, October 30, 2007, and that all second-degree amendments be filed at the desk by 12 noon, on Tuesday, October 30, 2007. **Page S13529**

Myers Nomination—Agreement: A unanimous-consent agreement was reached providing that the sequential referral of the nomination of Julie L. Myers, of Kansas, to be Assistant Secretary of Homeland Security, to the Committee on the Judiciary be extended until November 2, 2007; provided further, that if the nomination is not reported at that time the nomination then be automatically discharged from the Committee on the Judiciary and placed on the Executive Calendar. **Page S13528**

Nomination Confirmed: Senate confirmed the following nomination:

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife. **Page S13529**

Measures Placed on the Calendar: **Pages S13497, S13520**

Additional Cosponsors: **Page S13521**

Statements on Introduced Bills/Resolutions: **Pages S13521–26**

Additional Statements: **Page S13520**

Amendments Submitted: **Pages S13526–28**

Adjournment: Senate convened at 3 p.m. and adjourned at 7:19 p.m., until 10 a.m. on Tuesday, October 30, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13529.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 3981–3991; and 1 resolution, H. Con. Res. 243, were introduced. **Page H12155**

Additional Cosponsors: **Pages H12155–56**

Reports Filed: Reports were filed today as follows:

H.R. 3877, to require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States, with amendments (H. Rept. 110–411);

H.R. 2262, to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation mining claims, with an amendment (H. Rept. 110–412);

H.R. 3921, to provide nationwide subpoena authority for actions brought under the September 11 Victim Compensation Fund of 2001 (H. Rept. 110–413); and H.R. 3920, to amend the Trade Act of 1974 to reauthorize trade adjustment assistance and to extend trade adjustment assistance to service workers and firms, with an amendment (H. Rept. 110–414, Pt. 1). **Page H12155**

Speaker: Read a letter from the Speaker wherein she appointed Representative Gonzalez to act as Speaker pro tempore for today. **Page H12105**

Recess: The House recessed at 12:32 p.m. and reconvened at 2 p.m. **Page H12105**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Anthony DeJuan Boatwright Act: H.R. 1473, amended, to amend the Child Care and Development Block Grant Act of 1990 to require child care providers to provide to parents information regarding whether such providers carry current liability insurance; **Pages H12106–07**

Calling on the Government of the People's Republic of China to respect the human rights of refugees from North Korea: H. Con. Res. 234, to call on the Government of the People's Republic of China to respect the human rights of refugees from North Korea; **Pages H12109–12**

Recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan: H. Res. 573, amended, to recognize and commend the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, by a ⅔ yea-and-nay vote of 366 yeas with none voting "nay", Roll No. 1011; **Pages H12112–15, H12132–33**

Calling on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic: H. Res. 726, amended, to call on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic; **Pages H12115–18**

Condemning in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007: H. Res. 740, amended, to condemn in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007; **Pages H12118–20**

Recognizing the religious and historical significance of the festival of Diwali: H. Res. 747, to recognize the religious and historical significance of the festival of Diwali, by a ⅔ yea-and-nay vote of 358 yeas with none voting "nay" and 8 voting "present", Roll No. 1012; **Pages H12121–22, H12133–34**

Supporting the observance of Breast Cancer Awareness Month: H. Con. Res. 230, to support the observance of Breast Cancer Awareness Month; **Pages H12122–23**

Dam Rehabilitation and Repair Act of 2007: H.R. 3224, amended, to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams, by a ⅔ yea-and-nay vote of 263 yeas to 102 nays, Roll No. 1010; **Pages H12123–24, H12132**

Hurricanes Katrina and Rita Recovery Facilitation Act of 2007: H.R. 3247, amended, to improve the provision of disaster assistance for Hurricanes Katrina and Rita; **Pages H12124–28**

C. Clyde Atkins United States Courthouse Designation Act: H.R. 2671, to designate the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the "C. Clyde Atkins United States Courthouse"; **Pages H12128–29**

Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station Designation Act: H.R. 2728, to designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station"; and **Pages H12129–30**

Requiring the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States: H.R. 3877, amended, to require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States. **Pages H12130–31**

Agreed to amend the title so as to read: "To require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards and other measurement services regarding underground communications to protect miners in the United States.". **Page H12131**

Recess: The House recessed at 4:48 p.m. and reconvened at 6:30 p.m. **Pages H12131–32**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Expressing support for designation of the month of October 2007 as "Country Music Month" and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism: H.J. Res. 58, to express support for designation of the month of October 2007 as "Country Music Month" and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism. **Pages H12107–09**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H12105–06.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H12132, H12132–33 and H12133–34. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:43 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

RUSSIA: PARLIAMENTARY AND PRESIDENTIAL ELECTIONS

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine the Organization for Security and Cooperation in Europe (OSCE) and simmering tensions with Russia before parliamentary and presidential elections, after receiving testimony from Miguel Angel Moratinos Cuyabe, Chairman in Office, Organization for Security and Cooperation in Europe (OSCE), and Minister for Foreign Affairs of Spain, Madrid.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 1424)*

H.R. 3233, to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the "Laurence C. and Grace M. Jones Post Office Building". Signed on October 26, 2007. (Public Law 110–107)

