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House of Representatives

The House met at 10 a.m.

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

Lord God of history and ever present to all believers, in contemporary darkness we readily turn on lights.

In spiritual darkness of doubt and confusion, You can send forth a spark of inspiration and grace that will enlighten minds and warm hearts to respond to Your love for Your people and praise Your deeds in Sacred Scripture.

Fill this day with Your blessings. As the first day of Chanukah, the Festival of Lights is celebrated by Jews. Christians tonight will light a Christmas tree on the lawn of the Capitol.

Eternal Father of us all, fill Your children with the delight that comes from light. May we walk no longer in the darkness of fear and ignorance, but join together in mutual understanding and peace, for our eternal hope is placed in You, now and forever.

Amen.

THE JOURNAL

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

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

Mr. CONAWAY. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. CONAWAY. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. AKIN 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.

MESSAGES FROM THE SENATE

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

S. 863. An act to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds.

S. 1327. An act to create and extend certain temporary district court judgeships.

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the Republican Leader, announces the appointment of the Senator from Tennessee (Mr. ALEXANDER) as a member of the United States Capitol Preservation Commission, vice the Senator from Colorado (Mr. ALLARD).

ANNOUNCEMENT BY THE SPEAKER

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

A NEW ENERGY POLICY

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

Mr. BLUMENAUER. Madam Speaker, thank you for the work that you and Chairman DINGELL have done in bringing forth to the House for a vote today an opportunity for a comprehensive energy policy.

For too long, we've focused on energy for the past, on energy sources and products for the world as it was or as some wanted it to be. This is an opportunity for us to deal with the energy challenges of today and for the future.

The bill that comes forward will be, for the first time since 1975, an opportunity to significantly increase vehicle fuel mileage standards. It will contain a renewable portfolio standard that emulates what has happened in over half our States across the country, to be able to jump-start renewable energy. It will be financed by redirecting tax breaks from the largest oil companies who don't need taxpayer support to produce oil profitably, and it will be directed to the energy sources of the future, renewables, which do need this help to bring their opportunities to scale.

I hope my colleagues will arise to meet this challenge. Vote to pass this legislation. Our national security, economic stability, and environmental survival depends upon it.

THE DEMOCRATS ARE LATE

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

Mr. AKIN. Madam Speaker, we all have to struggle from time to time with the bad practice of being late. We don't like to be late, and the reason we don't is, of course, when we're late, we inconvenience somebody. If you're late to the car pool, a couple of people have to sit there and wait and you've got to choke your breakfast down a little bit quicker so you don't inconvenience someone.

But you know the Democrats have been very late. But when the Congress

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is late, it is really a big inconvenience, because the Democrats knew that they had to pass the AMT patch some months ago and they didn't do it. And so what does that mean? It means not just a few people in the car pool. What it means is 32 million Americans will not get their tax refund; $87 billion will be late to 32 million Americans because the Democrats are late in dealing with the AMT tax patch. They tried to put it together with a $3.5 trillion tax increase, the mother of all tax increases. Of course that didn't work, and now we're late.

ENERGY INDEPENDENCE AND SECURITY ACT WILL HELP US REDUCE OUR DEPENDENCE ON FOREIGN OIL

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

Mr. BRALEY of Iowa. Madam Speaker, today we will consider legislation that invests in the future of our Nation and puts us on the path to energy independence. The Energy Independence and Security Act is a significant legislative package that will strengthen our national security by reducing our dependence on foreign oil. The bill addresses skyrocketing gas prices with increased fuel economy standards that will save American families 700 to $1,000 a year at the pump. It also reduces oil consumption by 1.1 million gallons per day in 2020, one half of what we currently import from the Persian Gulf. And this legislation includes a historic commitment to American biofuels that will fuel our cars and trucks. This investment in hometown crops will create American jobs and protect the environment by reducing carbon emissions.

Madam Speaker, the Energy Independence and Security Act will help our Nation invest in resources in the Midwest to improve our environment, instead of relying on Mideastern countries for pollution-heavy fossil fuels.

I hope all my colleagues in the House and Senate will support this legislation and help reduce our dependence on foreign oil.

CONGRATULATING THE REDSKINS OF HAMILTON COUNTY, OHIO

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

Mrs. SCHMIDT. Madam Speaker, I rise today to congratulate the Anderson Redskins of Hamilton County, Ohio for winning the Division II Ohio School Athletic Association Football Championship. The Redskins capped off their incredible run into history Friday night by beating the Louisville Leopards of Stark County 31–25 in front of 11,065 fans at Paul Brown Tiger Stadium in Massillon.

After 19 years as assistant coach at Anderson, first-year head coach Jeff Giesting led his team to a final record of 13–2, including a win in the playoffs against township rival the Turpin Spartans.

On Sunday, the Anderson township community celebrated the Redskins' first-ever State championship in their history where all 15 seniors took to the podium to talk about their incredible victory. The resounding theme among those players was not the championship trophy itself, but the sense of community, togetherness and pride which has spread throughout the area.

Madam Speaker, I salute the school, the players, Head Coach Giesting, and the entire Anderson township community on their championship season. Well done, Redskins.

THE BUSH-CHENEY ENERGY PLAN

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

Mr. DEFAZIO. Madam Speaker, the so-called Bush-Cheney energy plan was developed in secret, and it was developed in secret because it was disastrous for America. It would have been bad policy for the 1950s based on subsidies for the oil, coal and gas industry, dig, drill and burn, but it was a total embarrassment and disaster for 21st century policies. Today we have a chance to reverse that, to put in place a modest renewable portfolio, but the Republicans object to renewable portfolios; to put in place a mandate on increased fuel economy, which the American people would dearly love to have more efficient vehicles, but the Republicans object to that; and investment in new technologies and new sustainable fuels to take us to energy independence, to free us from the thrall of being subject to Chavez and the Saudis and others, but the Republicans object to that too. And we would pay for it by stripping the wildly profitable oil and gas industry of some tax subsidies from the American people, and the Republicans object to that too. But despite their objections, we are going to establish a new energy direction sustainable for this country.

FUND 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 66; that's 66 days so far that our veterans have not had the use of the increased funding for their benefits and health care. That's $18.5 million a day not able to be used. This bill has been done for months and the President has already agreed to sign it. But instead of moving the bill forward, the Democratic leadership in Congress continues to postpone this bill. So far, only one of 12 appropriation bills have been passed and signed into law. Why? Our veterans are heroes. There are few things more important than ensuring that this Congress provide all possible benefits and health care for our veterans.

I'm calling on the Speaker to move this bill forward. And I call on all Americans to contact their representatives and tell the Democratic leadership to send a clean veterans appropriation bill to the President now. Our veterans deserve it.

NO BLANK CHECK FOR THE WAR IN IRAQ WITHOUT INPUT FROM CONGRESS

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

Mr. PAYNE. Madam Speaker, while our troops continue to perform heroically in Iraq, President Bush's troop surge has not lived up to its promise of producing essential political reconciliation.

As a member of the House Foreign Affairs Committee, I helped lead the opposition to our involvement in Iraq in the first place because I felt that we should let the weapons inspectors do their jobs before rushing into a preemptive military strike.

After our Iraq policy failed, and the rationale for going to war was invalidated due to the absence of weapons of mass destruction, we're told that the so-called military surge would help bring about a political solution in Iraq. That has not happened. Senior military commanders have indicated that the inability of the Iraqi Government to achieve political reconciliation is a greater threat to our troops than the insurgency in Iraq.

Many of us here in Congress believe that the Iraqi Government will not begin to address the political reconciliation until it is clear that our troops are coming home.

Last month, House Democrats once again passed a bill that provided our troops with $50 billion in funding and a strategic plan that brings them home. We must bring our troops home. We demand a change in the direction in Iraq.

□ 1015

NEW ENERGY POLICY

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

Mr. CONAWAY. Madam Speaker, the previous speaker mentioned that the current energy policy was crafted in the dark. I would have to agree that the current energy policy that's being proposed has certainly kept the Republicans in the dark because we have yet to see the language on the policy that we will be asked to vote on over the next couple of days. In all likelihood, it will require mandates. Mandates are good ideas that I've come up with that you have to pay for.

There will be a lot of talk on this floor, there will be a lot of good arguments made, but to cut to the chase, if

it were cheaper to produce electricity today by using solar and wind and other alternatives, we would be doing it. That's the American way. That's the commerce of the circumstances, but it is not. And so, as we look at these proposals that will require how we go about providing America with the electricity and energy we need over the next decades, let's don't forget that there is a cost associated with it. We ought to know that cost. We ought to know the cost to consumers and to the businesses that have to use that energy.

There's an old saying, ''If you don't like the high cost of eggs, then why would you kill chickens?'' Let's be careful that with this new energy policy that's being proposed, that we don't, in fact, kill the chickens that produce the eggs that generate the electricity and the energy that we need.

HOUSE DEMOCRATS FIGHTING FOR MIDDLE-CLASS FAMILIES IN AN UNCERTAIN ECONOMY

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

Mr. CARDOZA. Madam Speaker, with home values dropping and the cost of health care, home heating oil and college education continuing to rise, American families are justifiably uneasy about their ability to make ends meet in a declining economy.

The Democratic Congress has made protecting middle-class families its highest priority. Over the course of this year, we have passed billions in tax relief for American small businesses, increased the minimum wage for the first time in a decade, passed legislation that cuts taxes for middle-class families and given families the most financial assistance for college since the GI Bill.

The New Direction Congress is also working to reach bipartisan agreements to address the subprime loan crisis and predatory loan practices that are threatening to force thousands of American families from their homes. Today, we will bring a comprehensive energy bill to the floor that will provide some much-needed relief at the gas pump as well.

Madam Speaker, the needs and concerns of our Nation's working families remain one of this Congress' top priorities.

DEMOCRATS' ENERGY BILL

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

Mr. RADANOVICH. Madam Speaker, energy independence is one of the most critical issues facing our Nation. This Congress has a responsibility to the American family to ease the burden they're feeling at the gas pump and reduce the cost of heating America's homes this winter. Unfortunately, this Democrat majority is either unwilling or unable to accept that responsibility.

The majority wants to place unrealistic Federal mandates on renewable electricity that will drive up the cost of utilities and mandates on renewable fuel that will increase the cost of food at the supermarket.

The American public wants results. That means increasing domestic oil and gas production, building petroleum refineries for the first time in 30 years, and expanding the use of nuclear energy. Instead, the static electricity created by my shoes rubbing across this carpet creates more energy than the Democrats' energy bill.

ENERGY INDEPENDENCE AND SECURITY ACT

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

Mr. CARNAHAN. Madam Speaker, as evidence mounts about the growing risk of climate change and dependence on foreign oil, this Congress has a duty to enact responsible legislation that reduces our impact on the environment. Today, we will do just that by considering the Energy Independence and Security Act, which includes critical provisions to not only reduce global warming, but create new American jobs by harnessing the best of American innovation and technology.

This energy bill creates a program to train a skilled green workforce in our Nation, and could lead to the creation of nearly 3 million green jobs over the next 10 years. It increases loan limits for small businesses to help them develop energy efficient technologies, and increases investment in small firms developing renewable energy. It also includes landmark fuel efficiency standards, renewable electricity standards, and energy efficiency programs that will save businesses and consumers money, while reducing carbon emissions. This new energy bill is a big step for the U.S. in the right environmental direction, and it deserves the support of every Member of this Congress.

PELOSI BILL WILL MAKE US MORE DEPENDENT ON FOREIGN ENERGY

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

Mr. PETERSON of Pennsylvania. Does the energy bill help Americans who are struggling to heat their homes and drive their cars? For affordable energy, the answer is no.

Despite claims to the American public that they will put policies in place to achieve energy independence, the Democrats' energy bill will not produce a single BTU of energy.

To achieve energy independence, we must replace imported energy with our domestic resources. Unfortunately, the Pelosi bill will make us more dependent on foreign energy, not less.

The Democrat bill relies on much-needed conservation through increased CAFE standards 13 years from now, which will change the fleet, and the production of 15 percent of our electricity from renewables, hardly enough to replace the 13 million barrels of oil we import every day.

If we want to achieve energy security and reduce our dependence on foreign energy, we must increase domestic production of oil and gas in America's energy-rich areas.

As American families and small businesses continue to tighten their belts to cope with soaring energy costs, Congress should be doing everything in their power to relieve this unnecessary burden. Yet today the House is taking a step in the opposite direction, increasing our dependence on energy from foreign, unstable countries.

DEMOCRATIC HOUSE WORKING ON BEHALF OF PROGRESS

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

Mr. YARMUTH. Madam Speaker, how many times is President Bush going to hold the same press conference, hammering away at Congress just because we're meeting our responsibilities under article I and restoring Americans' faith in the future? Doesn't he understand that the American people chose to put Democrats in control of Congress for a reason?

All year long we have been working to take our Nation in a new direction and restore that faith in the future. In some instances, the President has joined our efforts. We worked together to fully implement the 9/11 Commission recommendations, increase the minimum wage, and make college more affordable for millions of college students. Unfortunately, in almost every other instance, President Bush has stood in the way of real progress. He refused to help us provide quality health coverage for 10 million children. He rejected our efforts consistently to change course in Iraq. And he has threatened to veto our appropriations bills that truly prioritize our domestic needs.

Madam Speaker, President Bush has every right to be frustrated by his lack of accomplishments, but he has nobody to blame but himself. He needs to stop standing in the way of progress.

LET'S DO AWAY WITH EARMARKS

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

Mr. FLAKE. Madam Speaker, I got a kick out of a recent warning made by the chairman of the House Appropriations Committee. He cautioned Members that if congressional negotiators were forced to make additional cuts in

this year's spending bills, that he just might do away with all earmarks in the bill. Well, that may pass for a threat here in Washington, but taxpayers all over the country are applauding.

Despite the perception that many in Congress seem to have that taxpayers are eagerly awaiting the completion of appropriation bills to see if their earmarks ended up in the bill for their hometown, taxpayers, whether they're Republicans or Democrats, are applauding. They think that earmarks are a waste of money.

Chairman OBEY has said on many occasions that if it were up to him, he would do away with earmarks altogether; they are a waste of his time and his committee's resources. I couldn't agree more. In fact, I can't think of a better Christmas present to Chairman OBEY than releasing him from the stress and hassle of having to deal with our earmarks. I'm sure he would be grateful, and our constituents would be grateful even more.

RECOGNIZING THE LIFE AND LEGACY OF FORMER CONNECTICUT GOVERNOR WILLIAM O'NEILL

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

Mr. COURTNEY. Madam Speaker, I rise today to recognize the life and legacy of former Governor William O'Neill, who passed away on November 24, 2007.

Bill O'Neill is today recognized as one of the giants of Connecticut history. He served as Governor from 1980 to 1982, and was a leader who had a commonsense, compassionate vision of government, raising teachers' salaries, rebuilding our roads, and creating a pathbreaking prescription drug benefit for seniors.

In Connecticut over the last 2 weeks, there has been an outpouring of affection for the Governor and his wonderful surviving wife, Nikki, partly because of his great work for the people, but also because of the plainspoken, humble way he carried himself in the State's highest office.

As the Irish would say, Bill O'Neill never put on airs. And that is why last week, at a funeral service at St. Patrick's Church in his beloved East Hampton, the same church he served as an altar boy and the same church he faithfully attended for over 70 years, people from all walks of life came to pay tribute to him and Nikki and honor a man who set a beautiful example for us all, of service, decency and compassion.

I ask my colleagues to join with me in honoring Governor O'Neill's contributions to Connecticut and offer sincerest condolences to his family and friends.

ENERGY BILL IS A TERRIBLE DEAL FOR AMERICANS

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

Mrs. MILLER of Michigan. Madam Speaker, three things are certain to occur because of the Democrat's energy bill: First of all, it's going to make cars more expensive, it will force taxes to be raised, and it will cost American jobs.

The imposition of higher CAFE standards combined with a regulatory nightmare of the EPA regulating tail pipe emissions and NHTSA regulating fuel economy will force the domestic auto companies to expend billions on regulatory compliance with the cost passed along to consumers, of course.

Some estimate that the cost of this will be as much as $85 billion. This means that the cost of an American automobile will rise as much as $5,000 to $10,000 per vehicle. And worst of all, the new mandates will actually force automakers to outsource more vehicle production in an effort to reduce their costs and to remain competitive, which will cost more American jobs.

This is simply a terrible deal for American consumers, American taxpayers, and American workers. It will result in a hidden tax on cars, higher taxes on gas, and less jobs in America. Our Nation needs a comprehensive energy policy, but this bill misses the mark badly.

FINALLY A COMPREHENSIVE ENERGY BILL

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

Ms. SHEA-PORTER. Today we will vote on a comprehensive energy bill, finally. This country has waited 32 years for an increase in mileage standards. Thirty-two years. We have also waited for Congress to focus on renewables, green jobs and energy conservation in buildings and appliances. This bill will do that. This bill will also help free our Nation from dependence on foreign oil.

When Newt Gingrich was sworn in as Speaker, we were 41 percent dependent on foreign oil. We are now 61 percent dependent on foreign oil. This is a risk to our national security. This bill will help our pocketbooks, it will help our environment, and it will help our national security. I urge my colleagues to vote ''yes.''

HONORING THE LIFE OF REPRESENTATIVE HENRY HYDE

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

Mr. PITTS. Madam Speaker, last week, America lost a true statesman when Henry Hyde passed away at the age of 83.

Representative Hyde was a student of American history, a constitutional scholar, a thoughtful legislator, and a skillful orator. But above all, he will be remembered as a man of integrity who stood for the most basic principles of liberty, justice, and, above all, respect for life.

On November 5, President Bush awarded Mr. Hyde the Presidential Medal of Freedom, the very highest honor the President can bestow on an American citizen.

In his first term, Henry Hyde offered an amendment that ensured that Americans who believe in the sanctity of life would not see their taxpayer dollars go to the funding of abortion. That was just the beginning of Henry's long legislative career spent working to protect the sanctity of human life.

I urge the Democrat leadership to bring the bipartisan H. Res. 843 to the floor for a vote. It would be a mark on this body if we did not honor the life and work of a man of character like Henry Hyde.

ADMINISTRATION'S MISPLACED PRIORITIES

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

Mr. HALL of New York. Madam Speaker, I rise today to oppose the latest demonstration of this administration's misplaced priorities.

President Bush wants to slash $2 billion in funding that will help our police and other first responders protect Americans here at home from terrorists and other threats so that he can send $3 billion over to Iraq to train police there. That money means a lot to our police and firefighters here at home. By cutting this funding, President Bush will endanger security at our ports, subways and rail lines. Further, his proposal will not allow law enforcement agencies to use grants for counterterrorism or intelligence personnel, funding which has helped the NYPD uncover and stop nearly 20 terrorist attacks.

By proposing these cuts, the President rejects the advice of the Department of Homeland Security and the 9/11 Commission and again shows his priorities are not those of the American people.

I urge the President to reconsider this request and will work with my colleagues to reverse these deeply misguided cuts to homeland security.

LIFE HAS LOST ITS LION

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

Mr. PENCE. On November 29, Americans learned of the passing of one of the giants of this Congress in the 20th century. Congressman Henry Hyde of Illinois died at the age of 83.

As Members in both parties know, throughout his nearly four decades in this Congress, Henry Hyde was the essence of dignity, civility, and a commitment to principle. He was a champion of the great causes, life, liberty

and the rule of law, a voice for the voiceless, victims of human rights abuses, and he was a lion of the right to life. In every sense, life has lost its lion, and this movement will miss his roar.

Henry once quoted me on this floor from his favorite poet Tennyson from the poem ''Ulysses.'' He said, by memory, ''Though we are not now that strength which in old days moved heaven and earth, that which we are, we are, one equal temper of heroic hearts made weak by time and fate, but strong in will to strive, to seek, to find, and not to yield.''

On all the great issues of the day, Henry Hyde strove, he sought, he found, he did not yield. May he rest in peace, and those of us who share his values and his principles not rest until the work he began is done.

□ 1030

THE PRESIDENT AND COMPASSIONATE CONSERVATISM

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

Mr. COHEN. Madam Speaker, on Monday evening, the President hosted a holiday party for Members of Congress and others. A good time was had by all. It was a wonderful time and the President was a marvelous host, but I had to think in that moment about the holiday spirit and the idea of giving and caring for people who need something and providing for them.

I asked the President at that time to use some of his compassionate conservatism to help us get through this budget. There are people that need help with their heating bills this winter. There are people that need policemen and protection for their neighborhoods. There are people who have problems with illnesses in their families, whether it be cancer, Alzheimer's, diabetes or heart disease, which research dollars could help them with. There are people that need help with Head Start and education in this country and children that need health care.

Madam Speaker, I think in this Christmas season we ought to think about why we're here, who we should be helping and what we ought to be doing. Part of it is helping others and people who need a little bit more. The President was elected on an idea of compassionate conservatism. It's time to be compassionate. Part of that is being compassionate to take care of people here in America.

Bring it home, Mr. President.

IRAQ

(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, back in January, a number of Members of the House voted against a surge in Iraq which the President had promoted. Well, although that vote passed the House, it failed in the Senate, and we know the surge did take place and the surge has paid off. Civilian casualties in Iraq are down 20 percent; 75 percent in Baghdad. IED attacks are down by 50 percent, and we've nearly doubled the number of weapon caches that have been discovered this year from last year. Lots of good progress has been made.

And I don't blame the folks who are against Iraq for pushing the bill back in January that they did. I believe that there's plenty of room for honest disagreement on this war. But at the same time, here we are now and we need to continue funding for that war. There is a $50 billion bridge fund. The President actually has asked Congress for $196 billion, but Congress has indicated $50 billion is all that we're willing to go at this point. But then there are some stipulations, some micromanagement of the war.

I hope that we can have this bill on the floor of the House and have an honest debate on it and keep the spirit of agreeing to disagree agreeably.

IRAN AND THE ENERGY BILL

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

Mr. MORAN of Virginia. Madam Speaker, after all the fabrications and all the incompetence associated with Iraq, not to mention the human rights abuses in Guantanamo and Abu Ghraib, you wouldn't think that America could lose any more credibility, but now we understand the President was warned well in advance that there was new information on Iran's nuclear program; yet he continued with his bellicose rhetoric, even raising the specter of World War III.

Well, now we know. There is absolutely no excuse for going to war with Iran. But the fact is that if the President is still concerned about Iran, which he very much should be, he should read the rest of the National Intelligence Estimate which makes it clear that Iran is going to acquire even more wealth and, thus, power because of our dependency on oil.

So the best thing that the President can do if he's concerned about Iran is to sign the energy bill that we are considering today. We cannot continue our dependence upon foreign oil, and the first way to start moving in a new and more secure direction, is to sign the Energy Independence bill that will go to his desk very shortly.

TIME FOR A CHANGE OF COURSE IN IRAQ

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

Mr. PALLONE. Madam Speaker, while our Nation and our military are paying a huge price for the continuing war in Iraq, the Iraqi Government itself refuses to take any steps needed to bring about political reconciliation. It has now been more than 320 days since the surge began. During that time, more than 860 American troops have been killed and we continue to spend more than $10 billion in Iraq every month; yet the Iraqi Government still refuses to live up to the promises it made to President Bush when the surge began.

The government promised that the Iraqi Parliament would pass a national oil and gas bill. It hasn't.

The Iraqi Government also promised the President that its parliament would pass a de-Baathification law. It hasn't.

The government also promised to hold provincial elections. Once again, they have failed to follow through.

Madam Speaker, how much longer is President Bush going to sacrifice both our military and our Treasury for an Iraqi Government that refuses to make the difficult decisions that could possibly produce real stability in Iraq? It's time for a change of course in Iraq.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3120

Mr. PUTNAM. I ask unanimous consent, Madam Speaker, that my name be removed as a cosponsor from H.R. 3120.

The SPEAKER pro tempore (Ms. DEGETTE). Is there objection to the request of the gentleman from Florida?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mr. SKELTON. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. HUNTER

Mr. HUNTER. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Hunter moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1585 be instructed to agree to the following provisions:

(1) The provision contained in section 1536(b) of the Senate amendment, relating to

the sense of the Senate that the Senate should commit itself to a strategy that will not leave a failed state in Iraq and the Senate should not pass legislation that will undermine our military's ability to prevent a failed state in Iraq.

(2) The provisions contained in title XV of the House bill, relating to the authorization of additional appropriations for Operation Iraqi Freedom and Operation Enduring Freedom.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Thank you, Madam Speaker, and I yield myself such time as I might consume.

My colleagues, the Republican motion to instruct outlines the consequences of a failed state in Iraq and supports a clean war funding bill without a date certain to withdraw American troops from Iraq. And I would remind my colleagues that the motion to instruct goes to the Senate provision which passed by a nearly unanimous vote of 94–3.

Let me explain what it does. The Republican motion to instruct puts the House of Representatives on record acknowledging the consequences of a vote for a precipitous withdrawal from Iraq and not fully funding our troops and their missions. It instructs House conferees to accept Senate provision 1536 which states that it is the sense of Congress that a failed state in Iraq would become a safe haven for Islamic radicals, including al Qaeda and Hezbollah, who are determined to attack the United States and its allies.

The provision also notes that a failed state in Iraq could lead to a broader regional conflict involving Saudi Arabia, Iran, Syria and Turkey, and would lead to massive humanitarian suffering, including widespread ethnic cleansing and countless refugees and internally displaced persons, many of whom will be tortured and killed for having assisted coalition forces.

Senate provision 1536 concludes by stating that the Congress should commit itself to a strategy that will not leave a failed state in Iraq and should not pass legislation that will undermine our military's ability to prevent a failed state in Iraq.

Now, going to the aspect of the authorization of additional appropriations for Operation Iraqi Freedom and Operation Enduring Freedom, my colleagues, these are the funds that are essential in this ongoing war in two theaters, to keep the funds going, to keep the money going to operate our military forces so that we don't end up having to reach into the cash register and pull money out for ammunition, pull money out for training exercise, pull money out for important ongoing operations and activities here that are in fact assisting the war-fighting effort.

One example of those, of course, is the Joint Improvised Explosive Device Defeat Organization, JIEDDO, which has a complicated name but very simply means developing capabilities against roadside bombs. That's a command that we set up to defeat IEDs in Iraq, and we are told now that it will run out of money within the next hundred days and may not have enough money to fund all urgent initiatives from Iraq and Afghanistan during that time.

□ 1045

I would remind my colleagues that the roadside bombs are being seen on a more widespread basis in Afghanistan now. There has been an understanding by the insurgents, by the Taliban, by al Qaeda in Afghanistan that those, in fact, are a deadly and effective system. And it makes no sense whatsoever for us to shortchange the accounts that are going toward the defeat of roadside bombs.

Another point that I would make is that we have been notified that the Pentagon will soon be required to lay off 100,000 civilian workers. Many of those workers are working on important projects that go to the heart of our ability to win in the war-fighting theaters. So this is a major, major mistake for this Congress, in the middle of an operation in two war-fighting theaters, to shortchange these accounts which will result in the military having to reach in the cash register, take money out of other accounts in the hope that at some point in the future next year we are going to be able to make up that money. So whatever your position on our operations in Iraq and Afghanistan, whether you think we should be there or not be there, every Member of this body says time and again, ''We support the troops.''

Madam Speaker, stripping this funding off, which is what we will do if we don't pass this motion to instruct, is very clearly a disservice to these 157,000 plus troops in Iraq and the 22,000 plus American troops fighting in Afghanistan right now.

I reserve the balance of my time.

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

As my friend, Mr. HUNTER, the gentleman from California knows, both the House version of the Defense Authorization Act and the Senate version authorized supplemental funding for the wars in Iraq and Afghanistan. I say ''authorized.''

The Armed Services Committee has collectively supported authorizing this funding to ensure the continued relevance of the committee and to make sure that the specific purposes for which the President has requested funds are actually related to the wars.

In both the House and Senate versions of the bill, we have authorized this funding in a way that provides maximum flexibility for the leadership as well as for the appropriators. While we authorize funding, as my friend from California knows, nothing can happen without further action on an appropriations bill, and it is those appropriations bills that have served as the vehicles for the Iraq debate.

The House recently passed a bridge supplemental fund that would change our policy in Iraq. We may very well have similar debates in the future, and I would hope that my colleagues on the other side of the aisle would be forthcoming with their suggestions on how to address the strategic risk we incur by pursuing the President's failed policy. In the Defense Authorization Act, our committee, I expect, will act in conference to ensure that those debates can occur and that the House can work its will on future appropriations bills to restrain the President's Iraq war policy.

We all acknowledge that our troops have done a great job in Iraq. We owe them our thanks, our gratitude and our congratulations for their work as well as for their sacrifices. Their sweat and their blood have helped to reduce the level of violence in Iraq from the horrific levels of late 2006 and early 2007.

The original purpose of this surge was to reduce violence to provide the Iraqis with a chance for political reconciliation. Violence is down. It is time for the Iraqis to step up and take the hard steps toward reconciliation that will finish the job our wonderful troops have started. Yet they have refused to do this.

In response to this refusal, the House recently voted to begin to redeploy most of our troops out of Iraq and to change the nature of our involvement there. This policy is supported by a large majority of the American people who do not believe that we should continue to police a civil war when the Iraqis themselves refuse to take the hard steps to bring it to an end.

Well, we are not having the Iraq debate on the defense authorization bill. The supplemental authorization is intended to set the stage for that debate. That is an appropriations bill as all of us know. That is why the House and the Senate versions of the Defense Authorization Act, which is before us, included a supplemental authorization and why I suspect that the conference will do the same.

I reserve the balance of my time.

Mr. HUNTER. Madam Speaker, at this time I would like to yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SAXTON) who is the ranking member on the Terrorism Subcommittee.

Mr. SAXTON. I thank the gentleman for yielding.

I happen to believe that this motion to instruct is extremely important. I think it is extremely important for two reasons. First, as Mr. HUNTER pointed out, this provision provides instruction to authorize the full $192 billion supplemental for the war spending bill without strings or date certain to withdraw American forces from Iraq. I think that is important. And I will say why a little bit later here. But I also I think it

is important to recognize, as this provision also does, that there are consequences for not carrying out our actions in Iraq and in other places in the world, for that matter, in a responsible fashion.

This measure instructs the House conferees to accept a provision that has already been passed by the Senate. It is known as provision 1536 which states that it is the sense of Congress that a failed state in Iraq would become a safe haven for Islamic radicals, including al Qaeda and Hezbollah, and others, who are determined to attack the United States here at home and our allies.

Let me speak to the first point to say why I think it is important that we go forward to authorize the full $192 billion supplemental war spending bill. All of us should be students of history, particularly recent history. I know that the chairman of the Armed Services Committee is a great historian himself. But recent events I think are extremely important. Perhaps some of our colleagues here have not watched this as closely as perhaps some of us on the Armed Services Committee, but as we saw progress begin to take place in Iraq, many of us asked why. And I think it was universally accepted that one of the reasons was that the Sunni tribal leaders, for a couple of reasons, I believe, began to cooperate with our forces and our personnel who are there. One reason was in their own self-interest. They recognized that the time of wishing each other, that is Sunnis and Shias ill, was drawing to a close because the Iraqi people themselves were tired of the violence. So just like any of our neighbors here would be tired of violence under those circumstances, the Iraqis grew tired of it as well.

But the second reason I believe we began to make the progress that we see today is very simply that the Iraqi people became convinced, in spite of many days of rhetoric on this floor, became convinced that we weren't going to leave them, that we were going to stay and finish the job. And so the commitment that would be expressed by the passage of this language I think is extremely important.

But I also think it is important to recognize that the provision notes that a failed state in Iraq could lead to a broader regional conflict. There was a lot of talk here this morning on this floor and yesterday in the news media about the state of Iran, and why was it that in 2003 we now believe that they discontinued their effort to create nuclear weapons. Could it have been something that happened in their neighborhood? Could it have been the determination that our soldiers, sailors, airmen and marines showed next door in Iraq? And could it be that the Iranian leadership recognized that there were actions that they needed to take in their best interest which perhaps included the discontinuation of their effort to create nuclear weapons?

Senate provision 1536 concludes by stating that the Congress should commit itself to a strategy that will not leave a failed state in Iraq, that will continue the progress that we have seen in recent months and should not pass legislation that will undermine our military's ability to prevent a failed state in Iraq.

Mr. SKELTON. Madam Speaker, before I yield to the gentleman from Mississippi, let me point out the fact that both in the House version of the defense authorization bill as well as the Senate version of the bill there is positive reference to the threat of a failed state in Iraq. That is fully recognized in both pieces of legislation, and I appreciate the gentleman's comments thereon and hopefully correct and parallel language could be adopted in that regard.

I now, Madam Speaker, yield 5 minutes to my friend, my colleague, the gentleman from Mississippi, the chairman of the Subcommittee on Seapower (Mr. TAYLOR).

Mr. TAYLOR. I thank the gentleman from Missouri, the chairman.

Madam Speaker, one of the things we ought to do in a democracy is when the other guy has a good idea, no matter what political party he's in, is to say that's a good idea. I would remind the gentleman that it was the Bush administration that classified the number of jammers in Iraq under a failed policy by Donald Rumsfeld that basically didn't want the moms and dads of Americans to know how few we had. It was this Congress that insisted that we have a jammer on every vehicle in Iraq to keep the improvised explosive devices from being remotely detonated. So, of course, I don't want those funds cut because I, along with others, worked to put those funds in the bill.

Along that same policy of ''war by wishful thinking'' from the Rumsfeld crowd was that we didn't need mine-resistant vehicles over there. The Bush administration only asked for 4,000. We were going to build over 15,000 because this Congress realized the importance of them, and that there are kids in Walter Reed today who would still have their limbs if we had built them sooner. There are kids in Mississippi graveyards who would still be alive if we had built them sooner. So of course we want those funds in the bill.

I fully support the gentleman's efforts. We have a lot of very good things in this bill, and it deserves to be funded, and the troops in Iraq need to know that we are going to fund the jammers they need to save their lives both over there and here because one of the problems with having too few jammers is that our troops in the United States that are training to go to Iraq still aren't seeing a jammer until they get to theater. And this is the device that is going to save their lives. This is the device that is going to save their limbs. And they need to be training with those things here in America so that the first time they don't see this device that's going to save their life is when they are traveling from Kuwait into Iraq. That is the situation that still exists today that we are trying to fix.

The Bush administration asked for too few of these. Congress, in an earmark, said no, we are going to build them because they are going to save lives. The Bush administration asked for too few mine-resistant, ambush-protected vehicles. Congress, in an earmark, said no, we are going to build them because it is going to keep kids from losing their legs, and it is going to keep kids from losing their lives. So of course I am going to support this bill, I am going to support the gentleman's efforts, and I thank the chairman for putting together what I think is an excellent Armed Services defense authorization bill that is going to lead to fewer deaths in Iraq, fewer deaths in Afghanistan, and a stronger, and hopefully in the future, more peaceful world.

Mr. HUNTER. Madam Speaker, I want to thank the last speaker for his statement and for his wonderful contribution on the Armed Services Committee in terms of working the jammer issues, and lots of other Members who have worked these important force protection issues. I think that we have proven on the committee that the wisdom of the committee and lots of Members who have gotten personally involved in this force protection issue have matched and at some times exceeded the Pentagon's own projections and projects.

□ 1100

I am reminded also that we manufactured and fielded 10,000 portable jammers, so that troops who are on foot could also have jammers, which had not been planned by the Pentagon. So I think he makes a good point. Of course, having these funds that are available in these supplementals that we can direct to force protection is a key aspect of our responsibility.

Madam Speaker, I yield 5 minutes to the gentlewoman from Virginia (Mrs. DRAKE).

Mrs. DRAKE. Madam Speaker, I rise in strong support of the motion to instruct conferees. This motion would instruct House conferees to accept section 1536 of the Senate version of the national defense authorization, a provision which received near unanimous support on the other side of the Capitol. This section states, ''A failed state in Iraq would become a safe haven for radicals, including al Qaeda and Hezbollah, who are determined to attack the United States and its allies.'' It goes on to state that ''a failed state in Iraq would lead to a broader regional conflict, possibly involving Syria and Iran.''

I would remind my colleagues that only a few short months ago, the President of Iran was quoted as saying that very soon we will be witnessing a great power vacuum in the region, and that Iran is willing to fill this void.

Madam Speaker, the other side has attempted over 40 times to wave a

white flag in Iraq. This motion would put this Chamber on record as supporting a policy of success in Iraq. Our goal must be the path that we are on; a stable, functioning Iraqi Government, who can be an ally with us in the war on terror and not the goal of our enemy, which is Iraq as the capital of their caliphate.

Madam Speaker, I visited Iraq this summer. I had the opportunity to meet with the Deputy Prime Minister, and I asked the question why Iraq had not passed the legislation that we were using as a benchmark. I told him I had heard he had the votes to pass the legislation.

His answer to me was quite surprising. He said, ''Yes, I have the votes. I have 75 percent to pass the legislation.'' He said, ''But if I do it, I will be cutting the Sunnis out of the government; they will have no voice and no power.''

That is exactly the opposite of what their goal is in Iraq. I would maintain that the Iraqi Government is working very hard for stable institutions where no one group can take over power again.

We have all seen the efforts of our military and the surge are working, creating stability and security. And now we are seeing the best of all results, which is the Iraqi people themselves, who have chosen us and have chosen their government. And in the words of their own sheiks that we met, two Sunni and two Shia, they said, ''We are working together for Iraq.''

I urge my colleagues to support this motion in the best interests of our national security and working together for Iraq.

Mr. SKELTON. Madam Speaker, I yield 5 minutes to my friend and colleague, the gentlewoman from California (Mrs. TAUSCHER), who is the chairwoman of the Subcommittee on Strategic Forces.

Mrs. TAUSCHER. Madam Speaker, I thank the distinguished chairman of the House Armed Services Committee, who led a fabulous effort this year. For the first time in 13 years, Democrats are in the majority and wrote a defense bill that came to the floor and passed with almost 400 votes. I think that is a record, and I think it speaks very much for the bipartisan effort that we had on the committee.

In my subcommittee, Strategic Forces, which includes many different issues, including missile defense, the entire nuclear weapons portfolio, our part of the bill passed through on a voice vote and then came to the committee and was supported by virtually all members. So I think we have a very good bill. I think that the conference between the House and the Senate will be a productive one. It will be a time for us to mesh these issues.

But as we so often say in Washington, no good deed goes unpunished. I very much appreciate the ranking member from California bringing this motion to instruct forward, but, by the way, it is what is going to probably be in the bill, and it is certainly what is reflected in a bipartisan way by both Democrats and Republicans in both the House and the Senate.

I think there has been a lot of rhetoric today about how dangerous a failed state in Iraq would be, and I stand to join my colleagues. I am absolutely, unambiguously convinced that a failed state in Iraq is not only now a bad thing, but would continue to be a bad thing.

I guess the real question is, what about the failed policy that got us to a place where we are all concerned about a failed state in Iraq, and why isn't the debate today about the failed policy? How could it be that we are sitting here talking about a national defense bill that is one of the most important bills that the Congress brings, our constitutional responsibility, and we are not talking about a failed policy that has caused us to borrow almost $800 billion, caused us to have virtually no ready ground forces in the United States currently, caused us to degrade our ability to be prepared for any other contingency? Why isn't the debate today about that?

Well, because that would be a good debate. That would be really what the debate should be about. But, instead, we are going to have a motion to instruct on things that are already agreed to by the Senate and the House, by the conferees, and I would say every Member here.

So I appreciate the Member from California bringing this up. This is easy to support. We are all for it and we all know it. But the real question is: Why don't we have a debate about the failed policy? Why aren't we really concerned about the readiness of our troops, our inability to deal with other contingencies, all of the money we have borrowed, and no solution to extricate ourselves honorably and as soon as possible to bring our troops home so that we can maintain our readiness?

Our American forces in Afghanistan and in Iraq have done everything that the American people have asked for. The problem, my colleagues, is they have done it for too long. They have done it for too long without an Iraqi Government that will stand up and provide the political solution necessary for us to be able to leave an Iraq that is beginning to put itself together, knitting those tribes together, moving forward together to do the right thing.

But what we have right now is an intransigent, stuck Iraqi Government that hasn't provided the political solution, the only solution, that will be able to create a stable Iraq. It is not our responsibility to create a stable Iraq. That is why they have a sovereign government. And what we can no longer do is enable the sovereign government to come up with excuse after excuse after excuse.

I really appreciated my colleague from Virginia explaining to me why the oil legislation written by our State Department isn't something that the Iraqis can pass, even though they have the votes to do it. I find that fascinating.

We have been told for months that the petrochemical law is the most important thing that they can do. It is the thing that is going to give the Sunnis the effort to come into the government and feel like they are part of the government and that they are part of a solution and a one-Iraq strategy. But, of course, we don't have that, because even though they have the votes, it seems like it is just a little too hard to do.

We are spending too much money. We are spending too much time. We are risking too many American soldiers. We are risking our readiness. The failed policy is really what we should be talking about, Madam Speaker.

Madam Speaker, I said it is easy to support this motion to instruct because it is something we all agree on.

Mr. HUNTER. Madam Speaker, I yield 4 minutes to respond to my good colleague from California.

First, I would say to my colleague, we are winning in Iraq. We are winning. We are going to leave Iraq in victory.

Maybe my friend heard a different briefing than the one that I heard when General Petraeus came back and laid out the most recent figures with respect to attacks, but that very dangerous part of Anbar province that we have both visited has seen a drop in attacks of 80 percent. In fact, we have seen a drop in attacks and a drop in American casualties and civilian casualties across Iraq. And we have also seen new capabilities in the 131 Iraqi battalions that we have built from scratch.

I would just say to my friend, I have seen all the old smooth-path books and reports and recommendations that said somehow there was a smooth path to victory in Iraq, and I have always said there is no smooth path.

To those who say we should have kept Saddam Hussein's army in place, I am reminded that Saddam Hussein's army had 11,000 Sunni generals, which would have been exactly the wrong formula for a military which is supposed to take on a role of stabilization and honest brokerage in Iraq.

The reports that we are now seeing from the battlefield are that the Iraqi forces, while some of them have had limited battlefield experience, some have had extensive battlefield experience, that military is maturing; that the military that broke and ran in the first battle of Fallujah, the Iraqi military, now stands and fights; that in fact that government is moving forward, and although it is moving forward in a stumbling, bumbling, sometimes inept fashion, that is the nature of new governments. That is also the nature of governments that solve their problems with ballots and not bullets, because it is not always easy to get the other guy to agree with you on a particular function.

With respect to oil distribution, there is an ad hoc oil distribution that is taking place right now, or de facto oil distribution. It is not a function of legislation. Right now the Kurds get, for example, 18 percent of the oil revenues. So there is an oil distribution. And I think if there wasn't an oil distribution, you would have more conflict. Instead of seeing a waning conflict between the various sectors in Iraq, you would see an increasing conflict.

So I would just say to my friends and to the gentlewoman and to everyone who cares about an American victory in Iraq, we will have victory in Iraq if we maintain our strength. And maintaining our strength includes continuing to fund this operation.

It is our committee, the Armed Services Committee, that came up initially with the so-called bridge fund appropriation, because we said it is only proper that the Armed Services Committee authorizes an appropriation that will go through the winter months of the year so that the services do not have to reach into the cash register and take money out of valuable training exercises, take money out of our military equipment accounts and take money out of our ammunition accounts.

So I think we have exactly what we need in this motion to recommit. It is a motion that says it is the commitment of the United States Congress that we don't have a failed state in Iraq, and it also emphasizes again that we have to have these supplemental funds to ensure that the war fighters in both of these theaters, in Afghanistan and in Iraq, are able to move forward.

Madam Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam Speaker, I rise in strong support of the Republican motion to instruct the conferees on the 2008 Department of Defense authorization act.

Madam Speaker, as we adjourned for the Thanksgiving recess, we witnessed something remarkable. We witnessed the Democratic majority, in working to mollify their liberal base one more time before the Thanksgiving recess, come to the floor pounding their fist declaring that we must not give our troops additional funding without congressional mandated withdrawal guidelines. They recycled the same old rhetoric, seemingly oblivious to the facts on the ground.

Thankfully, the direction of our efforts in the global war on terror is being guided by General Petraeus and others who do understand the momentum that we have garnered; that violence between Sunnis and Shiites has nearly disappeared from Baghdad, with terrorist bombings down 77 percent; that attacks against United States soldiers have fallen to levels not seen since before the February 2006 bombing of the Shiite shrine in Samarra; that United States casualties in Iraq are at their lowest level since March of 2006; and that many military analysts, including some who are opposed to the war, have concluded that the United States and its allies are on the verge of winning in Iraq.

Indeed, Madam Speaker, the distinguished chairman of the Defense Authorization Appropriations Subcommittee just returned from Iraq, and he declared that the surge is finally working. I reference Mr. MURTHA from Pennsylvania.

Madam Speaker, this is something the other side doesn't like to discuss, victory in the global war on terror. That is tough to squeeze in with the defeatist rhetoric recited to appease MoveOn.org and Code Pink.

Another thing the Democratic majority never discusses are the consequences of failure, and they have been discussed this morning on our side.

□ 1115

That is why this motion to instruct is so important, Madam Speaker. It is critical that the House accept Senate provision 1536 and recognize that failure in Iraq would mean a collapse of a democratic Iraqi Government, likely leading to mass killings and genocide in that nation; certainly emboldening al Qaeda; regional instability; Iran and Syria determining the course of Iraq's future; and Israel being pushed into the Mediterranean Sea, just as Ahmadinejad called for.

These are the consequences of defeat and these are the reasons why Congress must commit to a strategy that will not leave a failed state in Iraq and why Congress must not pass, indeed, not pass legislation that risks demoralizing and undermining our military, as they are indeed on the verge of victory in Iraq.

So, Madam Speaker, the Democrats are zero for 40 in trying to compel this precipitous withdrawal from Iraq. With this motion to instruct, I ask them for once to get on the right side. Join not just the Republicans, but, more importantly, our brave men and women in the military, and give victory a chance.

Madam Speaker, I encourage all my colleagues, let's vote ''yes'' on the motion to instruct.

Mr. SKELTON. Madam Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. ANDREWS), a very distinguished member of the Armed Services Committee.

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

Mr. ANDREWS. Madam Speaker, this resolution affirms the obvious and avoids the necessary. It is obvious that the common goal of the United States, the House, the Senate, Republicans and Democrats, is to avoid a failed state in Iraq. The Senate bill affirms this, the House bill affirms this, and I am supremely confident that the final conference report will confirm it as well.

The issue, as my friend the gentlewoman from California said, is how do we avoid a failed state in Iraq. Sadly, the record gives us many examples of what not to do.

When General Shinseki told the administration that his recommendation was to put 300,000 troops on the ground after Saddam fell, and the administration ignored that request, that is what not to do; when leaders who had studied Iraq in our State Department, our intelligence agencies and our Defense Department said abolishing the Iraqi Army and the Baathist Party in its entirety is the wrong thing to do, abolishing the Iraqi Army, abolishing the Baathist Party in its entirety was the wrong thing to do, it increased the risk of a failed state.

Now I heard my friend, the ranking member, talk about 11,000 Sunni generals, and he is right. The top of the Iraqi Army, the erstwhile Iraqi Army, the top of the Baathist Party should have either been put on trial, put in prison, or, at the very least, removed from those institutions. But the 85 to 90 percent who ran the sewer system and the train system and the bureaucracy of Iraq should not have been fired all at once. It was not the recommendation of the Secretary of State, it was not the recommendation of the intelligence community, but it's what we did, and it's how to create a failed state.

When voices within our government and around the world said that the right way to transition from Saddam's corrupt and evil regime to a new day was an internationally supervised political process, not listening to those voices was the wrong thing to do, and it increased the risk of a failed state.

So, yes, we know all sorts of things. We have learned all kinds of lessons about what not to do.

What should we do? Well, I think what we should do is insist that the Iraqi politicians do what American troops have done with such excellence, to execute the job they have been given. We are thankful that the level of violence has been reduced. We are very grateful for this, and we understand that the credit for that largely goes to the Americans in uniform and to their Iraqi partners fighting with them. We are very thankful for that result.

But we are also very mindful that the Iraqi politicians who have been given a golden opportunity to bring peace and stability to their country have utterly failed to do so. They have not passed a law dividing up the proceeds of their oil industry; they have not guaranteed minority rights in their government; they have not set up and established provincial elections and provincial governments. They have utterly failed to establish a stable government, because we have stood there and continued to hold their coats and let them suffer the delusion that America's sons and daughters will stay there forever.

If you want to avoid a failed state in Iraq, change that delusionary perception. Say to the Iraqi politicians, the

clock is running. The time is drawing nigh when our sons and our daughters will no longer referee your civil war. Negotiate an end to it, stop it, build a stable government. That is how to avoid a failed state. That is the policy underlying the policy of this majority. Frankly, it's a policy reflected in this excellent Armed Services authorization bill, which I hope will promptly be on the floor, promptly be on the President's desk, and promptly get about the business of serving the people who serve us so well.

Mr. HUNTER. Madam Speaker, I would like to yield to a gentleman, in fact, the next two gentlemen have sons who have served in the Iraqi theater. The gentleman from Minnesota (Mr. KLINE) has a son who is a Blackhawk helicopter pilot who has served, I believe, in both theaters and has quite a bit of experience in some very difficult operations. The gentleman always has an excellent insight on this important operation. The gentleman from Minnesota (Mr. KLINE), I would like to give him 3 minutes.

Mr. KLINE of Minnesota. I thank the gentleman for yielding, and for his kind words.

I, like the gentleman from California, have a son serving in uniform and I am very proud of his service, proud of Mr. HUNTER's son's service in the Marine Corps and my son's service in the Army in Iraq. I understand that on January 1 my son is heading to Afghanistan. So I do feel a certain personal importance to what we are discussing today and to the funding for our troops. But collectively we have all sent our sons and daughters into combat, into dangerous theaters in the world, and we need to make sure that we are giving them every chance for victory.

My good friend and colleague, the gentleman from New Jersey, said that we have learned some things not to do and some things to do. I would argue that the thing not to do is to take a strategy which is clearly working, which is bringing increased security to a dangerous spot in the world, to a strategy that is producing more electricity, more oil, opening schools, shops. You don't take that strategy and pull the rug out from under it.

Last July, Madam Speaker, I and other Members stood on this floor to ask our colleagues not to snatch the possibility of victory away from our soldiers and marines. In an atmosphere filled with overblown rhetoric predicting the failure of surge operations before they had begun in earnest, General Petraeus and those under his command pushed forward into the streets of Baghdad and into the tribal-dominated areas of al Anbar province. They engaged and destroyed al Qaeda cells while working closely with tribal leaders to establish a lasting stability in once hostile Sunni areas.

Just a few short months ago, critics in this body and the Senate declared defeat, declared defeat before giving success a chance. They did not believe our fighting men and women, implementing General Petraeus' new counterinsurgency strategy, could rout al Qaeda and insurgent forces and win over the Iraqi population. I am proud to say that they were wrong, and that is what has happened.

As we proceed with conference negotiations on this National Defense Authorization Act, I would urge my colleagues not to repeat the mistake we have sadly made many times before. We must not declare defeat while our military forces fight for victory. This motion to instruct conferees is just a small step to ensure that the position of this body is not to accept a strategy which will produce a failed state in Iraq.

In a letter to his troops before commencing the surge operations, General Petraeus noted that, ''Success will require discipline, fortitude and initiative, qualities that you have in abundance.''

The question before us today, Madam Speaker, is the same one I asked in July: Do we in Congress have those same qualities?

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

The motion to instruct by my friend Mr. HUNTER from California is in two parts. Both of these sections make reference to issues that are spelled out in both the House and Senate versions and consequently should be acceptable. I would hope that the conferees would be in line with accepting both of those issues.

I would like to take just a moment, Madam Speaker, however, to say a word about those wonderful troops who we, through this authorization, support. They are the best in the world. They and their families have been tasked to do monumental work in Iraq, Afghanistan, and elsewhere, and to say we are proud of them is an understatement. General Petraeus is the right man for the job in his great efforts in Iraq.

That is why in this bill we authorize a 3½ percent pay raise for our troops; that is why we made significant changes to address the problems unearthed by the Walter Reed situation regarding our wounded warriors; that is why we put $1 billion in strategic readiness funds to deal with the critical readiness shortfall. And this is a major challenge for us. The reforms for Iraq and Afghanistan contracting are spelled out in this bill. There is additional money for the MRAP vehicles; there is $980 million for our National Guard equipment; prohibition on TRICARE fee increases; taking steps to minimize the inequities for survivors and to step forward on the survivor benefit plan offset.

So all of these are major issues within the realm of the two bills, and hopefully the conferees would be able to make significant progress on each of those.

I am proud of the work we have done. I am proud of the Armed Services Committee. I think it is the most bipartisan committee in Congress. Special thanks to the gentleman from California who has worked with us these many years to the end of positive help for the American in uniform.

So with that, I will reserve the balance of my time.

Mr. HUNTER. Madam Speaker, I would like to yield 3 minutes now to another gentleman whose son has served in the Iraq theater, Mr. WILSON of South Carolina.

Mr. WILSON of South Carolina. I want to thank my Republican colleagues for bringing this motion to instruct to the floor. It is important to me as a member of the Armed Services Committee, as a 31-year veteran of the Army National Guard, and as the parent of a soldier who has served in Iraq, with another son soon to deploy to Iraq. Additionally, our family is grateful to have two additional sons serving in the military.

This motion to instruct is straightforward. It simply confirms that the representatives of the American people understand the consequences of our actions in Iraq and that we are not going to pull the rug out from underneath our brave soldiers. Congress should never act to undermine our troops and jeopardize the success they are achieving in Iraq today. Unfortunately, the strategy of precipitous withdrawal and defeat some continue to advocate has brought us to this point.

The Democrat leadership has continued to propose legislation that aims to micromanage our military leaders and tie their hands as they stop the terrorists. This undermines the extraordinary gains by our troops that I have seen on my eight visits to Iraq, which has been possible by the surge led by General David Petraeus. We must not forget al Qaeda spokesman Zawahiri has declared Iraq and Afghanistan the central front in the global war on terrorism, and we must succeed in stopping terrorists overseas and protecting American families at home.

□ 1130

This motion to instruct is a right opportunity for this body, for the leadership here in Washington to say with one voice that we are invested in success, that our aim is not to leave behind a failed Iraqi state where safe havens for terrorists will threaten American families. Our military should be able to count on our unwavering support for the fight in which they are engaged.

Our colleagues in the Senate have already acted with near unanimous support, 94–3, to include the language of this motion in their authorization. Only three Senators voted against this, showing a unified United States Senate. They have gone on record recognizing that a failed state in Iraq would have dire consequences for the safety and security of the region, for American families, and for our allies around

the world. It is imperative that we follow their lead.

Again, I want to thank the ranking member, DUNCAN HUNTER, for his leadership. He is a dedicated veteran and father of an Iraq veteran. And additionally, I want to thank my Republican colleagues for bringing this motion to the floor. I encourage all of my colleagues to support it and send a bipartisan message to our enemies and allies that we are committed to victory in Iraq and ensuring that Iraq does not become a failed state and a safe haven for terrorists.

Mrs. TAUSCHER. Madam Speaker, we have no further speakers on our side and are prepared to close.

I just want to once again remind everyone what this is really about. We have an excellent national defense authorization bill for fiscal year 2008. It has broad bipartisan support, bicameral support, both the House and the Senate. Most Members voted for this bill when it came to the floor in the spring. We are about to go to conference and make sure that the bills become congruent so we can send it to the President.

This is a bill that the President must sign. It has so many good things in it. I want to take a couple of seconds and talk about the fact that Democrats, who took majority in January, have written their first bill in 13 years, and there are many, many good things in here that we are very proud of. We have done many things for the troops. We have included a 3.5 percent pay raise. We have prohibited increases in their health care, which is called TRICARE, and pharmacy user fees.

The bill also provides $980 million for National Guard equipment. We know how stressed and strained our National Guard has been. We know how upset many Governors have been that the National Guard has been deployed out of States so the State is without their own National Guard. And the worst part of it is when they went to Iraq or Afghanistan, and some are there for the second and third time, they left their equipment there. So the State doesn't even have equipment that the State can use in the case of a flood or fire or some other kind of an emergency.

We have a lot of equipment that we have added; $17.4 billion for MRAPs, which is a plus-up from what the President requested. We have also added a shipbuilding request that the President didn't ask for, which is a Virginia class submarine, an LPD and a T-AKE, and eight C–17s that the Pentagon didn't ask for either, because we know that we need global power projection.

This is a very important bill that is part of our congressional responsibility to raise and support our troops, and I am proud to say this is a strong bill that supports our troops, restores military readiness and improves accountability to the American people. I ask for my colleagues' support of it when we bring it back from the conference.

I appreciate the fact that this is a motion to instruct, but what we are being instructed is, frankly, two different issues that we have general widespread support for. Both in the House and Senate version of the bill, the language included in the motion to instruct has been included. We should be very confident that they will be part of the final conference report, so this is a motion to instruct that is very supportable.

I am happy to yield back the balance of my time.

Mr. HUNTER. Madam Speaker, I want to thank my colleague from California for her comments, and also the distinguished chairman, who is a great friend and a wonderful patriot and has done a great job of steering our committee through the authorization process.

Let me tell you why I think it is important to pass this motion to instruct. We built the bridge fund. The Armed Services Committee realized we have the winter months when you need funding for the troops before you get to the spring supplemental. So we came up initially several years ago with the idea of a $50 billion bridge fund to make sure that those soldiers, sailors, airmen and marines had what they needed in the war-fighting theater to be successful.

It is true we have this in our bill this time because we are the major architects of the bridge fund. We are the people who came up with it the first time, and the appropriators followed us. But this time they did not follow us. This time they conditioned the bridge fund with get-out-of-Iraq language, and that was a disservice to everyone who wears the uniform in the theater and to the mission. So it is important for the Members of this body to cast their votes in favor of that bridge fund, and perhaps that will show the right direction to the Appropriations Committee and to the Members of Congress who vote on the full appropriations, because we need to have that bridge fund not only authorized but appropriated.

Finally, we do need to have that very strong language committing ourselves to avoid a failed state in Iraq. And we are winning.

Now let me go back to my good colleague Mr. SKELTON, who said we all support the troops and we have manifested that support in pay raises. And we have. We have manifested it in good medical care and a new Wounded Warrior bill to assist those in Walter Reed and Bethesda and in our medical facilities around the world. We have done that. And we have manifested that in getting them the right equipment to carry out their mission.

But there is something else we owe the troops. We owe them the right to have victory, and they are achieving victory. And we owe them the right to have a successful mission, because nothing will be more fulfilling to them than to be victorious. And that means we need to continue to move the resources into Iraq and Afghanistan so they can continue to be victorious, so that the 80 percent drop-off in the violence rate in Anbar province will continue, and so that the Iraqi Army will continue to stand up to the point where it can displace America's heavy combat forces, Marines and Army, and our guys can come home or go to other places in CENTCOM.

Madam Speaker, this is a very important motion to instruct because it gives a very clear message to those 157,000-plus troops in Iraq and those 22,000-plus troops in Afghanistan. It says the American Congress, we stand behind our troops and we stand behind their mission.

Mr. HALL of New York. Madam Speaker, I voted in favor of the motion to instruct conferees, which included Senate language stating that "the Senate should not pass legislation that will undermine our military's ability to prevent a failed state in Iraq", because I believe the men and women of the United States military are admirably and ably performing their duties. They are already doing everything the can to prevent Iraq from becoming a failed state, and I continue to support them and the professionalism and skill they have displayed. However, it is not the role of the United States military to control the long term viability of the Iraqi government. To avoid becoming a failed state, Iraqi political leaders must come to a consensus regarding the future of Iraq and the Iraqi government. There is no role for the United States military in that task. I continue to call for strong diplomatic efforts to resolve the situation in Iraq, and believe that a firm timeline for the withdrawal of U.S. troops will force Iraq's political leaders to take responsibility for the future of their country.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mrs. TAUSCHER. Madam Speaker, pursuant to clause 12 of House Rule XXII, I move that meetings of the conference between the House and Senate on H.R. 1585 may be closed to the public at such times as classified national security information may be broached, provided that any sitting Member of Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to permit conference meetings to be closed will be followed by 5-minute votes on the motion to instruct on H.R. 1585; suspension of the rules on H. Con. Res. 147; and suspension of the rules on H.R. 236.

The vote was taken by electronic device, and there were—yeas 405, nays 6, not voting 20, as follows:

[Roll No. 1127]

YEAS—405

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Wu
Wynn
Yarmuth
Young (FL)

NAYS—6

DeFazio
Kucinich
Lee
Stark
Waters
Woolsey

NOT VOTING—20

Boyd (FL)
Brady (TX)
Brown, Corrine
Campbell (CA)
Carson
Cubin
Culberson
DeLauro
Hill
Hinojosa
Hooley
Jackson-Lee (TX)
Jindal
Miller, Gary
Nunes
Peterson (MN)
Smith (NE)
Spratt
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1202

Mr. ELLISON and Ms. MOORE of Wisconsin changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct conferees on H.R. 1585 offered by the gentleman from California (Mr. HUNTER) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 328, nays 83, not voting 20, as follows:

[Roll No. 1128]

YEAS—328

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Courtney
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Dreier
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin
Fattah
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hobson
Hodes
Hoekstra
Holden
Hoyer
Hulshof
Hunter
Inglis (SC)
Israel
Issa
Jefferson
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Keller
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Napolitano
Neugebauer
Oberstar
Ortiz
Pascrell
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri

Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sali
Sarbanes
Schiff
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Towns
Tsongas
Turner
Udall (CO)
Upton
Van Hollen
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (FL)

NAYS—83

Abercrombie
Allen
Baldwin
Blumenauer
Butterfield
Capuano
Clarke
Cohen
Conyers
Costello
Crowley
Davis (IL)
DeFazio
Delahunt
Doggett
Doyle
Duncan
Ellison
Eshoo
Farr
Filner
Frank (MA)
Hinchey
Hirono
Holt
Honda
Inslee
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kilpatrick
Kucinich
Larson (CT)
Lee
Lewis (GA)
Loebsack
Lofgren, Zoe
Lynch
Markey
Matsui
McDermott
McGovern
Michaud
Miller, George
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Olver
Pallone
Pastor
Paul
Payne
Rothman
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Scott (VA)
Sherman
Slaughter
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—20

Blackburn
Brown, Corrine
Carson
Cubin
DeLauro
Drake
Hinojosa
Hooley
Jackson-Lee (TX)
Jindal
Linder
Miller, Gary
Myrick
Nunes
Obey
Saxton
Smith (NE)
Tancredo
Udall (NM)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1209

Mr. WELCH of Vermont changed his vote from ''yea'' to ''nay.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. DRAKE. Madam Speaker, on rollcall No. 1128, I was meeting with constituents. Had I been present, I would have boted ''yea.''

Mrs. MYRICK. Madam Speaker, on rollcall No. 1128, I was unavoidably detained. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore. Conferees will be appointed later.

RECOGNIZING 200 YEARS OF RESEARCH, SERVICE, AND STEWARDSHIP BY NOAA AND ITS PREDECESSOR AGENCIES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 147, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 147.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 17, as follows:

[Roll No. 1129]

YEAS—414

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)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
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
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—17

Blackburn
Brown, Corrine
Buyer
Carson
Carter
Cubin
DeLauro
Hinojosa
Hooley
Hunter
Jackson-Lee (TX)
Jindal
Miller, Gary
Nunes
Smith (NE)
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1216

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NORTH BAY WATER REUSE PROGRAM ACT OF 2007

The SPEAKER pro tempore (Ms. DEGETTE). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 236, 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 gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 236, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 358, nays 55, not voting 18, as follows:

[Roll No. 1130]

YEAS—358

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NAYS—55

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bishop (UT)
Boehner
Broun (GA)
Burton (IN)
Cantor
Coble
Conaway
Culberson
Davis, David
Deal (GA)
Doolittle
Duncan
English (PA)
Everett
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Hall (TX)
Hensarling
Inglis (SC)
Jones (NC)
Jordan
King (IA)
Kingston
Lamborn
Manzullo
Marchant
McHenry
Miller (FL)
Paul
Pearce
Pence
Poe
Price (GA)
Sali
Sensenbrenner
Sessions
Shadegg
Shimkus
Simpson
Stearns
Tiahrt
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)
Young (FL)

NOT VOTING—18

Blackburn
Brown, Corrine
Carson
Cubin
DeLauro
Ellison
Hinojosa
Hooley
Jackson-Lee (TX)
Jindal
Jones (OH)
Keller
Miller, Gary
Nunes
Rogers (AL)
Smith (NE)
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1223

Mr. INGLIS of South Carolina changed his vote from ''yea'' to ''nay.''

Mr. ROHRABACHER changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

INCLUDING ALL BANKING AGENCIES WITHIN THE EXISTING REGULATORY AUTHORITY UNDER THE FEDERAL TRADE COMMISSION ACT

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3526) to include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3526

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

SECTION 1. INCLUSION OF ALL BANKING AGENCIES.

(a) IN GENERAL.—The second sentence of section 18(f)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)) is amended—

(1) by striking ''The Board of Governors of the Federal Reserve System (with respect to banks) and the Federal Home Loan Bank Board (with respect to savings and loan institutions described in paragraph (3))'' and inserting ''Each Federal banking agency (with respect to the depository institutions each such agency supervises)''; and

(2) by inserting ''in consultation with the Commission'' after ''shall prescribe regulations''.

(b) FTC CONCURRENT RULEMAKING.—Section 18(f)(1) of such Act is further amended by inserting after the second sentence the following: ''Such regulations shall be prescribed jointly by such agencies to the extent practicable. Notwithstanding any other provision of this section, whenever such agencies commence such a rulemaking proceeding, the Commission, with respect to the entities within its jurisdiction under this Act, may commence a rulemaking proceeding and prescribe regulations in accordance with section 553 of title 5, United States Code. If the Commission commences such a rulemaking proceeding, the Commission, the Federal banking agencies, and the National Credit Union Administration Board shall consult and coordinate with each other so that the regulations prescribed by each such agency are consistent with and comparable to the regulations prescribed by each other such agency to the extent practicable.''.

(c) GAO STUDY AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the status of regulations of the Federal banking agencies and the National Credit Union Administration regarding unfair and deceptive acts or practices by the depository institutions.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 18(f) of the Federal Trade Commission Act (15 U.S.C. 57a(f)) is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking ''banks or savings and loan institutions described in paragraph (3), each agency specified in paragraph (2) or (3) of this subsection shall establish'' and inserting ''depository institutions and Federal credit unions, the Federal banking agencies and the National Credit Union Administration Board shall each establish''; and

(B) by striking ''banks or savings and loan institutions described in paragraph (3), subject to its jurisdiction'' before the period and inserting ''depository institutions or Federal credit unions subject to the jurisdiction of such agency or Board''

(2) in the sixth sentence of paragraph (1) (as amended by subsection (b))—

(A) by striking ''each such Board'' and inserting ''each such banking agency and the National Credit Union Administration Board'';

(B) by striking ''banks or savings and loan institutions described in paragraph (3)'' each place such term appears and inserting ''depository institutions subject to the jurisdiction of such agency'';

(C) by striking ''(A) any such Board'' and inserting ''(A) any such Federal banking agency or the National Credit Union Administration Board''; and

(D) by striking ''with respect to banks, savings and loan institutions'' and inserting ''with respect to depository institutions'';

(3) by adding at the end of paragraph (1) the following new sentence: ''For purposes of this subsection, the terms 'Federal banking agency' and 'depository institution' have the same meaning as in section 3 of the Federal Deposit Insurance Act.'';

(4) in paragraph (2)(C), by inserting ''than'' after ''(other'';

(5) in paragraph (3), by inserting ''by the Director of the Office of Thrift Supervision'' before the period at the end;

(6) in paragraph (4), by inserting ''by the National Credit Union Administration'' before the period at the end; and

(7) in paragraph (6), by striking ''the Board of Governors of the Federal Reserve System'' and inserting ''any Federal banking agency or the National Credit Union Administration Board''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. FRANK) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a bill that was broadly supported in our committee that we believe will enhance the ability of the Federal bank authorities to provide consumer protection. It's a little bit of a complicated story.

Congress passed an amendment to the Federal Trade Act that gave the Federal Reserve System the right to promulgate rules which defined what were unfair or deceptive practices engaged in by banks. The Federal Reserve has, for many years, declined to exercise that authority.

The issue was first brought to my attention when I was ranking member of the committee by a very distinguished public official who, sadly, died earlier this year, Ned Gramlich, who was the Federal Reserve Board Governor in charge of, among other things, consumer protection. And here's how it played out.

The Comptroller of the Currency and the Director of the Office of Thrift Supervision a few years ago promulgated very strict rules preempting State rules and State laws and regulations regarding the activities of national banks. As a result of that ruling, which was challenged but upheld by the courts, States have virtually no authority over the banking practices of national banks. Only the national bank regulators may regulate.

The problem is that there were, in many, many States, most of the States from which we here come, consumer protection laws which were invalidated by that. In fact, the preemption said even when there were rules of general application that were covering the banks, the ability of the States to enforce them was limited. They had to go through the Federal regulators. So we then went to the Federal regulators, but many of us were opposed to that. We were critical. And on a bipartisan basis there was criticism of it on the Financial Services Committee. Our former colleague, the gentlewoman from New York, Mrs. Kelly, who was chairman of the Oversight Committee, was a very strong critic of what she believed to be excessive overregulation. But that has been upheld, and there is no realistic chance of undoing it.

So the second best for us was to have the Federal bank regulators able to provide the consumer protections that were lost when the State rules were invalidated. I spoke with the Comptroller of the Currency, and his response was, Well, here's the problem. Under the Federal Trade Act, the Federal Reserve has the right to promulgate the code of unfair deceptive practices. He indicated to me that he would like to do that, in fact, two Comptrollers said we would like to do this, but we don't have the authority to promulgate the rules. The Office of Thrift Supervision, which preempted, interestingly, does have the authority to promulgate the rules.

Now, what motivated our colleagues of an earlier era to give the Federal Reserve the right to make the rules for the Comptroller of the Currency and to give the Office of Thrift Supervision the right to make the rules only for themselves? I do not know. I can't speculate. Based on most recent experience, it was probably the Senate's fault, because almost everything that goes wrong these days is. But I don't know that for sure. On the other hand, it's our job to try to correct it.

What this bill does is to say to two of the Federal bank agencies, the Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation, which the Federal Deposit Insurance Corporation through its depository institutions has some authority over both national and State banks since it insures the deposits in both, we take away in this bill from the Federal Reserve System the power they have refused to use to promulgate a code of unfair and deceptive practices and give it, instead, over to the Comptroller of the Currency and the FDIC, either jointly or concurrently, and it comes with their support.

□ 1230

The Fed said they didn't like it, but they weren't using the power. The Comptroller of the Currency, he is, after all, a defender of this preemption. He has maintained the preemption. This is not an effort to undo the preemption. He acknowledges that in presiding over this national set of rules, it would be helpful to him to have this code of unfairness and deceptive practice, and what the code does is give some notice to the banks as to what are prohibited practices and what aren't. So this bill does nothing in terms of substantive promulgation of the code, but it gives to the active agencies, the Comptroller of the Currency, who promulgated the preemption, and the FDIC, the ability to put into effect what we think should have been put into effect before. It comes with the support of those agencies, and I think that if we get this done, they will proceed to do it.

I should note that the Office of Thrift Supervision, which already has the authority to promulgate such a code, is in the process of doing so. No legislation is needed. But they have put out a proposed rule in that regard. We have, many of us, encouraged them to go forward with it. And as a result of what OTS is doing under its authority and what this bill would give the Comptroller of the Currency and the FDIC by early next year, we should have in place rules that will tell people what are unfair and deceptive practices. And as I said, I would have preferred that the preemption would not have been so far reaching, but it's a fact of life. This will then empower the Federal bank regulators fully to be available to provide consumer protection when it's appropriate in lieu of the State laws that were cancelled.

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

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

I rise in support of the bill, H.R. 3526, a bill that is intended to provide financial consumers with additional regulatory protections against unfair and deceptive trade policies. This measure, which the Financial Services Committee approved by voice vote, expands the range of financial regulators, as the chairman has just explained, with the authority to promulgate regulations that identify and restrict such practices under the Federal Trade Commission Act.

Today only the Board of Governors of the Federal Reserve, the Office of Thrift Supervision, and the National Credit Union Administration have this authority. This bill expands that list to

include the other Federal banking regulators, namely the FDIC and the Office of the Comptroller of the Currency.

The legislation also mandates that regulations promulgated under the relevant section of the FTC Act be prescribed ''jointly by such agencies to the extent practicable,'' in consultation with the FTC. And it requires the GAO to report on the status of the regulations of the Federal banking agencies and the NCUA regarding unfair and deceptive acts.

In testimony before our committee earlier this year, the Comptroller of the Currency and the Chair of the FDIC recommended that the committee make these changes, which also are supported by consumer advocates. This bill merits our support, and I urge its adoption.

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

Mr. FRANK of Massachusetts. Mr. Speaker, the good news is that 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 Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 3526, 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.

PRESERVING AND EXPANDING MINORITY DEPOSITORY INSTITUTIONS ACT

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4043) to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to preserve and expand minority depository institutions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4043

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 ''Preserving and Expanding Minority Depository Institutions Act''.

SEC. 2. PRESERVING AND EXPANDING MINORITY DEPOSITORY INSTITUTIONS.

(a) IN GENERAL.—Section 308(a) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463(a) nt.) is amended—

(1) by inserting ''the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency'' after ''consult with''; and

(2) by inserting a comma after ''Thrift Supervision''.

(b) REPORT.—Section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 nt.) is amended by adding at the end the following new subsection:

''(c) REPORTS.—The Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, and the Chairperson of the Federal Deposit Insurance Corporation shall each submit an annual report to the Congress containing a description of actions taken to carry out this section.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Effective upon the enactment of subsection (b), section 3(g)(2) of the Home Owners' Loan Act (12 U.S.C. 1462a(g)(2)) is amended to read as follows:

''(2) [Repealed].''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

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

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

There was no objection.

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

I submit for the RECORD a letter dated November 1, 2007, from the National Bankers Association in support of this legislation.

NATIONAL BANKERS ASSOCIATION,
Washington, DC, November 1, 2007.

Hon. MELVIN WATT, *Chairman,*
Financial Institutions and Consumer Credit Oversight and Investigations,
House of Representatives, Washington, DC.

DEAR CHAIRMAN WATT: On behalf of the National Bankers Association (NBA) (the voice of minority banks since 1927), its board and membership, thank you for taking the time to hold a hearing of the Subcommittee on Government Oversight and Investigations of the Committee on Financial Services on behalf of the nation's women and minority-owned banks. We appreciate your continued support of our banks. We are especially proud that the Financial Services Committee staff invited the National Bankers Association to participate in this important hearing. We support your idea of a joint hearing with the Ways & Means Committee on the CDFI and New Markets Tax Credits Programs.

NBA supports the revision of the ''Preserving and Expanding Minority Depository Institutions Act'' H.R. 4043 to include the Office of the Comptroller of the Currency and the Federal Reserve along with the Federal Deposit Insurance Corporation and the Office of Thrift Supervision in the legislation.

We also appreciate you taking the time out of your busy schedule every year to participate in NBA's Annual Legislative Summit. Your support has given NBA an elevated level of attention by other congressional members and bank regulators.

Again, many thanks.

Respectfully submitted,

The National Bankers Association Board of Directors:

Floyd Weekes, Chairman, Executive Vice President, Citizens Bank, Nashville, TN.

James E. Young, Past-Chairman, President & CEO, Citizens Trust Bank, Atlanta, GA.

Robert P. Cooper, Chairman-Elect, Senior Counsel, OneUnited Bank, Boston, MA.

Tommy Brooks, Treasurer, Executive Vice President & CFO, Unity National Bank, Houston, TX.

Cynthia Day, Secretary, Chief Financial Officer, Citizens Trust Bank, Atlanta, GA.

Norma Alexander Hart, President, NBA, Washington, DC.

Mark Ronan, Corporate Advisory Board Chairman, Director of Banking Relations, American Express Company, NY.

Sidney King, Regional Vice Chairman, President & CEO, Commonwealth National Bank, Mobile, AL.

Stanley Weekes, Regional Vice Chairman, Executive Vice President & CCO, City National Bank of New Jersey.

Arlene Williams, Regional Vice Chairman, Senior Vice President, Seaway National Bank, Chicago, IL.

Steve Holt, Regional Vice Chairman, President and CEO, One World Bank, Dallas, TX.

Tony James, Associate-Affiliate President, Senior Vice President, ICBA Securities.

Deloris Sims, Board Member, President & CEO, Legacy Bank, Milwaukee, WI.

Natividad Lozano, III, Board Member, Vice President, International Bank of Commerce, Laredo, TX.

James Ballentine, Board Member, Director, Grassroots Advocacy, American Bankers Association, Washington, DC.

Viveca Ware, Board Member, Director, of Payments & Technology Policy, Independent Community Bankers of America, Washington, DC.

And, The following members from the 52 membership of the National Bankers Association:

Broadway Federal Bank, Los Angeles, CA;
Unity National Bank, Houston, TX;
People's Bank of Seneca, Seneca, MO;
United Americas Bank, Atlanta, GA;
Seaway National Bank, Chicago, IL;
First State Bank, Danville, VA;
First Independence Bank, Detroit, MI;
OneUnited Bank, Boston, MA;
Commonwealth National Bank, Mobile, AL;
OneWorld Bank, Dallas, TX;
Citizens Trust Bank, Atlanta, GA;
Citizens Bank, Nashville, TN;
Mutual Community Savings Bank, Durham, NC;
Mechanic & Farmers, Durham, NC;
Saigon National Bank, Westminster, CA;
United Bank of Philadelphia, Philadelphia, PA;
Liberty Bank & Trust, New Orleans LA;
Industrial Bank, Washington, DC.

Mr. Speaker, allow me to start today by expressing the collective condolences of the members of the Oversight and Investigations Subcommittee of the House Financial Services Committee to our ranking member, Representative GARY MILLER, following the death of his daughter. Representative MILLER was an original cosponsor with me of the legislation we are considering, H.R. 4043, and he and his staff encouraged us to proceed with consideration of the bill today when we offered to withdraw it from the calendar and wait until he returns to Congress following the sudden death of his daughter.

I am deeply indebted to Representative MILLER for the cordial manner in which he has worked with me as the ranking member of our subcommittee, for his support of H.R. 4043 to ensure that this important legislation is considered in the bipartisan way it deserves, and for his encouragement to us

to proceed with consideration of this important bill so it will not be delayed. All of us wish Representative MILLER the very best as he and his family try to cope with a loss that we know is devastating to him. Representative MILLER's absence under these circumstances casts a significant pall on our consideration of this bill, but we must proceed, and I am happy to do so with his approval.

Minority-owned banks and thrifts comprise about 2 percent of all banks, thrifts, and banking assets in the United States. Under section 308 of the Financial Institutions Reform, Recovery and Enforcement Act, the Secretary of the Treasury is required to consult with the Chair of the Board of Directors of the Federal Deposit Insurance Corporation and the Director of the Office of Thrift Supervision on methods to achieve the following five goals:

One, preserving existing minority banks; two, preserving the minority character of these institutions in cases involving mergers or acquisitions of minority banks; three, providing technical assistance to prevent the insolvency of existing minority institutions that are not insolvent; four, promoting and encouraging the creation of new minority banks; and, five, providing for training, technical assistance, and educational programs to assist minority banking institutions.

The requirement for consultation between the Secretary of the Treasury, the FDIC, and the OTS has been on the books since the passage of the Financial Institutions Reform, Recovery and Enforcement Act in 1989, and the Office of Thrift Supervision has been required to submit an annual report to Congress describing actions taken to achieve these five goals that help preserve and expand minority banks.

On October 30, 2007, our Financial Services Oversight and Investigations Subcommittee, which I am privileged to chair, held a hearing about a report issued by the U.S. Government Accountability Office in October of 2006 that reviewed Federal banking regulators' efforts to promote these five goals. This report, entitled ''Minority Banks: Regulators Need To Better Assess Effectiveness of Support Efforts,'' found that, despite recommendations contained in a similar 1993 Government Accountability Office report, none of the Federal banking regulators have routinely surveyed institutions within their jurisdiction to assess the effectiveness of the regulators' support efforts to minority banks nor have the regulators systematically established outcome-oriented performance measures to gauge the effectiveness or results of the regulators' efforts. In short, the efforts being taken by the regulators to preserve and promote minority banks appeared modest, and whether the efforts are being effective could not be ascertained. The regulators were taking some steps, but there were no outcome measures to judge their effectiveness. Indeed, if the number and strength of minority financial institutions since 1989 is a barometer, the efforts of the regulators appear not to be having the positive results we desire.

H.R. 4043 would, in effect, increase the pressure on and transparency of the regulators' efforts by requiring all of them, the Federal Deposit Insurance Corporation, the Federal Reserve, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision, to submit an annual report to Congress on their efforts to implement the goals outlined in section 308 of FIRREA, the goals of preserving and supporting and promoting minority businesses.

At the subcommittee hearing, all the regulators acknowledged that they could and should be doing more and indicated that they do not object to a statutory change to expand the goals of section 308 of FIRREA to their agencies. In addition, witnesses from the FDIC, the Federal Reserve, and the OCC indicated that they do not object to being obligated to prepare and submit to Congress an annual report describing their efforts to promote and preserve minority depository institutions. H.R. 4043 requires this, and I encourage my colleagues to support the bill.

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

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

I rise in support of H.R. 4043, the Preserving and Expanding Minority Depository Institutions Act of 2007. This bipartisan legislation, introduced by Chairman WATT and Ranking Member MILLER of the Financial Services Oversight and Investigations Subcommittee is intended to support our Nation's minority banks. The bill includes new reporting requirements which will help gauge the effectiveness of government programs that assist minority banks. Like other community banks, minority banks may confront unique challenges because of their smaller size.

Section 308 of FIRREA, the Financial Institutions Reform, Recovery and Enforcement Act of 1989, mandates that the FDIC in conjunction with the Office of Thrift Supervision work to preserve existing minority banks, promote the creation of new minority banks, and provide technical assistance and training. Although not required to do so, the Office of the Comptroller of the Currency and the Federal Reserve also provide assistance to minority banks.

H.R. 4043 will codify the advisory role of the OCC and the Federal Reserve by expanding section 308 of FIRREA to include both of these agencies. Additionally, the legislation directs all four banking regulators to report annually to Congress on their efforts to preserve, promote, and assist minority banks.

At an October 30 Oversight and Investigations Subcommittee hearing on minority banks, the OCC and Federal Reserve did not object to being covered by section 308 of FIRREA, and all four regulators stated that they would also not object to the annual reporting requirement since most of them already include minority bank information in reports they currently submit to Congress.

At that same hearing, the subcommittee heard testimony that many of the regulators' programs are underutilized by the minority banks they are designed to help. According to a report issued by the Government Accountability Office last year, most of the banks that did participate found these programs very, very useful. Minority banks should be encouraged to use any and all the tools provided to them by the Federal regulators.

I, too, join with my colleague Congressman WATT in extending our deep sympathy and great caring for our colleague Congressman MILLER while he's going through the tragedy in his family. We miss him here, but his imprint is being felt through this legislation today, and we wish him God's help in dealing with this crisis.

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Mr. Speaker, I urge my colleagues to join me in supporting this legislation, and I yield back the balance of my time.

Mr. WATT. Mr. Speaker, I have no further requests for time.

Let me conclude, then, by just expressing our sincere thanks to our colleagues on the Republican side and to all of the members of the staff for their work on this bill. We think it is a good bill. It is a bipartisan effort to increase transparency and information to Congress and to promote the expansion and preservation of minority financial institutions, all of which we think is good. I encourage my colleagues to support the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 4043, the ''Preserving and Expanding Minority Depository Institutions Act''. Minority-owned financial institutions are vitally important to the economic development and revitalization of urban and minority communities. Businesses and residents in these traditionally underserved communities rely on minority-owned financial institutions to serve their banking and other financial services needs. They have always been there when we needed them—making homeownership a reality for many for whom homeownership was elusive, providing capital for the neighborhood grocery and barber shop, financing housing rehabilitation, providing consumer credit counseling services, providing jobs, and revitalizing communities.

However, minority-owned financial institutions face many challenges. By and large much smaller than other banks, minority banks have difficulty competing with larger institutions for deposits and other business. It is often difficult to diversify their geographical and credit risk exposures. They also face challenges associated with operating in economically depressed markets.

Despite these challenges, minority-owned financial institutions are committed to providing

capital, promoting economic revitalization, and creating jobs. They are committed to serving the urban and minority communities in which they are located and the people and businesses that reside there. We need them.

Minority-owned financial institutions comprise only about two percent of all financial institutions and a significantly lower percentage of total industry assets. We must do all that we can to support, protect and promote these institutions.

This bill, H.R. 4043, the Preserving and Expanding Minority Depository Institutions Act, is an important step. Existing law requires that the Office of Thrift Supervision (OTS) and the Federal Deposit Insurance Corporation (FDIC) consult with the Department of the Treasury on methods to preserve, encourage and promote minority ownership of depository institutions and provide technical assistance, training and education programs.

H.R. 4043 would direct the Chairman of the Board of Governors of the Federal Reserve System and the Comptroller of the Currency to help preserve, encourage and expand minority-owned financial institutions by participating in those activities. In addition, the bill would require each of the participating agencies to submit an annual report to the Congress on actions taken to implement the law.

Mr. WATT. 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 North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 4043, 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.

SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY ACT OF 2007

Mr. MAHONEY of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2930) to amend section 202 of the Housing Act of 1959 to improve the program under such section for supportive housing for the elderly, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2930

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Section 202 Supportive Housing for the Elderly Act of 2007''.

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

Sec. 1. Short title and table of contents.

TITLE I—NEW CONSTRUCTION REFORMS

Sec. 101. Project rental assistance.
Sec. 102. Selection criteria.
Sec. 103. Development cost limitations.
Sec. 104. Owner deposits.
Sec. 105. Definition of private nonprofit organization.
Sec. 106. Preferences for homeless elderly.
Sec. 107. Nonmetropolitan allocation.

TITLE II—REFINANCING

Sec. 201. Approval of prepayment of debt.
Sec. 202. Sources of refinancing.
Sec. 203. Use of unexpended amounts.
Sec. 204. Use of project residual receipts.
Sec. 205. Additional provisions.
Sec. 206. Study of mortgage sale demonstration.

TITLE III—ASSISTED LIVING FACILITIES

Sec. 301. Definition of assisted living facility.
Sec. 302. Monthly assistance payment under rental assistance.

TITLE IV—FACILITATING AFFORDABLE HOUSING PRESERVATION TRANSACTIONS

Sec. 401. Use of sale or refinancing proceeds.

TITLE I—NEW CONSTRUCTION REFORMS

SEC. 101. PROJECT RENTAL ASSISTANCE.

Paragraph (2) of section 202(c) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)) is amended—

(1) by inserting after ''ASSISTANCE.—'' the following: ''(A) INITIAL PROJECT RENTAL ASSISTANCE CONTRACT.—'';

(2) in the last sentence, by striking ''may'' and inserting ''shall''; and

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

''(B) RENEWAL OF AND INCREASES IN CONTRACT AMOUNTS.—

''(i) EXPIRATION OF CONTRACT TERM.—Upon the expiration of each contract term, the Secretary shall adjust the annual contract amount to provide for reasonable project costs, and any increases, including adequate reserves, supportive services, and service coordinators, except that any contract amounts not used by a project during a contract term shall not be available for such adjustments upon renewal.

''(ii) EMERGENCY SITUATIONS.—In the event of emergency situations that are outside the control of the owner, the Secretary shall increase the annual contract amount, subject to reasonable review and limitations as the Secretary shall provide.''.

SEC. 102. SELECTION CRITERIA.

Subsection (f) of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q(f)) is amended—

(1) by striking ''SELECTION CRITERIA.—'' and inserting ''INITIAL SELECTION CRITERIA AND PROCESSING.—(1) SELECTION CRITERIA.—'';

(2) by redesignating paragraphs (1), (2), (3), (4), (5), (6), and (7) as subparagraphs (A), (B), (C), (D), (E), (G), and (H), respectively;

(3) by inserting after subparagraph (E) (as so redesignated by paragraph (2) of this subsection) the following new subparagraph:

''(F) the extent to which the applicant has ensured that a service coordinator will be employed or otherwise retained for the housing, who has the managerial capacity and responsibility for carrying out the actions described in subparagraphs (A) and (B) of subsection (g)(2);''; and

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

''(2) DELEGATED PROCESSING.—

''(A) In issuing a capital advance under this subsection for any project for which financing for the purposes described in the last two sentences of subsection (b) is provided by a combination of a capital advance under subsection (c)(1) and sources other than this section, within 30 days of award of the capital advance, the Secretary shall delegate review and processing of such projects to a State or local housing agency that—

''(i) is in geographic proximity to the property;

''(ii) has demonstrated experience in and capacity for underwriting multifamily housing loans that provide housing and supportive services;

''(iii) may or may not be providing low-income housing tax credits in combination with the capital advance under this section, and

''(iv) agrees to issue a firm commitment within 12 months of delegation.

''(B) The Secretary shall retain the authority to process capital advances in cases in which no State or local housing agency has applied to provide delegated processing pursuant to this paragraph or no such agency has entered into an agreement with the Secretary to serve as a delegated processing agency.

''(C) An agency to which review and processing is delegated pursuant to subparagraph (A) may assess a reasonable fee which shall be included in the capital advance amounts and may recommend project rental assistance amounts in excess of those initially awarded by the Secretary. The Secretary shall develop a schedule for reasonable fees under this subparagraph to be paid to delegated processing agencies, which shall take into consideration any other fees to be paid to the agency for other funding provided to the project by the agency, including bonds, tax credits, and other gap funding.

''(D) Under such delegated system, the Secretary shall retain the authority to approve rents and development costs and to execute a capital advance within 60 days of receipt of the commitment from the State or local agency. The Secretary shall provide to such agency and the project sponsor, in writing, the reasons for any reduction in capital advance amounts or project rental assistance and such reductions shall be subject to appeal.''.

SEC. 103. DEVELOPMENT COST LIMITATIONS.

Section 202(h)(1) of the Housing Act of 1959 (12 U.S.C. 1701q(h)(1)) is amended, in the matter preceding subparagraph (A), by inserting ''reasonable'' before ''development cost limitations''.

SEC. 104. OWNER DEPOSITS.

Section 202(j)(3)(A) of the Housing Act of 1959 (12 U.S.C. 1701q(j)(3)(A)) is amended by inserting after the period at the end the following: ''Such amount shall be used only to cover operating deficits during the first three years of operations and shall not be used to cover construction shortfalls or inadequate initial project rental assistance amounts.''.

SEC. 105. DEFINITION OF PRIVATE NONPROFIT ORGANIZATION.

Subparagraph (B) of section 202(k)(4) of the Housing Act of 1959 (12 U.S.C. 1701q(k)(4)(B)) is amended by inserting before the semicolon the following: ''; except that, in the case of any national organization that is the owner of multiple housing projects assisted under this section, the organization may comply with clause (i) of this subparagraph by having a local advisory board to the governing board of the organization the membership which is selected in the manner required under clause (i)''.

SEC. 106. PREFERENCES FOR HOMELESS ELDERLY.

Subsection (j) of section 202 (12 U.S.C. 1701q(j)) is amended by adding at the end the following new paragraph:

''(9) PREFERENCES FOR HOMELESS ELDERLY.—The Secretary shall permit an owner of housing assisted under this section to establish for, and apply to, the housing a preference in tenant selection for the homeless elderly, either within the application or after selection pursuant to subsection (f), but only if—

''(A) such preference is consistent with paragraph (2) of this subsection; and

''(B) the owner demonstrates that the supportive services identified pursuant to subsection (e)(4), or additional supportive services to be made available upon implementation of the preference, will meet the needs of the homeless elderly, maintain safety and security for all tenants, and be provided on a consistent, long-term, and economical basis.''.

SEC. 107. NONMETROPOLITAN ALLOCATION.

Paragraph (3) of section 202(l) of the Housing Act of 1959 (12 U.S.C. 1701q(l)(3)) is amended by inserting after the period at the end the following: ''In complying with this paragraph, the Secretary shall either operate a national competition for the nonmetropolitan funds or make allocations to regional offices of the Department of Housing and Urban Development.''.

TITLE II—REFINANCING

SEC. 201. APPROVAL OF PREPAYMENT OF DEBT.

Subsection (a) of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) in the matter preceding paragraph (1), by inserting '', for which the Secretary's consent to prepayment is required'' after ''Act)'';

(2) in paragraph (1)—

(A) by inserting ''project-based'' before ''rental assistance payments contract'';

(B) by inserting ''project-based'' before ''rental housing assistance programs''; and

(C) by inserting '', or any successor project-based rental assistance program,'' after ''1701s))''; and

(3) in paragraph (2)—

(A) by inserting ''(A)'' before ''a lower''; and

(B) by inserting before the period at the end the following: '', or (B) a transaction in which the project owner will address the physical needs of the project, but only if, as a result of the refinancing (i) the rent charges for unassisted families residing in the project do not increase or such families are provided rental assistance under a senior preservation rental assistance contract for the project pursuant to subsection (e), and (ii) the overall cost for providing rental assistance under section 8 for the project (if any) does not increase''.

SEC. 202. SOURCES OF REFINANCING.

The last sentence of section 811(b) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) by inserting after ''National Housing Act,'' the following: ''or approving the standards used by authorized lenders to underwrite a loan refinanced with risk sharing as provided by section 542 of the Housing and Community Development Act of 1992 (12 U.S.C. 1701 note),''; and

(2) by striking ''may'' and inserting ''shall''.

SEC. 203. USE OF UNEXPENDED AMOUNTS.

Subsection (c) of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) in the matter preceding paragraph (1), by inserting after ''tenants,'' the following: ''or is used in the provision of affordable rental housing and related social services for elderly persons by the private nonprofit organization project owner, private nonprofit organization project sponsor, or private nonprofit organization project developer,'';

(2) in paragraph (1), by striking ''not more than 15 percent of'';

(3) in paragraph (2), by inserting before the semicolon the following; '', including reducing the number of units and reconfiguring units that are functionally obsolete, unmarketable, or not economically viable'';

(4) in paragraph (3), by striking ''or'' at the end;

(5) in paragraph (4) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following new paragraphs:

''(5) the payment to the project owner, sponsor, or third party developer of a developer's fee in an amount not to exceed—

''(A) in the case of a project refinanced through a State low income housing tax credit program, the fee permitted by the low income housing tax credit program as calculated by the State program as a percentage of acceptable development cost as defined by that State program; or

''(B) in the case of a project refinanced through any other source of refinancing, 15 percent of the acceptable development cost; or

''(6) the payment of equity, if any, to—

''(A) in the case of a sale, to the seller or the sponsor of the seller, in an amount equal to the lesser of the purchase price or the appraised value of the property, as each is reduced by the cost of prepaying any outstanding indebtedness on the property and transaction costs of the sale; or

''(B) in the case of a refinancing without the transfer of the property, to the project owner or the project sponsor, in an amount equal to the difference between the appraised value of the property less the outstanding indebtedness and total acceptable development cost.

For purposes of paragraphs (5)(B) and (6)(B), the term ''acceptable development cost'' shall include, as applicable, the cost of acquisition, rehabilitation, loan prepayment, initial reserve deposits, and transaction costs.''.

SEC. 204. USE OF PROJECT RESIDUAL RECEIPTS.

Paragraph (1) of section 811(d) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) by striking ''not more than 15 percent of''; and

(2) by inserting before the period at the end the following: ''or other purposes approved by the Secretary''.

SEC. 205. ADDITIONAL PROVISIONS.

Section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended by adding at the end the following new subsections:

''(e) SENIOR PRESERVATION RENTAL ASSISTANCE CONTRACTS.—Notwithstanding any other provision of law, in connection with a prepayment plan for a project approved under subsection (a) by the Secretary or as otherwise approved by the Secretary, to prevent displacement of elderly residents of the project in the case of refinancing or recapitalization and to further preservation and affordability of such project, at the election of the private nonprofit organization owner of the project, the Secretary shall provide project-based rental assistance for the project under a senior preservation rental assistance contract, as follows:

''(1) Assistance under the contract shall be made available to the private nonprofit organization owner—

''(A) for a term of at least 20 years, subject to annual appropriations, and

''(B) under the same rules governing project-based rental assistance made available under section 8 of the Housing Act of 1937.

''(2) Any projects for which a senior preservation rental assistance contract is provided shall be subject to a use agreement to ensure continued project affordability having a term of the longer of (A) the term of the senior preservation rental assistance contract, or (B) such term as is required by the new financing.

''(f) FLEXIBLE SUBSIDY DEBT.—The Secretary shall waive the requirement that debt for a project pursuant to the flexible subsidy program under section 201 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1715z–1a) be prepaid in connection with a prepayment, refinancing, or transfer under this section of a project if such waiver is necessary for the financial feasibility of the transaction and is consistent with the long-term preservation of the project as affordable housing.

''(g) PREPAYMENT WHEN SECRETARY'S CONSENT NOT REQUIRED.—In connection with the prepayment under this section of a loan for which the Secretary's consent to prepayment is not required, at the project owner's election—

''(1) all tenants of the project shall be eligible for enhanced vouchers in accordance with section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)); or

''(2) if the project will continue to be owned by a private nonprofit organization owner, such private nonprofit organization owner may enter into a senior preservation rental assistance contract with the Secretary in accordance with subsection (e).

''(h) DEFINITION OF PRIVATE NONPROFIT ORGANIZATION.—For purposes of this section, the term 'private nonprofit organization' has the meaning given such term in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k)).''.

SEC. 206. STUDY OF MORTGAGE SALE DEMONSTRATION.

(a) STUDY.—The Secretary of Housing and Urban Development shall conduct a study to evaluate the estimated costs and potential benefits of carrying out a program under which the Secretary may sell mortgages associated with loans made under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act) in accordance with the terms for sales of subsidized loans on multifamily housing projects under section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), and of carrying out a demonstration program for sales of portfolios of such mortgages to housing finance agencies in three States. In conducting such study, the Secretary shall place particular emphasis on determining whether the asset management functions and activities related to such loans and properties could be accomplished pursuant to such sales in a timely, effective, and efficient manner, including an analysis of the potential impacts on approvals of refinancings and preservation transactions, rent increase requests, and withdrawals from reserves or residual receipts (in cases in which there is no contract administrator).

(b) REPORT.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the findings of the study and any recommendations for implementing such a program and such a demonstration.

TITLE III—ASSISTED LIVING FACILITIES

SEC. 301. DEFINITION OF ASSISTED LIVING FACILITY.

Section 202b(g) of the Housing Act of 1959 (12 U.S.C. 1701q–2(g)) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) the term 'assisted living facility' means a facility that—

''(A) is owned by a private nonprofit organization; and

''(B)(i) is licensed and regulated by the State (or if there is no State law providing

for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located); or

''(ii)(I) makes available, directly or through recognized and experienced third party service providers, to residents at the resident's request or choice supportive services to assist the residents in carrying out the activities of daily living, such as bathing, dressing, eating, getting in and our of bed or chairs, walking, going outdoors, toileting, laundry, home management, preparing meals, shopping for personal items, obtaining and taking medication, managing money, using the telephone, or performing light of heavy housework, and which may make available to residents home health care service, such as nursing and therapy, and certain health related services; and

''(II) provides separate dwelling units for residents, each of which may contain a full kitchen and bathroom and which includes common rooms and other facilities appropriate for the provision of supportive services to the residents of the facility; and''.

SEC. 302. MONTHLY ASSISTANCE PAYMENT UNDER RENTAL ASSISTANCE.

Clause (iii) of section 8(o)(18)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(18)(B)(iii)) is amended by inserting before the period at the end the following: '', except that a family may be required at the time the family initially receives such assistance to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such an amount or percentage as the Secretary deems appropriate''.

TITLE IV—FACILITATING AFFORDABLE HOUSING PRESERVATION TRANSACTIONS

SEC. 401. USE OF SALE OR REFINANCING PROCEEDS.

Notwithstanding any other provision of law, in connection with the sale or refinancing of a multifamily housing project, or the transfer of an assistance contract on such a property, that requires the approval of the Secretary of Housing and Urban Development, the Secretary shall not impose any condition that restricts the amount or use of sale or refinancing proceeds, or requires the filing of a financial report, unless such condition is expressly authorized by an existing contract entered into between the Secretary (or the Secretary's designee) and the project owner before the imposition of a condition prohibited by this section or is a general condition for new financing with a mortgage insured by the Secretary. Any such condition previously imposed by the Secretary after January 1, 2005, shall, at the option of the project owner, be considered void and not enforceable, and any agreement containing such a condition shall be rescinded and may be reissued without the void condition.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MAHONEY) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

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

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

There was no objection.

Mr. MAHONEY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House of Representatives has the ability to improve the lives of thousands of seniors across the country with the passage of H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007. As our elderly population grows, the need for affordable housing will also increase. In 2005, there were approximately 37 million Americans over the age of 65. According to the U.S. Census Bureau, the number of seniors is expected to grow rapidly during the next few decades. In addition, today's seniors are facing economic uncertainty. In my home State of Florida, the toxic cocktail of rising gas prices, skyrocketing property taxes and exorbitant homeowners insurance has forced seniors to make difficult choices between paying their mortgage, putting food on the table or purchasing lifesaving medication.

Despite this increase in demand, the number of affordable housing units is shrinking. According to the Joint Center for Housing, for every unit of affordable housing constructed, two are lost either by the conversion of affordable housing to market rate housing or by sponsors of section 202 housing opting out of the program when their contracts expire.

In 2002, Congress created a bipartisan commission to study the need for affordable housing and supportive services for the elderly. In the commission's report to Congress entitled ''A Quiet Crisis in America,'' they stated that ''this Nation, despite competing demands for national resources, must respond to the critical need for affordable housing and home and community-based supportive services, with a substantial financial commitment and effective policies.'' The report also concluded that ''all seniors, no matter what their individual circumstances and resources, should be able to continue to live where they prefer regardless of their income, with the services they need to maintain personal dignity and quality of life.''