COMMITTEE MEETINGS FOR TUESDAY, OCTOBER 30, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: business meeting to consider S. 2096, to amend the Do-Not-Call Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal "do-not-call" registry, S. 1580, to reauthorize the Coral Reef Conservation Act of 2000, S. 2045, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, S. 1853, to promote competition, to preserve the ability of local governments to provide broadband capability and services, S. 1675, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, H. Con. Res. 225, honoring the 50th anniversary of the dawn of the Space Age, and the ensuing 50 years of productive and peaceful space activities, and the nominations of Todd J. Zinser, of Virginia, to be Inspector General, Department of Commerce, Robert Clarke Brown, of Ohio, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, and promotions lists in the United States Coast Guard, and the National Oceanic and Atmospheric Administration, 2:30 p.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine the nominations of Daniel D. Heath, of New Hampshire, to be United States Alternate Executive Director of the International Monetary Fund, Sean R. Mulvaney, of Illinois, to be an Assistant Administrator of the United States Agency for International Development, and Patrick Francis Kennedy, of Illinois, to be an Under Secretary of State (Management), 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine ways to protect the United States from drug-resistant tuberculosis, focusing on reinvesting in control and new tools research, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the role of local law enforcement in countering violent Islamist extremism, 9:30 a.m., SD–342.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, hearing to review technologies in the meat industry, 1:30 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Agencies held a hearing on Assessing an Effective Diplomatic and Development Program in Iraq: An Examination of the Diplomatic Surge, 2 p.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on Stabilization and Reconstruction Operations: Learning from Provincial Reconstruction Team (PRT) Experience, 10 a.m., 2212 Rayburn.

Committee on Energy and Commerce, to mark up the following bills: H.R. 1534, Mercury Export Ban Act of 2007; H.R. 2830, Coast Guard Authorization Act of 2007; H.R. 3461, Safeguarding America's Families by Enhancing and Reorganizing New and Efficient Technologies Act of 2007; H.R. 2601 To extending the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the "Do-not-call" registry of the Telemarketing Sales Rule; H.R. 3541, Do-Not-Call Improvement Act of 2007; H.R. 3526, To include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions; H.R. 3403, 911 Modernization and Safety Act of 2007; and H.R. 3919, Broadband Census of America Act of 2007; 2 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises, hearing entitled ''Additional Perspectives on the Need for Insurance Regulatory Reform,'' 2 p.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Preserving and Expanding Minority Banks,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Russia on the Eve of National Elections, 9:30 a.m., 2172 Rayburn.

Subcommittee on Asia, the Pacific and the Global Environment, hearing on Renewable Energy and the Global Environment, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Border, Maritime and Global Counterterrorism, hearing entitled ''The SAFE Port Act: Status of Implementation One Year Later,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to continue hearings on Straightening Out the Mortgage Mess: How Can We Protect Home Ownership and Provide Relief to Consumers in Financial Distress?—Part II, 12 p.m., 2141 Rayburn.

Subcommittee on the Constitution, Civil Rights and Civil Liberties, oversight hearing on the Voting Section of the Civil Rights Division of the U.S. Department of Justice, 10 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, hearing on Stifling or Stimulating—Role of Gene Patents in Research and Genetic Testing, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forest and Public Lands, hearing on the following bills: H.R. 415, To amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System; H.R. 1143, To authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park; H.R. 1286, Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act; H.R. 1545, To direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of Fort San Geronimo and other related resources in the Commonwealth of Puerto Rico and the suitability and feasibility of their inclusion in the National Park System as part of the San Juan National Historic Site; H.R. 1836, Weir Farm National Historic Site Amendment Act; H.R. 3022, Sequoia-Kings Canyon National Park Wilderness Act of 2007; H.R. 3120, Stranahan House, Trading Post and Campsite Historic Preservation Act; H.R. 3265, Harry S. Truman Birthplace Study Act; H.R. 3473, Bountiful City Land Consolidation Act; H.R. 3616, Lewis and Clark National Historic Trail Extension Study Act of 2007; and H.R. 3821, Battle of Matewan Study Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing on Will Increased Postal Rates put Mailers out of Business? 10 a.m., 2154 Rayburn.

Subcommittee on National Security, and Foreign Affairs, hearing on Iran: Reality, Options, and Consequences—Iranian People and Attitudes, 10 a.m., 2247 Rayburn.

Committee on Rules, to consider the following: H.R. 2262, Hardrock Mining and Reclamation Act of 2007; and H.R. 3920, Trade and Globalization Act of 2007, 2 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on Research to Improve Water-Use Efficiency and Conservation: Technologies and Practices, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, to mark up the following: H.R. 3495, Kids in Disasters Well-being, Safety, and Health Act of 2007; the John F. Kennedy Center Reauthorization Act of 2007; H.R. 3315, To provide that the great hall of the Capitol Visitor Center shall be known as Emancipation Hall; and H.R. 3712, To designate the Federal building and United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the ''James M. and Thomas W.L. Ashley Customs Building and United States Courthouse, 11 a.m., 2167 Rayburn.

Committee on Ways and Means, hearing on the Appropriateness of Retirement Plan Fees, 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

10 a.m., Tuesday, October 30

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of S. 294, Passenger Rail Investment and Improvement Act, and vote on certain amendments, and then vote on the motion to invoke cloture on the bill.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, October 30

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 2787—CJ's Home Protection Act of 2007; (2) H.R. 1236—To make permanent the authority of the United States Postal Service to issue a special postage stamp to support breast cancer research; (3) H. Res. 759—Recognizing the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C.; (4) H.R. 3307—To designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the ''Dennis P. Collins Post Office Building''; and (5) H.R. 3446—To designate the facility of the United States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, as the ''Michael W. Schragg Post Office Building''. Consideration of H.R. 3867—Small Business Contracting Program Improvements Act (Subject to a Rule).

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