One of the most important responsibilities we have as a society is to ensure that our seniors, who have done everything our Nation has asked them to do, have a safe and affordable place to live. The Section 202 Supportive Housing for the Elderly Act is a step in achieving this goal. This important piece of legislation will give the owners of 202 facilities the ability to leverage the property's equity, access much-needed capital and benefit from low interest rates from private lenders. By doing so, this legislation will ensure that these facilities are preserved and improved to meet the changing needs of seniors.

In addition, the bill allows for funding to be used to increase the services that section 202 communities provide for their residents, allowing them to live a more independent life. Finally, this bill will assist seniors living in older section 202 facilities by extending them rental assistance. This provision will allow owners to preserve these properties without the risk of displacing poor residents.

I have seen firsthand how important these facilities are to our communities. I visited Villa Assumpta in Jensen Beach, Florida, a section 202 facility run by Catholic Charities, and Presbyterian Homes of Port Charlotte, Florida, operated by the Presbyterian Association of Homes and Services for the Aging. I have met with the residents and I have heard their life stories, residents like Ruth Justice. Mrs. Justice lived in a mobile home in Stuart, Florida, for almost 40 years until Hurricane Wilma ripped the roof off of her home. Fortunately, Ruth was able to escape from the hurricane with her piano, trumpets and other instruments she and her husband had collected over the years. However, no matter how much she loved her music and her musical instruments, it couldn't ease the financial burden that she faced with a new place which ate up her entire monthly Social Security check. Ruth felt like she had no place to turn. Thank God for Catholic Charities and Villa Assumpta.

Fortunately, Ruth was one of the lucky ones. For seniors in need of low-income housing who qualify for one of Villa Assumpta's 99 units, waits can be more than 2 years. I was moved by stories like Ruth's and how much this housing means to our seniors. After years of working to live the American Dream, many of these seniors find themselves with monthly incomes of $800 or less. Without the section 202 housing, where would Ruth and her friends be? Where are the seniors living tonight that are on Villa Assumpta's 2-year waiting list? On our streets? We have a responsibility to make sure that we provide affordable housing to our seniors and we can start by passing this important legislation.

Mr. Speaker, the Section 202 Supportive Housing for the Elderly Act is an example of what this Congress can achieve when it works together in a bipartisan fashion. First, the bill was reported out of the Financial Services Committee by a unanimous vote. Secondly, following the committee's consideration of H.R. 2930, we worked closely with my colleague from West Virginia (Mrs. CAPITO) to ensure that the bill meets the needs of rural communities.

Under current law, HUD is required to reserve 15 percent of program funds for the development of units in nonmetropolitan areas. Unfortunately, the small number of units that are reserved do not provide an adequate incentive for developers to undertake such projects. As a result, rural communities often face severe shortages of section 202 units. The new provision added by Mrs. CAPITO will provide HUD with greater flexibility by allowing the Department to allocate funding for

non-metropolitan units on a regional or national scale. I would like to thank her for her work to further strengthen the bill and to ensure that all of our communities, whether they be urban or rural, have access to the program.

Mr. Speaker, the section 202 program is a great example of how the Federal Government can work with religious institutions to provide needed services to our communities. Many of the section 202 facilities are run by religious organizations. I am proud that this legislation is being supported by more than 30 organizations that provide housing to the elderly, including Catholic Charities, Lutheran Services of America and United Jewish Communities.

Mr. Speaker, at this time I would like to insert into the RECORD a letter from these groups expressing their strong support for H.R. 2930.

H.R. 2930—SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY ACT OF 2007 ENDORSEMENT LETTER

We, the undersigned organizations, write in strong support of H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007. Under the current Section 202 law, the development and preservation of senior housing can be time-consuming and bureaucratic at a time when demand for supportive senior housing is exploding and the loss of affordable housing exceeds new construction. We believe that this legislation is sorely needed to streamline and simplify the development and preservation of affordable, supportive, senior housing for increased participation by not-for-profit developers, private lenders, investors, and state and local funding agencies.

The current Section 202 program is a capital advance grant for the construction of new supportive senior communities with a project rental assistance contract to subsidize very low-income elderly renters. Even though the award now comes in the form of a grant, HUD engages in a protracted ''underwriting'' process that often increases red tape, delays the development process, and results in escalated costs, particularly when Section 202 funds are combined with the Low Income Housing Tax Credit. To promote efficiency and streamline the processing of new developments, the proposed legislation will delegate the processing of the Section 202 capital advance grants to state or local entities with expertise in housing development. We know that this will ensure that supportive senior housing will be open more quickly to serve our Nation's most vulnerable seniors, particularly in combination with tax credits.

Many older Section 202 facilities are in need of repair, rehabilitation or modernization, but most of them do not have the funds to retrofit their buildings to accommodate the present and future needs of their residents. The current Section 202 statute permits Section 202 providers to refinance ad use the substantial equity in these projects to fund the much needed rehabilitation, extend the lives of these properties, and provide an enhanced supportive environment for seniors as they age in place. Unfortunately, these preservation deals have been stymied by illogical decisions from HUD. Title II of H.R. 2930 would make a number of technical changes in the statute to enhance the ability of organizations to recapitalize and preserve existing Section 202 housing and enhance supportive services.

This legislation would require rather than permit HUD to approve reconfiguration of obsolete efficiencies into 1-bedroom units where providers are experiencing high vacancy rates, allow the use of excess proceeds to further the non-profits' housing and services mission, permit the subordination of debt and other important tools that would make preservation easier to achieve. Most importantly, H.R. 2930 will establish a new project based rental assistance program to allow those Section 202 properties built between 1959 and 1974, the oldest segment of the 202 inventory, that do not currently have rental assistance to be refinanced and rehabilitated and receive project based rental assistance. This will enable sponsors to prevent displacement and continue serving low-income seniors.

We want to thank Congressman Mahoney for introducing this important legislation. We believe these reforms are absolutely necessary to ensure more units are built and preserved more quickly.

The changes this legislation offers represent a comprehensive federal policy change to meet the affordable housing needs of low-income seniors. Without these reforms, our most vulnerable seniors will face displacement, homelessness, or premature institutionalization. We encourage you to support H.R. 2930 and a national commitment to the development and preservation of supportive, affordable senior housing.

Sincerely,

Aging Services of California.
Alliance for Retired Americans.
American Association of Homes and Services for the Aging.
Association of Jewish Aging Services of North America.
Association of Jewish Family & Children's Agencies.
B'nai B'rith International.
Catholic Charities.
Elderly Housing Development and Operations Corporation.
Florida Association of Homes and Services for the Aging.
Indiana Association of Homes and Services for the Aging.
Iowa Association of Homes and Services for the Aging.
Jewish Federation of Metropolitan Chicago.
Life Services Network of Illinois.
LifeSpan Network.
Local Initiatives Support Corporation.
Lutheran Services in America.
National Association of Area Agencies on Aging.
National Affordable Housing Management Association.
National Church Residences.
National Council on Aging.
National Housing Trust.
New Jersey Association of Home and Services for the Aging.
National Housing Trust.
National Leased Housing Association.
National Low Income Housing Coalition.
New York Association of Homes and Services for the Aging.
Oregon Alliance of Senior and Health Services.
Stewards of Affordable Housing for the Future.
United Jewish Communities.
Volunteers of America.
Washington Association of Housing and Services for the Aging.

In closing, I would like to thank Chairman FRANK and Representative MAXINE WATERS for their leadership in this area of affordable housing. I would also like to thank their staffs, Meredith Connelly, Scott Olson and Jonathan Harwitz, for their hard work and commitment to this legislation. Their efforts will help thousands of seniors live their lives with the dignity that they deserve.

Mr. Speaker, I would ask my colleagues to stand up for our seniors by voting ''yes'' for H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, today I rise in strong support of H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007. I would like to thank my colleague from Florida for all of his good, hard work and the leadership of the committee, the Financial Services Committee, for the work they have done on this.

Affordable housing with supportive services is a key component for seniors seeking to stay in their homes and to ''age in place.'' The section 202 housing for the elderly program is the primary HUD program that provides housing exclusively for low-income elderly households. H.R. 2930 reforms the section 202 elderly housing program making it more effective and efficient and better able to meet the housing needs of our elderly.

Today, we are facing a growing elderly housing crisis in this country. According to the 2005 census data, there are approximately 3.6 million seniors living below the poverty line. Among senior renters, 1.29 million have worst case housing needs, meaning they spend over 50 percent of their income on housing.

The section 202 program has been an important tool in addressing these serious housing needs by providing capital advance grants to nonprofit housing sponsors to build new elderly housing facilities and project rental assistance contracts to subsidize very low-income elderly residents of these facilities. Many nonprofit sponsors are faith-based organizations with a mission to serve the elderly. As a condition of receiving a capital advance, which does not have to be repaid, a nonprofit sponsor must make housing available for a period of no less than 40 years. As a result of these efforts, the section 202 program currently supplies over 320,000 units of housing to very low-income elderly citizens.

While the section 202 program has been successful at providing much-needed housing resources to our very low-income seniors, it is estimated that 10 seniors are waiting for each unit that becomes available. Participants and developers of the section 202 housing program maintain that the current regulation and HUD administration of the program can be time consuming and bureaucratic. H.R. 2930 will improve the section 202 elderly housing program by streamlining and simplifying the development and preservation of HUD's section 202 properties and by increasing participation by not-for-profit developers, private lenders, investors and State and local funding agencies.

I do want to point out to my colleagues that the bill we are considering

on the floor today includes several changes to the bill reported out of the Committee on Financial Services on September 25. While the bill as reported did have a $94 million cost for fiscal year 2008 and a $212 million cost over 5 years, those costs have been removed by the elimination of the mortgage sale demonstration program and the subordination or assumption of existing debt provisions. The Congressional Budget Office now reports the costs associated with this bill to be insignificant.

I would also like to thank my colleagues and Chairman FRANK in particular for his willingness to work with me on a provision to resolve a problem that non-metropolitan States like my home State of West Virginia have experienced when attempting to qualify for funds under the section 202 program. It is important to recognize that the need for housing for the very low-income elderly extends beyond metropolitan areas and it needs the flexibility for rural and suburban areas to be able to qualify for these funds. The very low-income elderly of rural West Virginia deserve the very same resources available to the elderly in the larger areas.

H.R. 2930 now includes provisions to establish a national competition for non-metro elderly housing funds and will allow regional offices to administer elderly housing allocations. This greater flexibility will help create more elderly housing units in rural States like mine.

I would like to pause and thank the housing advocates in my State of West Virginia for bringing this issue before me in a very timely manner so we could fix this while we are dealing with the section 202 program. So I want to thank my fellow West Virginians for helping us out here.

Mr. Speaker, the affordable rental housing crisis in America is having a profound effect on renters of all ages, especially our seniors, and this bill will help ease some of the affordability problems plaguing our senior population.

I urge my colleagues to support H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007.

I reserve the balance of my time.

Mr. MAHONEY of Florida. Mr. Speaker, I would like to yield 2 minutes to my distinguished friend from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. I thank very much my colleague, Mr. MAHONEY, for his excellent work on this legislation and Mrs. CAPITO for her excellent work on this bipartisan legislation.

It is incredibly important to America's seniors, Vermont's seniors, that they have security in housing as they age. And that is a challenge because we are getting more folks older and incomes are not keeping up. H.R. 2930 addresses the issue in a timely and overdue way.

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It improves HUD's section 202 program, providing low-income elderly households access to affordable places to live. It is the only program that provides housing exclusively for the elderly. Established in 1959, it makes capital grants and project rental assistance available to developers so they can build housing that is affordable to low-income elderly households. Over 320,000 housing units are currently available.

But it is not enough. There are 10 seniors waiting and in need for every housing unit that is available, and approximately 3.6 million of our seniors across the country in every State live in poverty. This bill is going to help make a down payment on what needs to be done. The U.S. population is aging; 12.4 percent are over 65, but in 18 years that is going to be 20 percent. We are going to need 730,000 units of housing. So I thank the sponsors, the leaders, to begin the process of moving forward.

I want to mention just in a very practical way something that Mrs. CAPITO said. Housing is a partnership. What it does is unleash the activities of volunteers in our communities and housing advocates, and they brought this to our attention.

Grand Way Commons in Vermont, opened by the Cathedral Square Corporation, is going to have a housing project that is going to help 63 families, seniors, have access to housing, and they are combining it with services from United Way, from AARP and from the Vermont Nurses Association.

Mr. Speaker, I urge a strong vote in support of moving ahead for senior housing.

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

Mr. MAHONEY of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I too want to thank Mrs. CAPITO, Chairman FRANK, Chairman WATERS, and also Mr. MAHONEY from Florida for his great work on this.

Mr. Speaker, as a cosponsor of H.R. 2930, I am pleased to support this bipartisan legislation to reform and strengthen HUD's section 202 senior housing program.

Mr. Speaker, affordable rental housing is essential to low-income seniors living on fixed income. In fact, according to the AARP, there are at least 10 seniors now on waiting lists for every unit of section 202 housing that becomes available. However, in the meantime, for every unit of affordable housing that we create, two are being lost either through the conversion process to market-rate housing or by sponsors who are opting out of the program when their contracts expire. As a result, preserving our existing section 202 senior housing is and should be a national priority.

H.R. 2930 eases the development and preservation of section 202 housing for the elderly by reducing administrative burdens while simultaneously expanding the available options for recapitalization. This bill will give the owners of these communities the ability to leverage the equity in those properties. It will also allow them to access much-needed capital and benefit from the current low interest rates being offered by private lenders.

Mr. Speaker, by delegating the processing of these capital advances to State housing agencies with staff and experience in housing development, the section 202 process will be aided and made more efficient.

Mr. Speaker, as President John F. Kennedy once said to Congress nearly 45 years ago, ''The gradual increase in lifespan in our country and the number of our senior citizens who find themselves in later years dependent on affordable housing presents this Nation with increased opportunities. The increased life expectancy presents opportunities to draw upon the skills of our senior citizens and their wisdom and sagacity, and the opportunity to provide the respect and recognition that they have earned in their later years. It is not enough for a great Nation merely to have added years to their lives. Our objective must also be to add new life to those years.''

I encourage my colleagues to support the growing population of seniors in our country, of these most vulnerable citizens in our country, by voting for this important bipartisan measure to aid the elderly in the section 202 program.

Again, I would like to thank my colleague from Florida, Mr. MAHONEY, for spearheading this important legislation.

Mr. MAHONEY of Florida. 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 Florida (Mr. MAHONEY) that the House suspend the rules and pass the bill, H.R. 2930, 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.

SECURITIES LAW TECHNICAL CORRECTIONS ACT OF 2007

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3505) to make various technical and clerical amendments to the Federal securities laws, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3505

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 ''Securities Law Technical Corrections Act of 2007''.

SEC. 2. TECHNICAL CORRECTIONS.

(a) SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 3(a)(4) (15 U.S.C. 77c(a)(4)), by striking ''individual;'' and inserting ''individual,'';

(2) in section 18(b)(1)(C) (15 U.S.C. 77r(b)(1)(C)), by striking ''is a security'' and inserting ''a security'';

(3) in section 18(c)(2)(B)(i) (15 U.S.C. 77r(c)(2)(B)(i)), by striking ''State, or'' and inserting ''State or'';

(4) in section 19(d)(6)(A) (15 U.S.C. 77s(d)(6)(A)), by striking ''in paragraph (1) of (3)'' and inserting ''in paragraph (1) or (3)''; and

(5) in section 27A(c)(1)(B)(ii) (15 U.S.C. 77z–2(c)(1)(B)(ii)), by striking ''business entity;'' and inserting ''business entity,''.

(b) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) is amended—

(1) in section 2(1)(a) (15 U.S.C. 78b(1)(a)), by striking ''affected'' and inserting ''effected'';

(2) in section 3(a)(55)(A) (15 U.S.C. 78c(a)(55)(A)), by striking ''section 3(a)(12) of the Securities Exchange Act of 1934'' and inserting ''section 3(a)(12) of this Act'';

(3) in section 3(g) (15 U.S.C. 78c(g)), by striking ''company, account person, or entity'' and inserting ''company, account, person, or entity'';

(4) in section 10A(i)(1)(B)(i) (15 U.S.C. 78j–1(i)(1)(B)(i)), by striking ''nonaudit'' and inserting ''non-audit'';

(5) in section 13(b)(1) (15 U.S.C. 78m(b)(1)), by striking ''earning statement'' and inserting ''earnings statement'';

(6) in section 15(b)(1) (15 U.S.C. 78o(b)(1))—

(A) by striking the sentence beginning ''The order granting'' and ending ''from such membership.'' in subparagraph (B); and

(B) inserting such sentence in the matter following such subparagraph after ''are satisfied.'';

(7) in section 15 (15 U.S.C. 78o), redesignate subsection (i), as added by section 303(f) of the Commodity Futures Modernization Act of 2000 (114 Stat. 2763A–455), as subsection (j);

(8) in section 15C(a)(2) (15 U.S.C. 78o–5(a)(2))—

(A) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(B) by striking the sentence beginning ''The order granting'' and ending ''from such membership.'' in such redesignated subparagraph (B); and

(C) inserting such sentence in the matter following such redesignated subparagraph after ''are satisfied.'';

(9) in section 16(a)(2)(C) (15 U.S.C. 78p(a)(2)(C)), by striking ''section 206(b)'' and inserting ''section 206B'';

(10) in section 17(b)(1)(B) (15 U.S.C. 78q(b)(1)(B)), by striking ''15A(k) gives'' and inserting ''15A(k), give''; and

(11) in section 21C(c)(2) (15 U.S.C. 78u–3(c)(2)), by striking ''paragraph (1) subsection'' and inserting ''Paragraph (1)''.

(c) TRUST INDENTURE ACT OF 1939.—The Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.) is amended—

(1) in section 304(b) (15 U.S.C. 77ddd(b)), by striking ''section 2 of such Act'' and inserting ''section 2(a) of such Act'';

(2) in section 313(a)(4) (15 U.S.C. 77mmm(a)(4)) by striking ''subsection 311'' and inserting ''section 311(b)''; and

(3) in section 317(a)(1) (15 U.S.C. 77qqq(a)(1)), by striking ''(1),'' and inserting ''(1)''.

(d) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a)(19) (15 U.S.C. 80a–2(a)(19)) by striking ''clause (vi)'' both places it appears in the last two sentences and inserting ''clause (vii)'';

(2) in section 9(b)(4)(B) (15 U.S.C. 80a–9(b)(4)(B)), by inserting ''or'' after the semicolon at the end;

(3) in section 12(d)(1)(J) (15 U.S.C. 80a–12(d)(1)(J)), by striking ''any provision of this subsection'' and inserting ''any provision of this paragraph'';

(4) in section 13(a)(3) (15 U.S.C. 80a–13(a)(3)), by inserting ''or'' after the semicolon at the end;

(5) in section 17(f)(4) (15 U.S.C. 80a–17(f)(4)), by striking ''No such member'' and inserting ''No member of a national securities exchange'';

(6) in section 17(f)(6) (15 U.S.C. 80a–17(f)(6)), by striking ''company may serve'' and inserting ''company, may serve''; and

(7) in section 61(a)(3)(B)(iii) (15 U.S.C. 80a–60(a)(3)(B)(iii))—

(A) by striking ''paragraph (1) of section 205'' and inserting ''section 205(a)(1)''; and

(B) by striking ''clause (A) or (B) of that section'' and inserting ''section 205(b)(1) or (2)''.

(e) INVESTMENT ADVISERS ACT OF 1940.—The Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) is amended—

(1) in each of the following sections, by striking ''principal business office'' or ''principal place of business'' (whichever and wherever it appears) and inserting ''principal office and place of business'': sections 203(c)(1)(A), 203(k)(4)(B), 213(a), 222(b), and 222(c) (15 U.S.C. 80b–3(c)(1)(A), 80b–3(k)(4)(B), 80b–13(a), 80b–18a(b), and 80b–18a(c)); and

(2) in section 206(3) (15 U.S.C. 80b–6(3)), by inserting ''or'' after the semicolon at the end.

SEC. 3. CONFORMING AMENDMENTS FOR THE REPEAL OF THE PUBLIC UTILITIES HOLDING COMPANY ACT OF 1935.

(a) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) is amended—

(1) in section 3(a)(47) (15 U.S.C. 78c(a)(47)), by striking ''the Public Utility Holding Company Act of 1935 (15 U.S.C. 79a et seq.),''; and

(2) in section 12(k) (15 U.S.C. 78l(k)), by amending paragraph (7) to read as follows:

''(7) DEFINITION.—For purposes of this subsection, the term 'emergency' means—

''(A) a major market disturbance characterized by or constituting—

''(i) sudden and excessive fluctuations of securities prices generally, or a substantial threat thereof, that threaten fair and orderly markets; or

''(ii) a substantial disruption of the safe or efficient operation of the national system for clearance and settlement of transactions in securities, or a substantial threat thereof; or

''(B) a major disturbance that substantially disrupts, or threatens to substantially disrupt—

''(i) the functioning of securities markets, investment companies, or any other significant portion or segment of the securities markets; or

''(ii) the transmission or processing of securities transactions.''.

(3) in section 21(h)(2) (15 U.S.C. 78u(h)(2)), by striking ''section 18(c) of the Public Utility Holding Company Act of 1935,''.

(b) TRUST INDENTURE ACT OF 1939.—The Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.) is amended—

(1) in section 303 (15 U.S.C. 77ccc), by amending paragraph (17) to read as follows:

''(17) The terms 'Securities Act of 1933' and 'Securities Exchange Act of 1934' shall be deemed to refer, respectively, to such Acts, as amended, whether amended prior to or after the enactment of this title.'';

(2) in section 308 (15 U.S.C. 77hhh), by striking ''Securities Act of 1933, the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935'' each place it appears and inserting ''Securities Act of 1933 or the Securities Exchange Act of 1934'';

(3) in section 310 (15 U.S.C. 77jjj), by striking subsection (c) (including the preceding heading);

(4) in section 311 (15 U.S.C. 77kkk) by striking subsection (c);

(5) in section 323(b) (15 U.S.C. 77www(b)), by striking ''Securities Act of 1933, or the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935'' and inserting ''Securities Act of 1933 or the Securities Exchange Act of 1934''; and

(6) in section 326 (15 U.S.C. 77zzz), by striking ''Securities Act of 1933, or the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935,'' and inserting ''Securities Act of 1933 or the Securities Exchange Act of 1934''.

(c) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a)(44) (15 U.S.C. 80a–2(a)(44)), by striking '''Public Utility Holding Company Act of 1935','';

(2) in section 3(c) (15 U.S.C. 80a–3(c)), by amending paragraph (8) to read as follows:

''(8) [Repealed]'';

(3) in section 38(b) (15 U.S.C. 80a–37(b)), by striking ''the Public Utility Holding Company Act of 1935,''; and

(4) in section 50 (15 U.S.C. 80a–49), by striking ''the Public Utility Holding Company Act of 1935,''.

(d) INVESTMENT ADVISERS ACT OF 1940.—Section 202(a)(21) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(21)) is amended by striking '''Public Utility Holding Company Act of 1935',''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentleman from Illinois (Mr. ROSKAM) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on this legislation and on H.R. 3526, as amended.

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

There was no objection.

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, H.R. 3505, is the Securities Law Technical Corrections Act, and it consists entirely of technical and clerical amendments to the Federal securities laws which were requested by the Securities and Exchange Commission as a minor part of a larger legislative agenda. Included are the Security Act of 1934, the Investment Act of 1940 and the Trust Indenture Act of 1939.

Mr. Speaker, periodically we in Congress should review our laws in order to make sure that they are current and that they are up to date. Furthermore, this bill addresses certain changes to be made to reduce confusion. We want

to ensure that the laws we pass are current, and periodically clarifying certain aspects of these somewhat complex and complicated laws is a very valuable undertaking.

The amendments made by this bill correct drafting errors and remove obsolete references to the Public Utilities Holding Company Act of 1935, which was repealed in 2005. It further corrects numbering and punctuation errors. There are several technical changes that need to be made to the bill, as introduced, one to correct statutory citations and punctuation and also for clarification.

Mr. Speaker, as security laws are very complicated, very complex and highly technical, and with many of these laws having been written in the 1930s and the 1940s, periodic overview is very, very important and essential to the financial security of our great Nation, and this, Mr. Speaker, is the purpose of this bill.

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

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

Mr. Speaker, I rise today in strong support of H.R. 3505, the Securities Law Technical Corrections Act of 2007, a measure to make technical corrections to the various securities laws, and I thank Mr. SCOTT for his support for this measure and also Chairman FRANK and Ranking Member BACHUS for advocating that this come to the floor today.

Mr. Speaker, in the aftermath of the stock market crash of 1929 and the ensuing Great Depression, Congress enacted the Federal securities laws of the 1930s and the 1940s. Over many years, Congress has amended these laws to adopt innovation and growth in the securities industry. Securities laws have become incredibly complex and technical due to the intricate and global markets we have today.

The goal of these laws is to protect investors, maintain fair, orderly and efficient markets, and to facilitate capital formation and promote competition. These laws range from governing over the initial issuance and registration of securities to the oversight of financial reporting and registration of people involved in the sale of securities. The laws also regulate the purchase and sale of securities, securities brokerage firms and securities exchanges, and they also have been responsible for the rules of the creation and operation of mutual funds and those laws governing the operation of investment advisors, all good things.

As Members of Congress, we have a responsibility to review laws that we pass to ensure that they are current and that they are up to date. Most importantly, Congress needs to clarify that these laws are well-crafted so that agencies who administer and enforce them are able to do so without causing unnecessary confusion to investors, to market participants and the courts.

Keeping the security laws current is a worthwhile undertaking. One such example where there is need to update our securities laws which are included in this legislation is to address the repeal of the Public Utility Holding Company Act of 1935. It was repealed, as Mr. SCOTT mentioned, in the 2005 energy bill because it was no longer necessary.

But it was originally adopted to deal with circumstances that existed in the 1930s and 1940s when the commission was restructuring the utility industry. At that point, a number of holding companies would have owned minority stakes in utilities and other holding companies and they may have held substantial equity assets that caused them to meet the investment company definition at that time.

Today, virtually all utility holding companies operate throughout wholly owned subsidiaries and, thus, do not have investment company status issues any different from any other type of holding company. So utility holding companies no longer need to be treated differently than any other type of company for purposes of determining whether they meet the definition of investment company.

H.R. 3505 makes almost 50 technical changes to the Federal securities laws. Mr. Speaker, I want to note that the Securities and Exchange Commission supports these changes.

Once again I want to thank my colleague Mr. SCOTT, along with Ranking Member BACHUS and our chairman, Chairman FRANK, for their support of this legislation, and I urge all of our colleagues to support it.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too want to thank my colleague Mr. ROSKAM for his hard work on this bill and for his contribution, and also the leadership of our Financial Services Committee under the chairmanship of Chairman BARNEY FRANK for his work on this measure as well.

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 Georgia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 3505, 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. SCOTT of Georgia. 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.

APPOINTMENT OF CONFEREES ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees to H.R. 1585.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. SKELTON, SPRATT, ORTIZ, TAYLOR, ABERCROMBIE, REYES, SNYDER, SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mr. MCINTYRE, Mrs. TAUSCHER, Messrs. BRADY of Pennsylvania, ANDREWS, Mrs. DAVIS of California, Messrs. LARSEN of Washington, COOPER, MARSHALL, Ms. BORDALLO, Messrs. UDALL of Colorado, HUNTER, SAXTON, MCHUGH, EVERETT, BARTLETT of Maryland, MCKEON, THORNBERRY, JONES of North Carolina, HAYES, AKIN, FORBES, WILSON of South Carolina, TURNER, KLINE of Minnesota, and Mrs. DRAKE.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. BOSWELL, PATRICK J. MURPHY of Pennsylvania, and HOEKSTRA.

From the Committee on Education and Labor, for consideration of sections 561, 562, 675, 953, and 3118 of the House bill, and sections 561, 562, 564, 565, and 3137 of the Senate amendment, and modifications committed to conference: Messrs. GEORGE MILLER of California, COURTNEY, and WALBERG.

From the Committee on Energy and Commerce, for consideration of sections 311–313 and 1082 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, WYNN, and BARTON of Texas.

From the Committee on Foreign Affairs, for consideration of sections 831, 833, 1022, 1201, 1203, 1204, 1206–1208, 1221, 1222, 1231, 1241, 1242, title XIII, and section 3117 of the House bill, and sections 871, 934, 1011, 1201–1203, 1205, 1211, 1212, 1214, 1215, 1217, 1219, 1232, title XIII, sections 1511, 1512, 1532, 1533, 1539–1542, 1571, 1574–1576, 1579, 3134, and 3139 of the Senate amendment, and modifications committed to conference: Messrs. LANTOS, ACKERMAN, and Ms. ROS-LEHTINEN.

From the Committee on Homeland Security, for consideration of section 1076 of the Senate amendment, and modifications committed to conference: Messrs. THOMPSON of Mississippi, CARNEY, and DANIEL E. LUNGREN of California.

From the Committee on the Judiciary, for consideration of sections 582, 672, 673, and 850 of the House bill, and sections 824, 1023, 1024, 1078, 1087, 1571–1574, 1576, 1577, 1579, and title LII of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, BERMAN, and SMITH of Texas.

From the Committee on Oversight and Government Reform, for consideration of sections 325, 326, 328–330, 604, 653, 674, 801, 802, 814, 815, 821–824, 1101–

1112, 1221, 1231, and 1451 of the House bill, and sections 366–370, 603, 684, 821, 823, 842, 845, 846, 871, 902, 937, 1064, 1069, 1074, 1093, 1101–1106, 1108, 1540, 1542, and 2851 of the Senate amendment, and modifications committed to conference: Messrs. WAXMAN, TOWNS, and DAVIS of Virginia.

From the Committee on Science and Technology, for consideration of sections 846, 1085, and 1088 of the Senate amendment, and modifications committed to conference: Mr. GORDON of Tennessee, Ms. GIFFORDS, and Mr. EHLERS.

From the Committee on Small Business, for consideration of sections 828, 1085, 1088, 4001, 4002, 4101–4103, 4201–4203, and 4301–4305 of the Senate amendment, and modifications committed to conference: Ms. VELÁZQUEZ, Messrs. ALTMIRE and CHABOT.

From the Committee on Transportation and Infrastructure, for consideration of sections 523 and 1048 of the House bill, and sections 311–313, 353, 1070, 2853, 2855, 2863, 5101, 5202, and 5208 of the Senate amendment, and modifications committed to conference: Messrs. OBERSTAR, COSTELLO, and GRAVES.

From the Committee on Veterans' Affairs, for consideration of sections 525, 1421, 1433, and 1453 of the House bill, and sections 701, 710, 1084, 1611, 1612, 1621, 1626, 1634, 1641, 1654, 1662, and 1702–1712 of the Senate amendment, and modifications committed to conference: Messrs. FILNER, MICHAUD, and BUYER.

From the Committee on Ways and Means, for consideration of section 536 of the Senate amendment, and modifications committed to conference: Messrs. RANGEL, STARK, and CAMP of Michigan.

There was no objection.

□ 1315

COMMENDING THE NATIONAL RENEWABLE ENERGY LABORATORY FOR ITS WORK OF PROMOTING ENERGY EFFICIENCY FOR 30 YEARS

Mr. MCNERNEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 251) commending the National Renewable Energy Laboratory for its work of promoting energy efficiency for 30 years.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 251

Whereas in 1977 the Solar Energy Research Institute opened and was designated a National Laboratory of the United States Department of Energy;

Whereas in September 1991 President George H.W. Bush changed the institute's name to the National Renewable Energy Laboratory (''NREL'');

Whereas the NREL is the principal research laboratory for the United States Department of Energy's Office of Energy Efficiency and Renewable Energy and also provides research expertise for the Office of Science and the Office of Electricity Delivery and Energy Reliability;

Whereas the NREL is the Nation's, and the world's, preeminent laboratory for renewable energy and energy efficiency research and development;

Whereas renewable energy and energy efficiency technologies are key to creating a clean energy future for not only the United States, but the world;

Whereas the NREL's focused research and development capabilities are positioned to advance national energy goals by developing innovations to change the way we power our homes and businesses, and fuel our cars;

Whereas the NREL has worked vigorously through research and development to develop wind energy resulting in innovative designs, larger turbines, and increased efficiencies leading to dramatic reductions in energy costs;

Whereas the NREL has also developed hydrogen energy scenarios that could be used to power the future and develop hydrogen infrastructure and delivery systems; and

Whereas the NREL has developed biomass research technology, which provides biomass industries with rapid analytical tools for making the highest value applications of biomass or analyzing biomass: Now, therefore, be it

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

(1) commends the National Renewable Energy Laboratory for its work of promoting energy efficiency for 30 years and seeking other avenues of energy independence because it enhances our national security, sustains our environment and creates jobs;

(2) recognizes the achievements of the scientists and employees of the NREL and their exemplary service to the United States for 30 years; and

(3) directs the Clerk of the House to transmit a copy of this resolution to the NREL for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCNERNEY) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCNERNEY. 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 H. Con. Res. 251, the resolution now under consideration.

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

There was no objection.

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

I would first like to thank my good friend and colleague from Colorado (Mr. PERLMUTTER), the sponsor of this resolution, which recognizes the invaluable contributions of the National Renewable Energy Laboratory, or NREL. The gentleman from Colorado and I both share deep concern about our Nation's dependence on imported oil and the impact that fossil fuels have on our environment.

As someone who has worked at the national laboratory, I have spent many years at the laboratory working as an engineer, a consultant, and I certainly appreciate the work that NREL does. Tucked in the foothills of the Rockies and looking up to the scenic Flatirons, NREL has led the charge in developing and deploying cost-effective energy efficiency and renewable energy technologies for three decades. I have been continually impressed by the caliber of work that this laboratory has put out over the years.

New energy technology takes time to develop. It's a long, difficult process, but we have seen tremendous advances. For example, in wind energy we have seen it come from an outlying technology to where now it's one of the leading sources of new energy in the world. We can expect other forms of energy technology such as solar, geothermal, and energy efficiency technologies to follow that same trajectory to becoming cost-effective and competitive with all other forms of energy.

The experts at NREL have played a critical role in developing a range of technologies that will transform our energy future. NREL scientists and engineers have made breakthroughs in such diverse areas as biofuels, wind, solar power, near zero-energy buildings, and super efficient cars and trucks.

As our country works to combat climate change and achieve energy independence, NREL's mission is more important than ever. But staying ahead of the technology curve requires considerable resources and very smart policymaking. I am sure that the dedicated employees of NREL share my appreciation for this resolution and will continue their tireless efforts to bring energy efficiency and renewable energy technologies and practices to the marketplace.

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

Mr. HALL of Texas. Mr. Speaker, I rise in support of H. Con. Res. 251, commending the National Renewable Energy Laboratory for its work promoting energy efficiency for 30 years. NREL, the National Renewable Energy Laboratory, based in Golden, Colorado, is the hub of our Nation's work into renewable and alternative energy research and development.

Since 1977, when it began as the Solar Energy Research Institute before changing its name in 1991, NREL has received many accolades and many awards. In the past 30 years, NREL has received 39 R&D 100 awards, as well as hundreds of Scientific and Technical Society honors and awards, Technology Transfer awards, and Department of Energy and other agency awards.

NREL's success has continued under the leadership of its current director, Dr. Dan Arvizu, who has made the transferring of technologies from the lab to the marketplace a real priority. It's through this ''technical transfer'' that we see inventions and discoveries at work in the real world and not sitting on a proverbial shelf collecting proverbial dust.

As we have reached a time in our energy history that we are realizing more and more the importance of and the place that renewable and alternative forms of energy have in our current and future energy mix, NREL's significance and prominence as a world leader in this field is becoming increasingly evident and appreciated. The resolution before us today recognizes NREL for its 30 years of service to our country. I am proud that such a facility exists in this great country of ours. I could only be prouder if it were in my home State of Texas.

I thank Dr. Arvizu and all the scientists and employees at NREL. You serve our country and serve our future very well.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 251.

With that, I reserve the balance of my time.

Mr. MCNERNEY. I thank the gentleman from Texas for his remarks.

Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Thank you, Mr. MCNERNEY, and I want to thank Mr. HALL. All of you are supporting this particular resolution, and it is one that is apropos for our time right now. We need to reduce our dependence on foreign oil, and the National Renewable Energy Lab, NREL, which is about three blocks from my house, is the leading organization in the world for developing energy efficiency technologies and renewable energy technologies.

Today, I rise to honor and commend that laboratory, which is the premier in the country. In 1977 the Solar Energy Research Institute opened and was designated a national laboratory of the Department of Energy. In 1991, President George Bush changed the institute's name to the National Renewable Energy Lab, which I will call NREL.

NREL is the principal research laboratory for the Department of Energy's Office of Energy Efficiency and Renewable Energy and also provides research expertise for the Office of Science. Changing our energy policy and developing a new direction for energy was and is a high priority for Americans across the country. We must reduce our dependency on foreign oil and we must increase our supply of renewable energy. We cannot afford the status quo any longer.

Leadership in the House on both sides of the aisle has shown this understanding for the increase in renewable energy and energy efficiency across the country, and for the first time in a long time this Congress passed a budgetary increase to the Office of Energy Efficiency and to the Office of Science so that NREL can continue its vital and important research and development in these particular areas.

NREL has advanced our national energy goals by developing innovative ways to change the way we power our homes and businesses and fuel our cars. They have developed competitions for solar cars and energy efficient homes. In fact, many times the races have ended here in Washington, DC, and we have had on the mall these competitions among our colleges and brightest kids as to how to make our buildings more energy efficient.

NREL has worked to develop biomass, solar, wind, geothermal, hydrogen, and the list goes on, types of renewable energy, and it has worked on both renewable energy for buildings, as I said, as well as renewable fuels for vehicles. Now more than ever we must seek ways to increase production of renewable energy and make our country more energy efficient, and NREL is helping to do just that. By seeking and creating avenues to develop renewable energy and improve our energy efficiency, we can strengthen our national security, protect our environment, and create thousands and thousands of new jobs.

I commend NREL on its work for the past 30 years, and I look forward to their work in the next 30 years. I thank the 1,200 current employees and the past employees who helped make NREL the leader that it is today. I thank the gentleman from Texas and the gentleman from California as well as the Speaker for helping me with this bill and commending this laboratory for the good work that it does.

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

Mr. MCNERNEY. Mr. Speaker, I don't have any further speakers or any further comments, but I just want to point out that NREL has done a fine job. I want to see this institution and this government support and continue to support that kind of work that is going on in northern Colorado.

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of H. Con. Res. 251, to commemorate the 30th anniversary of the National Renewable Energy Laboratory, NREL, in Colorado. The facility serves our Nation as the chief research laboratory for energy efficiency and renewable energy for the Department of Energy. As the co-chair of the Renewable Energy and Energy Efficiency Caucus, I am proud to celebrate this organization and its invaluable work to set our country on a course towards sustainable energy practices.

The range of research areas at NREL is remarkable; from hydrogen-storing carbon nanotubes for fuel cell-powered vehicles to architectural computer design tools for low-energy construction to "smart windows" which automatically tint in order to cut the cost of air conditioning, NREL has developed cutting-edge technology for 30 years. NREL's National Wind Technology Center, located in my district, has helped push forward development of more efficient and economic wind turbines, which are critical to making the wind industry an important player in our Nation's energy markets. NREL will continue to be a leader on important research and development in these critical areas.

NREL continues to be an important resource for the people of Colorado. NREL is a critical participant in the Colorado Renewable Energy Collaboratory Agreement, which also includes the University of Colorado at Boulder, the Colorado School of Mines and Colorado State University. The Collaboratory will not only advance new energy research, but it will also encourage quicker transfer of new technology to energy businesses. For example, the new Colorado Center for Biorefining and Biofuels, C2B2, partners NREL and the Collaboratory with Colorado businesses to help reduce our dependence on foreign sources of oil while researching commercially viable biofuel technologies.

NREL and its employees continue a tradition of service to the community. Hundreds of NREL employees have completed over 43 community service projects in the past 5 years. NREL has focused community efforts for its 30th anniversary on helping the "Family Tree" organization, which provides assistance to the homeless and victims of domestic violence.

On a personal note, I have greatly enjoyed working with NREL scientists and staff, including NREL's former Director, Vice Admiral Richard Truly, and NREL's current Director, Dr. Dan Arvizu. I have great respect for both men and look forward to continuing to work with Dr. Arvizu for many years to come.

As the world demands sustainable energy solutions in a new era of energy awareness, I am confident that the talented scientists, engineers, and researchers at NREL will continue to lead our country and the world forward in expanding and improving our energy resources. I join my colleagues in recognizing NREL for its 30 years of service and look forward to many years to come.

□ 1330

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCNERNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 251.

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.

MAKING TECHNICAL CORRECTIONS TO HIGHER EDUCATION ACT OF 1965

Mrs. MCCARTHY of New York. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2371) to amend the Higher Education Act of 1965 to make technical corrections, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2371

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

SECTION 1. DEFINITION OF UNTAXED INCOME AND BENEFITS.

(a) AMENDMENT.—Section 480(b) of the Higher Education Act of 1965 (20 U.S.C.

1087vv(b)) is amended by striking paragraph (2) and inserting the following:

''(2) The term 'untaxed income and benefits' shall not include—

''(A) the amount of additional child tax credit claimed for Federal income tax purposes;

''(B) welfare benefits, including assistance under a State program funded under part A of title IV of the Social Security Act and aid to dependent children;

''(C) the amount of earned income credit claimed for Federal income tax purposes;

''(D) the amount of credit for Federal tax on special fuels claimed for Federal income tax purposes;

''(E) the amount of foreign income excluded for purposes of Federal income taxes; or

''(F) untaxed social security benefits.''.

(b) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on July 1, 2009.

SEC. 2. INCOME-BASED REPAYMENT FOR MARRIED BORROWERS FILING SEPARATELY.

Section 493C of the Higher Education Act of 1965 (20 U.S.C. 1098e) is amended by adding at the end the following:

''(d) SPECIAL RULE FOR MARRIED BORROWERS FILING SEPARATELY.—In the case of a married borrower who files a separate Federal income tax return, the Secretary shall calculate the amount of the borrower's income-based repayment under this section solely on the basis of the borrower's student loan debt and adjusted gross income.''.

SEC. 3. TEACH GRANTS TECHNICAL AMENDMENTS.

Subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.) is amended—

(1) in section 420L(1)(B), by striking ''sound'' and inserting ''responsible''; and

(2) in section 420M—

(A) by striking ''academic year'' each place it appears in subsections (a)(1) and (c)(1) and inserting ''year''; and

(B) in subsection (c)(2)—

(i) by striking ''other student assistance'' and inserting ''other assistance the student may receive''; and

(ii) by striking the second sentence.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MCCARTHY of New York. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to S. 2371 into the RECORD.

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

There was no objection.

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

(Mrs. MCCARTHY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in support of the amendment to S. 2371. This bill makes technical corrections to the College Cost Reduction and Access Act in order to ensure that the Department of Education and other relevant stakeholders reflect congressional intent when implementing the law.

Mr. Speaker, during this Congress we have made significant commitments to our Nation's students and families by putting resources into the hands of those that need it the most.

The College Cost Reduction and Access Act as passed and signed by the President does more to help Americans pay for college than any other effort since the GI Bill, at no new cost to taxpayers.

Specifically, the legislation provided a landmark investment of $20 billion in additional funding for Pell Grants, reductions in the interest rates on student loans, and the creation of programs to help students manage debt, as well as encourage individuals to pursue public service.

Providing this critical funding is a large part of our efforts to increase access and affordability to higher education. Our work on reforming and strengthening higher education is not finished for this Congress.

I look forward to working with Chairman MILLER and the rest of the Education and Labor Committee on the reauthorization of the Higher Education Act as it continues through the process. As passed by the Senate and amended in this bill, the technical amendments contained in the bill clarify the definition of untaxed income and benefits to ensure it does not include those items in the calculation that were removed from the list under CCRAA; clarifies that married borrowers' income-based repayment payments shall be determined solely on the individual borrower's loan information and the individual's income without considering the spouse's income or any other loan debt that they may have if the married borrower files taxes separately; conforms language in the TEACH Grant Program to ensure appropriate implementation.

Mr. Speaker, swift passage of S. 2371, as amended, will ensure that students and families will fully benefit from the programs, funding, and intent provided in the College Cost Reduction and Access Act. I urge my colleagues to support this provision.

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

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

Mr. Speaker, I rise in support of S. 2371, a bill providing for technical changes to the College Cost Reduction and Access Act of 2007. This bill includes two necessary clarifications and corrections to ensure that this act, a series of financial aid changes made through this year's budget reconciliation process, is implemented as Congress intended.

The bill before us today would make some, but not all, of the important technical amendments that are needed to ensure that the Department of Education is able to put this law into place in a manner consistent with congressional intent. The bill clarifies the untaxed income and benefit items that are to be included in the needs analysis formula for purposes of determining what a family can actually pay for their child's education. It also ensures that borrowers selecting the new income-based repayment plan will not face a penalty simply because they are married. Finally, the bill also provides technical amendments to the TEACH Grant program.

There are several other important technical corrections in a bill that the House passed prior to the Thanksgiving Day recess. The changes clarified that members of the Armed Forces Reserves are eligible for student loan deferments when they return home after serving abroad. The House-passed bill also encouraged families to adopt older children by permitting any student that was in foster care through the age of 13 to be treated as an independent student, even if the child was adopted after the age of 13. Unfortunately, most of these changes will not be enacted because our colleagues on the other side of the Capitol eliminated them from the bill, despite the bipartisan support shown for these important reforms here in the House.

These reforms are technical in nature, but their consequences will be far-reaching. Prior to the Thanksgiving Day recess, the Education and Labor Committee unanimously passed a bill to expand college access and affordability. Consistent with that goal, this package of technical corrections will improve our financial aid programs by clarifying the intent of the recently enacted College Cost Reduction and Access Act. I urge my colleagues to join me in supporting this important measure.

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

Mrs. MCCARTHY of New York. Mr. Speaker, in closing, I want to thank Chairman MILLER for his leadership on this important issue which will keep costs down for our Nation's students, and I urge each Member to support this reauthorization.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. MCCARTHY) that the House suspend the rules and pass the Senate bill, S. 2371, as amended.

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

A motion to reconsider was laid on the table.

PROTECTING OUR CHILDREN COMES FIRST ACT OF 2007

Mrs. MCCARTHY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2517) to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2517

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 ''Protecting Our Children Comes First Act of 2007''.

SEC. 2. FINDINGS.

Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended to read as follows:

''SEC. 402. FINDINGS.

''The Congress finds that—

''(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place the child in grave danger;

''(2) many missing children are at great risk of both physical harm and sexual exploitation;

''(3) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

''(4) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

''(5) growing numbers of children are the victims of child sexual exploitation, increasingly involving the use of new technology to access the Internet;

''(6) children may be separated from their parents or legal guardians as a result of national disasters such as hurricanes and floods;

''(7) sex offenders pose a threat to children;

''(8) the Office of Juvenile Justice and Delinquency Prevention administers programs under this Act through the Child Protection Division, including programs which prevent or address offenses committed against vulnerable children and which support missing children's organizations; and

''(9) a key component of such programs is the National Center for Missing and Exploited Children, which—

''(A) serves as a national resource center and clearinghouse;

''(B) works in partnership with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, the Bureau of Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, and many other agencies in the effort to find missing children and prevent child victimization; and

''(C) operates a national network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with international organizations, including Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which enable the Center to transmit images and information regarding missing and exploited children to law enforcement across the United States and around the world instantly.''.

SEC. 3. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.

Section 404(b) of the Missing Children's Assistance Act (42 U.S.C. 5773(b)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Administrator shall annually make a grant to the Center, which shall be used to—

''(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

''(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714-11);

''(B) operate the official national resource center and information clearinghouse for missing and exploited children;

''(C) provide to State and local governments, and public and private nonprofit agencies, and individuals, information regarding—

''(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

''(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

''(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

''(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

''(F) based solely on reports received by the National Center for Missing and Exploited Children (NCMEC), and not involving any data collection by NCMEC other than the receipt of those reports, annually provide to the Department of Justice's Office of Juvenile Justice and Delinquency Prevention—

''(i) the number of children nationwide who are reported to NCMEC as missing;

''(ii) the number of children nationwide who are reported to NCMEC as victims of non-family abductions;

''(iii) the number of children nationwide who are reported to NCMEC as victims of parental kidnappings; and

''(iv) the number of children recovered nationwide whose recovery was reported to NCMEC;

''(G) provide, at the request of State and local governments, and public and private nonprofit agencies, guidance on how to facilitate the lawful use of school records and birth certificates to identify and locate missing children;

''(H) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

''(I) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and, in cooperation with the Department of State, internationally;

''(J) provide analytical support and technical assistance to law enforcement agencies through searching public records databases in locating and recovering missing and exploited children and helping to locate and identify abductors;

''(K) provide direct on-site technical assistance and consultation to law enforcement agencies in child abduction and exploitation cases;

''(L) provide forensic technical assistance and consultation to law enforcement and other agencies in the identification of unidentified deceased children through facial reconstruction of skeletal remains and similar techniques;

''(M) track the incidence of attempted child abductions in order to identify links and patterns, and provide such information to law enforcement agencies;

''(N) provide training and assistance to law enforcement agencies in identifying and locating non-compliant sex offenders;

''(O) facilitate the deployment of the National Emergency Child Locator Center to assist in reuniting missing children with their families during periods of national disasters;

''(P) operate a cyber tipline to provide online users and electronic service providers an effective means of reporting Internet-related child sexual exploitation in the areas of—

''(i) possession, manufacture, and distribution of child pornography;

''(ii) online enticement of children for sexual acts;

''(iii) child prostitution;

''(iv) sex tourism involving children;

''(v) extrafamilial child sexual molestation;

''(vi) unsolicited obscene material sent to a child;

''(vii) misleading domain names; and

''(viii) misleading words or digital images on the Internet;

and subsequently to transmit such reports, including relevant images and information, to the appropriate international, Federal, State or local law enforcement agency for investigation;

''(Q) work with law enforcement, Internet service providers, electronic payment service providers, and others on methods to reduce the distribution on the Internet of images and videos of sexually exploited children;

''(R) operate a child victim identification program in order to assist the efforts of law enforcement agencies in identifying victims of child pornography and other sexual crimes; and

''(S) develop and disseminate programs and information to the general public, schools, public officials, youth-serving organizations, and nonprofit organizations, directly or through grants or contracts with public agencies and public and private nonprofit organizations, on—

''(i) the prevention of child abduction and sexual exploitation; and

''(ii) internet safety.'', and

(2) in paragraph (2) by striking ''$20,000,000'' and all that follows through ''2008'', and inserting ''$40,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2013''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 408(a) of the Missing Children's Assistance Act (42 U.S.C. 5777(a)) is amended by striking ''2007 through 2008'' and inserting ''2008 through 2013''.

SEC. 5. REPEALER.

The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(1) by striking section 407, and

(2) by redesignating section 408 as section 407.

SEC. 6. REPORT.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall, not later than 180 days after the date of the enactment of this Act, in consultation with the National Center for Missing and Exploited Children and in coordination with the Federal Bureau of Investigation, submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes—

(1) a plan to scale the pilot program described in section 108 of the PROTECT Act of 2003 (Public Law 108–21), to serve youth-serving organizations nationwide, including but not limited to, the cost of such a program and the youth-serving organizations expected to participate in such program,

(2) the suggested manner of program implementation,

(3) the estimated number of organizations to be served,

(4) the estimated cost to the proposed organizations served, and

(5) any other information the Administrator considers necessary.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MCCARTHY of New York. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H.R. 2517 into the RECORD.

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

There was no objection.

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

(Mrs. MCCARTHY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MCCARTHY of New York. Mr. Speaker, today I rise with my colleague, the gentleman from Texas (Mr. LAMPSON), the sponsor of H.R. 2517, the Protecting Our Children Comes First Act, and urge my colleagues to support the reauthorization of the Missing Children's Assistance Act.

I want to thank my colleague, Mr. LAMPSON, for his continued leadership on this issue. Mr. LAMPSON is founder of the Missing Children's Caucus and has worked tirelessly to support the National Center for Missing and Exploited Children. His passion for protecting our Nation's children inspires others to get involved and work to create safe places for our young people, including on the Internet.

This bipartisan reauthorization continues the work of the Department of Justice Office of Juvenile Justice and Delinquency Prevention Child Protection Division's missing and exploited children's programs, including funding for the National Center for Missing and Exploited Children.

Furthermore, this legislation continues the authorization for National Incidence Studies, known as ''NISMART.'' According to CRS, the first NISMART study ''provided the first nationally representative, comprehensive data on the incidence of missing children.'' The second NISMART study resolved some methodological challenges of the first study, and included runaway or throwaway children as well.

These studies have helped law enforcement, Federal agencies, and nonprofits in their work to prevent children from going missing or to help children get home. Missing children are some of our most vulnerable young people, and this work is critical in protecting this population.

This legislation works to help protect not only children who go missing, but it also works to protect our children who are sexually exploited, a horrendous thought for any of us to consider, and yet it is part of our reality.

The National Center for Missing and Exploited Children serves not only as a national clearinghouse and resource center on missing children but also serves that same purpose for exploited children. Among multiple programs, NCMEC operates as a CyberTipline for tips and leads on child sexual exploitation.

The CyberTipline allows for citizens and electronic communication providers to report incidents of various types of child exploitation, including online enticement of children for sexual acts, child prostitution, and child pornography. This reauthorization expands the reach of the CyberTipline to include categories of exploitation that connect with new technologies or activities.

I want to share a success story from the Child Victim Identification Program at NCMEC. This program reviews child pornography to gain clues that will lead to the identification of a child.

In this particular case in 2005, those reviewing these horrendous images also found images of a young boy partially clothed, including a photo of him in his Boy Scout uniform. They were able to read the patches on his uniform and discovered he was in the Nassau County Boy Scout Council, which I represent here in this Congress. The program has set procedure which led them to contacting law enforcement, who identified this child and later arrested a suspect.

From this story, there are two points I want to make. First, this program does wonderful, and yet very difficult, work to protect and save children who are being exploited. Secondly, these crimes happen everywhere.

Since its inception in 1984, NCMEC has received 173 reports of missing children in Nassau County, New York, and 4,319 for New York State. Of those 4,319 children who went missing, 4,146 were recovered.

H.R. 2517 strengthens the ability of the Department of Justice Office of Juvenile Justice and Delinquency Prevention and its programs, including the National Center for Missing and Exploited Children, to work to eradicate child pornography, guide efforts for online safety for children and unite families. These programs also support the work of law enforcement, including training law enforcement on multiple issues around missing, runaway, throwaway and sexually exploited children.

The Federal Bureau of Investigation, the United States Marshals, the United States Postal Inspectors, and the Bureau of Immigration and Customs Enforcement all have detainees at the National Center for Missing and Exploited Children.

Until all children are safe from predators in our society, this work must continue and we must reauthorize the Missing Children's Assistance Act.

Before I close, I want to thank the staff who worked on this reauthorization: Abby Shannon in Mr. LAMPSON's office, Deborah Kookbeck, Ruth Friedman, Denise Forte of the majority staff of the Committee on Education and Labor, and Kirsten Duncan and Susan Ross on the minority staff of the Committee on Education and Labor.

H.R. 2517 is bipartisan effort and I urge my colleagues to support the passage of this bill.

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

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

Mr. Speaker, I rise today in support of H.R. 2517, the Protecting Our Children Comes First Act of 2007, which will amend the Missing Children's Assistance Act to authorize appropriations and for other purposes, and I want to commend both the gentleman from Texas (Mr. LAMPSON) and the gentlewoman from New York (Mrs. MCCARTHY), the chairwoman, for their leadership on this issue at the committee level and with the sponsorship of the legislation. And also on my side of the aisle, I commend the gentlewoman from Illinois (Mrs. BIGGERT) who will be speaking shortly for her leadership on this very important issue.

□ 1345

Every year, thousands of children are abducted or go missing. In 1984, Congress recognized the need for greater coordination of local, State, and Federal efforts to recover these children, and established the Missing and Exploited Children's Program under the Missing Children's Assistance Act. This act addresses the needs of missing, abducted, and sexually exploited children. The program was created to coordinate and support various Federal missing children's programs through the Department of Justice's Office of Juvenile Justice and Delinquency Prevention, OJJDP, and includes the authorization for the National Center for Missing and Exploited Children.

The National Center is a not-for-profit corporation mandated by Congress which works in partnership with the Department of Justice. The center is funded in part by Congress and in part by the private sector and serves as the national resource center and clearinghouse for information on missing and exploited children. The National Center carries out many of the objectives of the Missing Children's Assistance Act in collaboration with the Office of Juvenile Justice and Delinquency Prevention. The National Center provides assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally. While the National Center receives leads on abducted, runaway, and sexually exploited youth and disseminates this information to various investigative law enforcement units, the center

itself does not conduct the investigation of these cases.

The National Center's Federal funding supports specific operational functions mandated by Congress, including a national 24-hour toll-free hot line; a distribution system for missing child photos; a system of case management and technical assistance to law enforcement and families; training programs for Federal, State and local law enforcement; and programs designed to help stop the sexual exploitation of children.

Today, more missing children come home safely than ever before; however, there is still important work to be done. Hundreds of children still do not make it home each year, and many more continue to be victimized by acts of violence. In fact, children are the most victimized segment of our society and crimes committed against children of all ages are the most underreported of any victim category.

The National Center for Missing and Exploited Children has worked with law enforcement on more than 133,000 missing child cases, and has played a role in reuniting more than 115,000 children with their families. With a 96.2 percent recovery rate, up from 62 percent in 1990, the National Center has analyzed more than 500,000 reports of crimes against children on the Internet and referred them to law enforcement, resulting in hundreds of arrests and successful prosecutions.

Today, law enforcement is responding more swiftly and effectively to reports of missing children. There is a national network in place, and parents are more alert, more aware, and talking to their children about their safety. With the changes made through this legislation, the Missing Children's Assistance Act and the National Center for Missing and Exploited Children will continue their important efforts focused on protecting our vulnerable missing children.

Again, I thank the gentleman from Texas (Mr. LAMPSON) for his sponsorship of this bill.

I reserve the balance of my time.

Mrs. MCCARTHY of New York. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from Texas (Mr. LAMPSON) who has been certainly at the forefront on trying to protect our children. I thank him for his work.

Mr. LAMPSON. I thank Chairwoman MCCARTHY for the good work that she has done and for allowing me the time to participate in this legislation and to bring it to the floor of the House of Representatives. It is critically important.

My colleagues, I rise today to ask you all to join me in voting for H.R. 2517, the Protecting Our Children Comes First Act of 2007. This bill amends the Missing Children's Assistance Act to reauthorize the National Center for Missing and Exploited Children and the Department of Justice's missing and exploited children's program from 2008 to 2013.

Each year, thousands of children are abducted or removed from the control of a parent having legal custody without that parent's consent, under circumstances which immediately place the child in grave danger.

Recent video surfaced in Nevada, for example, of a young girl being molested time and time again. Our attention has also been captured by the mystery surrounding Baby Grace, another child who was murdered and put in a plastic box and dumped in Galveston, Texas, near my district. These gruesome acts remind us that we must do everything in our power to catch these creeps and protect our children.

Many missing children are at great risk of both physical harm and sexual exploitation, and in many cases parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts. Abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts. Growing numbers of children are the victims of child sexual exploitation increasingly involving new technology to access the Internet. Sex offenders pose a threat to children that increases as more offenders are released into the Nation's communities each year.

On May 24, I, along with my cochairs of the Congressional Missing and Exploited Children's Caucus, introduced H.R. 2517. Since its establishment in 1984, the National Center has assisted law enforcement with more than 137,600 missing child cases, resulting in the recovery of more than 120,300 children. The National Center's congressionally mandated CyberTipline, a reporting mechanism for child sexual exploitation, has handled more than 540,000 phone calls and leads.

We are fortunate that this Nation has a national resource center and clearinghouse such as the National Center for Missing and Exploited Children which works in partnership with the Department of Defense, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, the Department of Homeland Security's Bureau of Immigration and Customs Enforcement, the United States Secret Service, and many other agencies in the effort to find missing children and prevent child victimization. The National Center operates a national and increasingly worldwide network and serves as a model for many other nations which are creating similar nonprofits.

The National Center provides activities and services concerning missing children, including those abducted to or from the United States; exploited children; training and technical assistance; families of missing children; and partnerships with State clearinghouses, the private sector, as well as children's organizations. It is a primary component of the Department of Justice's missing and exploited children's program and employs over 300 people at its Alexandria, Virginia headquarters and its regional offices in California, Florida, Kansas, New York, and South Carolina. These regional offices provide case management and technical support in their geographic areas. And the Austin, Texas office is scheduled to open in the very near future.

I would at this time like to recognize those staffers who have worked so diligently in bringing this legislation to fruition: Committee on Education and Labor staffers Denise Forte, Deborah Koolbeck, and Ruth Friedman; Congresswoman JUDY BIGGERT'S staffperson Brian Colgan; and my staffers, Dan Easley and Abby Shannon. I would also like to extend a thank you to my very strong Republican colleague and fellow caucus cochair, JUDY BIGGERT, for championing this legislation and so much other similar legislation on her side of the aisle and for being such a tremendous benefit to America's children. I want to especially thank Chairwoman MCCARTHY. She herself is the victim of family violence. She lost her husband in a violent crime. And Chairman MILLER for moving this legislation out of committee, and for their commitment and leadership to provide safety and security to America's children on playgrounds and on the Internet. And Mr. Ernie Allen, the president and CEO of the National Center; and Robbie Callaway, the president and CEO of the Boys and Girls Clubs. And John and Reve Walsh, who have been with me all day today working on this legislation. They cofounded the National Center for Missing and Exploited Children, and they have been fighting the good fight since the tragic abduction and murder of their son Adam in July of 1981. Their courage and their strength, which has done so much to help millions of children throughout the world, is extraordinary. Speaking on behalf of other parents and grandparents, we owe them our gratitude, and we thank you.

Again, I strongly urge my colleagues to support this much-needed legislation. It is time that we all step up to protect our children by authorizing resources for the National Center for Missing and Exploited Children so children are safer on and off the Internet, where they are free to learn and grow. Thank you all. I look forward to the support for this legislation.

Mr. PLATTS. I yield 4 minutes to the gentlelady from Illinois (Mrs. BIGGERT), who as has been referenced has been a true champion for protecting our Nation's children.

Mrs. BIGGERT. I thank the gentleman for yielding. And, Mr. Speaker, I rise today to express my strong support for H.R. 2517, the Protecting Our Children Comes First Act of 2007. I was very pleased to be a cosponsor of this important bill which reauthorizes the National Center for Missing and Exploited Children through fiscal year 2013.

I would like to take a moment to thank my fellow cochair of the Congressional Missing and Exploited Children's Caucus and sponsor of the bill, Representative LAMPSON, for his hard work on child protection issues, and Chairwoman MCCARTHY for her work in leading this bill through the committee.

It seems like every time I open the newspaper, I read another story of a child that has been abducted or has been sexually abused by a sexual predator. Naperville, Illinois, in my district, a city that has twice been voted by Money Magazine as the top city in the nation to raise children, has alone experienced over 30 cases in the last 4 years involving online sexual solicitation of a child. Clearly, more can and must be done on this issue. This problem is not regional. It is not isolated to big cities. It is not isolated to rural communities. This is a real national problem that will not go away until we give organizations like the National Center for Missing and Exploited Children the tools and the resources they need to fulfill their mission and protect our children from current and emerging threats.

Since authorized by Congress in 1984, NCMEC has been extremely successful in this mission. In fact, NCMEC has received nearly 2.3 million telephone calls, printed and distributed nearly 43 million publications, trained 231,000 law enforcement, criminal justice, and health professionals, worked more than 136,000 missing children cases, and, perhaps most importantly, played a role in reuniting more than 118,700 children with their families. In fact, the National Center's child recovery rate is an impressive 96.3 percent.

For generations, the message was simple. Parents told their children that they should never talk to strangers. My parents told me and I told my children. But times have changed. There are more threats to our children today, and our message must change with technology. Similarly the role of the National Center has changed.

This is why we need this bill passed on the floor today, to expand the National Center's congressionally mandated mission to include recent enhancements in technology and give them the resources to address these and other protective issues.

I urge my colleagues to support this bill.

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

Mr. PLATTS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today in support of H.R. 2517, the Protecting Our Children Comes First Act of 2007.

The National Center for Missing and Exploited Children does invaluable work for our Nation, and I was proud to cosponsor this bill reauthorizing the funding. We should commend Representative LAMPSON for sponsoring this very important bill.

When a child is missing, the center is often the only source of hope to families. This hope is rooted in the incredible success that the center has had in fulfilling its mission, which is to help prevent child abduction and sexual exploitation as well as finding missing children.

Since 1984, the center has helped law enforcement with more than 135,800 cases, resulting in recovery of more than 118,700 children. The services provided by the center never shined more brightly than during one of our country's darkest hours, the aftermath of Hurricane Katrina. Amidst the chaos and destruction in New Orleans and the gulf coast, the center played a critical role in helping children return to their families. If you take a moment to look at the center's Web site, you will see success story after success story about children being reunited with parents and loved ones after harrowing experiences in the storm. For those who had already been through so much, the work of the National Center for Missing and Exploited Children was truly a godsend.

□ 1400

I only regret that this bill did not go through committee so that valuable amendments could have been offered. If this bill had been marked up, I would have taken that chance to insert language from the Audrey Nerenberg Act, H.R. 271, which I introduced.

The Audrey Nerenberg Act would expand the center's mission to aid in the recovery of missing adults who have been certified with a mental capacity of less than 18 years of age. That bill is named after Audrey Lynn Nerenberg, who went for a walk on July 15, 1977, and never came back. She was just 10 months past her 18th birthday and has been missing for 30 years without a trace. Audrey suffered from mental illness, and although she was ill, the 18-year-old was not searched for in a way that a missing 8-year-old would have been.

While I'm disappointed that this amendment could not be offered, I certainly continue to support the bill that's before us and the fine work of the National Center for Exploited and Missing Children.

Mrs. MCCARTHY of New York. I have the right to close.

Mr. PLATTS. Mr. Speaker, I have no more speakers. I will just urge a ''yes'' vote and again commend the Members and staff who have worked diligently on bringing this legislation to the floor, and look forward to its passage.

I yield back the balance of my time.

Mrs. MCCARTHY of New York. Mr. Speaker, in closing, I want to thank Mr. LAMPSON again for his leadership on this important reauthorization which works to keep our Nation's children safe. And I want to also thank my ranking member of the Subcommittee on Healthy Families and Communities, Mr. PLATTS, for his continued dedication to our work on the subcommittee.

I chair the Subcommittee on Healthy Families and Communities for the Committee on Education and Labor, and each member of this subcommittee is committed to helping the children of this Nation.

Our jurisdiction has led us to dealing with some of the most upsetting and challenging issues around the welfare of our Nation's children. And this reauthorization is no exception.

None of us would like to even think about any children in our lives, whether it's our own children, our grandchildren, our nieces or our nephews, any child in our lives going through missing or being sexually exploited. This is why this reauthorization is so critical and why this reauthorization is a bipartisan endeavor.

Through cooperation with the municipal Federal agencies, the National Center for Missing and Exploited Children takes in an average of 258 calls per day to national hotlines. It has received 5,422 tips through the CyberTipline, and has worked with countless families and organizations to raise awareness and bring children to safety. This work would not have been possible without our work here today in reauthorizing the Missing Children's Assistance Act through H.R. 2517 sponsored by my colleague from Texas, Mr. LAMPSON.

I urge each Member to support this reauthorization. We, as a Nation, can do better to protect our children. And with that, I hope all of my colleagues will certainly vote for this.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 2517, the Protecting Our Children Comes First Act of 2007, introduced by my good friend and colleague Congressman LAMPSON. I would like to thank him for his ongoing commitment to the extremely important issue of protecting our children, and I would also like to thank Chairman MILLER for his leadership in guiding this legislation through the Committee on the Education and Labor. I am extremely proud to join over 90 of my colleagues in cosponsoring this crucial, bipartisan legislation.

Mr. Speaker, the Protecting our Children Comes First Act of 2007 reauthorizes the Missing Children's Assistance Act through FY 2013, and it will increase federal resources for protecting and assisting missing children and their families. This legislation will provide the resources to ensure that the National Center for Missing and Exploited Children can continue its important work to combat child abduction and exploitation.

As Chair of the Congressional Children's Caucus, I have been an outspoken advocate for the protection of our children against all predators, be it disease, natural disasters, or sexual deviants. While we may not be able to avoid natural disasters, there is nothing but a lack of political will and Congressional action that prevents us from protecting our children from known sexual predators. I am appalled that while the Department of Justice knows

the location of hundreds of thousands of sexual predators that prey on our Nation's children within the U.S. at this very moment, the Department of Justice has consistently refused to take action or ask Congress for help despite the fact that law enforcement is investigating less than 2 percent of this criminal activity. I applaud this important piece of legislation for the accountability it will create by building the largest law enforcement army ever created for the protection of children.

While the child exploitation industry is global in scale, the majority of both supply and demand is based right here, within the United States. Due to the lack of attention to this issue by the Department of Justice, it is hard to quantify the number of child pornography traffickers that are involved in this gross violation of our children's rights; the best estimates are that this practice involves 485,000 perpetrators in the United States alone. A 2005 Justice Department study found that:

80 percent of child pornography possessors have images and videos depicting sexual penetration.

Twenty percent of child pornography possessors have images of bondage, sadistic abuse, and torture.

Eighty-three percent of child pornography possessors have images of children aged 6–12.

Nineteen percent of child pornography possessors have images of infants or toddlers.

Only 1 percent of child pornography possessors restricted their "collecting" to images of nude children.

Law enforcement reports of websites providing live "pay-per-view" rape of very young children.

Mr. Speaker, we must act now to protect our children from these atrocities and this legislation is an important first step in doing so. The National Center for Missing and Exploited Children's® (NCMEC) mission is to help prevent child abduction and sexual exploitation; help find missing children; and assist victims of child abduction and sexual exploitation, their families, and the professionals who serve them. Established in 1984, NCMEC is a nonprofit organization that provides crucial services nationwide for families and professionals in the prevention of abducted, endangered, and sexually exploited children.

Mr. Speaker, as technology continues to evolve, there are continuously a new range of tools available to NCMEC to employ in its important work. In recent years, the Center's workload has expanded exponentially, largely due to the growth of the Internet. Ernie Allen, president and CEO of the National Center for Missing and Exploited Children, stated that it anticipates in excess of 110,000 reports through the CyberTipline, which the public may use to report Internet-related child sexual exploitation, and provides technical assistance to individuals and law-enforcement agencies in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children, among other tasks. This is an increase of around 3,500 from last year.

Mr. Speaker, the National Center for Missing and Exploited Children has proven a crucial tool in combating the exploitation and abduction of our Nation's children. It is vital that we continue to ensure that it continues to receive the funding that it needs to carry out its mission. This Congress has taken a firm stance on supporting legislation that protects our children, as can be seen by the passage of numerous pieces of legislation that binds our government to take meaningful action towards the protection of our children. I was a proud cosponsor of the PROTECT Our Children Act of 2007, introduced by my distinguished colleague from Florida, Representative WASSERMAN-SCHULTZ, which passed the House 415–2 last month. Our children are this Nation's most valuable asset and this legislation ensures that we will invest all the necessary resources to provide them the protection they deserve.

This legislation is imperative to ensuring the protecting our Nation's children by providing funding to those agencies with our children's best interest at heart. As the Chair of the Congressional Children's Caucus, a Representative of the people of the United States, and a mother of two, I am proud to support this legislation and I urge my colleagues to join me in supporting this legislation.

Mrs. MCCARTHY of New York. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. MCCARTHY) that the House suspend the rules and pass the bill, H.R. 2517, 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.

Mrs. MCCARTHY of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SECURING ADOLESCENTS FROM EXPLOITATION-ONLINE ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3791) to modernize and expand the reporting requirements relating to child pornography, to expand cooperation in combating child pornography, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3791

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 "Securing Adolescents From Exploitation-Online Act of 2007" or the "SAFE Act of 2007".

SEC. 2. REPORTING REQUIREMENTS OF ELECTRONIC COMMUNICATION SERVICE PROVIDERS AND REMOTE COMPUTING SERVICE PROVIDERS.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended by inserting after section 2258 the following:

"SEC. 2258A. REPORTING REQUIREMENTS OF ELECTRONIC COMMUNICATION SERVICE PROVIDERS AND REMOTE COMPUTING SERVICE PROVIDERS.

"(a) DUTY TO REPORT.—

"(1) IN GENERAL.—Whoever, while engaged in providing an electronic communication service or a remote computing service to the public through a facility or means of interstate or foreign commerce, obtains actual knowledge of any facts or circumstances described in paragraph (2) shall, as soon as reasonably possible—

"(A) complete and maintain with current information a registration with the CyberTipline of the National Center for Missing and Exploited Children, or any successor to the CyberTipline operated by such center, by providing the mailing address, telephone number, facsimile number, electronic mail address of, and individual point of contact for, such electronic communication service provider or remote computing service provider; and

"(B) make a report of such facts or circumstances to the CyberTipline, or any successor to the CyberTipline operated by such center.

"(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances that appear to indicate a violation of—

"(A) section 2251, 2251A, 2252, 2252A, 2252B, or 2260 that involves child pornography; or

"(B) section 1466A.

"(b) CONTENTS OF REPORT.—To the extent available to an electronic communication service provider or a remote computing service provider, each report under subsection (a)(1) shall include the following information:

"(1) INFORMATION ABOUT THE INVOLVED INDIVIDUAL.—Information relating to the Internet identity of any individual who appears to have violated a Federal law in the manner described in subsection (a)(2), which shall, to the extent reasonably practicable, include the electronic mail address, website address, uniform resource locator, or any other identifying information, including self-reported identifying information.

"(2) HISTORICAL REFERENCE.—Information relating to when any apparent child pornography was uploaded, transmitted, reported to, or discovered by the electronic communication service provider or remote computing service provider, as the case may be, including a date and time stamp and time zone.

"(3) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual, hosting website, or uniform resource locator, which shall include the Internet Protocol Address or verified billing address, or, if not reasonably available, at least one form of geographic identifying information, including area code or zip code. The information shall also include any self-reported geographic information.

"(4) IMAGES OF APPARENT CHILD PORNOGRAPHY.—Any image of any apparent child pornography relating to the incident such report is regarding.

"(5) COMMINGLED IMAGES.—Any images, data, or other digital files (collectively referred to as 'digital files') which are commingled or interspersed among the images of apparent child pornography. If it would impose an undue hardship to provide these commingled digital files as part of the report, because of the volume of the digital files or for other reasons, the reporting company shall, in lieu of providing those digital files, inform the CyberTipline of the existence of such digital files, and retain those digital files as if they were part of the report as required pursuant to subsection (h).

"(c) FORWARDING OF REPORT TO LAW ENFORCEMENT.—

"(1) IN GENERAL.—The National Center for Missing and Exploited Children shall forward each report made under subsection (a)(1) to any appropriate law enforcement agency designated by the Attorney General under subsection (d)(2).

''(2) STATE AND LOCAL LAW ENFORCEMENT.—The National Center for Missing and Exploited Children may forward any report made under subsection (a)(1) to an appropriate official of a State or political subdivision of a State for the purpose of enforcing State criminal law.

''(3) FOREIGN LAW ENFORCEMENT.—The National Center for Missing and Exploited Children may forward any report made under subsection (a)(1) to any appropriate foreign law enforcement agency designated by the Attorney General under subsection (d)(3), subject to the conditions established by the Attorney General under subsection (d)(3).

''(d) ATTORNEY GENERAL RESPONSIBILITIES.—

''(1) IN GENERAL.—The Attorney General shall enforce this section.

''(2) DESIGNATION OF FEDERAL AGENCIES.—The Attorney General shall designate promptly the Federal law enforcement agency or agencies to which a report shall be forwarded under subsection (c)(1).

''(3) DESIGNATION OF FOREIGN AGENCIES.—The Attorney General shall promptly—

''(A) designate the foreign law enforcement agencies to which a report may be forwarded under subsection (c)(3);

''(B) establish the conditions under which such a report may be forwarded to such agencies; and

''(C) develop a process for foreign law enforcement agencies to request assistance from Federal law enforcement agencies in obtaining evidence related to a report referred under subsection (c)(3).

''(e) FAILURE TO REPORT.—An electronic communication service provider or remote computing service provider that knowingly and willfully fails to make a report required under subsection (a)(1) shall be fined—

''(1) in the case of an initial knowing and willful failure to make a report, not more than $150,000; and

''(2) in the case of any second or subsequent knowing and willful failure to make a report, not more than $300,000.

''(f) PROTECTION OF PRIVACY.—Nothing in this section shall be construed to require an electronic communication service provider or a remote computing service provider to—

''(1) monitor any user, subscriber, or customer of that provider;

''(2) monitor the content of any communication of any person described in paragraph (1); or

''(3) affirmatively seek facts or circumstances described in subsection (a)(2).

''(g) CONDITIONS OF DISCLOSURE INFORMATION CONTAINED WITHIN REPORT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a law enforcement agency that receives a report under subsection (c) shall not disclose any information contained in that report.

''(2) PERMITTED DISCLOSURES.—A law enforcement agency may disclose information in a report received under subsection (c)—

''(A) to an attorney for the government for use in the performance of the official duties of that attorney;

''(B) to such officers and employees of that law enforcement agency, as may be necessary in the performance of their investigative and recordkeeping functions;

''(C) to such other government personnel (including personnel of a State or subdivision of a State) as are determined to be necessary by an attorney for the government to assist the attorney in the performance of the official duties of the attorney in enforcing Federal criminal law;

''(D) if the report discloses a violation of State criminal law, to an appropriate official of a State or subdivision of a State for the purpose of enforcing such State law;

''(E) to a defendant in a criminal case or the attorney for that defendant, to the extent the information relates to a criminal charge pending against that defendant;

''(F) to an electronic communication service provider or remote computing provider if necessary to facilitate response to legal process issued in connection to that report. The electronic communication service provider or remote computing service provider shall be prohibited from disclosing the contents of that report to any person, except as necessary to respond to the legal process; and

''(G) as ordered by a court upon a showing of good cause and pursuant to any protective orders or other conditions that the court may impose.

''(h) EVIDENCE PRESERVATION.—

''(1) IN GENERAL.—For the purposes of this section, the notification to an electronic communication service provider or a remote computing service provider by the CyberTipline of receipt of a report under subsection (a)(1) shall be treated as notice to preserve, as if such notice was made pursuant to section 2703(f).

''(2) PRESERVATION OF REPORT.—Pursuant to subsection (h)(1), an electronic communication service provider or a remote computing service shall preserve the contents of the report provided pursuant to subsection (b) as well as the information in subsection (c)(2) of section 2703 pertaining to the involved individual for not less than 180 days after such notification by the CyberTipline.

''(3) AUTHORITIES AND DUTIES NOT AFFECTED.—Nothing in this section shall be construed as replacing, amending, or otherwise interfering with the authorities and duties under section 2703.

"SEC. 2258B. LIMITED LIABILITY FOR ELECTRONIC COMMUNICATION SERVICE PROVIDERS, REMOTE COMPUTING SERVICE PROVIDERS, OR DOMAIN NAME REGISTRAR.

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), a civil claim or criminal charge against an electronic communication service provider, a remote computing service provider, or domain name registrar, including any director, officer, employee, or agent of such electronic communication service provider, remote computing service provider, or domain name registrar arising from the performance of the reporting responsibilities of such electronic communication service provider, remote computing service provider, or domain name registrar under this section, section 2258A, or section 2258C may not be brought in any Federal or State court.

''(b) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Subsection (a) shall not apply to a claim if the electronic communication service provider, remote computing service provider, or domain name registrar, or a director, officer, employee, or agent of that electronic communication service provider, remote computing service provider, or domain name registrar—

''(1) engaged in intentional misconduct; or

''(2) acted, or failed to act—

''(A) with actual malice;

''(B) with reckless disregard to a substantial risk of causing injury without legal justification; or

''(C) for a purpose unrelated to the performance of any responsibility or function under this section, section 2258A, or section 2258C.

''(c) ORDINARY BUSINESS ACTIVITIES.—Subsection (a) shall not apply to an act or omission relating to an ordinary business activity of an electronic communication service provider, a remote computing service provider, or domain name registrar, including general administration or operations, the use of motor vehicles, or personnel management.

''(d) MINIMIZING ACCESS.—An electronic communication service provider, a remote computing service provider, and domain name registrar shall—

''(1) minimize the number of employees that are provided access to any image provided under section 2258A or 2258C; and

''(2) ensure that any such image is permanently destroyed, upon notification from a law enforcement agency.

"SEC. 2258C. USE OF IMAGES FROM THE CYBERTIPLINE TO COMBAT CHILD PORNOGRAPHY.

''(a) IN GENERAL.—The National Center for Missing and Exploited Children is authorized to provide elements relating to any image reported to its CyberTipline to an electronic communication service provider or a remote computing service provider for the sole and exclusive purpose of permitting that electronic communication service provider or remote computing service provider to stop the further transmission of images. Such elements may include unique identifiers associated with a specific image, Internet location of images, and other technological elements that can be used to identify and stop the transmission of child pornography.

''(b) USE BY ELECTRONIC COMMUNICATION SERVICE PROVIDERS AND REMOTE COMPUTING SERVICE PROVIDERS.—Any electronic communication service provider or remote computing service provider that receives elements relating to an image from the National Center for Missing and Exploited Children under this section may use such information only for the purposes described in this section, provided that such use shall not relieve that electronic communication service provider or remote computing service provider from its reporting obligations under section 2258A.

"SEC. 2258D. LIMITED LIABILITY FOR THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), a civil claim or criminal charge against the National Center for Missing and Exploited Children, including any director, officer, employee, or agent of such center, arising from the performance of the CyberTipline responsibilities or functions of such center, as described in this section, section 2258A or 2258C of this title, or section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773), or from the effort of such center to identify child victims may not be brought in any Federal or State court.

''(b) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Subsection (a) shall not apply to a claim or charge if the National Center for Missing and Exploited Children, or a director, officer, employee, or agent of such center—

''(1) engaged in intentional misconduct; or

''(2) acted, or failed to act—

''(A) with actual malice;

''(B) with reckless disregard to a substantial risk of causing injury without legal justification; or

''(C) for a purpose unrelated to the performance of any responsibility or function under this section, section 2258A or 2258C of this title, or section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773).

''(c) ORDINARY BUSINESS ACTIVITIES.—Subsection (a) shall not apply to an act or omission relating to an ordinary business activity, including general administration or operations, the use of motor vehicles, or personnel management.

''(d) MINIMIZING ACCESS.—The National Center for Missing and Exploited Children shall—

''(1) minimize the number of employees that are provided access to any image provided under section 2258A; and

''(2) ensure that any such image is permanently destroyed upon notification from a law enforcement agency.

''SEC. 2258E. DEFINITIONS.

''In sections 2258A through 2258D—

''(1) the terms 'attorney for the government' and 'State' have the meanings given those terms in rule 1 of the Federal Rules of Criminal Procedure;

''(2) the term 'electronic communication service' has the meaning given that term in section 2510;

''(3) the term 'electronic mail address' has the meaning given that term in section 3 of the CAN–SPAM Act of 2003 (15 U.S.C. 7702);

''(4) the term 'Internet' has the meaning given that term in section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note);

''(5) the term 'remote computing service' has the meaning given that term in section 2711; and

''(6) the term 'website' means any collection of material placed in a computer server-based file archive so that it is publicly accessible, over the Internet, using hypertext transfer protocol or any successor protocol.''.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF SUPERCEDED PROVISION.—Section 227 of the Crime Control Act of 1990 (42 U.S.C. 13032) is repealed.

(2) TABLE OF SECTIONS.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2258 the following:

''2258A. Reporting requirements of electronic communication service providers and remote computing service providers.

''2258B. Limited liability for electronic communication service providers and remote computing service providers.

''2258C. Use of images from the CyberTipline to combat child pornography.

''2258D. Limited liability for the National Center for Missing and Exploited Children.

''2258E. Definitions.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Members of the House, this measure, H.R. 3791, called the SAFE Act, will improve the ability of our law enforcement officers to investigate offenses involving child pornography and the exploitation of children by the Internet.

Under current law, Internet service providers are required to file a report to the cyber tip line of the National Center of Missing and Exploited Children when the provider learns of child pornography. The center serves as a clearinghouse for leads and sends the reports to law enforcement agencies around the United States and to the Federal Bureau of Investigation.

Unfortunately though, many Internet companies are unaware of these obligations, and the law is unclear as to the precise information that is required to be reported to the center. This bill addresses the aforementioned problems.

First, it facilitates the reporting of child pornography from Internet service providers to the center by clarifying the information that must be reported. Then it specifies the data that must be maintained by the reporting company for law enforcement purposes. And finally, it provides certain liability waivers for the center and Internet service providers for their roles in dealing with child pornography as required by law. Therefore, H.R. 3791 makes clear the precise reporting obligations of Internet providers and, in this way, will facilitate the investigation and prosecution of child pornography and other crimes against children that involve the Internet. I think this is an important measure.

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

Mr. FORBES. Mr. Speaker, I'd like to, at this time yield so much time as he may consume to the gentleman from Ohio, Congressman CHABOT, who was an original cosponsor of this legislation.

Mr. CHABOT. Mr. Speaker, I rise in support of H.R. 3791, the Securing Adolescents From Exploitation-Online Act of 2007. The bill's author, the distinguished gentleman from Texas (Mr. LAMPSON) and I have worked closely on several bills in strengthening our child protection laws.

I also want to thank Chairman CONYERS and also the gentleman from Virginia (Mr. FORBES) for their leadership in this area as well. And I'm pleased to be the principal cosponsor of this bill with Mr. LAMPSON, particularly as it provides law enforcement with better information to fight the despicable act of child pornography.

We don't have to look any further than our homes and our communities to see that predators are threatening and victimizing our children with just a simple click. The Internet, while providing a world of opportunity to our children, has also contributed to a worldwide expansion of child pornography enabling predators to more easily abuse, exploit and prey on our most precious items, and that's our children.

H.R. 3791 builds on the investigative tools already in place under the leadership of the National Center for Missing and Exploited Children. Through the CyberTipline, the center plays a critical role interfacing between Federal, State and foreign law enforcement and the public, providing valuable information in ongoing investigations.

H.R. 3791 recognizes that advances in technology have made electronic communication service providers the first line of defense against crimes against children, possessing the real-time information critical to child pornography investigations. By requiring electronic communication service providers to report this information to the CyberTipline as soon as reasonably possible and maintain this information for an investigation, this act, the SAFE Act, is giving Federal, State and foreign law enforcement and prosecutors a fighting chance to put these criminals away, no matter where they are located.

And one of the things that I found out in doing investigations into this particular area was the shocking fact that there are only 50 nations, including the United States, where child pornography is illegal. Fifty nations. There are 184 nations around the world where it's perfectly legal to have, possess, to convey child pornography. So that's something that I think we need to have some focus and some attention directed upon, how much of the world, and that stuff gets in here through the Internet. It may be in China, it may be in Pakistan, it may be somewhere else, but it can be on our computers in our living rooms with our children very quickly, so we need to do a much better job on that, too.

But I want to again thank Mr. LAMPSON for his leadership in this area, and I again want to urge my colleagues to support H.R. 3791 today.

Mr. CONYERS. Mr. Speaker, I'm pleased now to recognize again NICK LAMPSON of Texas for the great work he has done in this area. I yield him as much time as he may consume.

But I do want to mention STEVE CHABOT of the Judiciary Committee, who has worked with us all in the creation of this legislation.

Mr. LAMPSON. Mr. Speaker, I thank the honorable Mr. CONYERS from Michigan for yielding me the time and for the great work that you've done on the Judiciary Committee and particularly on this particular issue, and I thank you for letting me be a part of this.

And for Mr. CHABOT, the work that he has done on not just this, but other legislation having to do with child safety, child protection.

I rise today to ask my colleagues to join me in voting for H.R. 3791, the Securing Adolescents From Exploitation-Online Act of 2007. This bill modernizes and expands the reporting requirements relating to child pornography and expands cooperation in combating child pornography.

Stories of Internet predators preying on innocents making their way into our children's bedrooms with the simple click of a mouse, and they're seen and heard all too often in our media. The age of sweet 16 used to be about parties and learning to drive, but now it marks the threshold of Internet freedom. Popular social networking Web sites allow profiles to be public, providing predators with an encyclopedia

of pictures, personal interests and even addresses, which they can be used, or they can use to cause harm.

Well, this dangerous trend has become a feeding ground for pedophiles and convicted sex offenders. Parents, law enforcement and legislators must work together to bring social networking Web sites into the fight to protect America's children. And I've joined with one of my cochairs of the Missing and Exploited Children's Caucus, I just mentioned Mr. CHABOT, in introducing the Securing Adolescents From Exploitation-Online, the SAFE Act.

The SAFE Act provides increased resources for law enforcement to capture and prosecute and incarcerate these criminals. By expanding the system for service providers to report child pornography found on the systems, we improve child safety and prevent future atrocities.

Currently, Internet service providers are mandated to report child pornography to the National Center for Missing and Exploited Children. Under the SAFE Act, all electronic service communications providers and remote computing service providers will have to report child pornography. For knowingly and willingly not filing a report after being made aware of a child pornography image, these providers will be subject to increased fines of $150,000 per image per day for the first offense and up to $300,000 per image per day for any image found thereafter.

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This bill will also increase the efficiency of the CyberTipline, making it a better investigative tool for law enforcement by mandating that all information submitted by providers is consistent. The process outlined in this bill keeps law enforcement officials in the loop by making information more readily accessible and requires providers to retain key data that law enforcement agencies can use to investigate and prosecute child predators.

Over 10 years ago, I created the bipartisan Congressional Caucus on Missing and Exploited Children after a young girl in my district was kidnapped and murdered. And since then, I have continued to work extensively with organizations such as the National Center for Missing and Exploited Children on educating Members of Congress and others on legislation such as the SAFE Act that strengthen the National Center's ability to keep children safer online and on our streets.

Many of us have watched Dateline's popular series ''To Catch a Predator,'' and organizations such as Perverted Justice that actively look for Internet child predators. We need to become partners in this fight by talking with our children about the dangers of strangers online and making Internet use a family activity.

While parents should teach their children that the Internet may offer many different types of resources, from entertainment to educational, it also poses many risks. Parents are the first line of defense against online predators, and the SAFE Act will reinforce their efforts.

Internet companies will need to do their part as well. When we begin to hold Web sites accountable for the images that they host, we've taken the first step toward supporting parents in their efforts to protect children. Our combined efforts will help make the Internet a safer place.

I again want to thank and recognize some of the people who have worked so hard to make this legislation what it has become, those staffers who have worked diligently in bringing this legislation to fruition: Committee on Judiciary staffers Ted Kalo and Mark Dubester; Congressman STEVE CHABOT's staffer Kim Betz; and my staffers, Dan Easley and Abby Shannon, and a very special thank you to my distinguished Republican colleague, STEVE CHABOT, who has worked tirelessly on the issue of child safety, working with me as one of the cochairs of the Congressional Caucus on Missing and Exploited Children. I have great respect for the work that he has done here in Congress as well as for the work that he has done in his congressional district, and for championing this legislation on his side of the aisle and for helping to ensure that not only are Ohio's children protected but all of America's children are as well.

Once again, I would like to thank John and Reve Walsh for all the time that they have spent in helping us make this legislation successful, and Ernie Allen, who has spent, along with the Walshes, a good part of this day making sure that others of our colleagues were aware of it, and to be willing to support it. I thank them for their magnificent contribution that they've made to protecting children across this world, not just in the United States of America. It's because of their persistent dedication to this cause that so many of our children sleep more safely at night.

Again, I ask my colleagues to support H.R. 3791.

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

Mr. Speaker, I rise today to join those voices in support of H.R. 3791, the Securing Adolescents from Exploitation-Online Act of 2007, otherwise known as the SAFE Act.

Child pornography is a profitable, global criminal enterprise and is growing rapidly in technical sophistication in response to efforts to detect and disrupt these criminal operations. It is despicable in its scope and in its vicious victimization of children.

The Federal Bureau of Investigation estimates that 50,000 child predators are online at any time searching for potential victims. The Internet is a virtual playground for sexual predators, who satiate their desire for child pornography with relative anonymity.

H.R. 3791, the SAFE Act, would, first of all, strengthen the requirements applicable to Internet service providers to report violations of child pornography laws, and second, provide limited liability to ISPs, telecommunications carriers, and the National Center for Missing and Exploited Children in connection with the reporting to law enforcement agencies of child pornography violations.

This legislation is a good first step in addressing the problem of child pornography. However, there is much more that needs to be done. In February 2007, Judiciary Committee Ranking Member SMITH and I introduced H.R. 837, the Internet SAFETY Act of 2007, a comprehensive proposal to provide law enforcement with the tools and resources needed to deal with the problem of child pornography. Unfortunately, the majority has chosen not to consider this vital proposal. I am hopeful that the majority will bring H.R. 837 up for consideration by the Judiciary Committee and then to the House floor.

Our children deserve as much protection as we can provide. They are vulnerable victims of the child pornography industry. We need to do more. A first step is good, but we cannot stop here. We must keep moving forward to keep our children safe.

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

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

The SPEAKER pro tempore (Mr. ROSS). The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 3791, 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. CONYERS. 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.

MANAGING ARSON THROUGH CRIMINAL HISTORY (MATCH) ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1759) to establish guidelines and incentives for States to establish arsonist registries and to require the Attorney General to establish a national arsonist registry and notification program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1759

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 ''Managing Arson Through Criminal History (MATCH) Act of 2007''.

SEC. 2. ARSONIST REGISTRATION AND NOTIFICATION PROGRAM.

(a) REGISTRY REQUIREMENTS FOR JURISDICTIONS.—

(1) JURISDICTION TO MAINTAIN A REGISTRY.—Each jurisdiction shall establish and maintain a jurisdiction-wide arsonist registry conforming to the requirements of this section.

(2) GUIDELINES AND REGULATIONS.—The Attorney General shall issue guidelines and regulations to interpret and implement this section.

(b) REGISTRY REQUIREMENTS FOR CRIMINAL ARSONISTS.—

(1) IN GENERAL.—A criminal arsonist shall register, and shall keep the registration current, in each jurisdiction where the arsonist resides, where the arsonist is an employee, and where the arsonist is a student. For initial registration purposes only, a criminal arsonist shall also register in the jurisdiction in which convicted if such jurisdiction is different from the jurisdiction of residence.

(2) INITIAL REGISTRATION.—The criminal arsonist shall initially register—

(A) before completing a sentence of imprisonment with respect to the offense giving rise to the registration requirement; or

(B) not later than 5 business days after being sentenced for that offense, if the criminal arsonist is not sentenced to a term of imprisonment.

(3) KEEPING THE REGISTRATION CURRENT.—A criminal arsonist shall, not later than 10 business days after each change of name, residence, employment, or student status, appear in person in at least one jurisdiction involved pursuant to paragraph (1) and inform that jurisdiction of all changes in the information required for that arsonist in the arsonist registry involved. That jurisdiction shall immediately provide the revised information to all other jurisdictions in which the arsonist is required to register.

(4) APPLICATION OF REGISTRATION REQUIREMENTS.—

(A) IN GENERAL.—Except as provided in guidelines under subparagraph (B), the requirements of this section, including the duties to register and to keep a registration current, shall apply only to a criminal arsonist who was convicted of a criminal offense involving arson on or after the date of the enactment of this Act, and who was notified of such duties and registered in accordance with subsection (f).

(B) APPLICATION TO CRIMINAL ARSONISTS UNABLE TO COMPLY WITH PARAGRAPH (2).—

(i) GUIDELINES.—The Attorney General shall establish guidelines in accordance with the provisions of this subparagraph for each jurisdiction for the application of the requirements of this section to criminal arsonists convicted before the date of the enactment of this Act or the date of its implementation in such a jurisdiction, and shall prescribe rules for the registration of any such criminal arsonists who are otherwise unable to comply with paragraph (2).

(ii) INFORMATION REQUIRED TO BE INCLUDED IN REGISTRY.—With respect to each criminal arsonist described in clause (i) convicted during the 10-year period preceding the date of the enactment of this Act, the guidelines under clause (i) shall provide for the inclusion in the arsonist registry of each applicable jurisdiction (and, in accordance with subsection (j), the provision by such jurisdiction to each entity described in such subsection) of the following information:

(I) The name of the arsonist (including any alias used by the arsonist).

(II) The Social Security number of the arsonist.

(III) The most recent known address of the residence at which the arsonist has resided.

(IV) A physical description of the arsonist.

(V) The text of the provision of law defining the criminal offense related to arson for which the arsonist is convicted.

(VI) A set of fingerprints and palm prints of the arsonist.

(VII) A photocopy of a valid driver's license or identification card issued to the arsonist by a jurisdiction, if available.

(VIII) Any other information required by the Attorney General.

(iii) NOTICE REQUIRED.—The guidelines under clause (i) shall provide notice to each criminal arsonist included in an arsonist registry pursuant to this subparagraph of such inclusion.

(5) STATE PENALTY FOR FAILURE TO COMPLY.—Each jurisdiction, other than a Federally recognized Indian tribe, shall provide a criminal penalty that includes a maximum term of imprisonment that is greater than one year for the failure of a criminal arsonist to comply with the requirements of this section.

(6) AUTHORITY TO EXEMPT CERTAIN CRIMINAL ARSONISTS FROM REGISTRY REQUIREMENTS.—A jurisdiction shall have the authority to exempt a criminal arsonist who has been convicted of the offense of arson in violation of the laws of the jurisdiction in which the offense was committed or the United States for the first time from the registration requirements under this section in exchange for such arsonist's substantial assistance in the investigation or prosecution of another person who has committed an offense. The Attorney General shall assure that any regulations promulgated under this section include guidelines that reflect the general appropriateness of exempting such an arsonist from the registration requirements under this section.

(c) INFORMATION REQUIRED IN REGISTRATION.—

(1) PROVIDED BY THE ARSONIST.—A criminal arsonist shall provide the following information to the appropriate official for inclusion in the arsonist registry of a jurisdiction in which such arsonist is required to register:

(A) The name of the arsonist (including any alias used by the arsonist).

(B) The Social Security number of the arsonist.

(C) The address of each residence at which the arsonist resides or will reside.

(D) The name and address of any place where the arsonist is an employee or will be an employee.

(E) The name and address of any place where the arsonist is a student or will be a student.

(F) The license plate number and a description of any vehicle owned or operated by the arsonist.

(G) Any other information required by the Attorney General.

(2) PROVIDED BY THE JURISDICTION.—The jurisdiction in which a criminal arsonist registers shall ensure that the following information is included in the registry for such arsonist:

(A) A physical description of the arsonist.

(B) The text of the provision of law defining the criminal offense for which the arsonist is registered.

(C) The criminal history of the arsonist, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status; and the existence of any outstanding arrest warrants for the arsonist.

(D) A current photograph of the arsonist.

(E) A set of fingerprints and palm prints of the arsonist.

(F) A photocopy of a valid driver's license or identification card issued to the arsonist by a jurisdiction.

(G) Any other information required by the Attorney General.

(d) DURATION OF REGISTRATION REQUIREMENT; EXPUNGING REGISTRIES OF INFORMATION FOR CERTAIN JUVENILE CRIMINAL ARSONISTS.—

(1) DURATION OF REGISTRATION REQUIREMENT.—A criminal arsonist shall keep the registration information provided under subsection (c) current for the full registration period (excluding any time the arsonist is in custody). For purposes of this subsection, the full registration period—

(A) shall commence on the later of the date on which the arsonist is convicted of an offense of arson in violation of the laws of the jurisdiction in which the offense was committed or the United States, the date on which the arsonist is released from prison for such conviction, or the date on which such arsonist is placed on parole, supervised release, or probation for such conviction; and

(B) shall be—

(i) five years for an arsonist who has been convicted of such an offense for the first time;

(ii) ten years for an arsonist who has been convicted of such an offense for the second time; and

(iii) for the life of the arsonist for an arsonist who has been convicted of such an offense more than twice.

(2) EXPUNGING REGISTRIES OF INFORMATION FOR CERTAIN JUVENILE CRIMINAL ARSONISTS.—

(A) IN GENERAL.—In the case of a criminal arsonist described in subparagraph (B), a jurisdiction shall expunge the arson registry of such jurisdiction of information related to such criminal arsonist as of the date that is 5 years after the last day of the applicable full registration period under paragraph (1).

(B) CRIMINAL ARSONIST DESCRIBED.—For purposes of subparagraph (A), a criminal arsonist described in this subparagraph is a criminal arsonist who—

(i) was a juvenile tried as an adult for the offense giving rise to the duty to register; and

(ii) was not convicted of any other criminal felony during the period beginning on the first day of the applicable full registration period under paragraph (1) and ending on the last day of the 5-year period described in subparagraph (A).

(C) APPLICATION TO OTHER DATABASES.—The Attorney General shall establish a process to ensure that each entity that receives information under subsection (j) with respect to a criminal arsonist described in subparagraph (B) shall expunge the applicable database of such information as of the date that is 5 years after the last day of the applicable full registration period under paragraph (1).

(e) ANNUAL VERIFICATION.—Not less than once in each calendar year during the full registration period, a criminal arsonist required to register under this section shall—

(1) appear in person at not less than one jurisdiction in which such arsonist is required to register;

(2) allow such jurisdiction to take a current photograph of the arsonist; and

(3) while present at such jurisdiction, verify the information in each registry in which that arsonist is required to be registered.

(f) DUTY TO NOTIFY CRIMINAL ARSONISTS OF REGISTRATION REQUIREMENTS AND TO REGISTER.—

(1) IN GENERAL.—An appropriate official shall, shortly before release of a criminal arsonist from custody, or, if the arsonist is not in custody, immediately after the sentencing of the arsonist for the offense giving rise to the duty to register—

(A) inform the arsonist of the duties of the arsonist under this section and explain those

duties in a manner that the arsonist can understand in light of the arsonist's native language, mental capability, and age;

(B) ensure that the arsonist understands the registration requirement, and if so, require the arsonist to read and sign a form stating that the duty to register has been explained and that the arsonist understands the registration requirement;

(C) if the arsonist is unable to understand the registration requirements, the official shall sign a form stating that the arsonist is unable to understand the registration requirements; and

(D) ensure that the arsonist is registered.

(2) NOTIFICATION OF CRIMINAL ARSONISTS WHO CANNOT COMPLY WITH PARAGRAPH (1).—The Attorney General shall prescribe rules to ensure the notification and registration of criminal arsonists in accordance with paragraph (1) who cannot be notified and registered at the time set forth in paragraph (1).

(g) ACCESS TO CRIMINAL ARSONIST INFORMATION THROUGH THE INTERNET.—

(1) IN GENERAL.—Except as provided in this subsection, each jurisdiction shall make available on the Internet, in a manner that is readily accessible to law enforcement personnel and fire safety officers located in the jurisdiction, all information about each criminal arsonist in the registry. The jurisdiction shall also include in the design of its Internet site all field search capabilities needed for full participation in the National criminal arsonist Internet site established under subsection (i) and shall participate in that Internet site as provided by the Attorney General in regulations which comply with this paragraph.

(2) PROHIBITION ON ACCESS BY THE PUBLIC.—Information about a criminal arsonist shall not be made available under paragraph (1) on the Internet to the public.

(3) MANDATORY EXEMPTIONS.—A jurisdiction shall exempt from disclosure on the Internet site of the jurisdiction described in paragraph (1), with respect to information about a criminal arsonist—

(A) any information about the arsonist involving conviction for an offense other than the offense or offenses for which the arsonist is registered;

(B) any information about the arsonist if the arsonist is participating in a witness protection program and the release of such information could jeopardize the safety of the arsonist or any other individual; and

(C) any other information identified as a mandatory exemption from disclosure by the Attorney General.

(4) OPTIONAL EXEMPTIONS.—A jurisdiction is authorized to exempt from disclosure on the Internet site of the jurisdiction described in paragraph (1), with respect to information about a criminal arsonist—

(A) the name of an employer of the arsonist; and

(B) the name of an educational institution where the arsonist is a student.

(5) CORRECTION OF ERRORS.—The Attorney General shall establish guidelines for each jurisdiction for a process to seek correction of information included in the Internet site established by the jurisdiction pursuant to paragraph (1) in the case that an individual contends such information is erroneous. Such guidelines shall provide for an adequate period following the date on which the individual has knowledge of the information's inclusion in the Internet site for the individual to seek such correction of information.

(6) WARNING.—An Internet site established by a jurisdiction pursuant to paragraph (1) shall include a warning that information on the site is to be used for law enforcement purposes only and may only be disclosed in connection with such purposes. The warning shall note that any action in violation of the previous sentence may result in a civil or criminal penalty.

(h) NATIONAL CRIMINAL ARSONIST REGISTRY.—

(1) IN GENERAL.—The Attorney General shall maintain a national database at the Bureau of Alcohol, Tobacco, Firearms and Explosives for each criminal arsonist. The database shall be known as the National Arsonist Registry.

(2) ELECTRONIC FORWARDING.—The Attorney General shall ensure (through the National Arsonist Registry or otherwise) that updated information about a criminal arsonist is immediately transmitted by electronic forwarding to all relevant jurisdictions.

(i) NATIONAL ARSONIST INTERNET SITE.—

(1) IN GENERAL.—The Attorney General shall establish and maintain a national arsonist Internet site. The Internet site shall include relevant information for each criminal arsonist. The Internet site shall allow law enforcement officers and fire safety officers to obtain relevant information for each such arsonist by a single query for any given zip code or geographical radius set by the user in a form and with such limitations as may be established by the Attorney General and shall have such other field search capabilities as the Attorney General may provide.

(2) PROHIBITION ON ACCESS BY THE PUBLIC.—Information about a criminal arsonist shall not be made available under paragraph (1) on the Internet to the public.

(j) NOTIFICATION PROCEDURES.—Under an arsonist registration program established by a jurisdiction pursuant to subsection (a), immediately after a criminal arsonist registers or updates a registration, an appropriate official in the jurisdiction shall provide the information in the registry (other than information exempted from disclosure by this section or by the Attorney General) about that offender to the following entities:

(1) The Attorney General, who shall include that information in the National Arsonist Registry.

(2) Appropriate law enforcement agencies (including probation agencies, if appropriate) in each area in which the offender resides, is an employee, or is a student.

(3) Each jurisdiction where the offender resides, is an employee, or is a student, and each jurisdiction from or to which a change of residence, employment, or student status occurs.

(k) ACTIONS TO BE TAKEN WHEN CRIMINAL ARSONIST FAILS TO COMPLY.—Under an arsonist registration program established by a jurisdiction pursuant to subsection (a), an appropriate official of the jurisdiction shall notify the Attorney General and appropriate law enforcement agencies of any failure by a criminal arsonist to comply with the requirements of the arsonist registry for such jurisdiction, and shall revise the registry to reflect the nature of such failure. The appropriate official, the Attorney General, and each such law enforcement agency shall take any appropriate action to ensure compliance.

(l) DEVELOPMENT AND AVAILABILITY OF REGISTRY MANAGEMENT AND WEBSITE SOFTWARE.—

(1) DUTY TO DEVELOP AND SUPPORT.—The Attorney General shall, in consultation with the jurisdictions, develop and support software to enable jurisdictions to establish and operate uniform arsonist registries and Internet sites.

(2) CRITERIA.—The software described in paragraph (1) should facilitate—

(A) immediate exchange of information among jurisdictions;

(B) access over the Internet to appropriate information, including the number of registered criminal arsonists in each jurisdiction on a current basis;

(C) full compliance with the requirements of this section; and

(D) communication of information as required under subsection (j).

(3) DEADLINE.—The Attorney General shall make the first complete edition of this software available to jurisdictions not later than two years after the date of the enactment of this Act.

(m) PERIOD FOR IMPLEMENTATION BY JURISDICTIONS.—

(1) DEADLINE.—To be in compliance with this section, a jurisdiction shall implement this section before the later of—

(A) three years after the date of the enactment of this Act; or

(B) one year after the date on which the software described in subsection (l) is made available to such jurisdiction.

(2) EXTENSIONS.—The Attorney General may authorize not more than two one-year extensions of the deadline under paragraph (1).

(n) FAILURE OF JURISDICTION TO COMPLY.—

(1) IN GENERAL.—For any fiscal year after the deadline described in subsection (m), a jurisdiction that fails, as determined by the Attorney General, to substantially implement this section shall not receive 10 percent of the funds that would otherwise be allocated for that fiscal year to the jurisdiction under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).

(2) STATE CONSTITUTIONALITY.—

(A) IN GENERAL.—When evaluating whether a jurisdiction has substantially implemented this section, the Attorney General shall consider whether the jurisdiction is unable to substantially implement this section because of a demonstrated inability to implement certain provisions that would place the jurisdiction in violation of its constitution, as determined by a ruling of the jurisdiction's highest court.

(B) EFFORTS.—If the circumstances arise under subparagraph (A), then the Attorney General and the jurisdiction involved shall make good faith efforts to accomplish substantial implementation of this section and to reconcile any conflicts between this section and the jurisdiction's constitution. In considering whether compliance with the requirements of this section would likely violate the jurisdiction's constitution or an interpretation thereof by the jurisdiction's highest court, the Attorney General shall consult with the chief executive and chief legal officer of the jurisdiction concerning the jurisdiction's interpretation of the jurisdiction's constitution and rulings thereon by the jurisdiction's highest court.

(C) ALTERNATIVE PROCEDURES.—If a jurisdiction is unable to substantially implement this section because of a limitation imposed by the jurisdiction's constitution, the Attorney General may determine that the jurisdiction is in compliance with this section if the jurisdiction has made, or is in the process of implementing, reasonable alternative procedures or accommodations, which are consistent with the purposes of this section.

(3) REALLOCATION.—Amounts not allocated under a program referred to in this subsection to a jurisdiction for failure to substantially implement this section shall be reallocated under that program to jurisdictions that have not failed to substantially implement this section or may be reallocated to a jurisdiction from which they were withheld to be used solely for the purpose of implementing this section.

(4) RULE OF CONSTRUCTION.—The provisions of this section that are cast as directions to jurisdictions or their officials constitute, in relation to States, only conditions required

to avoid the reduction of Federal funding under this subsection.

(5) EXCEPTION FOR FAILURES TO RECEIVE CRIMINAL ARSONIST MANAGEMENT ASSISTANCE PROGRAM GRANTS.—For any fiscal year for which a jurisdiction submits an application to the Attorney General under subsection (b) of section 3 for a grant under subsection (a) of such section and is not awarded any grant funding under such subsection such jurisdiction shall not be subject to paragraph (1).

(o) ELECTION BY INDIAN TRIBES.—

(1) ELECTION.—

(A) IN GENERAL.—A federally recognized Indian tribe may, by resolution or other enactment of the tribal council or comparable governmental body, elect to carry out this subtitle as a jurisdiction subject to its provisions.

(B) IMPLEMENTATION.—If a tribe does not, within one year of the enactment of this Act, make an election to take on these duties, it shall, by resolution or other enactment of the tribal council or comparable governmental body, enter into a cooperative agreement to arrange for a jurisdiction to carry out any function of the tribe under this Act until such time as the tribe elects to carry out this Act.

(2) COOPERATION BETWEEN TRIBAL AUTHORITIES AND OTHER JURISDICTIONS.—

(A) NONDUPLICATION.—A tribe subject to this subtitle is not required to duplicate functions under this subtitle which are fully carried out by another jurisdiction or jurisdictions within which the territory of the tribe is located.

(B) COOPERATIVE AGREEMENTS.—A tribe may, through cooperative agreements with such a jurisdiction or jurisdictions—

(i) arrange for the tribe to carry out any function of such a jurisdiction under this subtitle with respect to arsonists subject to the tribe's jurisdiction; and

(ii) arrange for such a jurisdiction to carry out any function of the tribe under this subtitle with respect to arsonists subject to the tribe's jurisdiction.

(3) LAW ENFORCEMENT AUTHORITY IN INDIAN COUNTRY.—Enforcement of this Act in Indian country, as defined in section 1151 of title 18, United States Code, shall be carried out by Federal, Tribal, and State governments under existing jurisdictional authorities.

(p) IMMUNITY FOR GOOD FAITH CONDUCT.—The Federal Government, jurisdictions, political subdivisions of jurisdictions, and their agencies, officers, employees, and agents shall be immune from liability for good faith conduct under this section.

(q) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise authorized to be appropriated, there are authorized to be appropriated to the Attorney General, to carry out subsections (h) and (i) of this section, such sums as may be necessary for each of the fiscal years 2009 through 2014.

SEC. 3. CRIMINAL ARSONIST MANAGEMENT ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Attorney General shall establish and implement a Criminal Arsonist Management Assistance program (in this section referred to as the ''Assistance Program''), under which the Attorney General shall award grants to jurisdictions to offset the costs of implementing section 2.

(b) APPLICATION.—The chief executive of a jurisdiction desiring a grant under this section, with respect to a fiscal year, shall for each such fiscal year submit to the Attorney General an application in such form and containing such information as the Attorney General may require.

(c) INCREASED GRANT PAYMENTS FOR PROMPT COMPLIANCE.—A jurisdiction that, as determined by the Attorney General, has substantially implemented section 2 not later than two years after the date of the enactment of this Act is eligible for a bonus payment in addition to the amount of grant funds available to such jurisdiction under subsection (a). The Attorney General may, with respect to a jurisdiction, make such a bonus payment to the jurisdiction for the first fiscal year beginning after the date such determination is made. The amount of the bonus payment shall be as follows:

(1) In the case of a determination that the jurisdiction has substantially implemented such section by a date that is not later than the date that is one year after the date of the enactment of this Act, 10 percent of the total grant funds available to the jurisdiction under subsection (a) for such fiscal year.

(2) In the case of a determination that the jurisdiction has substantially implemented such section by a date that is later than one year after the date of the enactment of this Act, but not later than the date that is two years after such date of enactment, 5 percent of such total.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise authorized to be appropriated, there are authorized to be appropriated to the Attorney General, to be available to carry out this section, such sums as may be necessary for each of the fiscal years 2009 through 2014.

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) CRIMINAL ARSONIST.—The term ''criminal arsonist'' means an individual who is convicted of any criminal offense for committing arson in violation of the laws of the jurisdiction in which such offense was committed or the United States. Such term shall not include a juvenile who is convicted of such an offense unless such juvenile was tried as an adult for such offense.

(2) ARSONIST REGISTRY.—The term ''arsonist registry'' means a registry of criminal arsonists, and a notification program, maintained by a jurisdiction.

(3) CRIMINAL OFFENSE.—The term ''criminal offense'' means a State, local, tribal, foreign, or military offense (to the extent specified by the Secretary of Defense under section 115(a)(8)(C)(i) of Public Law 105–119 (10 U.S.C. 951 note)) or other criminal offense.

(4) EMPLOYEE.—The term ''employee'' includes an individual who is self-employed or works for any other entity, whether compensated or not.

(5) FIRE SAFETY OFFICER.—The term ''fire safety officer'' means—

(A) a firefighter, as such term is defined in section 1204 of the Omnibus Crime Control and Safe Street Act of 1968 (42 U.S.C. 3796b); or

(B) an individual serving in an official capacity as a firefighter, fire investigator, or other arson investigator, as defined by the jurisdiction for the purposes of this Act.

(6) JURISDICTION.—The term ''jurisdiction'' means any of the following:

(A) A State.

(B) The District of Columbia.

(C) The Commonwealth of Puerto Rico.

(D) Guam.

(E) American Samoa.

(F) The Northern Mariana Islands.

(G) The United States Virgin Islands.

(H) To the extent provided and subject to the requirements of section 2(o), a Federally recognized Indian tribe.

(7) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' has the meaning given such term in section 1204 of the Omnibus Crime Control and Safe Street Act of 1968 (42 U.S.C. 3796b).

(8) RESIDES.—The term ''resides'' means, with respect to an individual, the location of the individual's home or other place where the individual habitually lives.

(9) STUDENT.—The term ''student'' means an individual who enrolls in or attends an educational institution (whether public or private), including a secondary school, trade or professional school, and institution of higher education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker and Members of the House, according to the United States Fire Administration, arson is the leading cause of fire in the United States and annually results in over 2,000 injuries, more than 400 deaths, and $1.5 billion in property damage. Even more problematic is the fact that arson is one of the most difficult crimes to prosecute. Only 16 percent of intentionally set fires result in arrests, and only 2 percent result in conviction.

Although arson causes significant losses in lives and property each year, there is no national registry requiring convicted arsonists to notify law enforcement of their residence, place of employment, or other information that would aid law enforcement in identifying offenders with a demonstrated disposition for committing arson offenses, and that's precisely what H.R. 1759 does. We respond to several aspects of the serious concerns presented by arson.

To aid law enforcement in identifying criminal activity related to arson, we established the National Arson Registry, a comprehensive nationwide network of registry databases developed by the Attorney General that tracks convicted arsonists.

The bill also requires jurisdictions to create arson registries and mandates that convicted arsonists register in each jurisdiction in which he or she resides, is an employee, or is a student at an educational institution.

And finally, the bill requires the Bureau of Alcohol, Tobacco, Firearms, and Explosives to coordinate the various databases through the National Arson Registry and make the information available to law enforcement agencies. Armed with this information, law enforcement authorities will be able to solve many more arson crimes than they are able to now. Knowing that they're registered with and known to local authorities may deter convicted arsonists from committing new arson.

This bill rightly enjoys broad bipartisan support. I commend my colleagues in the Judiciary Committee,

LAMAR SMITH and the floor manager of the bill, and urge that we support legislation whose time has come.

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

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

Mr. Speaker, I rise in support of H.R. 1759, the Managing Arson Through Criminal History (MATCH) Act of 2007.

I want to first commend my colleagues from California, Congresswoman BONO and Congressman SCHIFF, for their hard work on this legislation.

My colleagues from California know all too well the devastation that arson causes. The wildfires that burned across much of southern California in October killed 14 people and injured as many as 70 others. The fires touched over a half million acres from Los Angeles to the Mexican border and displaced 513,000 people from their homes. Costs in San Diego County alone were projected to exceed $1 billion.

Sadly, just 2 weeks ago, another fire in Malibu, California destroyed 35 homes and forced the evacuation of hundreds of residents. Two of the October fires, the Santiago fire in Orange County and the Buckweed fire in Los Angeles, we now know were set deliberately.

Many arsonists begin by starting small fires and then escalate to larger and larger fires to increase their sense of excitement. Unfortunately, only 17.1 percent of arson offenses result in convictions nationwide because the evidence needed to convict these arsonists is often destroyed in the fire.

As arsonists become more sophisticated in their technique, identifying them and prosecuting them becomes more challenging. Each year, an estimated 267,000 fires are caused by arson. In recent years, arson has been used to burn churches and protest urban sprawl. But the ongoing threat remains those who set fires to get a rush and feed a compulsion.

We may never be able to fully prevent wildfires, but we can implement tools to help prevent arsonists, particularly serial arsonists, from eluding law enforcement and escaping punishment.

The MATCH Act creates a national arson registry and requires criminal arsonists to report where they live, work, and go to school. In addition, the bill requires the national database to include finger and palm prints and an up-to-date photograph. The MATCH Act will assist law enforcement officials with identifying and apprehending arsonists, particularly serial arsonists and eco-terrorists.

I want to once again thank Congresswoman BONO and Congressman SCHIFF for working with the committee staff to make a number of important bipartisan changes to the original bill.

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

Mr. CONYERS. Mr. Speaker, I am pleased to recognize a distinguished member of the Judiciary Committee from California, Mr. ADAM SCHIFF, and would grant him as much time as he may consume.

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 1759, the Managing Arson Through Criminal History Act, or the MATCH Act. This is legislation that my colleague, Congresswoman MARY BONO, and I introduced earlier this year to create a national registry of arsonists that would give law enforcement officers an important tool to track arsonists and share information across jurisdictions.

I want to thank Mrs. BONO for her leadership on this issue. I also want to thank the chairman of our committee for moving this bill through the committee and the majority leader for bringing it before us today.

In October of this year, the Nation saw the destruction caused by fires in southern California. Over 1,500 homes were destroyed, half a million acres of land burned, seven people died, and more than 85 were injured, including 61 firefighters. These brave heroes put their lives on the line every day to protect people, homes and wildlife.

□ 1430

The MATCH Act would create a national registry and require convicted arsonists to report where they live, work, and go to school. And the database would include photographs, fingerprints, vehicle information and other information on the arsonist. The length of time that an arsonist would be required to register is based on how many acts of arson they have committed: 5 years for one offense, 10 years for two, and lifetime for a serial arsonist who has committed three or more offenses. The information would only be made available to law enforcement agencies, not the general public. Most important, when a convicted arsonist updates his or her information with a change of residence, notification would be sent to the appropriate law enforcement agencies.

When arson has occurred, it's critical to find and find quickly the individual involved to prevent future acts of arson and to prosecute the one responsible. Frequently arsonists use the same trademark tools, such as a unique incendiary device, a manner of starting a fire, or similar targets, such as houses of worship or even auto dealerships. In a case where the arsonist may have come from one place or a State to commit the act of arson, the information in the database will give law enforcement an important tool to identify convicted arsonists that may be connected to the very similar act of arson. Most importantly, the registration can also prevent future acts of arson by requiring convicted arsonists to update their information when they move or change jobs or schools. In addition to putting law enforcement on notice, this also lets the convicted arsonists know they can't hide from law enforcement for the purpose of committing another act of arson.

When I was a prosecutor in the U.S. Attorney's office in Los Angeles, I worked on an arson investigation that really brings to mind for me the merit of this bill. That case demonstrates how an arsonist registry would be of great benefit. This was a situation where someone was setting a string of fires in the San Bernardino forest. The individual used a unique incendiary device that he could throw in the brush and drive far away before the brush would be ignited. They couldn't catch the culprit in the act and eventually succeeded in tracking him down through the use of video surveillance and a complex investigation. The suspect was arrested and interviewed and admitted to setting fires in the taped interview. However, the tape recording malfunctioned and the confession was lost along with most of the case. As we pursued the investigation, we found a probation officer of the suspect from many years earlier who found his records in his basement storage. The file on the suspect detailed that many years earlier he had set fires using the same incendiary device. When confronted with the evidence, the suspect pled guilty. If we had a national arsonist registry at the time, we would have known of convicted arsonists who lived in the region. We would have known their modus operandi. We may have been able to stop him before he committed several later fires. Keeping your records in the basement is not a successful law enforcement strategy; the national arsonist registry created through the MATCH Act is.

Again, I want to compliment my colleague MARY BONO. Thank you very much for your leadership on this. It's very important to all Californians.

And, Mr. Chairman, we are very grateful for your moving this bill through committee so quickly in such a bipartisan spirit.

Mr. FORBES. Mr. Speaker, it is now my privilege to yield such time as she may consume to the gentlewoman from California, Congresswoman BONO, who has worked so hard on this matter and seen firsthand the effects arsonists can have.

Mrs. BONO. Mr. Speaker, I am pleased to rise in support of the Managing Arson Through Criminal History, or MATCH Act, H.R. 1759.

As a Member from California, I was heartened by the support that our delegation received from this House during the tragic fires that recently swept through our State. As many of you know, some of those fires are being investigated as arson. But it was not these very recent events that inspired the legislation that we are considering today.

Just a little over a year ago, my community was devastated by what was known as the Esperanza fire. This fire not only wreaked havoc on the surrounding land and homes, but ultimately cost the lives of five very brave

United States Forest Service firefighters. The fire that cost those men their lives was a result of a despicable act of arson.

Subsequent conversations with firefighters and chiefs in my district led to the creation of this bill. They told me how a central database would provide them with invaluable information in tracking arsonists and, more especially, serial arsonists. Clearly, more help is needed in the tracking of this dangerous crime. Although arson fires account for the majority of the fires in the United States, the arrest and conviction rate is less than 20 percent.

I can share statistic after statistic about the damage caused by arson, the millions of dollars lost and grand totals of people, but what those numbers fail to convey are the stories of individuals; the hundreds of families in Southern California who will have nowhere to celebrate the holidays this year or the veteran who lost his war medals and mementos before he could share them with his grandchildren, the baby pictures, the refrigerator art, the family rocking chair, the things that no insurance policy could possibly replace and that no one else will ever truly understand.

It is our duty as Members of Congress to provide what tools and infrastructure we can to aid in both the prevention of this crime and speedy apprehension of those who choose to commit it.

The MATCH Act combines the efforts of the Federal, State, and local governments to combat the crime of arson by creating a national arson registry. The registry requires criminal arsonists to report where they live, work and go to school. In addition to that information, the database will include finger and palm prints of the arsonist and an up-to-date photograph. This legislation will provide an important tool to law enforcement officers by enabling them to effectively track arsonists regardless of where they live and to share that information across jurisdictions.

I, like all of my colleagues in this House, am anxious to provide what tools and support we can to combat the despicable crime of arson. It is my sincere belief that the MATCH Act will make a meaningful difference in the way we approach and deal with arson offenders.

I would like to especially thank Chairman SCOTT and Ranking Member FORBES of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security. They worked with me and my colleague Adam Schiff to ensure that the legislation was expeditiously moved through the legislative process and that concerns were addressed. I would also like to thank Chairman CONYERS and Ranking Member SMITH, along with their terrific staff and Taryn Nader on my staff for their efforts and hard work in bringing this bill before us today. Finally, I would like to thank my good friend and colleague ADAM SCHIFF for his partnership on this important issue.

Mr. CONYERS. Mr. Speaker, it is my pleasure now to yield such time as he may consume to the chairman of the Crime Committee on the Judiciary, my good friend BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, arson is indeed a very serious problem, costing over $1 billion in property damage annually and endangering the lives of citizens and especially our firefighters. Arson has also one of the lowest arrest and conviction rates, and law enforcement needs new tools to enhance their capabilities to solve arson crimes.

Unfortunately, the evidence presented in committee was that the State of California already has a registry similar to the one contemplated in the bill and no arsons have been solved by that database.

Furthermore, Mr. Speaker, I would need to point out another concern I have with H.R. 1759 in its current form. That concern relates to the treatment of juveniles under the proposed bill. Juveniles who are charged and convicted as adults for arson offenses would be required to register in the newly created arson offender registry. As research clearly indicates, of all offenders, juveniles are the least culpable due to immature brain development, and they have the greatest capacity for rehabilitation. Branding them as an offender in a State or national register is not only improper, it's counterproductive.

Requiring young offenders to register in a State or national offender database counters the concept of ensuring the proper development of juveniles because it is inconsistent with rehabilitative efforts. Although H.R. 1759 properly ensures that only law enforcement will have access to information on the registries, law enforcement officers will undoubtedly use the information to label and target youth for further arrests. Once law enforcement has certain youngsters on their radar, those youngsters would be targets and more likely to be arrested and prosecuted for even minor nonviolent conduct because law enforcement officials have their names on a list.

In summary, I agree that law enforcement needs effective tools to combat the devastation of arson causes, and I want to thank the gentlewoman from California for her hard work in developing the bill and making many improvements in the bill from its original form. However, I still have concerns about the cost effectiveness of the proposal in the bill as well as concerns, the impact the legislation will have on juvenile offenders.

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

Mr. CONYERS. Mr. Speaker, I would close by holding out my hand of cooperation to my chairman of the Crime Subcommittee because I know he has been working carefully with the leaders of this bill and we have accepted some of his recommendations, and it will be my pleasure to make sure that we consider the points that he has made here this afternoon.

So with that I am very pleased to urge the support of this measure that's before us. I think it is important and timely and will be very constructive.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1759, 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.

CONDEMNATION OF NOOSE INTIMIDATION

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 826) expressing the sense of the House of Representatives that the hanging of nooses is a horrible act when used for the purpose of intimidation and which under certain circumstances can be a criminal act that should be thoroughly investigated by Federal law enforcement authorities and that any criminal violations should be vigorously prosecuted.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 826

Whereas in the past two months, nooses have been found in a North Carolina high school, a Home Depot in New Jersey, a Louisiana school playground, the campus of the University of Maryland, a Columbia University professor's office door and a factory in Houston, Texas;

Whereas the Southern Poverty Law Center has recorded between 40 and 50 suspected hate crimes involving nooses since September;

Whereas since 2001, the Equal Employment Opportunity Commission has filed more than 30 lawsuits that involve the displaying of nooses in places of employment;

Whereas nooses are reviled by many Americans as racist symbols of lynchings that were once all too common;

Whereas according to Tuskegee Institute, more than 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan;

Whereas the number of dead lynching victims in the United States exceeds the amount of people killed in the horrible attack on Pearl Harbor (2,333 dead) and Hurricane Katrina (1,836 dead) combined; and

Whereas African-Americans, as well as Italians, Jews, and Mexicans, have comprised the vast majority of lynching victims and only when we erase the terrible symbols of the past can we finally begin to move forward: Now, therefore, be it

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

(1) the hanging of nooses is a horrible act when used for the purpose of intimidation and which under certain circumstances can be criminal;

(2) this conduct should be investigated thoroughly by Federal authorities; and

(3) any criminal violations should be vigorously prosecuted.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker and members of the committee, I am pleased to join my colleagues in support of House Resolution 826, a resolution condemning the hanging of nooses for the purpose of intimidation, violence, and other criminal purposes.

Unfortunately, consideration of this resolution comes at a critical time for our Nation. Many of us had thought the hanging of a noose, a symbol of racial violence, hate, and intimidation down through history was a practice relegated to our past. Since September, however, there have been reports of approximately 50 noose-hanging incidents across this country. It's no coincidence that these disturbing incidents follow in the shadow of the Jena Six case, which documents continuing racial inequity in our Nation even into this century.

As we all know, a hanging noose symbolizes lynching, one of the most shameful, terror-ridden, racial crimes in our history and which, sadly, can be traced back to the very founding time of the United States.

First used to punish African slaves as early as the 17th century, the practice of lynching was commonplace until, I'm sorry to report, as late as 1968. Between 1882 and 1962, nearly 5,000 people, most of them African Americans, were lynched in our country.

There appears to be a resurgence in the hanging of nooses for intimidation or other racist purposes. The Equal Employment Opportunity Commission, for example, has filed more than 30 lawsuits for hanging nooses in the workplace since the year 2001. The commission observed ''a disturbing national trend of increased racial harassment cases involving hangman's nooses in the workplace.''

In October, a noose was found hanging, of all places, in the Nassau County New York police headquarters locker room. Last month, hanging ropes were found in the United States Coast Guard Academy in the bag of an African American cadet and in the office of a diversity trainer.

□ 1445

Noose incidents are also occurring with disturbing frequency in schools throughout our country. At Louisiana's Jena High School, nooses were hung from a tree that white students had regarded as their exclusive domain for socializing after African Americans sat under the tree. This sparked similar incidents in schools across our Nation. In New York City, an African American professor at Columbia University found a noose hanging on her office door. In North Carolina, four nooses were found hanging at various locations at High Point Andrews High School. Universities in Maryland, Delaware and Indiana have reported noose incidents in recent months. In my own State of Michigan, nooses were hung on the Central Michigan University campus weeks after anti-Muslim pamphlets had been distributed.

As this resolution calls upon Federal authorities to investigate noose incidents, I am heartened to note the Justice Department's efforts to address this problem. At an oversight hearing on the Jena 6 incident held earlier by the Judiciary Committee, the Department stated it viewed such noose hangings as possible violations of Federal civil rights law.

I commend my colleague from the State of Texas, our new Member, Al Green, who for his leadership on this issue should be really commended as an important contribution that he has made. And I would like to acknowledge the Judiciary Committee's members on both sides of the aisle who helped advance this resolution with their active support. The Committee on the Constitution chairman, Jerrold Nadler; the Crime Committee chairman, Bobby Scott; also our stellar members from North Carolina, Mel Watt; and from Texas, Sheila Jackson-Lee; from California, Maxine Waters; Wisconsin, Tammy Baldwin; Georgia, Hank Johnson; Tennessee, Steve Cohen; Wisconsin, James Sensenbrenner; and Texas, Louie Gohmert. These and many others have been very helpful in laying the groundwork for us to come together to hearten not just the people in this country but our law enforcement agencies, particularly the Department of Justice, in trying to reduce and indeed eliminate this unfortunate system of hate that is spreading, unfortunately, in our country.

I think we can head it off, and I hope with the passage of House Resolution 826 that will be, in fact, accomplished.

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

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

Mr. Speaker, I support House Resolution 826 to condemn the vicious act of hanging a noose with the intent to intimidate and terrorize. Our country's tragic history of brutal, racially motivated lynchings will be forever associated with the vile symbol of the hanging noose.

The noose was used to instill fear in African Americans during our Nation's struggle to protect the civil rights of all Americans. During our country's period of reconstruction following the Civil War, the infamous Ku Klux Klan and others used lynching to strike fear into the hearts of African Americans. Lynchings were used to dehumanize their victims, who were often horribly tortured and disfigured before they were hung by a mob.

Today, everyone should recognize that the stark image of a dangling noose, intended to intimidate and terrify, should be condemned in the strongest of terms. And those who are ignorant of the terrifying history of the symbol of the dangling noose must be educated, such that they understand its grotesque history and come to never see its use as a harmless prank.

There have been a disturbing number of recent incidents in which nooses have been found under suspicious circumstances. Those incidents are being investigated, and must be investigated. But we should also be aware that some of these incidents may have been motivated by the perverse desire for publicity. On Sunday, the Baltimore Sun reported on a hoax in which a firefighter who reported finding a knotted rope and a threatening note with a drawing of a noose in an East Baltimore station house last month had placed the items there himself.

We also know of an instance in which another symbol of hate, a swastika, was drawn on the door of a Jewish student at George Washington University, but she later confessed to drawing the swastika herself after she was caught doing so on a security camera.

We should recognize today that those who use symbols of hate for any improper reason, including to get attention for one's own cause, are contributing just as much to an atmosphere of intimidation as those who do so motivated by hate for another group.

Finally, I want to note that while I support this resolution, one of its provisions states that any use of the noose symbol as a means of intimidation that constitutes a crime ''should be vigorously prosecuted.'' That provision should be viewed in light of the Department of Justice's policy on the Federal prosecution of juveniles.

Mr. Speaker, I urge a ''yes'' vote on this, and I reserve the balance of my time.

Mr. CONYERS. Could I ask my colleague, the floor manager (Mr. FORBES), I would like to ask unanimous consent for 5 minutes more on each side if that would be agreeable with the gentleman.

Mr. FORBES. I would be happy to agree to that.

Mr. CONYERS. Mr. Speaker, I ask that we have 5 additional minutes added to each side.

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

There was no objection.

Mr. CONYERS. I thank my colleague the floor manager and my friends on the other side.

I am privileged now to recognize the gentleman from Texas, who came to

me with this idea, Mr. AL GREEN, and I will yield him 3½ minutes.

Mr. AL GREEN of Texas. I thank Chairman CONYERS. I thank Ranking Member LAMAR SMITH. I would like to also thank the co-lead on this piece of legislation, while it is a resolution, I consider it to be a piece of legislation, and that, of course, would be Representative LAURA RICHARDSON. I thank the floor manager, RANDY FORBES, all of the staff, and I especially thank the 60 persons that signed on as cosponsors of this resolution.

Mr. Speaker, I am proud to have sponsored H. Res. 826, the condemnation of noose intimidation. Noose intimidation. It has received bipartisan support, and it has received it because America is a country of hope, not hate. In America, we celebrate our diversity. We love knowing that we can live together and that we can have the kind of harmony and peace that America has always promised all of its citizens. Noose intimidation has no place in America. Noose intimidation is the invidious hanging or displaying of a noose for the purpose of intimidation, humiliation, or denigration. When it is done under circumstances that may constitute a crime, it ought to be investigated. And if a crime has been committed, it ought to be vigorously prosecuted.

Recently nooses have been found in North Carolina at a high school, New Jersey at a Home Depot, Louisiana on a school playground, and in Houston, Texas, at a factory. Fifty to 60 incidents involving nooses have been reported since September 7. This is per the Southern Poverty Law Center. Thirty more lawsuits have been filed by EEOC concerning nooses. Four thousand seven hundred persons were lynched. Many of these were Latinos, Jewish Americans, Italian Americans and African Americans. This was done between 1882 and 1959.

America is a country of hope, not hate. For this reason, we believe in the words of the Pledge of Allegiance ''liberty and justice for all.'' That is why this legislation is important. We believe in the words in the Declaration of Independence that all persons are created equal and endowed by their Creator with certain inalienable rights, among them life, liberty and the pursuit of happiness. That is why this resolution is important.

Dr. King reminded us that it is not where you stand in times of comfort and convenience but, rather, where you stand in times of challenge and controversy. I am so proud that my colleagues have stood with us in these times of challenge and controversy to condemn noose intimidation. And I close with these words from Dr. King. He said, ''It may be true that the law cannot make a man love me. But it can keep him from lynching me.'' And I think that's pretty important.

God bless you, and I thank you.

Mr. FORBES. Mr. Speaker, it is my privilege now to yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Thank you for yielding me time.

There is no doubt in my mind that intimidation by using a noose is a horrible, and must be considered a criminal act. I want to thank Congressman AL GREEN of Texas for offering this resolution because it is critical that the victims who have been targeted, all African Americans, know that the U.S. Congress and all the people of America strongly condemn this outrageous behavior and encourage its vigorous prosecution.

In Jena, Louisiana, we have all seen the case of six black men who were initially charged with attempted murder after a fight that was, in part, prompted by the hanging of nooses by three white students, none of whom were prosecuted.

This blatant form of racism has become more and more common, as the resolution notes, with nooses being found in a North Carolina high school, a Home Depot in New Jersey, a Louisiana school playground, the campus of the University of Maryland, a Columbia University professor's office, a factory in Houston, Texas, and in a police department parking lot in Bridgeport, Connecticut. In my own hometown of Bridgeport, police sergeant Joanne Meekins recently found a noose under her police car.

As the local NAACP Chairman Craig Kelly rightly said in discussing this outrageous incident targeting Sergeant Meekins, ''The noose has become the new swastika or the new burning cross in this country and, unfortunately, people seek to relive that horror.''

Conduct like this must never be tolerated, which is why I am glad that Congress is passing a bipartisan resolution against these actions and urging swift prosecution and full penalties for those who perpetrate these senseless acts.

Our brothers and sisters throughout the country need to know that all Americans stand with them in condemning the act of hanging nooses as an attempt to intimidate and terrorize and that it must not be just condemned but prosecuted to the full extent of the law.

Mr. CONYERS. Mr. Speaker, it is now my pleasure to call my dear friend and newest member to the Congressional Black Caucus, LAURA RICHARDSON, to speak, and I recognize her for 2½ minutes.

Ms. RICHARDSON. Part of what makes this Nation respected is our ability to acknowledge history, both good and bad, and make the conscious effort to not repeat those same mistakes.

Make no mistake about it. The noose is an ugly symbol, and it is a painful reminder of a time period where a piece of rope was used to administer criminal injustice and to intimidate an entire population. Likewise, it is important to note that the lynchings were not limited to African Americans alone. Historians have noted and documented at least 605 cases of Hispanic Americans who were lynched between 1848 and 1928. According to the Tuskegee Institute, more than 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan. Also noted is that white individuals were lynched during that same time period, and of that 4,700, it is believed that at least one-fourth were white members.

It is important to understand that the noose can create a memory of pain as noted by my colleague. It is a pain that is often considered similar to viewing a swastika. This is a terrible reminder to us all that intimidation, whether it be done in speech or in action or in symbols, should not be tolerated.

□ 1500

In my own district, just less than 20 miles from my area, we had a recent incident at the Cal State Fullerton campus. This is a State campus where these acts of intimidation surfaced.

Regarding the first amendment, this resolution does nothing to impede an individual's right to think or utilize the right to speak differently than another. H. Res. 826 encourages the Federal Government to investigate vigorously and prosecute any noose hangings when they are done with the purpose to intimidate.

I want to thank my colleague Mr. GREEN from Texas for his leadership on this issue, and also Chairman CONYERS for dealing with this issue in such a timely manner.

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

Mr. CONYERS. The Chair is pleased to recognize the gentlelady from California, BARBARA LEE, who has graced us with her presence in my district recently, and we yield her 2 minutes.

Ms. LEE. Mr. Speaker, let me thank the chairman for his leadership and for his friendship. Also I want to thank our colleague from Texas, Congressman AL GREEN, for introducing this very important resolution and for your spirit with which you have introduced this.

Racism is alive and well in America, regardless of how we try to sweep it under the rug. It is tragic and very sad that we need a resolution like this today, but the rash of noose hangings across America reminds us that it is necessary. Clearly, there can be no better example of these tragic incidents than in the case of the Jena Six.

What does this say about our Nation and the level of racism present when we see an increase in these times of hateful acts? As a child, I remember listening to these horror stories about the Klan and their terrorist acts, and that is what this is. These are terrorist acts against African Americans. And today, I just shiver at the thought of a hanging noose and how intimidating this is for anyone, any community, any family whose race has been targeted and has been terrorized by these acts.

Every act of intimidation in the displaying of nooses must be criminally prosecuted. It is a horrible act. A noose is a racist symbol.

On behalf of the more than 4,700 people who were lynched between 1882 and 1968, let us pass this resolution, H. Res. 826, today, and vigorously prosecute those who continue to harass, intimidate and hang nooses in our country. These acts of hate have no place in America.

Thank you, Mr. Chairman. Thank you Congressman GREEN for allowing us the privilege to say ''no'' to racism once again in America.

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

Mr. CONYERS. Mr. Speaker, it is my pleasure to recognize the former Chair of the Congressional Black Caucus, ELIJAH CUMMINGS of Maryland, and we would grant him 2 minutes.

Mr. CUMMINGS. Mr. Speaker, today I rise in strong support of this legislation, and I thank my colleague Mr. GREEN for sponsoring it.

As chairman of the Subcommittee on the Coast Guard and Maritime Transportation, I was recently outraged about an incident that happened at the Coast Guard Academy that has been referenced here earlier where a noose was left in the bag of an African American cadet, and then a training diversity officer, a noose was left in her bag also.

Following these incidents, I went to the head of the Coast Guard, Admiral Thad Allen, and at my request he and I visited the academy to remind the cadets that despite their numerous accomplishments, they will be judged by their weakest link. I stressed that any attack against our Nation's defenders weakens and endangers us all.

I also talked to them about the strength of our Nation as a free people and of their decision to put on the uniform of the United States Coast Guard, symbolizing their duty to defend and uphold the right of every person in our Nation to live in freedom, security and respect.

In my own life, I have learned through personal experience more about the devastating impact of racial hatred than anyone should learn. And this is what I know: Racism is an evil that seeks to destroy the possibility that exists in every human being.

Mr. Speaker, in this time of integration and prosperity, some have regretfully forgotten the negative stigma surrounding the noose and why it cannot be displayed in jest. It is important to remind these few that over 4,700 people were lynched in the United States between 1882 and 1959. And while the majority of lynching victims were African Americans, many Italians, Jews and Mexicans have been lynched throughout this Nation's history as well.

The noose is a symbol of oppression, hatred and intimidation for many racial and ethnic groups, and we cannot tolerate its display. We must respond to these incidents with determination and clarity, and H. Res. 826 is just one positive step in that direction.

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

Mr. CONYERS. Mr. Speaker, I am pleased now to call upon the Chair of the Congressional Hispanic Caucus, the Honorable JOE BACA of California, and I yield him 2 minutes.

Mr. BACA. Mr. Speaker, I rise in support of H. Res. 826, and I want to thank the Chair for his leadership on this issue. I want to thank my good friend Congressman AL GREEN for his efforts in raising this bipartisan awareness on this outrageous issue. This is the year 2007, and yet we continue to see the hanging of nooses in America, that is shameful, as a form of intimidation and racial discrimination.

Every child has the right to attend school freely. They should not live in fear. And let me tell you, when this happens, many of our children live in that kind of a fear and that kind of intimidation, and that should not happen to our children, no matter who they are or what color they are.

Every American has the right to a workplace that is free from discrimination and hate. We are all children of God, and the Lord has taught us to love thy neighbor and treat each other with dignity and respect, not with hate or discrimination acts like this, but with kindness and love.

Nooses remind us of the dark chapters of the past; yet they continue to be used to create fear today, to create fear today. There have been over 40 suspected hate crimes involving nooses in the last 4 months.

As Chair of the Congressional Hispanic Caucus, I strongly support this resolution, because this type of hate affects all of our communities, not just the African American community, but all of us. We should live without fear or intimidation in this country and allow everyone to have that kind of freedom.

Over the years, more people have died from lynching than there have been victims at Pearl Harbor, and many of them were African Americans, Italians, Jewish and Mexican Americans.

We stand together in solidarity to say the hanging of nooses will not be tolerated by anyone, anymore, for any reason, and I urge my colleagues to do the right thing and support this resolution.

Mr. FORBES. Mr. Speaker, on this bill that I think is supported by virtually every Member of this house, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I am pleased now to recognize the gentleman from Tennessee, a distinguished member of the House Judiciary Committee, Mr. STEVE COHEN, 2 minutes.

Mr. COHEN. Mr. Speaker, I want to thank the chairman and Mr. GREEN for bringing this legislation.

It is my honor to serve on the House Judiciary Committee, where this matter had a hearing. It is unfortunate that in 2007 we have to have a hearing on such matters, but as Mr. BACA, Mr. CUMMINGS and others have so well expressed, these are symbols of racial hatred, of intolerance and intimidation and oppressive factors, trying to intimidate people into not exercising their rights. Predominantly, these have been used against African Americans, but also against other ethnic minorities.

Growing up, one of the stories I heard about many times was a man named Leo Frank. Leo Frank was accused and unjustly convicted of a crime in Georgia, taken out of his jail in 1915 in Marietta, Georgia, and hung by an angry mob. Mr. Frank was later found by the courts and the Georgia system of justice to have been illegally, improperly convicted and was given a posthumous pardon, but a little too late.

As with so many incidences with lynchings throughout the South against different minorities that people didn't understand and they showed their ignorance by employing vigilante tactics to take the law into their own hands, this couldn't be rectified, because Mr. Frank was dead.

This was an unfortunate part of our history. The Klan was a part of it, but there were people beyond the Klan that engaged in it. And rather than being like the Statue of Liberty and welcoming people to this country, this great land of opportunity where people could pursue happiness and enjoy freedom, the symbol of the noose has told people you are not welcome, you are not to exercise your rights, and you should be weary of trying to speak up and exercise your first amendment rights and be what America is all about.

This legislation needs to pass. When nooses are displayed, they are anti-American. They need to be investigated for criminal enforcement by our Justice Department, and they will, with this resolution's passage. I thank Mr. GREEN for bringing it. I want to say that, unfortunately, in my jurisdiction in Memphis, there was a situation in Germantown, Tennessee, where three people at the Germantown Performing Arts Center recently in August put a noose out. They were fired. They should have been prosecuted as well. The noose does not belong in America.

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

Mr. CONYERS. Mr. Speaker, I am pleased now to recognize the distinguished gentleman from Louisiana, Mr. WILLIAM JEFFERSON, who has worked very hard on matters of racial justice across his career in the Congress, and I yield him 2 minutes.

Mr. JEFFERSON. Mr. Speaker, thank you, Mr. Chairman. I rise today in strong support of H. Res. 826. I commend Representative AL GREEN for taking this timely and necessary step against the heinous act of noose hanging, an act that can only be described

as one of racial discrimination and hate.

Now is the time for the Congress to address the well over 50 incidences of noose hangings that have occurred in the past 2½ months. In my home State of Louisiana, at least three have been reported: One in Jefferson Parish; one in St. Tammany Parish; and, of course, the most infamous of all, one in Jena, Louisiana.

Mr. Speaker, Professor Ogletree of Harvard Law School got it right when in recent testimony before the House Judiciary Committee relating to what happened in Jena, he said in part, ''We have failed at basic lessons of history if an American can blithely characterize hanging nooses on a tree as an innocent prank or practical joke, as some officials in Jena have done. This is not an act to be minimized, laughed off or chalked up to childhood shenanigans.''

With nearly 5,000 people lynched from the late 1800s to the early 1900s, a noose today is a powerful symbol of pure barbarism. Given the context, the noose to an African American who knows his history is nothing less than an expression of hatred. It is, too, a warning of impending violence and likely death.

Indeed, this is the correct reading of history and the correct context in which to view the importance of this resolution.

The composition ''Strange Fruit,'' Mr. Speaker, written by Lewis Allan and originally sung by Billie Holiday, lays bare the savagery of lynching and therefore what noose hanging means in real terms to African Americans. It reads:

''Southern trees bear strange fruit,
Blood on the leaves and at the root,
Black bodies swinging in the southern breeze,
Strange fruit hanging from the poplar trees.
Pastoral scene of the gallant South,
The bulging eyes and the twisted mouth,
Scent of magnolias, sweet and fresh,
Then the sudden smell of burning flesh.
Here is fruit for the crows to pluck,
For the sun to rot, for the trees to drop,
Here is a strange and bitter crop.''

Professor Ogletree concluded his testimony by saying, ''If all that emerges from these unfortunate events in Jena are educators more systematically informing community members and students about the shameful history of lynching, this will be a positive step.'' I agree, Mr. Chairman, but more is needed.

□ 1515

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

Mr. CONYERS. Mr. Speaker, I would like to advise my colleague, the floor manager, that I have only one final speaker. We will be concluded. So if you would like to yield back, we would finish up.

Mr. FORBES. With that advice, I would just like to again encourage all of our Members, and I believe everybody stands in support of this resolution, and I hope they will all vote in favor of it.

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

Mr. CONYERS. Mr. Speaker, I thank the gentleman from Virginia, and I yield finally to the Honorable STEPHANIE TUBBS JONES of Ohio, a distinguished lawyer, prosecutor, judge, and now a chairman in the House of Representatives, to close for us.

Mrs. JONES of Ohio. Mr. Chairman, thank you for the privilege.

They say some things bear repeating. These words bear repeating.

Southern trees bear strange fruit,
Blood on the leaves and blood at the root,
Black bodies swinging in the southern breeze,
Strange fruit hanging from the poplar trees.
Pastoral scene of the gallant South,
The bulging eyes and the twisted mouth,
Scent of magnolias, sweet and fresh,
Then the sudden smell of burning flesh.
Here is fruit for the crows to pluck,
For the rain to gather, for the wind to suck,
For the sun to rot, for the trees to drop,
Here is a strange and bitter crop.

The words of a songstress, but the words of the South, the words of African Americans from across this country and other ethnic groups. Seeing somehow in America we have begun to believe that this conduct is acceptable, that we can hang nooses, we can do crosses, we can do all kinds of things against people without believing that it has some impact or that it can hurt. It hurts like a knife. It cuts like a knife. My mama from Alabama, my daddy from Alabama, my in-laws from Georgia, Alabama; the stories go on and on about how terrible nooses can and have been.

America, this is the Congress saying our sense is that this is terrible conduct and that it should be criminalized. But, America, wake up. What if it were you that got the noose. What if it was your grandfather or grandmother that was hung. What if they were required to hang on a tree and let the blood suck and sip from them and crows gnaw at them. It would be a terrible situation for you. As one American to another, you should cry for us, too.

Let's pass this legislation, ladies and gentlemen. Let's tell our country, let us tell the world that we will never, ever allow such a thing or such conduct to happen again. No more nooses.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3845, introduced by my distinguished colleague from my home state of Texas, Representative AL GREEN. Through this important resolution, the House of Representatives will explicitly go on record against a form a racial hatred that has plagued this country for far too long.

As a senior member of the Judiciary Committee, I have been an outspoken advocate for civil rights and the vigorous prosecution of those who violate our Nation's laws that protect the most vulnerable amongst us. Though we cannot stop acts of racism, ignorance and intolerance, we must speak with a clear and loud voice and say the time has come for our Nation to no longer turn a blind eye to acts of hatred and intolerance.

This legislation comes at a time when the hanging of nooses is making a resurgence around the country. We all know about the case in Jena, LA, where a noose was hung in a school yard and resulted in the division of a town along racial lines, and where six black teenagers were arrested for beating a fellow white student after a series of racial disturbances. One of those students, Mychal Bell, just yesterday pled guilty to lesser charges after one of the largest civil rights protests in years and the largest march in the South since the 1960s.

This October, the Judiciary Committee held hearings on the matter, to address those responsible for administering the laws governing hate crimes. Unfortunately, as we have seen since the events of Jena, nooses are being hung in the halls of some our country's most distinguished institutions and businesses. At Columbia University's Teachers College, a noose was left on the doorknob of an African American female professor. In Chicago, a noose was found at a Home Depot construction site. In Queens, New York, a woman was arrested after hanging a noose in her yard and threatening to hang her African American neighbor's child from it. In my own home state of Texas, two students in Pearland hung a noose in their school parking lot.

It is unfortunate that this Congress is taking up this issue only after companies such as Home Depot and Verizon, as well as colleges and universities across the country and numerous other institutions, have already spoken against these acts with a loud and clear voice. The time has come for the United States Congress to speak just as loudly and say we will not tolerate these heinous acts.

The symbol of the noose is powerful and offensive. Thousands of African Americans have been lynched in this country simply for being the ''wrong'' color. The incident of noose hangings of Black America was not aberrational or occasional. At any moment in time, an African American could lose their life at the hands of an angry white mob, and the symbolism of the noose still hangs over this country like a black cloud. The noose has come to symbolize white supremacy and the subjugation of an entire race of people. It has been used as a weapon against those who dared to challenge their condition. It has been used as a weapon to silence the voice of those who dared to speak out. The ritualistic, brutal, and public murders that took place with a noose were done specifically to terrorize the African American community. The threat of lynching was used to prevent people from voting, marching, protesting, getting an education, and even starting a business. The noose as sign of intimidation dates back to 1896 as a means of voter suppression. Today, we see the noose used to intimidate educational and business institutions, teachers, workers, community leaders and now our children.

With the passage of this resolution, our country and this Chamber will say, in no unclear terms, that we will not be intimidated and we will not allow our children to be intimidated.

I applaud this important resolution for the message it sends to the country and the world, that we do not tolerate hatred and bigotry against anyone.

Let me remind those who regard the hanging of a noose from a tree in Jena, Louisiana or anywhere else in this country as a harmless act: it is not harmless and it is not just a juvenile prank. It is a frightening and symbolic play for power, as was captured so poignantly by Billie Holiday in her unforgettable rendition of Southern Fruit:

Southern trees bear strange fruit,
Blood on the leaves and blood at the root,
Black bodies swinging in the southern breeze,
Strange fruit hanging from the poplar trees.

While the use of this racist tool continues, we must not forget that over 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan. Nor should we forget that more people died at the hands of lynch mobs than died in the attack on Pearl Harbor (2,333) and died during Hurricane Katrina (1,836) combined.

Mr. Speaker, we must act now to stop the use of this racist and evil symbol of America's bitter waters. I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 826.

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

A motion to reconsider was laid on the table.

GENOCIDE ACCOUNTABILITY ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 888) to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 888

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 ''Genocide Accountability Act of 2007''.

SEC. 2. GENOCIDE.

Section 1091 of title 18, United States Code, is amended by striking subsection (d) and inserting the following:

''(d) REQUIRED CIRCUMSTANCE FOR OFFENSES.—The circumstance referred to in subsections (a) and (c) is that—

''(1) the offense is committed in whole or in part within the United States;

''(2) the alleged offender is a national of the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));

''(3) the alleged offender is an alien lawfully admitted for permanent residence in the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));

''(4) the alleged offender is a stateless person whose habitual residence is in the United States; or

''(5) after the conduct required for the offense occurs, the alleged offender is brought into, or found in, the United States, even if that conduct occurred outside the United States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker and members of the committee, the United Nations approved the Convention on the Prevention and Punishment of the Crime of Genocide in 1948. It was in response to Nazi Germany's policy of systematic murder. The Convention, to which the United States is a signatory, established genocide as an international crime which signatory nations undertake to prevent and punish. It's the duty that we address in the Genocide Accountability Act before us at this moment.

We must remember that genocide affects all humanity, not just the direct victims, and not just the perpetrators, but all those who stand by and by their inaction allow those horrible acts to take place. These are the lessons of the Holocaust, of Cambodia, of Bosnia and, more recently, of Rwanda. In Rwanda, we shrugged our shoulders and waited until 800,000 people were killed before we were willing to call that atrocity by its rightful name, genocide.

Sadly, even after Rwanda, the world has mostly stood by while yet another genocide has unfolded before our eyes. The genocide in Darfur has thus far claimed 200,000 lives, and maybe going up to as many as 400,000 lives. Two and a half million people have been displaced as a result of the conflict in Darfur. Both President Bush and Congress have correctly described the situation in Darfur as genocide.

As history repeats itself in Darfur, it seems that we have to learn to say the right things about these atrocities, but too often we cannot seem to muster the consensus and strength of will in the United States and the international community to make our deeds match our words. Along with an increased United Nations peacekeeping force, and a long-term political agreement among its many factions, we need to explore every avenue available to stop this massacre from continuing and prevent similar ones in the future.

The Genocide Accountability Act is an effort to ensure that our United States laws provide adequate authority to prosecute acts of genocide. We should not have a situation where perpetrators of genocide are allowed to enter the United States and use this country as a safe haven from prosecution. What an untenable thought.

But under current law, genocide is only a crime if it's committed within the United States or by a United States national outside of the United States. In contrast, the laws of torture, material support for terrorism, terrorism financing, hostage taking, and many other Federal crimes allow for extraterritorial jurisdiction for crimes committed outside the United States by non-United States nationals.

So there's a gap in the law. This has led to real-life consequences. I understand that the Justice Department has identified individuals who have participated in the Rwandan and the Bosnian genocides and who have entered the United States under false pretenses. Under current law, these individuals can be deported but they can't be arrested or prosecuted for committing genocide.

And so we bring to you on the floor today a measure to allow us to do more than send them off to another country, not knowing whether they will ever be prosecuted. This measure will allow us to bring them to justice. Amending our laws to allow for vigorous prosecution of genocide is a first, a small, but very, very important step toward ending the impunity under which those who commit genocide currently operate.

I am so proud of my colleagues on the Judiciary Committee who have worked with us on this: LAMAR SMITH; the floor manager for the Republicans, Mr. FORBES; and many others. We must remember that it cannot be the last step, this measure. If we are going to fulfill our role as the beacon in the world for basic human rights and freedom from persecution, we must continue to develop the humble legislative beginning that we have begun today.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of S. 888, the Genocide Accountability Act of 2007. I want to commend Chairman CONYERS and Representatives BERMAN and PENCE, the sponsors of the House version of this legislation, H.R. 2489, for their dedication and commitment to this issue.

Perpetrators of genocide have committed some of the most heinous crimes ever carried out. Genocide is a crime not only against specific victims targeted for extermination, but it is also a crime against humanity. History is replete with horrible images of human suffering, where victims targeted were based on their human characteristics. In the modern era, we have technological advances used for carrying out heinous acts of genocide.

The idea that individuals, hundreds, thousands, and sometimes hundreds of

thousands, are singled out and systematically targeted for extermination offends every person's belief in humanity or the rule of law. In recent decades, we have seen ethnic cleansing during the civil war in the former Yugoslavia, systematic mass killings in other areas, and of course there is the ongoing suffering in Darfur.

S. 888, the Genocide Accountability Act of 2007, expands Federal criminal jurisdiction for prosecution of those responsible for genocide. With this improvement, I hope that Federal prosecutors will be able to prosecute aggressively those heinous criminals. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, it's my pleasure now to yield 4 minutes to the ranking member of the Committee on Judiciary on the Democratic side, Mr. HOWARD BERMAN.

Mr. BERMAN. Mr. Speaker, the House Judiciary Committee has reported an identical House companion to S. 888. That bill is H.R. 2489, and the Judiciary Committee's report for the House bill, Report No. 110–468, should be considered as part of the legislative history on S. 888, as reflecting the intent of the House.

Mr. Speaker, the first legal application of the term genocide came during the Nuremberg trials in 1945. Before then, there wasn't a word in our language to adequately express the brutality and evil that this crime embodies. The purpose of the Genocide Accountability Act is to ensure that no perpetrator of genocide is able to use the United States as a safe haven for prosecution. After the Holocaust, the Genocide Convention was the embodiment of the world's pledge, the promise of ''never again.'' And yet this promise has proven to be one of the world's most unfulfilled.

Not very long ago, genocide was the scourge of Bosnia, and before that, Rwanda. Two years ago, this body passed a resolution acknowledging that the devastation and murderous violence occurring in the Darfur region of Sudan was a genocide. Unfortunately, the genocide in Darfur remains an ongoing crime today. The struggle to prevent and punish genocide has been, and unfortunately will be, winding and long.

The bill we are considering today acknowledges that in some cases the perpetrators of this evil have ended up not just on the doorstep of the United States, but living inside our house. Current law allows us to deport them, but procedural limitations in our laws can keep us from delivering justice for their crimes.

Because current U.S. law lacks an extraterritorial jurisdiction clause for genocide, procedurally the Department of Justice is limited in its ability to charge an individual who is not a U.S. national for involvement in a genocide committed outside the United States, even if the victims include American citizens.

In 1948, the United States was the first nation to sign the Genocide Convention. Twenty years ago, with the Proxmire Act, we added to our criminal code provisions to fulfill the dual obligations of that Convention, to prevent and to punish genocide. S. 888 will strengthen the reach of U.S. laws to prosecute any individuals found in our country who have taken part in acts of genocide, in Darfur or anywhere else.

□ 1530

As the atrocities in Darfur continue, it is imperative that we enact measures in this bill to stand against genocide wherever it occurs and hold fully accountable the perpetrators of genocide who are able to escape justice.

Mr. Speaker, the term ''genocide'' was first proposed by Ralph Lemkin, a man of Polish-Jewish descent. In 1941 he came to the United States, and on the day of his arrival he gave a speech explaining to an American audience the international responsibility to respond to genocide. I'll paraphrase what he said: If you learned that a mass of women, children and old people was being murdered 100 miles from here, wouldn't you feel compelled to run to their aid? Why then, if the distance were 3,000 miles instead of 100, would you restrain this decision of your heart?

By passing this bill today, we are taking Lemkin's words to heart. We will work to punish and prevent the crime of genocide not just in our own country, but wherever it occurs around the world.

I strongly urge my colleagues to support this legislation.

Mr. FORBES. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise in support of S. 888, the Genocide Accountability Act of 2007. I cosponsored the House version of this legislation because I totally agree, U.S. law should not provide safe haven to those who are committing genocide.

As a result of this bill, prosecutors will be able to target individuals living lawfully in the U.S. who have committed genocide or aided those who have committed these crimes against humanity. I have tremendous respect for all those who have worked to raise awareness of this important issue. Student groups and faith-based organizations, especially from the African American, Jewish and Armenian communities, have done a terrific job of educating their fellow citizens and lawmakers about the crisis and the need to respond.

The world collectively agreed to ''never again'' allow genocide after the Holocaust and again after the mass murders in Cambodia and Rwanda, and again in Bosnia. Tragically, genocide is again taking place, and the United States must take all reasonable steps to end the killing and ensure the perpetrators of these crimes are brought to justice.

The United States has made a tremendous commitment to the people of Darfur in the form of humanitarian aid and is working hard on diplomatic efforts to end the genocide. But more must be done. We need to stop the killings.

Current U.S. law only makes genocide a crime if it is committed by a U.S. citizen or within the United States. According to the Justice Department, there are individuals who participated in the Rwandan and Bosnian genocides who are living in the United States today that it will be able to prosecute with this legislation.

We will also ensure those who are committing genocide in Sudan today will not be able to look to the United States as their safe haven in the future.

Mr. CONYERS. Mr. Speaker, the chairman of the Crime Subcommittee has played an enormously important role in the measure before us, and I am pleased to recognize Chairman BOBBY SCOTT for 3 minutes.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, the slaughtering of individuals simply because they are a member of a certain ethnic or racial group has occurred throughout history, and, regrettably, continues today. As we witnessed, as many as 800,000 of the Tutsi minority, men, women and children, were murdered in Rwanda. Mass violence has occurred against civilians in Bosnia, where up to 8,000 Muslim men and boys were systematically executed.

The obligations of the United States under the Genocide Convention are in the criminal code in title 18 beginning at section 1091. Genocide is defined as having the specific intent to destroy, in whole or in part, a national, ethnic, racial or religious group. The code offers severe punishment for anyone who commits genocide within the United States. The law also makes it a Federal crime for a U.S. national to commit genocide anywhere in the world. Fortunately, there has not been a need to use the law against anyone now covered by it. However, by only covering genocide if it is committed in this country or committed by a U.S. national, we leave a gap which allows non-U.S. persons who commit genocide elsewhere to come to this country with impunity under our laws.

To this end, the Senator from Illinois, Senator DURBIN, and the gentleman from California (Mr. BERMAN) introduced identical legislation designed to amend title 18 of the United States Code to expand jurisdiction of genocide over the following categories of people who have committed genocide outside of the United States: (1) an alien lawfully admitted for permanent residence; (2) a stateless person whose habitual residence is in the United States; or (3) an individual physically present in the United States.

Similar to the legislation before us, many other Federal laws, including

those laws that criminalize torture, allow for the extraterritorial jurisdiction over crimes committed outside the United States by those present in the United States.

Genocide continues to be a threat in the world and we should attack it wherever we find it. In Darfur, we see the tragic replay of suffering and death. Hundreds of thousands of innocent people who have been killed, raped, tortured, or forced to flee, and over 2 million people have been driven from their homes. For them, the commitment of ''never again'' after the Holocaust rings hollow. The United States should have the ability to prosecute those who find safe haven in the United States for their acts of genocide. The Genocide Accountability Act would end this impunity gap in the genocide law. Therefore, I urge my colleagues to adopt this important legislation.

Mr. FORBES. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, here in Washington, D.C., down the street from this very building is the United States Holocaust Memorial Museum, a museum that serves as a living memorial to the Holocaust and which challenges its visitors and the world in the words written in its charter to: ''Confront hatred, prevent genocide, promote human dignity, and strengthen democracy.'' All of us serving in Congress take the challenge of those words to heart.

We have the unique ability in this institution to promulgate laws and policies that protect life, preserve liberty and confront genocide. Today, with the passage of the Genocide Accountability Act, in bipartisan numbers, this Congress will discharge that duty to history.

Mr. Speaker, I rise today in support of S. 888, the Genocide Accountability Act. In May of this year, it was my privilege to join my friend, the gentleman from California (Mr. BERMAN) to introduce H.R. 2489, which is the companion of the Senate version of the bill that is being considered today. I would like to commend the gentleman from California whose partnership on this and other legislation demonstrates his deep commitment to human rights and to human dignity and to America's place in advancing those principles in the world.

This is an important piece of bipartisan legislation simply because it provides America with a real and powerful tool to combat genocide around the world. The need for the Genocide Accountability Act is straightforward. Currently under U.S. law, genocide is only a crime if it is committed within the borders of the United States or by a U.S. national outside the country. Therefore, the Department of Justice is prevented from prosecuting people who may be in America who have committed genocide, as unthinkable as that might be.

Imagine a scenario where an individual who contributed to genocidal acts in Bosnia, Rwanda, or Sudan, or elsewhere, is determined to be here in America, somehow living under false pretenses or even traveling throughout our country. Under this scenario, the Department of Justice would be prevented under current law from prosecuting that person for genocide in this country. The Genocide Accountability Act closes this loophole. When implemented, it will allow prosecution of non-U.S. nationals who are in the United States for genocide committed outside the United States.

Under the scenario I just described, the Department of Justice would be able to prosecute people who are found to be in America and have perpetrated the worst kind of crime against humanity. Giving our law enforcement this type of tool is absolutely necessary in order to make it clear to the world that America will not tolerate genocide or the perpetrators of genocide, and that we will do all we can to hold those accountable who perform these heinous acts.

As Elie Wiesel stated, ''Once you bring life into the world, you must protect it. We must protect it by changing the world.''

Mr. Speaker, the Genocide Accountability Act changes the world today in a very small but a profound way, in my judgment. It strengthens the hand of the most powerful free Nation on Earth in fighting and prosecuting those who would commit the crimes of genocide. It is important and necessary, and I encourage my colleagues in the House to support this legislation today so it can be sent to the President for signature.

I want to commend the chairman of the committee, the ranking member and again the gentleman from California (Mr. BERMAN) for his extraordinary leadership on this important and historic measure.

Mr. Speaker, I would like to engage in a colloquy on an issue affecting this legislation with the gentleman from California, Mr. BERMAN.

Our legislation, H.R. 2489, and S. 888 are identical bills, as you know. But during the Crime Subcommittee hearing on H.R. 2489, a witness from the Department of Justice theorized that the changes proposed by this bill might constitute a violation of the ex post facto clauses of article I of the Constitution in some cases. Let me ask you, if this legislation becomes law, Mr. BERMAN, would we be able to use it to prosecute a non-U.S. national taking part in the genocide in Darfur today?

I yield to the gentleman from California.

Mr. BERMAN. I thank the gentleman for his question and yielding to me and appreciate his comments and partnership on this bill.

In response, I would say that the genocide in Darfur is an ongoing crime. The House recognized it as such over 2 years ago, and there is no question that this crime continues today. We believe that ex post facto clearly would not apply in this situation.

Mr. PENCE. I thank the gentleman for clarifying that.

Lastly, going back to that specific hypothesis from the witness from the Department of Justice, if this new law were used to prosecute a perpetrator of a past genocide, the assertion was it may constitute an ex post facto violation of the Constitution. Do you agree with that hypothesis?

Mr. BERMAN. The gentleman raises an important issue, and I do not agree with that hypothesis. I think the witness from the Department of Justice was offering a spontaneous and personal opinion, which he was careful to label as such, and not an official interpretation by the Department.

When we crafted this bill, we were careful to write it as narrowly and precisely as possible. We were and remain interested only in changing the circumstances under which certain parties may be charged under the genocide statute. Our intent is to make a procedural alteration to the current law and leave everything else in the statute untouched.

In determining whether or not a law presents a violation of the ex post facto clauses of the Constitution, courts have generally considered whether the new law: one, places the defendant at a substantial disadvantage compared to the law as it stood when he committed the crime of which he has been convicted; secondly, changes the definition of the crime; or three, increases the maximum penalty for it. The Genocide Accountability Act doesn't alter in any way either the elements or the punishment for the crime of genocide.

The underlying notion here is that the defendant should be on notice that his actions constituted a crime. I think it would be very difficult for anyone to argue that the world is not on notice that we consider and have considered for many years genocide a crime. The United States has recognized genocide as a crime for nearly 60 years as a signatory of the Genocide Convention.

Neither do we make any change that would deprive one charged with the crime of any defense that is now available under the law. It is important to add that the Supreme Court has found a key exception to the ex post facto rule where changes to a law are procedural in nature.

□ 1545

In numerous decisions, the court has held that where a law involves changes in the procedures by which a criminal case is adjudicated as opposed to changes in the substantive laws of crimes, and I quote that phrase directly, that does not deprive a defendant of substantial legal protections, then it is constitutional.

It is our conclusion that this bill falls within that exception and makes only procedural changes to the law. So it was our intent that this law be used to prosecute perpetrators of genocide who are on notice that their acts constitute a crime wherever it was committed.

Mr. PENCE. I thank the gentleman for his response. I thank him again for his leadership on this issue, to the ranking member Mr. FORBES for his leadership and courtesy today, and to the chairman and ranking member of the full committee. It is important legislation, and I urge all of my colleagues to join us in a strong bipartisan vote against genocide, in favor of the Genocide Accountability Act. It is time we gave the force of American law here at home behind our commitment to end genocide in the world.

Mr. CONYERS. Mr. Speaker, I am pleased now to recognize a distinguished member of Judiciary, STEVE COHEN of Tennessee, for such time as he may consume.

Mr. COHEN. Thank you, Mr. Chairman, and Mr. BERMAN for bringing this legislation.

It is obvious we need such a bill, for America should never be a haven for people who commit crimes against mankind. And that is what genocide is, a crime against mankind. It is ironic that God's rightest creature, human beings, are the only species that God created that commits genocide. Animals attack each other out of need for food or for other reasons, but not to destroy and kill an entire other group of animals. Only man, with his ability to think, can create the most unhumanlike crime against mankind, which is the attempt to kill others because of ethnic differences. That is an irony and a shame. And the fact is that we should never be a country that does anything but try to make this world a better place. People should not find America a harbor when they escape from the area, whether it be Darfur or Rwanda or any other place where genocide has been committed.

As a Jewish person, I have known about genocide because we know about the Holocaust and Jewish people have had relatives and possible would-be relatives if our ancestors had not emigrated to this country who would have been victims of this Holocaust or who were. So many of us have been to the Holocaust Museum or Yad Vashem in Jerusalem, or other places or concentration camps and learned.

I would submit that this bill, as the previous bill about nooses, should make a strong statement from this Congress, Mr. Speaker, but to the American people and the educators of this country that what we need in this country is more education about tolerance, more education about the horrors that we have had in the past in history. Because if you don't learn from history, you will repeat it again. And here we are, almost 2008, talking about genocide and nooses and oppressive tactics used by groups to intimidate religious and ethnic minorities and people of different backgrounds.

I commend the authors for bringing the bill, and it is a bipartisan bill and that is what we need, but there are so many other aspects that we need to look into.

Elie Wiesel, who was cited just recently by a Member on the other side, said that people who hate, hate everyone. People who hate Jews hate blacks, hate Hispanics, hate gays.

We have had hate crimes come up in this Congress that have passed and hopefully we will have a hate crime that passes, because hate in any form, whether it is racial, religious, or sexual orientation is just that, it is hate, and it is un-American and it is something unfortunately unique to humankind that should be stamped out and abolished in this country, and this Congress should not allow it, countenance it, or in any way condone it.

And so I thank the chairman and Mr. BERMAN for their leadership and the other people who have worked on this bill, Mr. FORBES and others, and we should work together in a bipartisan fashion to make this country what it is supposed to be, and that is an area where we can work together and hopefully one day have the Age of Aquarius and a place where we don't have these problems that we have had in the past.

Mr. FORBES. Mr. Speaker, at this time, I yield 2 minutes to the distinguished gentleman from Michigan, Congressman EHLERS.

Mr. EHLERS. I thank the gentleman for yielding. I feel very strongly about this issue, and I want to echo the words of the previous speaker, the gentleman from Tennessee who, of course, because of his background, has a deep historical interest and feeling about genocide.

I have been appalled at the lack of advancement of the nations in dealing with genocide, particularly the current genocide in Darfur. There is no reason in the world that our Nation, coupled with the other nations, could not have stopped this earlier. And because of the niceties of diplomatic relations worldwide, we have not done so. I believe that is a mistake, and I feel very strongly about this. Genocide should not occur. As the gentleman before me commented, that we are the only creatures who deliberately kill large numbers of our own kind. And it is not new. It started with Cain and Abel, the killing of a brother.

We must pursue genocide worldwide. We must insist that it not take place. And we must punish those who commit genocide. There is no reason on God's good Earth that we should permit genocide. And we, along with the other nations, have the power to stop it and we should do so.

So I rise with great gratitude to the sponsors of this bill and those presenting this bill on the floor. This is one small step forward in what we really have to do, and that is to totally and completely outlaw genocide worldwide and act expeditiously to stop it wherever it occurs.

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

As the gentleman from Indiana said, this is a small step but a very profound step. You have heard the voices all in almost unanimous agreement supporting this bill. I hope that would be the pleasure of the House.

I would like to yield the balance of my time to the chairman of the committee, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentleman, Mr. Speaker.

I want to close by observing that the Judiciary Committee has handled four measures on the floor this afternoon, and I have enjoyed the full, unstinting cooperation of the gentleman from Virginia (Mr. FORBES). I want to thank him very much for it. And I appreciate the kinds of issues that we have handled here on this day in the House of Representatives. They are issues of local and global import that I think reflect in a very complimentary sense upon the things that can be accomplished in the Congress when we put our best efforts and bring our most cooperative spirits to the table. And so I thank all of the speakers on both sides of the aisle.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of S. 888, the Genocide Accountability Act of 2007, introduced by Senator DURBIN. I would like to thank my colleague Representative BERMAN for introducing this resolution in the House, where I am proud to join over 10 of my colleagues as a cosponsor of this important legislation. May I also take this opportunity to thank Chairman CONYERS for his leadership in guiding this legislation through the Judiciary Committee.

Mr. Speaker, it is a tragedy that the 20th century, which excelled in technological innovation and great accomplishments in arts and letters, could also be remembered for events symbolizing man's inhumanity to man. Genocide in Rwanda, the former Yugoslavia, Cambodia, Germany, and the Ottoman Empire, to cite a few examples, showed us the monstrous potential of totalitarian regimes determined to annihilate entire ethnic, racial and religious groups.

Sadly, though the 20th century has been called "the Age of Genocide" by at least one prominent scholar, the crime has already been seen in the new 21st century, with the deplorable situation in Darfur. Over the recent August recess, I led a congressional delegation to Darfur, where, together with two of my colleagues, I had the tragic opportunity to see the plight of the people of Darfur, victims of the systematic annihilation attempt supported by the Government of Sudan.

Not since the Rwandan genocide of 1994 has the world seen such a systematic campaign of displacement, starvation, rape, mass murder, and terror as we are witnessing in Darfur for the last 3 years. At least 400,000 people have been killed in Darfur; more than 2 million innocent civilians have been forced to flee their homes and now live in displaced-persons camps in Sudan or in refugee camps in neighboring Chad; and more than 3.5 million

men, women, and children are completely reliant on international aid for survival. Unless the world stirs from its slumber and takes concerted and decisive action to relieve this suffering, the ongoing genocide in Darfur will stand as one of the blackest marks on humankind for centuries to come.

In 1948, the United Nations General Assembly adopted the ''Convention on the Prevention and Punishment of the Crime of Genocide.'' As its title suggests, the treaty imposes two core obligations on participating states: first, state parties undertake to prevent genocide; and second, they commit to punish genocide as well as several related acts, such as attempting to commit genocide. The Genocide Convention establishes our core obligations in combating the genocide phenomenon—preventing and punishing Genocide. The document gives the U.N. a broad license to deal with genocide. In addition, individual states are expected to do all they can to prevent genocide. It also gives responsibility to state parties to prosecute the perpetrators of genocide.

In 1987, Congress enacted legislation to bring U.S. law into conformity with the Genocide Convention. The ''Proxmire Act'' (The Genocide Convention Implementation Act of 1987) is the key U.S. law implementing the Genocide Convention. When read together with other provisions of the federal criminal code concerning conspiracy and complicity, the Proxmire Act addresses the explicit obligation set forth in Article VI of the Genocide Convention concerning prosecution of genocide and related criminal acts in courts of the State where genocide occurs. In addition, the Proxmire Act makes it a federal crime for a U.S. national to commit genocide anywhere.

The proliferation of civil wars accompanied by ethnic cleansing and outright genocide which characterized the end of the 20th century, from Bosnia and Herzegovina to the civil wars in Somalia and Liberia, produced a number of perpetrators of genocidal acts who later ended up on American shores. This revealed a shortcoming in our current laws, under which the United States cannot indict someone for genocide committed outside the United States, even when the victim is an American citizen, unless the perpetrator is a U.S. national.

In contrast, laws on torture, material support for terrorism, terrorism financing, hostage taking, and many other federal crimes allow for extraterritorial jurisdiction for crimes committed outside the United States by non U.S. nationals. In light of this legal gap in our obligations to prosecute perpetrators of genocide, I commend my colleagues Mr. BERMAN and Mr. PENCE for introducing the Genocide Accountability Act., H.R. 2489 in May of 2007.

Mr. Speaker, this legislation would close a legal loophole that prevents the U.S. Justice Department from prosecuting people in our country who have committed genocide. The bill specifically amends Title 18 to establish federal criminal jurisdiction over the crime of genocide wherever the crime is committed. This jurisdiction should be exercised when the alleged offender is present in the United States and he or she will not be vigorously and fairly prosecuted by another court with appropriate jurisdiction.

Many countries have adopted or enforced legislation establishing jurisdiction over certain international crimes, including genocide, wherever committed if the alleged perpetrator is in their territory and any additional requirements are satisfied. This legislation will be a further step toward bring the United States into line with its international obligations, and toward ensuring that no perpetrator of genocide living on U.S. soil can go unpunished.

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

Mr. CONYERS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the Senate bill, S. 888.

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

A motion to reconsider was laid on the table.

U.S. CAPITOL POLICE AND LIBRARY OF CONGRESS POLICE MERGER IMPLEMENTATION ACT OF 2007

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3690) to provide for the transfer of the Library of Congress police to the United States Capitol Police, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3690

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 ''U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007''.

SEC. 2. TRANSFER OF PERSONNEL.

(a) TRANSFERS.—

(1) LIBRARY OF CONGRESS POLICE EMPLOYEES.—Effective on the employee's transfer date, each Library of Congress Police employee shall be transferred to the United States Capitol Police and shall become either a member or civilian employee of the Capitol Police, as determined by the Chief of the Capitol Police under subsection (b).

(2) LIBRARY OF CONGRESS POLICE CIVILIAN EMPLOYEES.—Effective on the employee's transfer date, each Library of Congress Police civilian employee shall be transferred to the United States Capitol Police and shall become a civilian employee of the Capitol Police.

(b) TREATMENT OF LIBRARY OF CONGRESS POLICE EMPLOYEES.—

(1) DETERMINATION OF STATUS WITHIN CAPITOL POLICE.—

(A) ELIGIBILITY TO SERVE AS MEMBERS OF THE CAPITOL POLICE.—A Library of Congress Police employee shall become a member of the Capitol Police on the employee's transfer date if the Chief of the Capitol Police determines and issues a written certification that the employee meets each of the following requirements:

(i) Based on the assumption that such employee would perform a period of continuous Federal service after the transfer date, the employee would be entitled to an annuity for immediate retirement under section 8336(b) or 8412(b) of title 5, United States Code (as determined by taking into account paragraph (3)(A)), on or before the date such employee becomes 60 years of age.

(ii) During the transition period, the employee successfully completes training, as determined by the Chief of the Capitol Police.

(iii) The employee meets the qualifications required to be a member of the Capitol Police, as determined by the Chief of the Capitol Police.

(B) SERVICE AS CIVILIAN EMPLOYEE OF CAPITOL POLICE.—If the Chief of the Capitol Police determines that a Library of Congress Police employee does not meet the eligibility requirements, the employee shall become a civilian employee of the Capitol Police on the employee's transfer date.

(C) FINALITY OF DETERMINATIONS.—Any determination of the Chief of the Capitol Police under this paragraph shall not be appealable or reviewable in any manner.

(D) DEADLINE FOR DETERMINATIONS.—The Chief of the Capitol Police shall complete the determinations required under this paragraph for all Library of Congress Police employees not later than September 30, 2009.

(2) EXEMPTION FROM MANDATORY SEPARATION.—Section 8335(c) or 8425(c) of title 5, United States Code, shall not apply to any Library of Congress Police employee who becomes a member of the Capitol Police under this subsection, until the earlier of—

(A) the date on which the individual is entitled to an annuity for immediate retirement under section 8336(b) or 8412(b) of title 5, United States Code; or

(B) the date on which the individual—

(i) is 57 years of age or older; and

(ii) is entitled to an annuity for immediate retirement under section 8336(m) or 8412(d) of title 5, United States Code, (as determined by taking into account paragraph (3)(A)).

(3) TREATMENT OF PRIOR CREDITABLE SERVICE FOR RETIREMENT PURPOSES.—

(A) PRIOR SERVICE FOR PURPOSES OF ELIGIBILITY FOR IMMEDIATE RETIREMENT AS MEMBER OF CAPITOL POLICE.—Any Library of Congress Police employee who becomes a member of the Capitol Police under this subsection shall be entitled to have any creditable service under section 8332 or 8411 of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee's service as a member of the Capitol Police for purposes of section 8336(m) or 8412(d) of title 5, United States Code.

(B) PRIOR SERVICE FOR PURPOSES OF COMPUTATION OF ANNUITY.—Any creditable service under section 8332 or 8411 of title 5, United States Code, of an individual who becomes a member of the Capitol Police under this subsection that was accrued prior to becoming a member of the Capitol Police—

(i) shall be treated and computed as employee service under subsection 8339 or 8415; but

(ii) shall not be treated as service as a member of the Capitol Police or service as a congressional employee for purposes of computing the amount of any benefit payable out of the Civil Service Retirement and Disability Fund.

(c) DUTIES OF EMPLOYEES TRANSFERRED TO CIVILIAN POSITIONS.—

(1) DUTIES.—The duties of any individual who becomes a civilian employee of the Capitol Police under this section, including a Library of Congress Police civilian employee under subsection (a)(2) and a Library of Congress Police employee who becomes a civilian employee of the Capitol Police under subsection (b)(1)(B), shall be determined solely by the Chief of the Capitol Police, except that a Library of Congress Police civilian employee under subsection (a)(2) shall continue to support Library of Congress police operations until all Library of Congress Police employees are transferred to the

United States Capitol Police under this section.

(2) FINALITY OF DETERMINATIONS.—Any determination of the Chief of the Capitol Police under this subsection shall not be appealable or reviewable in any manner.

(d) PROTECTING STATUS OF TRANSFERRED EMPLOYEES.—

(1) NONREDUCTION IN PAY, RANK, OR GRADE.—The transfer of any individual under this section shall not cause that individual to be separated or reduced in basic pay, rank or grade.

(2) LEAVE AND COMPENSATORY TIME.—Any annual leave, sick leave, or other leave, or compensatory time, to the credit of an individual transferred under this section shall be transferred to the credit of that individual as a member or an employee of the Capitol Police (as the case may be). The treatment of leave or compensatory time transferred under this section shall be governed by regulations of the Capitol Police Board.

(3) PROHIBITING IMPOSITION OF PROBATIONARY PERIOD.—The Chief of the Capitol Police may not impose a period of probation with respect to the transfer of any individual who is transferred under this section.

(e) RULES OF CONSTRUCTION RELATING TO EMPLOYEE REPRESENTATION.—

(1) EMPLOYEE REPRESENTATION.—Nothing in this Act shall be construed to authorize any labor organization that represented an individual who was a Library of Congress police employee or a Library of Congress police civilian employee before the individual's transfer date to represent that individual as a member of the Capitol Police or an employee of the Capitol Police after the individual's transfer date.

(2) AGREEMENTS NOT APPLICABLE.—Nothing in this Act shall be construed to authorize any collective bargaining agreement (or any related court order, stipulated agreement, or agreement to the terms or conditions of employment) applicable to Library of Congress police employees or to Library of Congress police civilian employees to apply to members of the Capitol Police or to civilian employees of the Capitol Police.

(f) RULE OF CONSTRUCTION RELATING TO PERSONNEL AUTHORITY OF THE CHIEF OF THE CAPITOL POLICE.—Nothing in this Act shall be construed to affect the authority of the Chief of the Capitol Police to—

(1) terminate the employment of a member of the Capitol Police or a civilian employee of the Capitol Police; or

(2) transfer any individual serving as a member of the Capitol Police or a civilian employee of the Capitol Police to another position with the Capitol Police.

(g) TRANSFER DATE DEFINED.—In this Act, the term ''transfer date'' means, with respect to an employee—

(1) in the case of a Library of Congress Police employee who becomes a member of the Capitol Police, the first day of the first pay period applicable to members of the United States Capitol Police which begins after the date on which the Chief of the Capitol Police issues the written certification for the employee under subsection (b)(1);

(2) in the case of a Library of Congress Police employee who becomes a civilian employee of the Capitol Police, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2009; or

(3) in the case of a Library of Congress Police civilian employee, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2008.

(h) CANCELLATION IN PORTION OF UNOBLIGATED BALANCE OF FEDLINK REVOLVING FUND.—Amounts available for obligation by the Librarian of Congress as of the date of the enactment of this Act from the unobligated balance in the revolving fund established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182c) for the Federal Library and Information Network program of the Library of Congress and the Federal Research program of the Library of Congress are reduced by a total of $560,000, and the amount so reduced is hereby cancelled.

SEC. 3. TRANSITION PROVISIONS.

(a) TRANSFER AND ALLOCATIONS OF PROPERTY AND APPROPRIATIONS.—

(1) IN GENERAL.—Effective on the transfer date of any Library of Congress Police employee and Library of Congress Police civilian employee who is transferred under this Act—

(A) the assets, liabilities, contracts, property, and records associated with the employee shall be transferred to the Capitol Police; and

(B) the unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the employee shall be transferred to and made available under the appropriations accounts for the Capitol Police for ''Salaries'' and ''General Expenses'', as applicable.

(2) JOINT REVIEW.—During the transition period, the Chief of the Capitol Police and the Librarian of Congress shall conduct a joint review of the assets, liabilities, contracts, property records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the transfer under this Act.

(b) TREATMENT OF ALLEGED VIOLATIONS OF CERTAIN EMPLOYMENT LAWS WITH RESPECT TO TRANSFERRED INDIVIDUALS.—

(1) IN GENERAL.—Notwithstanding any other provision of law and except as provided in paragraph (3), in the case of an alleged violation of any covered law (as defined in paragraph (4)) which is alleged to have occurred prior to the transfer date with respect to an individual who is transferred under this Act, and for which the individual has not exhausted all of the remedies available for the consideration of the alleged violation which are provided for employees of the Library of Congress under the covered law prior to the transfer date, the following shall apply:

(A) The individual may not initiate any procedure which is available for the consideration of the alleged violation of the covered law which is provided for employees of the Library of Congress under the covered law.

(B) To the extent that the individual has initiated any such procedure prior to the transfer date, the procedure shall terminate and have no legal effect.

(C) Subject to paragraph (2), the individual may initiate and participate in any procedure which is available for the resolution of grievances of officers and employees of the Capitol Police under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to provide for consideration of the alleged violation. The previous sentence does not apply in the case of an alleged violation for which the individual exhausted all of the available remedies which are provided for employees of the Library of Congress under the covered law prior to the transfer date.

(2) SPECIAL RULES FOR APPLYING CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—In applying paragraph (1)(C) with respect to an individual to whom this subsection applies, for purposes of the consideration of the alleged violation under the Congressional Accountability Act of 1995—

(A) the date of the alleged violation shall be the individual's transfer date;

(B) notwithstanding the third sentence of section 402(a) of such Act (2 U.S.C. 1402(a)), the individual's request for counseling under such section shall be made not later than 60 days after the date of the alleged violation; and

(C) the employing office of the individual at the time of the alleged violation shall be the Capitol Police Board.

(3) EXCEPTION FOR ALLEGED VIOLATIONS SUBJECT TO HEARING PRIOR TO TRANSFER.—Paragraph (1) does not apply with respect to an alleged violation for which a hearing has commenced in accordance with the covered law on or before the transfer date.

(4) COVERED LAW DEFINED.—In this subsection, a ''covered law'' is any law for which the remedy for an alleged violation is provided for officers and employees of the Capitol Police under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(c) AVAILABILITY OF DETAILEES DURING TRANSITION PERIOD.—During the transition period, the Chief of the Capitol Police may detail additional members of the Capitol Police to the Library of Congress, without reimbursement.

(d) EFFECT ON EXISTING MEMORANDUM OF UNDERSTANDING.—The Memorandum of Understanding between the Library of Congress and the Capitol Police entered into on December 12, 2004, shall remain in effect during the transition period, subject to—

(1) the provisions of this Act; and

(2) such modifications as may be made in accordance with the modification and dispute resolution provisions of the Memorandum of Understanding, consistent with the provisions of this Act.

(e) RULE OF CONSTRUCTION RELATING TO PERSONNEL AUTHORITY OF THE LIBRARIAN OF CONGRESS.—Nothing in this Act shall be construed to affect the authority of the Librarian of Congress to—

(1) terminate the employment of a Library of Congress Police employee or Library of Congress Police civilian employee; or

(2) transfer any individual serving in a Library of Congress Police employee position or Library of Congress Police civilian employee position to another position at the Library of Congress.

SEC. 4. POLICE JURISDICTION, UNLAWFUL ACTIVITIES, AND PENALTIES.

(a) JURISDICTION.—

(1) EXTENSION OF CAPITOL POLICE JURISDICTION.—Section 9 of the Act entitled ''An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes'', approved July 31, 1946 (2 U.S.C. 1961) is amended by adding at the end the following:

''(d) For purposes of this section, 'United States Capitol Buildings and Grounds' shall include the Library of Congress buildings and grounds described under section 11 of the Act entitled 'An Act relating to the policing of the buildings of the Library of Congress', approved August 4, 1950 (2 U.S.C. 167j), except that in a case of buildings or grounds not located in the District of Columbia, the authority granted to the Metropolitan Police Force of the District of Columbia shall be granted to any police force within whose jurisdiction the buildings or grounds are located.''.

(2) REPEAL OF LIBRARY OF CONGRESS POLICE JURISDICTION.—The first section and sections 7 and 9 of the Act of August 4, 1950 (2 U.S.C. 167, 167f, 167h) are repealed on October 1, 2009.

(b) UNLAWFUL ACTIVITIES AND PENALTIES.—

(1) EXTENSION OF UNITED STATES CAPITOL BUILDINGS AND GROUNDS PROVISIONS TO THE LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.—

(A) CAPITOL BUILDINGS.—Section 5101 of title 40, United States Code, is amended by

inserting ''all buildings on the real property described under section 5102(d)'' after ''(including the Administrative Building of the United States Botanic Garden)''.

(B) CAPITOL GROUNDS.—Section 5102 of title 40, United States Code, is amended by adding at the end the following:

''(d) LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the United States Capitol Grounds shall include the Library of Congress grounds described under section 11 of the Act entitled 'An Act relating to the policing of the buildings of the Library of Congress', approved August 4, 1950 (2 U.S.C. 167j).

''(2) AUTHORITY OF LIBRARIAN OF CONGRESS.—Notwithstanding subsections (a) and (b), the Librarian of Congress shall retain authority over the Library of Congress buildings and grounds in accordance with section 1 of the Act of June 29, 1922 (2 U.S.C. 141; 42 Stat. 715).''.

(C) CONFORMING AMENDMENT RELATING TO DISORDERLY CONDUCT.—Section 5104(e)(2) of title 40, United States Code, is amended by striking subparagraph (C) and inserting the following:

''(C) with the intent to disrupt the orderly conduct of official business, enter or remain in a room in any of the Capitol Buildings set aside or designated for the use of—

''(i) either House of Congress or a Member, committee, officer, or employee of Congress, or either House of Congress; or

''(ii) the Library of Congress;''.

(2) REPEAL OF OFFENSES AND PENALTIES SPECIFIC TO THE LIBRARY OF CONGRESS.—Sections 2, 3, 4, 5, 6, and 8 of the Act of August 4, 1950 (2 U.S.C. 167a, 167b, 167c, 167d, 167e, and 167g) are repealed.

(3) SUSPENSION OF PROHIBITIONS AGAINST USE OF LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.—Section 10 of the Act of August 4, 1950 (2 U.S.C. 167i) is amended by striking ''2 to 6, inclusive, of this Act'' and inserting ''5103 and 5104 of title 40, United States Code''.

(4) CONFORMING AMENDMENT TO DESCRIPTION OF LIBRARY OF CONGRESS GROUNDS.—Section 11 of the Act of August 4, 1950 (2 U.S.C. 167j) is amended—

(A) in subsection (a), by striking ''For the purposes of this Act the'' and inserting ''The'';

(B) in subsection (b), by striking ''For the purposes of this Act, the'' and inserting ''The'';

(C) in subsection (c), by striking ''For the purposes of this Act, the'' and inserting ''The''; and

(D) in subsection (d), by striking ''For the purposes of this Act, the'' and inserting ''The''.

(c) CONFORMING AMENDMENT RELATING TO JURISDICTION OF INSPECTOR GENERAL OF LIBRARY OF CONGRESS.—Section 1307(b)(1) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(b)), is amended by striking the semicolon at the end and inserting the following: '', except that nothing in this paragraph may be construed to authorize the Inspector General to audit or investigate any operations or activities of the United States Capitol Police;''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 2009.

SEC. 5. COLLECTIONS, PHYSICAL SECURITY, CONTROL, AND PRESERVATION OF ORDER AND DECORUM WITHIN THE LIBRARY.

(a) ESTABLISHMENT OF REGULATIONS.—The Librarian of Congress shall establish standards and regulations for the physical security, control, and preservation of the Library of Congress collections and property, and for the maintenance of suitable order and decorum within Library of Congress.

(b) TREATMENT OF SECURITY SYSTEMS.—

(1) RESPONSIBILITY FOR SECURITY SYSTEMS.—In accordance with the authority of the Capitol Police and the Librarian of Congress established under this Act, the amendments made by this Act, and the provisions of law referred to in paragraph (3), the Chief of the Capitol Police and the Librarian of Congress shall be responsible for the operation of security systems at the Library of Congress buildings and grounds described under section 11 of the Act of August 4, 1950, in consultation and coordination with each other, subject to the following:

(A) The Librarian of Congress shall be responsible for the design of security systems for the control and preservation of Library collections and property, subject to the review and approval of the Chief of the Capitol Police.

(B) The Librarian of Congress shall be responsible for the operation of security systems at any building or facility of the Library of Congress which is located outside of the District of Columbia, subject to the review and approval of the Chief of the Capitol Police.

(2) INITIAL PROPOSAL FOR OPERATION OF SYSTEMS.—Not later than October 1, 2008, the Chief of the Capitol Police, in coordination with the Librarian of Congress, shall prepare and submit to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate an initial proposal for carrying out this subsection.

(3) PROVISIONS OF LAW.—The provisions of law referred to in this paragraph are as follows:

(A) Section 1 of the Act of June 29, 1922 (2 U.S.C. 141).

(B) The undesignated provision under the heading ''General Provision, This Chapter'' in chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (2 U.S.C. 141a).

(C) Section 308 of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 1964).

(D) Section 308 of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 1965).

SEC. 6. PAYMENT OF CAPITOL POLICE SERVICES PROVIDED IN CONNECTION WITH RELATING TO LIBRARY OF CONGRESS SPECIAL EVENTS.

(a) PAYMENTS OF AMOUNTS DEPOSITED IN REVOLVING FUND.—Section 102(e) of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182b(e)) is amended to read as follows:

''(e) USE OF AMOUNTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), amounts in the accounts of the revolving fund under this section shall be available to the Librarian, in amounts specified in appropriations Acts and without fiscal year limitation, to carry out the programs and activities covered by such accounts.

''(2) SPECIAL RULE FOR PAYMENTS FOR CERTAIN CAPITOL POLICE SERVICES.—In the case of any amount in the revolving fund consisting of a payment received for services of the United States Capitol Police in connection with a special event or program described in subsection (a)(4), the Librarian shall transfer such amount upon receipt to the Capitol Police for deposit into the applicable appropriations accounts of the Capitol Police.''.

(b) USE OF OTHER LIBRARY FUNDS TO MAKE PAYMENTS.—In addition to amounts transferred pursuant to section 102(e)(2) of the Library of Congress Fiscal Operations Improvement Act of 2000 (as added by subsection (a)), the Librarian of Congress may transfer amounts made available for salaries and expenses of the Library of Congress during a fiscal year to the applicable appropriations accounts of the United States Capitol Police in order to reimburse the Capitol Police for services provided in connection with a special event or program described in section 102(a)(4) of such Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to services provided by the United States Capitol Police on or after the date of the enactment of this Act.

SEC. 7. OTHER CONFORMING AMENDMENTS.

(a) IN GENERAL.—Section 1015 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1901 note) and section 1006 of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1901 note; Public Law 108–83; 117 Stat. 1023) are repealed.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect October 1, 2009.

SEC. 8. DEFINITIONS.

In this Act—

(1) the term ''Act of August 4, 1950'' means the Act entitled ''An Act relating to the policing of the buildings and grounds of the Library of Congress,'' (2 U.S.C. 167 et seq.);

(2) the term ''Library of Congress Police employee'' means an employee of the Library of Congress designated as police under the first section of the Act of August 4, 1950 (2 U.S.C. 167);

(3) the term ''Library of Congress Police civilian employee'' means an employee of the Library of Congress Office of Security and Emergency Preparedness who provides direct administrative support to, and is supervised by, the Library of Congress Police, but shall not include an employee of the Library of Congress who performs emergency preparedness or collections control and preservation functions; and

(4) the term ''transition period'' means the period the first day of which is the date of the enactment of this Act and the final day of which is September 30, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill now under consideration.

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

There was no objection.

Mr. BRADY of Pennsylvania. I yield myself such time as I may consume.

As chairman of the House Administration Committee, I am pleased to recommend H.R. 3690, the United States Capitol Police and Library of Congress Police Merger Implementation Act of 2007, to the House. This bill will implement the merger of the Library Police into the Capitol Police. Our committee believes the merger plan contained in this bill is sound and that Congress should enact it as soon as possible.

This day has been a long time coming. In 2003, Congress passed legislation merging the Library Police and the Capitol Police. The goal was to create

''seamless security'' on Capitol Hill. The legislation called for the two agencies to develop a merger plan for congressional approval.

Since 2003, many people in both agencies devoted countless hours to the task. For several reasons, 4 years later, the merger has not yet been implemented. This is unfortunate. Much valuable time has been lost.

It's time to get on with it. If done carefully and well, this merger will make Capitol Hill more secure for the millions who visit every year and the thousands privileged to work here every day.

Briefly, H.R. 3690 will implement the merger plan written by the Library and the Capitol Police and jointly recommended to our committee and our Senate counterpart. Under their plan, all Library Police employees will move to the Capitol Police by September 30, 2009. Library officers who meet age and service requirements and who complete Capitol Police training will continue as officers. Library officers who do not meet those requirements will be offered Capitol Police civilian jobs.

This is important: under this plan, nobody will lose their job or suffer a reduction in pay, rank, leave, or other benefits. Officers now represented by the Library's Fraternal Order of Police will transfer to the Capitol Police's FOP who will bargain with management over seniority and other labor matters that may arise during the merger.

The plan shifts jurisdiction over Library buildings in Washington to the Capitol Police. The Librarian will retain responsibility for design of security systems and will issue regulations to protect his collections and maintain order. Finally, the bill provides for handling employment-related claims during the transition and authorizes Library reimbursement of Capitol Police costs for special events. As PAYGO rules require, a minor increase in direct spending is fully offset.

Mr. Speaker, the committee believes this is a sound plan. I commend everyone involved in both agencies, especially for ensuring that nobody loses a job or pay. It has been my pleasure working with the gentleman from Michigan (Mr. EHLERS) who spent much time on this matter while chairman of the committee during the last Congress. We would not be here today without his efforts. I urge an ''aye'' vote.

I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Pennsylvania for his kind words and particularly for his leadership on this issue and finally bringing it to fruition. As he said, it has taken far too long. But now it is here and we are doing it right.

I rise in support of H.R. 3690, the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007, which will provide for the merger between the Library of Congress Police and the United States Capitol Police.

While bringing together two law enforcement bodies may seem like an easy proposition, whenever you have two entities with existing cultures, established protocols, and disparate missions, it is important to conduct a merger of those two groups thoughtfully and with due diligence. This, we have attempted to do.

While the Library of Congress Police and the U.S. Capitol Police both serve and protect the Congress and its assets, they do so in very different capacities. The U.S. Capitol Police are primarily charged with securing the Capitol buildings, Members of Congress, staff and visitors and providing an emergency planning and response function in the event of a terrorist attack or other unplanned activity.

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Its core mission is too important to set aside even in the interest of completing this merger. The Library has a mission to serve the Congress and provide essential materials to enable Members and staff to get the information they need to craft effective legislation and perform other essential duties. One very important yet incomplete undertaking within the Library is to conduct a complete inventory of its collection, not only to have an accurate record of what materials are in its possession, but to also create a baseline for measurement of its inventory control efforts going forward. The committee is working closely with Library staff to ensure that progress continues to be made on the inventory of its collections, despite the additional work and effort required to unite these two law enforcement bodies.

The Library and the U.S. Capitol Police have studied the effects of this merger on executing their core operations and how problematic aspects might be mitigated. I am confident that both organizations will continue to carry out their core functions with the level of excellence that the Congress has come to expect.

Over the past 4 years, through numerous hearings and countless meetings with staff of both organizations, the Library and the Capitol Police have exhibited a commitment to apply the law enforcement expertise of the U.S. Capitol Police to the unique needs of the Library, creating an organization that will be greater than the sum of its parts. They have worked to put in place policies and procedures that will ensure that this union is successful and that it achieves the desired objectives of both organizations. Still, this merger marks a beginning, not an end.

As ranking member of the Committee on House Administration, I look forward to working with Chairman BRADY to make certain that, going forward, both organizations have the resources and assistance they need to successfully integrate their law enforcement divisions. In particular, we wish to provide the Library and the Capitol Police with a means to communicate with the Congress on the progress of the merger and impart any guidance or resources that they require to achieve long-term success. I urge our colleagues to join me in supporting this bill which will help ensure that the Library's treasures are protected from harm and preserved for generations to come.

I want to once again thank Chairman BRADY and the other members of the committee for their hard work on this very, very difficult issue. It seemed easy, but it wasn't, and I'm pleased that we finally have achieved this good result.

I also want to thank Chief Morris of the U.S. Capitol Police who has handled this very well and gone through some very delicate negotiations. In addition, the administration of the Library has been very helpful in trying to reach agreement, and they, of course, have very legitimate concerns about their needs to protect their collection, and they, one and all, have been very helpful in working with us.

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

Mr. BRADY of Pennsylvania. Madam Speaker, for the RECORD, I include the following exchange of letters between the Committee on Oversight and Government Reform and the Committee on House Administration concerning H.R. 3690:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, December 5, 2007.

Hon. ROBERT A. BRADY
Chairman, Committee on House Administration, Washington, DC.

DEAR CHAIRMAN BRADY: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 3690, the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007.

As you know, on November 7, 2007, the Committee on House Administration ordered H.R. 3690 reported to the House. The Committee on Oversight and Government Reform appreciates your effort to consult regarding those provisions of H.R. 3690 that fall within the Oversight Committee's jurisdiction. More specifically, those sections involving the federal workforce.

In the interest of expediting consideration of H.R. 3690, the Oversight Committee will not separately consider this bill. The Oversight Committee does so, however, with the understanding that this does not prejudice the Oversight Committee's jurisdictional interests and prerogatives regarding this bill or similar legislation.

I respectfully request your support for the appointment of outside conferees from the Oversight Committee should H.R. 3690 or a similar bill be considered in conference with the Senate.

I also request that you include our exchange of letters on this matter in the Congressional Record during consideration of this legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

HENRY A. WAXMAN
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,

Washington, DC, December 5, 2007.

Hon. HENRY WAXMAN,

Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write to confirm our mutual understanding with respect to your claim of jurisdiction regarding H.R. 3690, the U.S. Capitol Police and Library of Congress Police Implementation Act of 2007. As you know, the Committee on House Administration reported H.R. 3690 to the House on December 4, 2007.

Given the importance of moving this legislation forward promptly, I appreciate your decision not to pursue your claim of jurisdiction at this time and your willingness to allow it to move forward today. Furthermore, I agree that this action in no way diminishes or alters the jurisdictional interest of our respective committees with regard to future legislation.

Sincerely,

ROBERT A. BRADY,
Chairman.

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

The SPEAKER pro tempore (Ms. SOLIS). The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 3690, 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.

REAPPOINTMENT OF PATRICIA Q. STONESIFER AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. BRADY of Pennsylvania. Madam Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 8) providing for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the Senate joint resolution.

The text of the Senate joint resolution is as follows:

S.J. RES. 8

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring because of the expiration of the term of Patricia Q. Stonesifer of Washington, is filled by the reappointment of Patricia Q. Stonesifer, for a term of 6 years, effective December 22, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this joint resolution and to include extraneous matter.

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

There was no objection.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield myself as much time as I may consume.

This joint resolution would reappoint Patricia Stonesifer to a new 6-year term as a citizen regent of the Smithsonian Institute. Her current term will expire December 22. Ms. Stonesifer is the chief executive officer of the Bill and Melinda Gates Foundation, a renowned philanthropic institution based in Seattle, Washington. She was previously a senior vice president at Microsoft.

On the Smithsonian Board of Regents, Stonesifer is currently Chair of the Executive Committee, the institution's most important internal panel which acts on behalf of the board between its meetings. She also chairs the Compensation and Human Resources Committee.

Ms. Stonesifer previously chaired the Governance Committee which guided the board's most significant action this year, preparing its comprehensive report last June responding to the broad range of issues emerging from the resignation of former Secretary Lawrence Small. Proper implementation of this report will be critical to the effective reform and modernization of the Smithsonian.

The House Administration Committee, as the House panel with exclusive jurisdiction over Smithsonian governance matters, will exercise vigorous oversight to ensure that the board approves additional significant changes.

As the Smithsonian Board of Regents undertakes the urgent task of reinventing itself as a full-time management and policymaking body, Ms. Stonesifer's expertise and willingness to communicate with Congress will continue to be a valuable asset. Members of the House Administration Committee held a briefing with her 3 weeks ago, were impressed by her continued commitment to the task ahead, and agreed to move this joint resolution expeditiously. I want to thank the ranking member again, Mr. EHLERS, for his active participation and cooperation in these actions.

Madam Speaker, I urge the passage of the joint resolution.

I reserve the balance of my time.

Mr. EHLERS. Madam Speaker, as the ranking member of the House Administration Committee, I'm pleased to support the reappointment of Patty Stonesifer as a citizen regent of the Smithsonian Institution.

Six years ago I stood at this very microphone in a slightly different role as a member of the majority recommending Ms. Stonesifer for her initial appointment. I was very impressed with her qualifications at that time. She has not disappointed us. She has done very well.

In her role as chief executive officer of the Bill and Melinda Gates Foundation, Ms. Stonesifer leads the foundation in their mission to help all peoples of the world lead healthy, productive lives. At the end of last year, under the leadership of Ms. Stonesifer, the Bill and Melinda Gates Foundation had an endowment of approximately $33 billion, and remains one of the largest charitable foundations in the world.

In developing countries, the foundation focuses on improving people's health and giving them the chance to lift themselves out of hunger and extreme poverty. In the United States, it seeks to ensure that all people, especially those with the fewest resources, have access to the opportunities they need to succeed in school and life. For all three of the Bill and Melinda Gates Foundation program groups, Patty Stonesifer sets strategic priorities, monitors results and facilitates relationships with key partners.

Before helping Bill and Melinda Gates launch the Gates Learning Foundation in 1997, Ms. Stonesifer was a senior vice president at Microsoft, where she was responsible for an $800 million business activity focused on interactive entertainment, news, information and service products. She is active in a number of other charitable endeavors, and has served as a member of the U.S. delegation to the United Nations General Assembly Special Session on AIDS.

As Chair of the Smithsonian's Governance Committee, Ms. Stonesifer led the board's efforts to implement best practices in the nonprofit sector, and helped develop and implement the recommendations from the independent review committee designed to strengthen the board's oversight of the institution and reform its operations. In June, the board formally adopted the Governance Committee's 25 recommendations, and they are on target for completion by early 2008.

She has performed incredibly well in all of these areas, and the problems that we have had at the Smithsonian are well underway to conclusion simply due to the work of Ms. Stonesifer. The reforms include a reexamination of compensation, compliance with the Freedom of Information Act, and restructuring senior management to create a stronger reporting relationship with the board. Once implemented, these strengthened government practices will be an important step towards restoring faith in the Smithsonian and its management structure, and they demonstrate the positive impact of Ms. Stonesifer's leadership in this area.

After meeting once again with Ms. Stonesifer, I'm confident that her unique blend of business and philanthropic experience will continue to be a most valuable factor on the board

that is charged with overseeing the Nation's attic, our fond description for the Smithsonian.

I urge my colleagues to join me in supporting a very capable person, Patty Stonesifer, for reappointment to the Smithsonian's Board of Regents.

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

Mr. BRADY of Pennsylvania. Madam 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 Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 8.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 100TH ANNIVERSARY YEAR OF THE FOUNDING OF THE PORT OF LOS ANGELES

Ms. RICHARDSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 822) recognizing the 100th anniversary year of the founding of the Port of Los Angeles, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 822

Whereas on December 9, 1907, the Los Angeles City Council approved City Ordinance No. 15621, creating the Board of Harbor Commissioners and officially founding the Port of Los Angeles;

Whereas the Port of Los Angeles's earliest history was recorded by Portuguese explorer Juan Rodriguez Cabrillo who named this natural harbor ''Bahia de los Fumos'' or ''Bay of Smokes'' on October 8, 1542, when he noted that the bay ''is an excellent harbor and the country is good with many plains and groves of trees'';

Whereas in the 1850s, a spirited entrepreneur named Phineas Banning began the first of a lifetime of ventures that would eventually earn him distinction as the ''Father of Los Angeles Harbor'' by leading the evolution of the harbor from a trading center for fur and hides to a hub for more diverse commerce, largely through a freight and passenger transportation business that grew into a shipping firm with 15 stagecoaches and 50 wagons serving five western States;

Whereas the Los Angeles and San Pedro Railroad began service between San Pedro Bay and Los Angeles in 1869 as a 21-mile stretch of track comprising the first railroad in Southern California and marking the beginning of a new era of development for the harbor region;

Whereas proposals for new ports in present-day Santa Monica, Marina del Rey, and Redondo Beach began surfacing in the late 1800s until 1897, when a five-man board of engineers, chaired by Rear Admiral John C. Walker, settled the great free-harbor fight by recommending continued port development in San Pedro Bay, resulting in additional improvements to the harbor including the first 8,500-foot section of the Federal breakwater that was completed in 1911, widening and dredging of the Main Channel to accommodate the largest vessels of that era, and completion by the Southern Pacific Railroad of its first major wharf in San Pedro, allowing railcars to efficiently load and unload goods simultaneously;

Whereas the Port was involved in World War II on a massive scale, with every vessel building operation assisting in the construction, conversion, and repair of vessels for the war effort, and shipbuilding quickly became the Port of Los Angeles's prime economic activity, with California Shipbuilding Corp., Bethlehem Shipbuilding Corp., Consolidated Steel Corp., Todd Shipyards, and other enterprises collectively employing more than 90,000 workers;

Whereas in August 1958, the HAWAIIAN MERCHANT delivered its first shipment of 20 cargo containers to the Port of Los Angeles, marking the beginning of the containerized cargo revolution in California;

Whereas the Port was a principal partner of the $2,500,000,000 Alameda Corridor project which opened in April 2002 as a 20-mile rail expressway that reliably and efficiently connects the Port to America's transcontinental rail system, a project which epitomizes the Port's involvement in developing robust regional transportation infrastructure solutions by working in partnership with local, regional, and statewide agencies to improve goods movement systems;

Whereas the Port's 2004 completion of the nearly 500-acre Pier 400 container complex as the largest single-user container terminal in the world has been acclaimed as an engineering marvel and model of operational efficiency;

Whereas the Port of Los Angeles has long recognized its responsibility for infrastructure and operational improvements that are supportive of sustainable growth compatible with environmental stewardship, the most recent example being a historic November 2006 action by the Boards of Harbor Commissioners of Los Angeles and Long Beach in approving an aggressive plan to reduce air pollution by nearly 50 percent in 5 years, making the San Pedro Bay Ports Clean Air Action Plan the world's first program addressing all port-related emission sources to significantly reduce health risks posed by regional air pollution from port-related operations;

Whereas the Port of Los Angeles is located in San Pedro Bay, California, and is part of the Southern California port complex which handles more than 43 percent of all goods arriving in the United States, impacting over 1,000,000 jobs nationwide;

Whereas as a premier international gateway, the Port of Los Angeles is the leading container handling port in the United States, with more than 8,500,000 TEU's (twenty-foot equivalent units) recorded in 2006, thus retaining its stature as the leading United States containerport for the seventh consecutive year;

Whereas the Port of Los Angeles as part of the San Predro Bay Port Complex has grown 246 percent over the past 11 years, tripling its trade-related jobs, generating $256,000,000,000 in commerce, and producing $28,000,000,000 in tax revenue, and is expected to triple again the amount of cargo handled by 2030;

Whereas in 2007, under the leadership of Los Angeles Mayor Antonio Villaraigosa, President S. David Freeman and the Board of Harbor Commissioners, and Executive Director Geraldine Knatz, the Port is celebrating its Centennial, commemorating the great strides made in its 100-year tradition of service as an international trade hub and maritime industry leader; and

Whereas from its tradition of handling fishing, lumber, and hides at the turn of the century to today's reputation for expeditiously moving a diverse, unprecedented global cargo mix, the Port of Los Angeles now looks toward its next 100 years with a legacy as an undisputed international leader in setting global standards for industry-leading environmental initiatives, terminal efficiency, and sustainable growth: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 100th anniversary year of the founding of the Port of Los Angeles, which is the Nation's largest containerport;

(2) congratulates the Port of Los Angeles for its achievements as a leader throughout its history in implementing modern and innovative transportation and goods movements systems that are compatible with responsible environmental stewardship; and

(3) wishes the Port of Los Angeles continued success during its next 100 years as it strives to remain the Nation's largest and most successful conveyor of the Nation's and the world's commerce.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. RICHARDSON) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. RICHARDSON. 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 House Resolution 822.

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

There was no objection.

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

Madam Speaker, I'm proud to honor the Port of Los Angeles today with the passage of House Resolution 822, which recognizes the port's 100th anniversary. I was pleased to undertake this effort with my colleague from the Republican side of the aisle, Representative DANA ROHRABACHER.

The Port of Los Angeles enjoys a meaningful history, Madam Speaker, starting in the mid-19th century as a trading center for furs and hides serviced by stagecoaches and wagons and transforming over time into a distinction today as the Nation's largest container port.

In 1911, Rear Admiral John C. Walker helped push for greater development in the San Pedro Bay, and his efforts resulted in the first Federal breakwater.

In World War II, the Port of Los Angeles played a large role in our Nation's ability to respond to the shipbuilding challenge and to arm the U.S. Navy. This effort also quickly became a part of the Port of Los Angeles' prime economic activity.

More recently, in 2004 the port completed the 500-acre Pier 400 container complex as the largest single user container terminal in the world, which has been acclaimed as an engineering marvel.

□ 1615

The Port of Los Angeles is located in the San Pedro Bay in California and is a part of the Southern California port complex. In California, both ports, Los Angeles and Long Beach, process approximately 85 percent of the State's goods movement program. For the Nation, the Southern California complex additionally handles more than 45 percent of the entire Nation's cargo arriving in the United States, impacting over 1 million jobs nationwide. As a premier international gateway, the Port of Los Angeles has been recorded as the number one largest container handling port in the United States for the last 7 consecutive years.

My colleagues, the impact of the Port of Los Angeles is monumental, and the numbers are staggering. The port has grown 246 percent over the last 11 years, tripling its trade-related jobs, generating $256 billion in commerce, and producing $28 billion in tax revenue. This growth is not likely to slow, as the port is expected to again triple the amount of cargo it handles by the year 2030.

With this progress comes great responsibility, however. In 2006, the historic Clean Air Action Plan was agreed to by the Boards of Harbor Commissioners, which seeks to reduce air pollution by 50 percent in the next 5 years.

With House Resolution 822, the House now has an opportunity to bestow the appropriate recognition on the Port of Los Angeles that it deserves after 100 years of successful operation and service to the American public and our economy.

I urge my colleagues to support House Resolution 822.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, House Resolution 822 recognizes the 100th anniversary of the Port of Los Angeles. The Port of Los Angeles is the busiest port in the United States in terms of maritime cargo volume and, when combined with the adjoining Port of Long Beach, is the fifth busiest commercial seaport worldwide.

This trade is a critical component to our national economy, and directly and indirectly supports millions of jobs nationwide. The port has also taken action to lessen impacts on the surrounding areas and the environment by recently implementing a comprehensive strategy to reduce emissions from ships and port operations.

I join the resolution's sponsors, Congresswoman RICHARDSON of California and Congressman ROHRABACHER of California, and all of the cosponsors in recognizing the Port of Los Angeles' first 100 years and wishing the port continued success in the future.

I urge all Members to support the resolution. And I want to congratulate one of our newest Members in the House, Congresswoman RICHARDSON, on guiding this legislation to the floor in such a quick manner.

Madam Speaker, I reserve the balance of my time.

Ms. RICHARDSON. Madam Speaker, I wish to recognize for 3 minutes a strong ally of the Port of Los Angeles and my friend from Los Angeles County, the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. I thank the gentlewoman for yielding to me and commend her for her leadership on this legislation, along with Mr. ROHRABACHER. In 2 months in Congress, you have hit the ground running, and we're all very proud to serve as your colleagues.

Madam Speaker, I rise in support of this resolution congratulating the Port of Los Angeles on its 100th anniversary.

When I first came to Congress in 1992, the Port of L.A. looked far different than it does today. It wasn't quite the sleepy port of 100 years ago, with mule-driven trains and wooden ships. It was a regional presence. But today it is the largest container port in the United States and part of the fifth busiest container complex in the world. It supports over 250,000 jobs at the port and adjacent communities and nearly 1 million jobs worldwide. It is an economic powerhouse whose importance to Southern California and the Nation cannot be overstated.

In recent years, the port has taken great strides to address the challenges that come with being a major port in the 21st century. It has dedicated millions to ensuring the quality of life for the surrounding communities, many of which are located in my congressional district. It has also taken on groundbreaking environmental initiatives to reduce the air pollution that it generates. Maybe most importantly, 100 years ago there was no such thing as a maritime security strategy. Today, the issue is of paramount importance, and the port has been a national leader.

In the hours after the September 11 attacks, port officials, the Coast Guard, and local law enforcement executed a pre-approved plan that quickly and efficiently secured the port. The planning, communication and execution we saw that day became the inspiration for many of the security initiatives that have come since, including the SAFE Port Act, which I coauthored with my California colleague, DAN LUNGREN, and which became law last year.

As I mentioned, Congresswoman RICHARDSON deserves enormous appraise for her leadership on an issue that was very timely but which the rest of us had overlooked. I don't think this resolution would have come to the floor without her initiative. And it really is a big deal to the San Pedro community.

I look forward to working with her as her partner when we celebrate the next 100 years. We may be feeble, but we will be here.

And at this time, I would like to insert into the RECORD an article from today's edition of the Daily Breeze.

[From the Daily Breeze, Dec. 5, 2007]

PORT OF LOS ANGELES MARKS 100 YEARS SINCE ITS CREATION

(By Art Marroquin)

San Pedro Bay had been struggling as a port for nearly a half-century, but the mud flats surrounding the inland harbor failed to excite railroad magnate Collis P. Huntington.

So rather than run his Southern Pacific Railroad down to San Pedro, Huntington bought more than 200 acres in Santa Monica in the hope of bolstering his vision for a ''Port Los Angeles.''

He built a wharf that extended 4,720 feet into the Pacific Ocean, attracting more than 300 cargo ships during its first year in 1893.

''He wanted people to think his port was close to Los Angeles, when in fact it wasn't,'' said Ernest Marquez of West Hills, who chronicled Huntington's efforts in his 1975 book ''Port Los Angeles: A Phenomenon of the Railroad Era.''

''If he was successful, then the region's economy would have been at the mercy of Southern Pacific and that would have been disastrous,'' Marquez said.

While Huntington tried to get his Santa Monica port recognized as the official harbor for the Los Angeles region, efforts were already under way to bulk up the port in San Pedro.

U.S. Sen. Stephen M. White, the Los Angeles Chamber of Commerce and Los Angeles Times Publisher Harrison Gray Otis believed the port should be a city-operated enterprise and pushed efforts to build a ''Port of Los Angeles'' in San Pedro Bay.

''Those men saw potential for the mud flats in San Pedro,'' Marquez said. ''They believed the harbor could be developed by lots of digging and dredging.''

To a lesser extent, interests in Redondo Beach and Playa del Rey had tried to enter the fray, but those efforts quickly fell by the wayside, setting the scene for an epic battle that became known as the ''Free Harbor Contest.''

Congress established the River and Harbor Act of 1896, which created a commission to decide whether federal funds should go to Santa Monica or San Pedro.

Three years later, Congress put its money on San Pedro and breakwater construction began a short time afterward.

''There was no way a harbor of this magnitude could have been developed in Santa Monica because there are too many cliffs on the beach, and it was wide open to the ocean,'' Marquez said. ''San Pedro was favored because the harbor went inland and protected ships from the open seas.''

The city of Los Angeles then annexed a 16-mile strip of land to connect to the port in 1906. The communities of San Pedro and Wilmington were annexed three years later.

The city's newfound ownership of the port gave rise to a new harbor commission, a three-member panel appointed in 1907 by then-Mayor A.C. Harper.

The 100th anniversary of the harbor commission's creation will be marked during a celebration at 4 p.m. Sunday.

The bash will include historical displays, refreshments, boat shows and a performance by Taiwan's Evergreen Symphony Orchestra. A fireworks display is set for 7 p.m.

The first commissioners—George H. Stewart, Frederick William Braun and T.E. Gibbon—regularly met in downtown Los Angeles and made ''big news'' during the rare occasions they traveled about 20 miles south to San Pedro, according to Geraldine Knatz, executive director for the Port of Los Angeles.

The panel didn't have a budget and its members often had to pay for expenses out of their own pockets, she said.

''When the voters approved the annexation and bond improvements for port improvements, the money went to the Board of Public Works, not the harbor commissioners,'' Knatz said. ''It got so bad that all the commissioners resigned in disgust by 1913.''

The first harbor commission faced many of the struggles that persist today, such as building new infrastructure and bolstering regional economic development, Knatz said.

''When you read through the meeting minutes from 100 years ago, you learn that nothing really changes,'' Knatz said. ''There will never be enough money, you'll be lobbied by different interest groups, and you'll always have to deal with residents who live near the port. It's always going to be hard.''

The port has come a long way since those early years, with the arrival of cargo container ships in 1937, the advent of towering gantry cranes during the late 1960s and, more recently, an environmental push aimed at reducing diesel emissions from ships and trucks.

About 15.8 million cargo units passed through the ports of Los Angeles and Long Beach last year, accounting for more than 40 percent of the nation's imports. That number is expected to double by 2020 and nearly triple by 2030, according to local economist John Husing.

Additionally, some 500,000 people in Southern California are employed directly and indirectly by port-related businesses, Husing said last month.

''The port is a vital part of our national economy, but it is just as important locally, providing good jobs for generations of local residents,'' said Los Angeles City Councilwoman Janice Hahn, whose 15th District includes the port.

To remain competitive, the port must continue to grow while also keeping the environment in mind, Husing said.

Several shipping companies operating at the Port of Los Angeles are studying expansion options that call for environmentally friendly accommodations, such as AMP technology that allows container ships to ''plug in'' to a generator and operate on electrical power while docked, rather than idling on their diesel engines.

China Shipping was the first company to use the technology at the Port of Los Angeles, resulting in the elimination of 300 tons of pollution-forming nitrogen oxides since 2004, according to port officials.

''Growing green is imperative if any kind of expansion is going to happen,'' Knatz said. ''It's always difficult to be out front on these issues, but we can't afford to be a follower.''

Indeed, the ports of Los Angeles and Long Beach approved a clean air plan in 2006 aimed at reducing emissions by 50 percent over the next five years.

The ports are poised in 2008 to roll out the plan's first provisions, including a so-called Clean Trucks Program that calls for replacing or retrofitting about 16,000 diesel-spewing big rigs with cleaner-burning vehicles by 2012.

''The time has come for us to truly commit to cleaning up our air and limiting emissions from the port,'' Hahn said. ''It is my hope that working together, we can finally have both a productive and efficient port, but also clean and healthy communities.''

Mr. LATOURETTE. Madam Speaker, at this time it is my pleasure to yield as much time as he may consume to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, next week, on December 9, as we have mentioned today, the Port of Los Angeles, which I am proud to say is located in my district, will celebrate its 100-year anniversary.

Yes, the Port of Los Angeles has had a long and distinguished history. It was the location of one of the first railroads in Southern California. We are also proud of the crucial role played by the Port of Los Angeles in the battle for the Pacific during the Second World War.

Throughout its history, the Port of Los Angeles has been a harbinger of prosperity and economic growth, as well as an impetus for the engineering and technology development that we have noted. In August of 1958, for example, a cargo vessel named the *Hawaiian Merchant* delivered its first shipment of 20 cargo containers to the Port of Los Angeles, ushering in a cargo container revolution that has had an enormous impact on the world economy.

Let us note on this 100th anniversary that there was someone who played an important role in providing the infrastructure to the ports and to the transportation systems that serve the ports. Let us pay homage to Congressman Glen Anderson, who helped provide, with his influence in this House as chairman of the Transportation Committee, such support that gave us the infrastructure we needed to have the great port complex of Los Angeles and Long Beach.

When I first was a Member elected here, Glen Anderson was still serving here, and I was proud to call him my friend. He has left us a legacy that he can be proud of.

We've come a long way in these last 50 years, with the help of people like Glen Anderson. Those initial 20 cargo containers have grown to over 8.5 million cargo containers just last year. And as we noted, the combination of the Ports of Los Angeles and Long Beach represent the fifth largest port complex in the world. More than 43 percent of all goods arriving in the United States enter through this port complex. And I guarantee you that in every congressional district represented in this Congress, there is something there that has been brought through the international gateway, which is the Port of Los Angeles.

There is a challenge in this new century, several challenges, however. Madam Speaker, our greatest challenge is to improve the way that containers are moved through the port complex of Los Angeles and Long Beach. Over 70 percent of the containers now arriving in our ports are headed inland from Southern California to destinations and localities within the United States. Every day, thousands of these containers are hauled by truck from the port to inland rail depots. This results in unsafe road conditions, traffic jams, dangerous health conditions, pollution, and our freeways and our roadways are unacceptably crowded. And yes, that is unacceptable now. As container traffic grows, the situation will get worse unless we act.

If we continue with the current method of transporting those containers individually by truck system, the whole system will collapse as it pollutes and clogs Southern California's roads and freeways. That said, however, there is a new solution on the way, a new clean and efficient way of moving containers through the ports through inland railroad depot, a way that will revolutionize the process. This new approach has bipartisan support. That bipartisan support ranges from myself and Governor Schwarzenegger to my Democratic colleagues, Representatives RICHARDSON and OBERSTAR.

The cutting-edge technology to which I refer is an electronic cargo conveyor system. Instead of being loaded onto trucks to sit in traffic, containers will be quickly sent to an interior rail depot utilizing clean electric mag-levlike technology, an electronic conveyor belt system of sorts. With container traffic being removed from our roads and our freeways, traffic and health conditions will dramatically improve. We will be able to quickly and cleanly move the cargo out of our ports and to consumer outlets throughout the United States. And the best part, Madam Speaker, is that it will cost less to build and run a new system like I have just described than to continue to pay to have containers shipped individually by truck.

The ports in Southern California will continue to prosper and lead the way as long as it is willing to innovate with the type of creativity reflected in the mag-lev system that I just discussed. I congratulate the Port of Los Angeles and its board of directors on their anniversary and the tremendous success of the last 100 years.

We have other issues as well, and let me just note one other issue as we know, and Ms. HARMAN has played a major role in trying to develop the security that we need at our ports of Los Angeles and Long Beach. There are security needs and other infrastructure needs that will cost money. Whenever you have any benefit, it will cost. We need to face the cost of these improvements with the same creativity that I just discussed technologically that we need to do in the cargo movement.

The way that I would suggest, and I hope that on this anniversary that we note that, yes, Glen Anderson played an important role in getting Federal money for the ports. That is not an unending source of revenue. But if we were to charge a container fee and base our improvements in the ports, instead of on the taxpayers of the United States channeling money to our ports, that we instead charge those using the ports a reasonable container fee so that those who have set up manufacturing facilities in China and elsewhere will pay to utilize the ports, that container fee will not only be fair, but it will be

something that will provide us a new source of revenue in order to provide the security and infrastructure needs of the future.

So these two combination things, the new mag-lev technology conveyor belt system I described, and a new container fee which is basically a user fee for those using the ports, will be the type of innovation that will ensure that the Ports of Los Angeles, and yes, the port complex in Long Beach, has a great second 100 years, and that, again, this port complex will provide us with an example of innovation and forward thinking and economic prosperity that will serve all of the people of the United States.

Again, I congratulate the Port of Los Angeles on their 100th anniversary.

Ms. RICHARDSON. Madam Speaker, I wish to recognize for 2 minutes my good friend and representative who covers the Port of San Diego, our sister port, the gentleman from California (Mr. FILNER).

Mr. FILNER. I thank the gentlelady, and I thank you for your leadership, which has come very early in your congressional career. It's nice to be here. Thank you for allowing a Congressman from San Diego to join you in this celebration of the 100th anniversary of the Port of Los Angeles.

As a representative of San Diego, there are a lot of things we don't want to imitate about Los Angeles, but we look with envy at the economic engine that the Port of Los Angeles represents. It is truly, and I say this with some envy, Southern California's gateway to international commerce, maintaining its competitive edge with record-setting cargo operations, groundbreaking environmental issues, progressive security measures, and diverse recreational and educational facilities.

The port's economic contributions are far-reaching. The port is connected directly and indirectly with tens of billions of dollars in industry sales each year in the Southern California region and in the Nation, translating into hundreds of thousands of local jobs and billions of dollars in wages, salaries and State and local taxes.

One out of every 24 jobs in Southern California is generated by the port. That's almost 260,000. One out of every $23 paid in wages and salaries, almost $9 billion, comes from the Port of Los Angeles.

□ 1630

Almost 1½ million jobs are generated nationwide, and the port generates almost $1.5 billion in State and local taxes.

So this economic engine is far-reaching. We marvel at what you have produced there. We hope to take away sometime some of the congestion that the previous gentleman talked about by expanding our Port of San Diego, but we look at you again for a model of how to do these things. At least one business in every congressional district in this Nation imports or exports goods through the Los Angeles port complex. It is truly America's gateway, and we have an opportunity provided by you to recognize the 100th anniversary, and we hope there is unanimous support for your resolution.

Mr. LATOURETTE. Madam Speaker, it's my pleasure to yield such time as he may consume to another gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for the time.

Madam Speaker, I rise in support of the resolution. As one who grew up in the City of Long Beach and spent a great deal of time as a child being taken by parents down to the Ports of Los Angeles and Long Beach and having as a college student in the summertime worked in the Port of Los Angeles, I have had the opportunity to see that port grow, along with its sister port, the Port of Long Beach. The progress that has been made there, the advances that have been made there, the jobs that have been created there, the tremendous economic engine that that port is, is an example to not only California and the country but to the rest of the world how you can take a natural resource and in some ways refine it and in some ways make it better than it was before so that it enhances the entire area or the entire region.

The Port of Los Angeles has a distinguished record. It is one that is marked with achievement. It is one that is marked with advances in technology, and it is one that has always contributed to the health of the region that I used to represent in this body some 20 years ago.

I congratulate the gentlewoman for bringing this forth, and I would suggest to my colleagues not only that they support this, but if they ever have the opportunity to be in California and they want to see a magnificent engine of economic vitality, they ought to come by and see the Port of Los Angeles. It is a credit to the people of the region. It is a credit to those who had the foresight to develop it as a working port. And I join everyone else in congratulating those who now are responsible for its continued operation.

Ms. RICHARDSON. Madam Speaker, I wish to yield 2 minutes to my good friend from Los Angeles and a fellow member of the Transportation Committee, the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Madam Speaker, I certainly want to thank Representative RICHARDSON for introducing House Resolution 822, and I join my colleagues in their accolades on the Port of Long Beach's reaching their 100th anniversary and on their accomplishments, as they are a tremendous asset to California. Their leadership has been, as you've heard, exemplary. It has provided hundreds of thousands of jobs over the 100 years. Many of the longshoremen and stevedores are immigrants and live in our districts in Los Angeles.

The fact is these ports and their workers are vital to all of our U.S. economy. As you have heard, they provide movement of 8.5 million containers, and 1 million jobs throughout the United States, not just in Los Angeles and in California. And my district is home to many factories and companies and distribution centers that import and export their products through these ports. The $8 billion in trade from imports impact my district tremendously, and it is expected to triple by the year 2030, undertaking, you've heard, the $2 billion Clean Air Action Plan to reduce emissions by 50 percent in 5 years, replacing dirty diesel trucks from the ports, and requiring low sulfur gas to be used by the incoming ships.

We congratulate and are joined by many other members of the Los Angeles delegation, including DAVID DREIER, who just stopped by and said that he too joins us on congratulating the Port of Los Angeles on the great strides to improve our environment and in strong support of this bill.

I also request my colleagues to join us in passing this resolution honoring the Port of Los Angeles on their 100th anniversary.

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

Ms. RICHARDSON. Madam Speaker, I wish to yield 2–1/12 minutes to my dear friend also from the Los Angeles County area, the gentlewoman from California, Ms. ROYBAL-ALLARD.

Ms. ROYBAL-ALLARD. Madam Speaker, I rise in support of House Resolution 822, recognizing the 100th anniversary of the founding of the Port of Los Angeles, and I commend Congresswoman LAURA RICHARDSON for her leadership and introduction of this resolution.

When the port opened in 1907, the population of the City of Los Angeles stood at only 300,000 residents. Today the City of Los Angeles is a thriving metropolis of more than 4 million residents, the second largest city in the Nation. This transformation into a sprawling urban giant was enhanced by the ever-growing global trade that passes through the Port of Los Angeles.

As a major gateway to the Pacific Rim, the L.A. port handles an estimated $225 billion worth of cargo a year, and with its neighboring Port of Long Beach, it is the largest container port complex in the Nation and the fifth largest in the world.

The Port of Los Angeles plays a critical role in our local and State economy. It contributes $1.4 billion in State and local tax revenues, provides 259,000 jobs, and pays $8.4 billion in wages annually. Equally as important, if not more so, the Port of Los Angeles is also a strong economic engine for our national economy.

Goods arriving through the port complex account for more than 40 percent

of our Nation's total import traffic and 24 percent of its total exports. In fact, more than 60 percent of arriving cargo has destinations outside of Southern California.

In 2005, the number of direct and indirect jobs associated with the trade activity generated by the L.A. ports was 3.3 million jobs nationwide. This is a 200 percent increase over 1994 data.

On this historic 100th anniversary, I salute the Port Authority; the City of Los Angeles; the communities of Wilmington and San Pedro, which host the port; and I especially want to salute the thousands of hardworking men and women who ensure the port's daily operations and its reliable movement of goods. And I urge all of my colleagues to support this resolution.

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

Ms. RICHARDSON. Madam Speaker, I wish to recognize the next three speakers that you will hear for 2 minutes, but in particular I want to yield 2 minutes to my dear friend from Oakland, who represents another sister city port, the Port of Oakland, the gentlewoman from California (Ms. LEE).

Ms. LEE. Madam Speaker, first let me thank the gentlewoman from Los Angeles for her leadership and for giving me the opportunity to speak for a few minutes on behalf of this resolution, H. Res. 822, recognizing the 100th anniversary of the founding of the Port of Los Angeles.

The Port of Los Angeles, and we are hearing this over and over again, and many of us who represent ports have known this for a long time, but it has a long and distinguished history as a training hub in California. Today, the fifth largest container complex in the entire world along with the Port of Long Beach, the cargo that comes through the port reaches every congressional district throughout the country. The Port of Los Angeles is an economic engine, not just for Los Angeles but for the region, for our entire State and our entire country. The economic benefits that it provides to the Nation are impossible to measure but assuredly are immense, just as is the Port of Oakland located in my congressional district.

So I want to commend my colleague from Los Angeles, California, our newest Member from California, for introducing this resolution. I could think of no Member who has come to Congress who has hit the ground running, who has done the hard work, and who has been able to bring forth a resolution such as this as Congresswoman RICHARDSON. She recognizes the economic opportunities, the job creation aspects, the trade benefits of the Port of Los Angeles.

So I salute you, Congresswoman RICHARDSON. From the Port of Oakland to the Port of Los Angeles, happy anniversary.

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

Ms. RICHARDSON. Madam Speaker, I wish to yield 2 minutes to my sister colleague and dear friend who also represents the Port of San Diego, Congresswoman SUSAN DAVIS.

Mrs. DAVIS of California. Madam Speaker, I rise in support of this resolution. As a representative with a bustling port in San Diego, I fully recognize the importance of this historic occasion, and I am very proud to join my colleague in honoring the Port of Los Angeles and celebrating its 100th anniversary.

As my colleagues have cited, the Port of Los Angeles is a bastion for commerce and the economy for the region, and it provides one out of every 24 jobs in Southern California.

Madam Speaker, we know that seaports are gateways for domestic and international trade connecting us to the rest of the world. And because ports are naturally located on coasts and inland waterways, they really play a special opportunity to act as environmental stewards and caretakers for our precious coastal resources. Just last year the Ports of Los Angeles and Long Beach jointly released the San Pedro Bay Ports Clean Air Action Plan, which aims to reduce emissions by 50 percent over the next 5 years.

It's true, every single one of our districts benefits from the imports and exports that flow through the Port of Los Angeles.

So I want to urge my colleagues to join me in bestowing this well-deserved honor on the Port of Los Angeles after 100 years of successful operation, and I particularly want to commend my colleague for bringing it forward.

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

Ms. RICHARDSON. Madam Speaker, I wish to yield 2 minutes to my dear friend and sister from the great area of Santa Barbara. She also has a port in her district, Mrs. LOIS CAPPS.

Mrs. CAPPS. Madam Speaker, I join several of my colleagues in strong support of House Resolution 822.

It's a pleasure to honor the Port of Los Angeles on your 100th anniversary and to commend our new colleague from California, Congresswoman RICHARDSON, for calling attention to all of us the importance of our ports and for signaling this specific anniversary of the Port in Los Angeles, our Nation's largest container port. And when you include its neighbor, the Port of Long Beach, this complex is the fifth largest in the world.

I also represent a deepwater port, a neighboring port up the coast from the Port of Los Angeles, the Port of Hueneme, so I also know how important the maritime industry is to the health of our Nation's economy. And ports like the Port of Los Angeles are the gateway into the vastly interconnected global economy.

In fact, 95 percent of all international overseas trade moves through our Nation's ports, and much of it, $1 billion a day of economic activity, happens at the Ports of Los Angeles and Long Beach. In fact, at least one business in every congressional district in this country imports or exports goods through these ports.

Madam Speaker, I also want to acknowledge the port's work to improve the region's air quality. This is a big deal. This is a busy port with lots of traffic and has in the past produced lots of congestion. Recently, the Ports of Los Angeles and Long Beach announced a proposal to reduce diesel pollution from trucks at the facilities by overhauling their dockside trucking systems. This is a model that the rest of the Nation would do well to watch and then copy. This is good news for the people working and living near these busy complexes. And I hope other ports in California and around the country will follow their lead.

Again, I'm glad the House can recognize the important contributions of this port. I congratulate all its employees, its Members of Congress, and its successful operation of the last 100 years.

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Mr. LATOURETTE. Madam Speaker, may I inquire of the Chair the time remaining on each side.

The SPEAKER pro tempore. The gentleman from Ohio has 9 minutes remaining. The gentlewoman from California has 2½ minutes.

Mr. LATOURETTE. Madam Speaker, I am going to continue to reserve. But I do see the distinguished chairman of our subcommittee on the floor, and if 2½ minutes isn't enough time for his observations, I would be happy to inquire to see if the gentlewoman needs time.

Would you like me to yield to the chairman?

Ms. RICHARDSON. Madam Speaker, actually as the manager of this bill, I was prepared to give the honor of closing this bill to the dear chairman. So since he is our last speaker, I am prepared to close at that point once you have yielded the remaining time.

Mr. LATOURETTE. I would yield 2 minutes of our time and ask unanimous consent that it be added to the gentlewoman's time so they have 4½ minutes.

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

There was no objection.

Mr. LATOURETTE. I yield back the remainder of my time.

Ms. RICHARDSON. Madam Speaker, it is with great pleasure that I have the opportunity to introduce the distinguished chairman of the Coast Guard and Maritime Transportation Subcommittee, on which we both serve. His leadership I have had an opportunity to work with in a very quick fashion, and I am very pleased to have him join us in this effort. Please welcome the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Madam Speaker, I rise today to urge my colleagues to adopt House Resolution 822 and to recognize the 100th anniversary of the

Port of Los Angeles. I want to thank you, Mr. LATOURETTE, for yielding time, and you, Ms. RICHARDSON, for your very, very fine work which I will get back to in a moment.

During its first century, the Port of Los Angeles has grown to become a massive freight processing complex encompassing 27 cargo terminals which handle more than 43 percent of all the goods arriving in the United States. By any metric, the size of operations at the Port of Los Angeles is simply staggering. Over just the past 11 years, as part of the San Pedro Bay Port Complex, the port has grown 246 percent, generating $256 billion in commerce and $28 billion in tax revenue. That is simply astounding.

Already the largest container terminal in the United States, the port handled more than 8.5 million 20-foot container units last year alone. By 2030, the port complex is expected to triple its cargo handling activities again.

Not surprisingly, the port is an industry leader in all aspects of transportation. In 2002, the port was a principal partner of the $2.5 billion Alameda Corridor project, which connected the port to America's transcontinental rail system with a 20-mile rail expressway. Created through a partnership with local, regional and statewide agencies, this project epitomizes the multimodal connections that are essential to speeding and easing freight movements through our Nation's ports.

The port has also undertaken a dedicated effort to address the impacts of its operations on the local environment through the San Pedro Bay Ports Clean Air Action Plan, which is intended to reduce air pollution from port activities by nearly 50 percent in 5 years.

The action plan is the world's first program proposed to significantly reduce health risks around a major port by combating regional air pollution from port-related operations.

I also want to take a moment to salute Ms. RICHARDSON. She has, without a doubt, I think it was Ms. LEE that said that she came in and hit the ground running. I say she hit the ground flying, including her work just recently with me. When we visited San Francisco, she was the only other subcommittee member who attended the special field hearing convened by our subcommittee to examine the terrible oil spill in San Francisco Bay. Ms. RICHARDSON ably represents California's 37th Congressional District, including the interests of the Port of Los Angeles as evidenced through her work on the resolution before us today. I shall never forget in her opening statement on the floor in the well of this House, one of the things that she mentioned, Madam Speaker, was that she wanted to make sure that the port and the port's interests in her district were well situated and that they were made better by her presence in this great House. And so I want to applaud her for her efforts.

I want to thank her for her insight, and I am so, so excited that she is part of the subcommittee which I chair. And with that, Madam Speaker, I thank her and I thank my ranking member on our subcommittee.

Ms. RICHARDSON. I yield myself the balance of my time.

The Port of Los Angeles now looks forward to its next 100 years with a legacy as a leader in terminal efficiency and setting environmental standards. It is indeed the Nation's largest and most successful conveyor of the Nation's and the world's commerce.

Madam Speaker, I urge all the Members to support the Port of Los Angeles and House Resolution 822 and applaud the efforts of Mr. LATOURETTE, our chairman, as you heard, Mr. CUMMINGS, and also our chairman of Transportation, Mr. OBERSTAR.

Mrs. TAUSCHER. Madam Speaker, I rise in support of House Resolution 822, which recognizes the 100th anniversary of the Port of Los Angeles.

I would like to commend my colleague from California, Congresswoman RICHARDSON, for bringing this important resolution to the floor. I am proud to serve with the Congresswoman on the Transportation and Infrastructure Committee. One hundred years ago, the Los Angeles City Council created the Port of Los Angeles, and it has since developed into one of the largest in the world. More than 43 percent of all goods arriving in the United States travel through the Port of Los Angeles. I appreciate the impact that goods movement plays in our Nation's economy, and the port has an important role in that process.

I would like to congratulate the port for reaching its 100th anniversary and congratulate it for being a strong provider of jobs in California. I commend my colleague on the Transportation Committee for her diligent work.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H. Res. 822, which recognizes the 100th anniversary year of the founding of the Port of Los Angeles.

The Port of Los Angeles is located in San Pedro, California and is a part of the Southern California port complex. This complex handles more than 43 percent of all goods arriving in the United States. The complex has grown 246 percent over the past 11 years, and trade-related jobs at the complex have tripled. The amount of cargo handled by this complex is also expected to triple by the year 2030.

Although the earliest history of the Port of Los Angeles dates back to the 1500s, the Board of Harbor Commissioners was created on December 9, 1907, which officially founded the port. In 1542, a Portuguese explorer named the natural harbor "Bahia de los Fumos" or "Bay of Smokes," when he stated the bay "is an excellent harbor and the country is good with many plains and groves of trees."

In 1869, a new era of development for the harbor region was marked when Los Angeles and San Pedro Railroad began service between San Pedro Bay and Los Angeles, becoming the first railroad of Southern California.

In 1958, the containerized cargo revolution began on the west coast, when the Hawaiian Merchant delivered its first shipment of 20 cargo containers to the port.

A principal partner in the $2.5 billion Alameda Corridor project, which opened in April 2O02, the port worked with local, regional, and statewide agencies to develop a robust regional transportation infrastructure. The project is a 20-mile expressway that connects the Port of Los Angeles to America's transcontinental rail system, improving the transportation systems that move goods throughout the region.

Last year, the Port of Los Angeles handled more than 8.5 million twenty-foot container units, making it the leading container port in the United States for 7 consecutive years. The port has the largest single container terminal in the world. The nearly 500-acre container complex, operated by Maersk Sealand and APM Terminals, was completed in 2004 and has been acclaimed as an engineering phenomenon and a model of operational efficiency.

The port has implemented modern and innovative transportation and good movements systems, has set global standards, and is a leader in terminal efficiency and environmental initiatives. I congratulate the Port of Los Angeles on its achievements for the past 100 years and wish the port continued success in national and world commerce for the next century.

I urge my colleagues to support this resolution.

Mr. LATOURETTE. Madam Speaker, House Resolution 822 recognizes the 100th anniversary of the founding of the Port of Los Angeles. The Port of Los Angeles is the busiest port in the United States in terms of maritime cargo volume and, when combined with the adjoining Port of Long Beach, is the fifth busiest commercial seaport worldwide. This trade is a critical component to our national economy and directly and indirectly supports millions of jobs nationwide.

The port has also taken action to lessen impacts on the surrounding areas and the environment by recently implementing a comprehensive strategy to reduce emissions from ships and port operations.

I join the resolution's sponsor, Congresswoman RICHARDSON of California, and all of the cosponsors in recognizing the Port of Los Angeles' first 100 years and in wishing the port continued success in the future. I urge all Members to support the resolution.

Ms. RICHARDSON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. RICHARDSON) that the House suspend the rules and agree to the resolution, H. Res. 822, 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.

Ms. RICHARDSON. 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.

MILITARY RESERVIST AND VETERAN SMALL BUSINESS REAUTHORIZATION AND OPPORTUNITY ACT OF 2007

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4253) to improve and expand small business assistance programs for veterans of the armed forces and military reservists, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4253

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—VETERANS BUSINESS DEVELOPMENT

Sec. 101. Increased funding for the Office of Veterans Business Development.
Sec. 102. Interagency task force.
Sec. 103. Permanent extension of SBA Advisory Committee on Veterans Business Affairs.
Sec. 104. Office of Veterans Business Development.
Sec. 105. Increasing the number of outreach centers.
Sec. 106. Independent study on gaps in availability of outreach centers.

TITLE II—NATIONAL RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY

Sec. 201. Short title.
Sec. 202. Purpose.
Sec. 203. National Guard and Reserve business assistance.
Sec. 204. Veterans Assistance and Services program.

TITLE III—RESERVIST PROGRAMS

Sec. 301. Reservist programs.
Sec. 302. Reservist loans.
Sec. 303. Noncollateralized loans.
Sec. 304. Loan priority.
Sec. 305. Relief from time limitations for veteran-owned small businesses.
Sec. 306. Service-disabled veterans.
Sec. 307. Study on options for promoting positive working relations between employers and their Reserve Component employees.
Sec. 308. Increased Veteran Participation Program.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''activated'' means receiving an order placing a Reservist on active duty;

(2) the term ''active duty'' has the meaning given that term in section 101 of title 10, United States Code;

(3) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(4) the term ''Reservist'' means a member of a reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code;

(5) the term ''Service Corps of Retired Executives'' means the Service Corps of Retired Executives authorized by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1));

(6) the terms ''service-disabled veteran'' and ''small business concern'' have the meaning as in section 3 of the Small Business Act (15 U.S.C. 632);

(7) the term ''small business development center'' means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648); and

(8) the term ''women's business center'' means a women's business center described in section 29 of the Small Business Act (15 U.S.C. 656).

TITLE I—VETERANS BUSINESS DEVELOPMENT

SEC. 101. INCREASED FUNDING FOR THE OFFICE OF VETERANS BUSINESS DEVELOPMENT.

(a) IN GENERAL.—There are authorized to be appropriated to the Office of Veterans Business Development of the Administration, to remain available until expended—

(1) $2,100,000 for fiscal year 2008; and

(2) $2,300,000 for fiscal year 2009.

(b) FUNDING OFFSET.—Amounts necessary to carry out subsection (a) shall be offset and made available through the reduction of the authorization of funding under section 20(e)(1)(B)(iv) of the Small Business Act (15 U.S.C. 631 note).

(c) SENSE OF CONGRESS.—It is the sense of Congress that any amounts provided pursuant to this section that are in excess of amounts provided to the Administration for the Office of Veterans Business Development in fiscal year 2007, should be used to support Veterans Business Outreach Centers.

SEC. 102. INTERAGENCY TASK FORCE.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended—

(1) by redesignating subsection (c) as (f); and

(2) by inserting after subsection (b) the following:

''(c) INTERAGENCY TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subsection, the President shall establish an interagency task force to coordinate the efforts of Federal agencies necessary to increase capital and business development opportunities for, and increase the award of Federal contracting and subcontracting opportunities to, small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans (in this section referred to as the 'task force').

''(2) MEMBERSHIP.—The members of the task force shall include—

''(A) the Administrator, who shall serve as chairperson of the task force;

''(B) a senior level representative from—

''(i) the Department of Veterans Affairs;

''(ii) the Department of Defense;

''(iii) the Administration (in addition to the Administrator);

''(iv) the Department of Labor;

''(v) the Department of the Treasury;

''(vi) the General Services Administration; and

''(vii) the Office of Management and Budget; and

''(C) 4 representatives from a veterans service organization or military organization or association, selected by the President.

''(3) DUTIES.—The task force shall coordinate administrative and regulatory activities and develop proposals relating to—

''(A) increasing capital access and capacity of small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans through loans, surety bonding, and franchising;

''(B) increasing access to Federal contracting and subcontracting for small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans through expanded mentor-protégé assistance and matching such small business concerns with contracting opportunities;

''(C) increasing the integrity of certifications of status as a small business concern owned and controlled by service-disabled veterans or a small business concern owned and controlled by veterans;

''(D) reducing paperwork and administrative burdens on veterans in accessing business development and entrepreneurship opportunities;

''(E) increasing and improving training and counseling services provided to small business concerns owned and controlled by veterans; and

''(F) making other improvements relating to the support for veterans business development by the Federal Government.

''(4) REPORTING.—The task force shall submit an annual report regarding its activities and proposals to—

''(A) the Committee on Small Business and Entrepreneurship and the Committee on Veterans' Affairs of the Senate; and

''(B) the Committee on Small Business and the Committee on Veterans' Affairs of the House of Representatives.''.

SEC. 103. PERMANENT EXTENSION OF SBA ADVISORY COMMITTEE ON VETERANS BUSINESS AFFAIRS.

(a) ASSUMPTION OF DUTIES.—Section 33 of the Small Business Act (15 U.S.C. 657c) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsections (i) through (k) as subsections (h) through (j), respectively.

(b) PERMANENT EXTENSION OF AUTHORITY.—Section 203 of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking subsection (h).

SEC. 104. OFFICE OF VETERANS BUSINESS DEVELOPMENT.

Section 32 of the Small Business Act (15 U.S.C. 657b), as amended by section 102, is further amended by inserting after subsection (c) (as added by section 102) the following:

''(d) PARTICIPATION IN TAP WORKSHOPS.—

''(1) IN GENERAL.—The Associate Administrator shall increase veteran outreach by ensuring that Veteran Business Outreach Centers regularly participate, on a nationwide basis, in the workshops of the Transition Assistance Program of the Department of Labor.

''(2) PRESENTATIONS.—In carrying out paragraph (1), a Center may provide grants to eligible entities located in Transition Assistance Program locations to make presentations on the opportunities available from the Administration for recently separating veterans. Each such presentation must include, at a minimum, the entrepreneurial and business training resources available from the Administration.

''(3) WRITTEN MATERIALS.—The Associate Administrator of Veterans Business Development shall create written materials that provide comprehensive information on self-employment and veterans entrepreneurship, including information on Small Business Administration resources available for such topics, and shall make these materials available for inclusion in the Transition Assistance Program manual.

''(4) REPORTS.—The Associate Administrator shall submit to Congress progress reports on the implementation of this subsection.

''(e) WOMEN VETERANS BUSINESS TRAINING RESOURCE PROGRAM.—The Associate Administrator shall establish a Women Veterans

Business Training Resource Program. The program shall—

''(1) compile information on resources available to women veterans for business training, including resources for—

''(A) vocational and technical education;

''(B) general business skills, such as marketing and accounting; and

''(C) business assistance programs targeted to women veterans; and

''(2) disseminate the information through Veteran Business Outreach Centers and women's business centers.''.

SEC. 105. INCREASING THE NUMBER OF OUTREACH CENTERS.

The Administrator of the Small Business Administration shall use the authority in section 8(b)(17) of the Small Business Act (15 U.S.C. 637(b)(17)) to ensure that the number of Veterans Business Outreach Centers throughout the United States increases—

(1) by at least 2, for each of fiscal years 2008 and 2009, in accordance with funding provided in sections 101(a)(1) and (a)(2) of this Act; and

(2) by the number that the Administrator considers appropriate, based on existing need, for each fiscal year thereafter.

SEC. 106. INDEPENDENT STUDY ON GAPS IN AVAILABILITY OF OUTREACH CENTERS.

The Administrator of the Small Business Administration shall sponsor an independent study on gaps in the availability of Veterans Business Outreach Centers across the United States. The purpose of the study shall be to identify the gaps that do exist so as to inform decisions on funding and on the allocation and coordination of resources. Not later than 6 months after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the results of the study.

TITLE II—NATIONAL RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Reservist Enterprise Transition and Sustainability Act of 2007''.

SEC. 202. PURPOSE.

The purpose of this title is to establish a program to—

(1) provide managerial, financial, planning, development, technical, and regulatory assistance to small business concerns owned and operated by Reservists;

(2) provide managerial, financial, planning, development, technical, and regulatory assistance to the temporary heads of small business concerns owned and operated by Reservists;

(3) create a partnership between the Small Business Administration, the Department of Defense, and the Department of Veterans Affairs to assist small business concerns owned and operated by Reservists;

(4) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to expand the access of small business concerns owned and operated by Reservists to programs providing business management, development, financial, procurement, technical, regulatory, and marketing assistance;

(5) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to quickly respond to an activation of Reservists that own and operate small business concerns; and

(6) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to assist Reservists that own and operate small business concerns in preparing for future military activations.

SEC. 203. NATIONAL GUARD AND RESERVE BUSINESS ASSISTANCE.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 37 (15 U.S.C. 631 note) as section 38; and

(2) by inserting after section 36 the following:

''SEC. 37. RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY.

''(a) IN GENERAL.—The Administrator shall establish a program to provide business planning assistance to small business concerns owned and operated by Reservists.

''(b) DEFINITIONS.—In this section—

''(1) the terms 'activated' and 'activation' mean having received an order placing a Reservists on active duty, as defined by section 101(1) of title 10, United States Code;

''(2) the term 'Administrator' means the Administrator of the Small Business Administration, acting through the Associate Administrator for Small Business Development Centers;

''(3) the term 'Association' means the association established under section 21(a)(3)(A);

''(4) the term 'eligible applicant' means—

''(A) a small business development center that is accredited under section 21(k);

''(B) a women's business center;

''(C) a Veterans Business Outreach Center that receives funds from the Office of Veterans Business Development;

''(D) an information and assistance center receiving funding from the National Veterans Business Development Corporation under section 33; or

''(E) any other Veterans Business Assistance program which receives federal funding;

''(5) the term 'enterprise transition and sustainability assistance' means assistance provided by an eligible applicant to a small business concern owned and operated by a Reservist, who has been activated or is likely to be activated in the next 12 months, to develop and implement a business strategy for the period while the owner is on active duty and 6 months after the date of the return of the owner;

''(6) the term 'Reservist' means any person who is—

''(A) a member of a reserve component of the Armed Forces, as defined by section 10101 of title 10, United States Code; and

''(B) on active status, as defined by section 101(d)(4) of title 10, United States Code;

''(7) the term 'small business development center' means a small business development center as described in section 21 of the Small Business Act (15 U.S.C. 648);

''(8) the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam; and

''(9) the term 'women's business center' means a women's business center described in section 29 of the Small Business Act (15 U.S.C. 656).

''(c) AUTHORITY.—The Administrator may award grants, in accordance with the regulations developed under subsection (d), to eligible applicants to assist small business concerns owned and operated by Reservists by—

''(1) providing management, development, financing, procurement, technical, regulatory, and marketing assistance;

''(2) providing access to information and resources, including Federal and State business assistance programs;

''(3) distributing contact information provided by the Department of Defense regarding activated Reservists to corresponding State directors;

''(4) offering free, one-on-one, in-depth counseling regarding management, development, financing, procurement, regulations, and marketing;

''(5) assisting in developing a long-term plan for possible future activation; and

''(6) providing enterprise transition and sustainability assistance.

''(d) OTHER FEDERAL DEPARTMENTS AND AGENCIES.—The Administrator shall make available informational materials established by this section to other Federal departments and agencies for their own internal programs.

''(e) RULEMAKING.—

''(1) IN GENERAL.—The Administrator, in consultation with the Association and after notice and an opportunity for comment, shall promulgate regulations to carry out this section.

''(2) DEADLINE.—The Administrator shall promulgate final regulations not later than 180 days of the date of enactment of the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007.

''(3) CONTENTS.—The regulations developed by the Administrator under this subsection shall establish—

''(A) procedures for identifying, in consultation with the Secretary of Defense, States that have had a recent activation of Reservists;

''(B) priorities for the types of assistance to be provided under the program authorized by this section;

''(C) standards relating to educational, technical, and support services to be provided by a grantee;

''(D) standards relating to any national service delivery and support function to be provided by a grantee;

''(E) standards relating to any work plan that the Administrator may require a grantee to develop; and

''(F) standards relating to the educational, technical, and professional competency of any expert or other assistance provider to whom a small business concern may be referred for assistance by a grantee.

''(f) APPLICATION.—

''(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall describe—

''(A) the activities for which the applicant seeks assistance under this section; and

''(B) how the applicant plans to allocate funds within its network.

''(g) AWARD OF GRANTS.—

''(1) DEADLINE.—The Administrator shall award grants not later than 60 days after the promulgation of final rules and regulations under subsection (e).

''(2) AMOUNT.—Each eligible applicant awarded a grant under this section shall receive a grant in an amount not greater than $300,000 per fiscal year.

''(h) REPORT.—

''(1) IN GENERAL.—The Comptroller General of the United States shall—

''(A) initiate an evaluation of the program not later than 30 months after the disbursement of the first grant under this section; and

''(B) submit a report not later than 6 months after the initiation of the evaluation under paragraph (1) to—

''(i) the Administrator;

''(ii) the Committee on Small Business and Entrepreneurship of the Senate; and

''(iii) the Committee on Small Business of the House of Representatives.

''(2) CONTENTS.—The report under paragraph (1) shall—

''(A) address the results of the evaluation conducted under paragraph (1); and

''(B) recommend changes to law, if any, that it believes would be necessary or advisable to achieve the goals of this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—

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

''(A) $5,000,000 for the first fiscal year beginning after the date of enactment of the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007; and

''(B) $5,000,000 for the fiscal year following the fiscal year described in subparagraph (A).

''(2) FUNDING OFFSET.—Amounts necessary to carry out this section shall be offset and made available through the reduction of the authorization of funding under section 20(e)(1)(B)(iv) of the Small Business Act (15 U.S.C. 631 note).''.

SEC. 204. VETERANS ASSISTANCE AND SERVICES PROGRAM.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

''(n) VETERANS ASSISTANCE AND SERVICES PROGRAM.—

''(1) IN GENERAL.—A Small Business Development Center may apply for an additional grant to carry out a veterans assistance and services program.

''(2) ELEMENTS OF PROGRAM.—Under a program under paragraph (1), the Center shall—

''(A) create a marketing campaign to promote awareness and education of the services of the Center that are available to veterans, and to target the campaign toward veterans, disabled veterans, military units, Federal agencies, and veterans organizations;

''(B) use technology-assisted online counseling and distance learning technology to overcome the impediments to entrepreneurship faced by veterans and members of the Armed Forces; and

''(C) increase coordination among organizations that assist veterans, including by establishing virtual integration of service providers and offerings for a one-stop point of contact for veterans who are entrepreneurs or small business owners.

''(3) MINIMUM AMOUNT.—Each grant under this subsection shall be for at least $75,000.

''(4) MAXIMUM AMOUNT.—A grant under this subsection may not exceed $250,000.

''(5) FUNDING.—Subject to amounts approved in advance in appropriations Acts, the Administration may make grants or enter into cooperative agreements to carry out the provisions of this subsection.''.

TITLE III—RESERVIST PROGRAMS

SEC. 301. RESERVIST PROGRAMS.

(a) APPLICATION PERIOD.—Section 7(b)(3)(C) of the Small Business Act (15 U.S.C. 636(b)(3)(C)) is amended—

(1) by striking ''90 days'' and inserting ''1 year''; and

(2) by adding at the end the following: ''The Administrator may, when appropriate (as determined by the Administrator), waive the ending date specified in the preceding sentence and provide a later ending date.''.

(b) PRE-CONSIDERATION PROCESS.—

(1) DEFINITION.—In this subsection, the term ''eligible Reservist'' means a Reservist who—

(A) has not been ordered to active duty;

(B) expects to be ordered to active duty during a period of military conflict; and

(C) can reasonably demonstrate that the small business concern for which that Reservist is a key employee will suffer economic injury in the absence of that Reservist.

(2) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Administrator shall establish a preconsideration process, under which the Administrator—

(A) may collect all relevant materials necessary for processing a loan to a small business concern under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) before an eligible Reservist employed by that small business concern is activated; and

(B) shall distribute funds for any loan approved under subparagraph (A) if that eligible Reservist is activated.

(c) OUTREACH AND TECHNICAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Veterans Affairs and the Secretary of Defense, shall develop a comprehensive outreach and technical assistance program (in this subsection referred to as the ''program'') to—

(A) market the loans available under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) to Reservists, and family members of Reservists, that are on active duty and that are not on active duty; and

(B) provide technical assistance to a small business concern applying for a loan under that section.

(2) COMPONENTS.—The program shall—

(A) incorporate appropriate websites maintained by the Administration, the Department of Veterans Affairs, and the Department of Defense; and

(B) require that information on the program is made available to small business concerns directly through—

(i) the district offices and resource partners of the Administration, including small business development centers, women's business centers, and the Service Corps of Retired Executives; and

(ii) other Federal agencies, including the Department of Veterans Affairs and the Department of Defense.

(3) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter until the date that is 30 months after such date of enactment, the Administrator shall submit to Congress a report on the status of the program.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include—

(i) for the 6-month period ending on the date of that report—

(I) the number of loans approved under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3));

(II) the number of loans disbursed under that section; and

(III) the total amount disbursed under that section; and

(ii) recommendations, if any, to make the program more effective in serving small business concerns that employ Reservists.

SEC. 302. RESERVIST LOANS.

(a) IN GENERAL.—Section 7(b)(3)(E) of the Small Business Act (15 U.S.C. 636(b)(3)(E)) is amended by striking ''$1,500,000'' each place such term appears and inserting ''$2,000,000''.

(b) LOAN INFORMATION.—

(1) IN GENERAL.—The Administrator and the Secretary of Defense shall develop a joint website and printed materials providing information regarding any program for small business concerns that is available to veterans or Reservists.

(2) MARKETING.—The Administrator is authorized—

(A) to advertise and promote the program under section 7(b)(3) of the Small Business Act jointly with the Secretary of Defense and veterans' service organizations; and

(B) to advertise and promote participation by lenders in such program jointly with trade associations for banks or other lending institutions.

SEC. 303. NONCOLLATERALIZED LOANS.

Section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended by adding at the end the following:

''(G)(i) Notwithstanding any other provision of law, the Administrator may make a loan under this paragraph of not more than $50,000 without collateral.

''(ii) The Administrator may defer payment of principal and interest on a loan described in clause (i) during the longer of—

''(I) the 1-year period beginning on the date of the initial disbursement of the loan; and

''(II) the period during which the relevant essential employee is on active duty.''.

SEC. 304. LOAN PRIORITY.

Section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)), as amended by this Act, is amended by adding at the end the following:

''(H) The Administrator shall give priority to any application for a loan under this paragraph and shall process and make a determination regarding such applications prior to processing or making a determination on other loan applications under this subsection, on a rolling basis.''.

SEC. 305. RELIEF FROM TIME LIMITATIONS FOR VETERAN-OWNED SMALL BUSINESSES.

Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended by adding at the end the following:

''(5) RELIEF FROM TIME LIMITATIONS.—

''(A) IN GENERAL.—Any time limitation on any qualification, certification, or period of participation imposed under this Act on any program that is not subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and is available to small business concerns shall be extended for a small business concern that—

''(i) is owned and controlled by—

''(I) a veteran who was called or ordered to active duty under a provision of law specified in section 101(a)(13)(B) of title 10, United States Code, on or after September 11, 2001; or

''(II) a service-disabled veteran who became such a veteran due to an injury or illness incurred or aggravated in the active military, naval, or air service during a period of active duty pursuant to a call or order to active duty under a provision of law referred to in subclause (I) on or after September 11, 2001; and

''(ii) was subject to the time limitation during such period of active duty.

''(B) DURATION.—Upon submission of proper documentation to the Administrator, the extension of a time limitation under subparagraph (A) shall be equal to the period of time that such veteran who owned or controlled such a concern was on active duty as described in that subparagraph.

''(C) EXCEPTION FOR PROGRAMS SUBJECT TO FEDERAL CREDIT REFORM ACT OF 1990.—The provisions of subparagraphs (A) and (B) shall not apply to any programs subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).''.

SEC. 306. SERVICE-DISABLED VETERANS.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the

Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report describing—

(1) the types of assistance needed by service-disabled veterans who wish to become entrepreneurs; and

(2) any resources that would assist such service-disabled veterans.

SEC. 307. STUDY ON OPTIONS FOR PROMOTING POSITIVE WORKING RELATIONS BETWEEN EMPLOYERS AND THEIR RESERVE COMPONENT EMPLOYEES.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on options for promoting positive working relations between employers and Reserve component employees of such employers, including assessing options for improving the time in which employers of Reservists are notified of the call or order of such members to active duty other than for training.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall—

(A) provide a quantitative and qualitative assessment of—

(i) what measures, if any, are being taken to inform Reservists of the obligations and responsibilities of such members to their employers;

(ii) how effective such measures have been; and

(iii) whether there are additional measures that could be taken to promote positive working relations between Reservists and their employers, including any steps that could be taken to ensure that employers are timely notified of a call to active duty; and

(B) assess whether there has been a reduction in the hiring of Reservists by business concerns because of—

(i) any increase in the use of Reservists after September 11, 2001; or

(ii) any change in any policy of the Department of Defense relating to Reservists after September 11, 2001.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Small Business and Entrepreneurship of the Senate; and

(2) the Committee on Armed Services and the Committee on Small Business of the House of Representatives.

SEC. 308. INCREASED VETERAN PARTICIPATION PROGRAM.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(32) INCREASED VETERAN PARTICIPATION PROGRAM.—The Administrator shall carry out an Increased Veteran Participation Program. For a loan made under this paragraph, the following shall apply:

''(A) The loan shall be made to a business concern the majority ownership interest of which is directly held by individuals who are veterans of the Armed Forces or members of the reserve components of the Armed Forces.

''(B) The loan shall include the participation by the Administration equal to 90 percent of the balance of the financing outstanding at the time of disbursement.

''(C) The fees on the loan under paragraphs (18) and (23) shall not apply.''.

(b) NOTICE AND COMMENT.—The program required by section 7(a)(32) of the Small Business Act, as added by subsection (a), shall be established after the opportunity for notice and comment and not later than 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

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

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

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself as much time as I may consume.

In their service to the Nation, veterans have demonstrated strength, discipline and dedication to preserving security. At home, they have proven to be invaluable components of a strong economy.

We have already seen the impact veterans can have on the business community. Currently, approximately 22 percent of servicemembers in the United States have either purchased or started a new business. These entrepreneurs are significant contributors to job growth and expansion of local economies.

I wish to commend Congressman JASON ALTMIRE and Congressman VERN BUCHANAN for their leadership in crafting this bill that will further this effort. H.R. 4253 promotes veterans' continued pursuit of self-employment and provides them with the support for growth that they deserve. It accomplishes this objective by comprehensively updating several of the Small Business Administration's programs to better meet the current needs of veteran entrepreneurs.

The bill addresses several of the impediments to veterans' success as entrepreneurs. Because servicemembers are removed from the workforce for an extended period of time, they can often then face difficulties securing capital or technical assistance upon their return from service. Additionally, while many veterans receive specialized skills during their service, it is often quite difficult transforming those skills into profitable resources. We can increase veteran entrepreneurial opportunities by creating the right tools to ensure their success.

H.R. 4253 responds to these challenges by establishing a strong role for the Federal Government to help veterans overcome obstacles to entrepreneurship. The legislation increases veterans' access to affordable capital, enhances entrepreneurial development resources, and sharpens the focus of Federal resources on this key member of the small business community.

Veterans will have improved access to capital with specially tailored initiatives in the SBA's 7(a) and disaster loan programs. This will help returning servicemen and women bridge the gap for financial capital that they need to start and grow a new endeavor. By increasing outreach assistance centers and entrepreneurial development program resources, the bill also improves access to assistance that will help veteran entrepreneurs evaluate business ideas, conduct market research, and receive technology training.

This legislation will also establish an interagency task force that will take a lead role in altering the institutional culture at the Federal level to promote increased veteran entrepreneurship. This will significantly improve the coordination of various Federal agencies' veteran service programs. Additionally, new initiatives will improve transition assistance for separating servicemembers, and provide customized support to service disabled, women veterans, and the members of the reserves. This will ensure that all sectors are considered in Federal veteran policymaking.

As new troops are added to the already 13,000 that have returned home just from Iraq and Afghanistan, it is imperative that our resources and initiatives are designed to effectively prepare them for economic success.

With their tremendous potential to thrive as entrepreneurs and their critical service for which we all greatly benefit, we must continue to work to allow these budding entrepreneurs to realize the American Dream of business ownership. I believe this bill is a major step towards realizing this goal, and I strongly support this legislation.

I urge my colleagues to support H.R. 4253.

I reserve the balance of my time.

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

Today, Madam Speaker, I rise in support of the request to suspend the rules and pass H.R. 4253, the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007. I would like to thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this bill, which incorporates provisions of a bill authored by Mr. BUCHANAN, who is a freshman member of the Small Business Committee and who has already shown tremendous initiative and leadership on that committee, to the House floor.

While we could never adequately repay the debt we owe to America's fighting men and women for their service and sacrifice, today's bill takes important steps to help our Nation's veterans make a smoother transition to civilian life.

While serving in the Armed Forces, service men and women learn and practice technical skills valued in today's civilian workforce, in addition to the leadership and decisionmaking skills that they learn on the battlefield. All

of these attributes are critical to success in the business world and are particularly important traits for successful small business owners.

Despite the success that veterans have shown in starting and operating small businesses, more must be done to assist our veterans in the startup and operation of their businesses. Outreach must improve to ensure that veterans wishing to start their own businesses will have the training and advice needed to transfer their skills to entrepreneurship without first working for someone else.

Title I of H.R. 4253 represents an excellent start in the efforts to expand and ensure that our veterans have the technical support they need to start their own businesses.

I want to especially thank the chairwoman for incorporating Mr. BUCHANAN's interest in expanding the number of Veterans Business Outreach Centers, which will play an increased role in providing assistance to veterans wishing to start small businesses.

The technical advice and assistance are not limited to veterans continuing their service in the Reserves. Title II of the bill recognizes Reservists who operate small businesses have their own unique set of operational problems associated with their call-up to duty. They may not know how long their call-up will last and they need assistance in ensuring they have a plan in place to operate their business while they are on active duty. This legislation builds on the existing network of entrepreneurial partners to deliver key technical and operational assistance to Reservists.

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Another important element of the bill is the recognition of the changing nature of the military with a greater involvement of women. The legislation requires the administrator to expand assistance to women veterans and Reservists. Given the rapid expansion and success of women-owned businesses, it makes sense to ensure that the needs of women Reservists are met when they seek to start and operate small businesses.

Our fighting men and women are the best in the world. Let us help them become the best entrepreneurs in the world by enacting this legislation, H.R. 4253.

Again, I want to thank Mr. BUCHANAN for his leadership in this effort, and I also want to thank the gentleman from Pennsylvania, Mr. ALTMIRE, who also has worked very hard in this area as well and is responsible for this bill being here today.

Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I recognize Mr. ALTMIRE, the sponsor of the legislation, for as much time as he may consume.

Mr. ALTMIRE. I thank the Chair and the ranking member for their continued leadership on these issues, and I especially want to thank my good friend from Florida, Mr. BUCHANAN. It was a pleasure working with him to craft this legislation. He was an equal partner in putting this bill on the floor today, and I want to recognize his leadership as well.

Madam Speaker, with nearly 25 million veterans and over 1 million Reservists in the United States, there is a need, and a growing need, for an increased commitment by the government to assist veterans and Reservists both during and after their service to our Nation. As more and more servicemembers return to civilian life after their deployments in Iraq and Afghanistan, the opportunities and economic benefits that the Federal Government can provide will become even more critical, especially for businesses that are owned and operated by veterans.

The brave men and women that put their lives on hold to defend our Nation should not have to sacrifice their jobs and their livelihoods. Starting and maintaining a small business presents challenges for anyone, and, unfortunately, veterans often face unique barriers as a result of their military service. The unemployment rate among veterans is double the overall national unemployment rate, and over half of all self-employed Reservists experience significant income loss when they are called to duty.

Over the past 3 years, we have watched as the number of returning veterans and Reservists has increased, and that number is only going to continue to grow.

While Congress has passed legislation and provided Federal agencies with some of the resources necessary to provide entrepreneurial opportunities for veterans, I believe that more can be done to relieve the burden that is placed on small business owners during and after their deployment.

To ensure that the Federal Government is there to assist our country's servicemembers, I have introduced the bill that we are debating here today, the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act. This legislation will support and expand entrepreneurial opportunities for veterans and Reservists to ensure that their livelihoods are not compromised because of their military service.

My bill increases funding for the Small Business Administration's Office of Veteran Business Development to $4.4 million and facilitates the coordination of all Federal agencies to focus attention on increasing the success rate of and opportunities for veteran-owned small businesses.

This legislation will make the Advisory Committee on Veterans Business Affairs permanent, strengthening the focus and input advisory committees can provide to the Federal Government to ensure continued commitment to our Nation's veterans. The Advisory Committee has been an important source of information for the Federal Government. By making the committee permanent, we can continue to improve the support provided to veteran and Reservist small business owners.

We will also increase the number of Veteran Business Outreach Centers across the country and identify areas that are in need of additional assistance to ensure that veterans and Reservists in every region are able to keep their businesses afloat.

Through grants of up to $300,000 per year made to Small Business Development Centers, this bill will establish the Reservist Enterprise Transition and Sustainability program to provide one-on-one counseling on management, financing, procurement and regulatory assistance to small business owners to help our returning service men and women successfully transition to civilian life.

Finally, my legislation makes much-needed improvements to the Military Reservist Economic Injury Disaster Loan program by requiring the SBA to extend the application deadline, raise the maximum loan amount and create a pre-consideration process for small businesses applying for assistance during military deployment. This is important, because currently Reservists can apply for a loan only after deployment, when their businesses are already in the red. A pre-deployment loan would be helpful to many small business owners during active duty when the funding is most critical.

Madam Speaker, there is no question that veterans have a unique ability to thrive as entrepreneurs. They have the leadership skills and work ethic necessary to run a small business and a successful business. But we must do more to help veteran entrepreneurs fully meet their needs and overcome the unique challenges that they face.

I believe that we owe no greater debt than to our brave men and women in uniform, and it is essential that they are afforded every opportunity for economic success at home, especially given their sacrifices for us abroad.

I strongly support the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act, and I ask my colleagues to support this important legislation.

Mr. CHABOT. Madam Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BUCHANAN).

Mr. BUCHANAN. Madam Speaker, I want to thank the ranking member for yielding me the time, and I rise in support of H.R. 4253. I would also like to thank the Congressman from Pennsylvania, Congressman ALTMIRE. He has worked on a bipartisan basis. I appreciate it. It has been a great partnership. And also Madam Chairman, and the ranking member, you guys have done an incredible job this first year. A lot of people said we couldn't work together, but it has been great leadership this year. I also want to thank you for

the opportunity to include a lot of the provisions in this bill.

H.R. 4253 incorporates legislation I introduced in May and was passed in the House in June creating an important program within the Small Business Administration that will give our veterans a chance to succeed in business enterprises but provides them with all the help and assistance a grateful Nation can offer.

My legislation is intended to help veterans through grants, information services and contacts with professionals in fields of their endeavor. This Federal program will enhance the ability of a veteran to become a successful entrepreneur in his or her chosen field. I know from personal experience, being a veteran of 6 years and an entrepreneur for 30 years, I was able to realize the American Dream, and I think this bill does it.

H.R. 4253 puts an emphasis on providing veterans with the market research, financial options and the technological training important to become a successful small business owner. This legislation not only expands the number and the scope of the Veteran Outreach Centers, it ensures the opening of more doors and an opportunity for our women veterans. Assisting our women returning from combat is something that has long been overlooked and overdue. It is high time that we did something about it.

Today, the House will pass a bill that will help individuals make an important transition from being a veteran to a small business entrepreneur. I urge my colleagues to support H.R. 4253.

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

Ms. VELÁZQUEZ. Madam Speaker, I would like to yield myself the balance of my time.

Madam Speaker, the wars in Iraq and Afghanistan have produced over 600,000 new veterans thus far and have created a serious challenge for the Nation: how to facilitate our returning servicemembers' successful transition back home and into our economy. Given the ongoing nature of these conflicts, the shift in economic opportunities and the diverse needs of returning veterans, this is an unprecedented situation that will require a major and rapid response.

To promote veterans' abilities to be productive engines of the economy, I believe we must comprehensively modernize Federal programs designed to assist this key group through self-employment opportunities. H.R. 4253 achieves this objective by obtaining the Small Business Administration programs to ensure they are customized to meet the growing needs of this sector in a changing economy.

This Nation has a clear obligation to ensure that our returning servicemembers have the assistance they need to succeed at entrepreneurship. By complementing their individual strengths with appropriate Federal resources, we can help them realize their full potential, while also growing the economy.

Madam Speaker, I want to thank the staff that worked on this bill. From the majority staff, Michael Day, Adam Minehardt and Andy Jimenez. From the minority staff, Barry Pineles and Kevin Fitzpatrick. I also want to recognize Max Goodman from Mr. BUCHANAN's staff and Cara Toman and Erik Komendant from Mr. ALTMIRE's staff.

I strongly urge my colleagues to vote for H.R. 4253.

Mr. BUCHANAN. Madam Speaker, I thank the Ranking Member for yielding me the time and rise in support of H.R. 4253.

I would like to thank Congressman ALTMIRE for bringing this bill to the floor today and for including in the bill a number of provisions important to me.

H.R. 4253 incorporates legislation I introduced in May and the House passed in June creating an important program within the Small Business Administration that will give our veterans not just a chance at success in a business enterprise but provide them with all the help and assistance a grateful Nation can offer.

My legislation is intended to help veterans through grants, information services, and contact with professionals in their fields of endeavor.

This federal support will enhance the ability of a veteran to become an entrepreneur in his or her own right.

H.R. 4253 puts an emphasis on providing veterans with the market research, financial options and technological training important to becoming a successful small business owner.

This legislation not only expands the number and scope of Veteran Outreach Centers, it ensures the opening of more doors and opportunities for our women veterans. Assisting our women returning from combat has been an area long overlooked and it's high time we did something about it.

Today, the House will pass a bill that will help individuals make an important transition from veteran to small business entrepreneur.

I urge all of my colleagues to support H.R. 4253.

Ms. VELÁZQUEZ. Madam Speaker, I yield back the balance of my time, and urge its adoption.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 4253.

The question was taken.

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

Ms. VELÁZQUEZ. 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.

TEMPORARY EXTENSION OF PROGRAMS UNDER SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT OF 1958

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4252) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 23, 2008, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4252

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Addministration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 110–57 (121 Stat. 560), is further amended by striking ''December 15, 2007'' each place it appears and inserting ''May 23, 2008''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on December 15, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, today we will consider a short-term extension for programs in the Small Business Act and Small Business Investment Act. This bill extends the authorization of the Small Business Administration and these programs through May 23, 2008.

This short-term extension is necessary to ensure continuous operations at the agencies so that this Nation's entrepreneurs continue to receive vital assistance. The programs at the SBA are designed to stimulate job creation and economic development across the country.

As the sole Federal agency charged with assisting this Nation's 26 million small businesses, it is critical that the SBA is able to meet their needs through access to capital, technical assistance and increasing their ability to secure Federal contracting opportunities.

The Small Business Committee has been working to improve and revitalize these efforts through a number of bills. The committee has taken steps to provide an overhaul and improvements to ensure our Federal Government is adapting to the current economy.

With 15 bills passed out of the House, these reforms have been a collaborative and bipartisan effort to assist small firms. Four of these bills were sponsored by Members of the minority, and nearly all of these bills have passed with over 300 votes in the House. I will also note that 10 different members of the committee, six of whom are serving their first term in Congress, have been the sponsors of these bills.

These reforms include major changes to SBA programs which affect millions of small businesses. The bills that have been passed are designed to improve small business contracting programs, as well as providing needed updates to the SBA disaster program that failed so many Americans during Hurricane Katrina.

The committee and the House have also reported legislation which streamlines the SBA access to capital initiatives and increases the outreach of entrepreneurial programs. With these bills passed out of this Chamber, we are prepared to take the final step to pass a comprehensive reauthorization to the SBA and its programs.

We will continue working with the Senate to get these reforms signed into law. This extension will provide time for the Senate to move their own changes and allow us to work out any differences.

□ 1715

At a time when the economy is in an uncertain state, it is important that these programs continue to serve small firms as Congress crafts these reforms. I look forward to working with Ranking Member CHABOT to move ahead on these efforts. Our common goal is to ensure the SBA can adequately and efficiently respond to the needs of entrepreneurs. Our Nation's main job creators, small businesses, deserve nothing less.

Madam Speaker, I reserve the balance of my time.

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

I would urge my colleagues to suspend the rules and pass H.R. 4252, legislation to extend the authorization for programs under the Small Business Act and the Small Business Investment Act, as well as any program operated by the Small Business Administration for which Congress has already appropriated funds. This extension will last until May 23, 2008. I want to thank the distinguished chairwoman of the Small Business Committee, Ms. VELÁZQUEZ, for working with me in her usual gracious manner.

With the current extension set to expire December 15, which isn't very far away, obviously, the extension is crucial to ensuring programs designed to help our small businesses are able to continue to operate. Working in a bipartisan effort with Chairwoman VELÁZQUEZ, the committee has reported 14 bills, most of which have been overwhelmingly bipartisan, and all of which have passed the House of Representatives.

While we have worked at a rather furious pace in an effort to formally reauthorize SBA programs, the other legislative body has had difficulties coming to the same bipartisan consensus. So without passage of this temporary legislation today, we find ourselves at risk of shortchanging the government contracting and capital programs for small businesses and impeding the management of the SBA.

Even with deliberations completed in the House, we operate in a bicameral legislative system. Time is needed for the legislative process in both bodies to function and, if necessary, for the two bodies to meet in conference to iron out any disagreements and to ensure that the SBA and its programs are best promoting the health of America's entrepreneurs who, after all, employ an awful lot of people in this country. The work cannot be expected to be done in a deliberative, thoughtful, and bipartisan manner with the looming deadline of midnight December 15 hanging over our heads.

Again, Madam Speaker, I want to thank my friend from New York for her very hard work on this legislation, and I urge all my colleagues to join us in supporting H.R. 4252, this bill.

I yield back the balance of my time.

Ms. VELÁZQUEZ. 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 New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 4252.

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.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

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. 3791, by the yeas and nays;

H.R. 2517, by the yeas and nays;

H. Res. 822, by the yeas and nays.

Postponed votes on H.R. 3505, H.R. 4253, and H.R. 2085 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SECURING ADOLESCENTS FROM EXPLOITATION-ONLINE 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. 3791, 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 Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 3791, as amended.

The vote was taken by electronic device, and there were—yeas 409, nays 2, not voting 20, as follows:

[Roll No. 1131]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden

Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—2

Broun (GA) Paul

NOT VOTING—20

Baird
Bishop (UT)
Carson
Cole (OK)
Cubin
DeLauro
Feeney
Hinojosa
Hooley
Jackson-Lee (TX)
Jindal
Kind
Lucas
Miller, Gary
Nunes
Ortiz
Reynolds
Smith (NE)
Tancredo
Young (AK)

□ 1743

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROTECTING OUR CHILDREN COMES FIRST 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. 2517, 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 gentlewoman from New York (Mrs. MCCARTHY) that the House suspend the rules and pass the bill, H.R. 2517, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[Roll No. 1132]

YEAS—408

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—3

Broun (GA) Flake Paul

NOT VOTING—20

Baird
Carson
Cole (OK)
Cubin
DeGette
DeLauro
Feeney
Hinojosa
Hooley
Jackson-Lee (TX)
Jindal
Lucas
Miller, Gary
Murtha
Nunes
Ortiz
Price (GA)
Smith (NE)
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining.

□ 1752

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.

RECOGNIZING THE 100TH ANNIVERSARY YEAR OF THE FOUNDING OF THE PORT OF LOS ANGELES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 822, 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 gentlewoman from California (Ms. RICHARDSON) that the House suspend the rules and agree to the resolution, H. Res. 822, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 21, as follows:

[Roll No. 1133]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—21

Baird
Carson
Chandler
Cole (OK)
Cubin
DeFazio
DeLauro
Feeney
Hinojosa
Hooley
Jackson-Lee (TX)
Jindal
Lucas
Miller, Gary
Murtha
Nunes
Ortiz
Scott (GA)
Smith (NE)
Tancredo
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1759

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.

GRANTING AUTHORITY PROVIDED UNDER THE RULES OF THE HOUSE TO THE COMMITTEE ON EDUCATION AND LABOR FOR PURPOSES OF ITS INVESTIGATION INTO THE DEATHS OF 9 INDIVIDUALS THAT OCCURRED AT THE CRANDALL CANYON MINE NEAR HUNTINGTON, UTAH

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Report No. 110–473) on the resolution (H. Res. 836) granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives to the Committee on Education and Labor for purposes of its investigation into the deaths of nine individuals that occurred at the Crandall Canyon Mine near Huntington, Utah, which was referred to the House Calendar and ordered to be printed.

Ms. SLAUGHTER. I ask unanimous consent, Madam Speaker, for the immediate consideration of House Resolution 836.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 836

Resolved,

SECTION 1. GRANTING INVESTIGATIVE AUTHORITY TO COMMITTEE ON EDUCATION AND LABOR.

The Committee on Education and Labor is granted the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives in furtherance of the investigation by such Committee into the deaths of 9 individuals that occurred during August 2007 at the Crandall Canyon Mine (also known as the Genwal Mine) near Huntington, Utah, including the events that may have led to those deaths and into the administration of relevant laws by government agencies, including the Department of Labor and the Mine Safety and Health Administration, and into other related matters.

Mr. MCKEON. Madam Speaker, on August 6, 2007, a collapse at the Crandall Canyon mine in Utah took the lives of six miners. Days later, three rescuers were lost as well. We all grieved with this tragedy, and we all share a commitment to doing what we can to prevent such an event from happening in the future.

The Education and Labor Committee has initiated an investigation into possible causes of the collapse, as well as the handling of its aftermath by the mine ownership and Federal regulators. Our committee has at its disposal

significant tools and resources to conduct this investigation, including the power to hold hearings, demand documents, interview witnesses, and enter evidence into the record.

At the same time as our committee pursues its inquiry, there are a series of official investigations underway by the Department of Labor and the State of Utah. The investigations by the Mine Safety and Health Administration are of a law enforcement nature—if it is determined that criminal conduct occurred, they can at any time make a referral to the Department of Justice.

Although our committee investigation is still in its early stages, it has already been fruitful. In addition to the single hearing that has been held, we have requested—and the Department of Labor has produced—hundreds of thousands of pages of documents. We have conducted interviews with witnesses, and visited the site of the accident.

Despite the progress that has been made with our significant existing oversight capabilities, the majority today is seeking to confer on our committee the extraordinary power to subpoena witnesses for closed-door, staff-led depositions. This is an authority granted only in the rarest of circumstances, such as the protection of national security, the impeachment of a President, or the alleged defrauding of a national organization by its leadership.

I have serious reservations about establishment of deposition authority at this early stage of our investigation. The majority has not established any clear need for this authority. In fact, we are not aware of a single witness who has refused to cooperate with the committee after an official invitation. Moreover, while the majority has been unwilling to disclose exactly whose testimony this authority is intended to compel, they have indicated that just a handful of individuals are expected to require a subpoena. Members on our side of the aisle are more than willing to cooperate with regular committee procedures including hearings for this purpose, and as such, it remains unclear to me why this authority is necessary.

In addition to being premature and unnecessary, I believe this authority carries with it the possibility of grave unintended consequences. Deposition authority will allow dozens of interviews to be conducted under oath and compelled by subpoena. This could create the possibility of conflicts of interest, privilege claims and rulings, requests for immunity, leaks, and contradictory evidence.

Previous congressional probes should serve as a cautionary tale as we head down this path. Tactics used in the congressional investigation of the Iran-Contra affair caused key testimony against Oliver North to be thrown out, and his convictions to be overturned.

The Acting Solicitor of Labor voiced concerns that this investigation could similarly imperil any civil or criminal enforcement that may be necessary in this matter. In September, he wrote to Chairman MILLER and me, along with the leadership of the House, saying that the Committee's "parallel investigation . . . may compromise the integrity of MSHA's law enforcement investigation and potentially jeopardize its ability to enforce the law and hold violators accountable. "

Up to this point, the majority has heeded our warnings and those of the Department of Labor. Our hearing and the series of interviews that have been conducted were structured in such a way as to avoid endangering the investigations. I'm concerned that by granting this extraordinary deposition authority, the House is backing away from that cautious approach and rekindling the threat that our activities could undermine the aggressive enforcement that MSHA and other investigators have an obligation to pursue.

The deposition authority proposed today is crafted narrowly to cover only the Crandall Canyon mine collapse, and the rules adopted in our committee to govern these depositions were developed fairly to ensure the full participation of the minority. I believe these steps are acknowledgements by the majority that deposition authority is truly an extraordinary step, and must be undertaken with great care. I appreciate their cooperation on these points.

As I have made clear, there are serious questions about the timing and necessity of this narrowly crafted authority. Beyond that, however, I want to be perfectly clear that the specific authority being granted in this instance should in no way be viewed as precedent for future oversight functions of our committee or any committee of this House. Committee rules allow for a range of tools and resources that can be used to conduct rigorous oversight. Any effort to grant broader deposition authority will surely bring greater danger, and therefore greater objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. SLAUGHTER. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to include extraneous materials into the RECORD on H. Res. 836.

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

There was no objection.

SUPPORT THE VETERANS TIMELY ACCESS TO HEALTH CARE ACT

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, this year I introduced H.R. 92, the Veterans Timely Access to Health Care Act. H.R. 92 makes a responsible and reasonable commitment to veterans throughout this country. Under the bill, if a veteran cannot get an appointment with a primary care physician within 30 days, that veteran may see a private physician at no additional cost. Unfortunately, the Veterans' Affairs Committee refuses to move my bill and allow the House of Representatives to vote on it.

This year, I have witnessed the majority leadership use veterans as a political pawn. They've held the Military Construction and Veterans appropriations bill hostage. I won't allow the same thing to happen with veterans access to health care.

I ask my colleagues, regardless of their party affiliation, to stand up and protect veterans as they once stood up to protect you. And I ask the leadership to move H.R. 92.

HOLD THIS ADMINISTRATION ACCOUNTABLE FOR TRYING TO LEAD US INTO WAR AGAINST IRAN

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

Mr. KUCINICH. Let's hope that the National Intelligence Estimate will stop the drumbeat of war against Iran. This administration knew full well that Iran did not have a nuclear weapons program in the same way that they knew that Iraq did not have weapons of mass destruction.

Now that Congress knows that the administration misled the Congress and brought Congress into voting time after time after time to isolate Iran, it's time for diplomatic relations, but it's also time for Congress to hold this administration accountable for trying to lead us into a war against Iran. It's time, once again, to start talking about the impeachment of the President and to act upon the impeachment of the Vice President for attempting to mislead us into a war against Iran.

HUMAN RIGHTS IN SAUDI ARABIA

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

Mr. POE. Mr. Speaker, in Saudi Arabia, seven men abducted a 19-year-old woman and her male companion. The seven men then raped the woman. And how does Saudi Arabia treat this rape victim? By ordering lashes and imprisonment for her because they blamed her for being alone with this male companion because he wasn't her spouse.

A Saudi Arabian court originally, listen to this, sentenced her to 90 lashes because she was alone with this individual. As if further victimization wasn't enough, the court just increased the victim's sentence to 200 lashes and 6 months in prison.

The Saudi Arabian Government now seeks to quell international outrage over this sentence by saying the woman was married at the time of the rape but she was with a nonrelative male companion who wasn't her spouse.

No explanation or excuse can justify this punishment for the victim. This woman was victimized by her own nation.

The Saudi Arabian court also removed the lawyer from the case and revoked his license because he spoke to the media. The lawyer now faces permanent disbarment. So much for freedom of speech.

Human rights seem to be absent in Saudi Arabia, because rape victims should not be sent to jail, and even lawyers should have the right of freedom of speech.

And that's just the way it is.

A TRIBUTE TO THE HONORABLE HENRY HYDE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, last night I was unable to be here when we had a tribute to our departed colleague, Henry Hyde. I just wanted to say this about Henry Hyde: It was a privilege and an honor to serve in this House with him.

I recall a conversation I had with him a number of years ago at which time I talked to him about sometimes did he ever get tired about the fact that people beat him up on the issue of abortion. And Henry thought a minute and he said, You know, as I get older and I think of my own mortality, I look forward to the time when I might be entering those gates into heaven and the voices of all those young children that we saved welcoming me there.

They're giving you a great welcome right now, Henry. We miss you.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CUELLAR). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE SECOND AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, the Supreme Court is considering Washington, DC's total handgun ban. It is illegal to buy, sell or own a handgun in this Nation's Capital of ours. Of course, DC has one of the highest homicide rates in the entire country.

The center of this debate is a question that has never really been clearly answered. What exactly does the second amendment to our Constitution mean? Did the Framers intend to protect an individual right or provide for State militias?

The second amendment states, ''A well regulated militia being necessary to the security of a free state, right of the people to keep and bear arms, shall not be infringed.''

Our Founding Fathers risked their lives in the American revolution to create our Nation. They distrusted government, especially a government that wouldn't trust its own citizens.

Our Founding Fathers knew the importance of an armed citizenry from their experiences in the American War of Independence. They trusted an armed citizenry and a citizen militia as the best safeguard against the tyranny of government.

To truly understand the meaning and purpose of the second amendment, we need to understand the men that wrote the Constitution and what they said when it was ratified. The Founding Fathers were very concerned that a strong Federal Government would trample on individual freedom and individual rights because that's what happened to the colonists, and that's what governments historically do to their people, trample on individual rights.

So after the ratification of the Constitution, the Framers knew that a declaration of rights had to be added to protect basic individual rights, rights that are inalienable, created by our creator and not created by government.

So the Founders looked at the English common law, at the English declaration of rights of 1689, which specified the guaranteed right of the people to bear arms.

Those who claim there is no individual in the second amendment ignore the most basic feature of American rights: Rights in this nation belong to individuals.

The second amendment was included in the Bill of Rights to prevent the Federal Government from disarming the public like the British Army did to American citizens. The right of the free people to defend freedom and protect themselves was so important that it was placed second in the Bill of Rights.

Thomas Jefferson knew the importance of an armed citizenry. He said, ''No free man shall ever be debarred from the use of arms.''

Samuel Adams wrote that ''The Constitution shall never be construed to prevent the people of the United States who are peaceable citizens from keeping their arms.''

And of course James Madison, who helped write the Bill of Rights, once wrote that the Americans had ''the advantage of being armed,'' and that other nations governments were ''afraid to trust the people with such arms.''

So, Mr. Speaker, the second amendment is a personal right for individuals in this country, and the DC ban is a violation of the United States Constitution, specifically, the second amendment to that Constitution.

And that's just the way it is.

□ 1815

THE SO-CALLED SURGE HAS FAILED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, as a member of the Foreign Affairs Committee, I was pleased to participate in a joint hearing that took testimony from General Petraeus and Ambassador Crocker. It was supposed to be a turning point in the occupation of Iraq. The purpose of this hearing was to get a report from our military and diplomatic leaders about the record of the so-called surge or escalation in Iraq.

Let's first look at what the main purpose of the escalation really was. According to the chairman of the Joint Chiefs, Admiral Michael Mullen, the surge was to give space for political reconciliation. I quote him here: ''Security is critical to providing the Government of Iraq the breathing space it needs to work toward political national reconciliation and economic growth. Barring that, no amount of troops in no amount of time will make much of a difference.''

The President celebrates that there has been a short-term downward trend in violence. Of course that would happen. When we put our fighting men and women, the best in the world, on the ground in greater and greater numbers, of course they will bring some form of order. But let's be realistic. This is not sustainable. We cannot keep the same number of troops for very much longer. We simply do not have the resources to do so, and our troops should not have such a task.

So, yes, they are temporarily keeping a lid on the uprising and attacks. In fact, they've reached back to 2006 numbers, which at that time appalled us, and it should not be something we celebrate today. We are missing our ultimate goal. Like the Chairman of the Joint Chiefs said, the purpose of the surge was political reconciliation. If the White House put even half of the resources, political and fiscal, behind political reconciliation, we would be in a much different place right now. We would have a stable and inclusive Iraqi national government, not one propped up by the United States. It would have the support of the Iraqi people, and it would be providing strength and dependable security. That, Mr. Speaker, is not what we have. In fact, just last month, a new deal called the Declaration of Principles was inked between President Bush and Prime Minister al-Maliki. It's basically a blueprint to keep our troops in Iraq indefinitely, and it allows permanent bases.

It may even provide for arming insurgent security forces, which actually looks like arming a militia. The last time we got into the business of arming folks, we ended up with the Taliban. Are we ever going to learn the lesson not to repeat the mistakes of the past? It will be interesting to see how the two leaders will try to jam this latest agreement down the throats of the Iraqi Parliament because the Iraqi Parliament has clearly stated that they are not pleased with the agreement, to say the very least. Let's take a good look at what's going on: The surge has failed. The new White House agreement would keep our troops in Iraq indefinitely. This is not the road to success. This will not make America safer.

Mr. Speaker, it's time for bold action. Our friends in the other Chamber and the resident down the road on Pennsylvania Avenue need to face up

to reality. Let's act boldly and fulfill our mandate. It's time to end this misguided occupation. It's time to bring our troops home.

The SPEAKER pro tempore (Mr. CUELLAR). Under a previous order of the House, the gentleman from Washington (Mr. HASTINGS) is recognized for 5 minutes.

(Mr. HASTINGS of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

H–2B RETURNING WORKER PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

Mr. STUPAK. Mr. Speaker, I rise today in support of extending the H–2B returning worker program this year.

The H–2B visa program was created to provide access to nonimmigrant temporary workers for seasonal and peak load needs when no American workers can be found. Foreign workers offer small and seasonal businesses short-term help and return to their home country at the end of the season.

H–2B visas are capped at 66,000 visas per year. Even with 66,000 visas a year, it still does not meet the labor needs of seasonal businesses. To help fill these additional needs, Congress established the H–2B returning worker program in 2005. This program exempts returning workers who have received an H–2B visa in one of the three previous fiscal years from counting against the 66,000 cap. However, this program expired on September 30.

On September 27, 4 days before the season even started, the U.S. Citizenship and Immigration Service had already received enough visa petitions to exceed the cap for H–2B visas for the first half of fiscal year 2008. The application process for the second half of fiscal year 2008 began on December 3, two days ago.

Without extending the returning worker program, it's expected that the visas will go quickly, leaving many businesses without the workers they need to fulfill their business needs. This demand highlights the immediate need for Congress to extend the H–2B returning worker program to help small and seasonal businesses fill their seasonal labor needs and keep full-time Americans and their businesses working.

These returning workers have provided relief to small businesses throughout the Nation, covering a broad spectrum of industries like landscapers, tourism, seafood processors and carnivals.

At this time, I will enter into the RECORD a letter from the H–2B Workforce Coalition in support of extending the H–2B returning worker program.

WORKFORCE COALITION,
November 19, 2007.

DEAR REPRESENTATIVE: As representatives of tens of thousands of seasonal employers throughout the country, we urge you to support H.R. 1843, the ''Save Our Small and Seasonal Business Act of 2007.''

This bipartisan bill would simply renew the highly successful relief provision for the H–2B visa program that was initially approved by the Senate by 94–6 in 2005. This provision recognizes the reliability and trustworthiness of past participants in the H–2B program by exempting those temporary seasonal workers who have participated fiscal the H–2B visa program and have completely followed the law during the past three fiscal years from counting toward the statutory cap.

The congressionally mandated 66,000 annual cap on the number of workers allowed to participate in the program that was established in 1990 does not reflect current economic realities or meet the needs of businesses which are seasonal or have peak load needs that rely on these workers.

Before employers can hire temporary seasonal workers under the program, they must advertise their job openings, work with local unemployment offices to identify potential American workers and offer the positions to any qualified domestic applicants. The jobs these guest workers fill do not take jobs away from Americans. It is not until employers have carried out this time consuming and expensive due diligence in trying to hire American workers that they are allowed to petition the federal government for a labor certification and ultimately bring in temporary workers—their final option to run their seasonal businesses.

In fiscal year 2004, the statutory cap was reached on March 9—only six months into the fiscal year and before many summer employers had an opportunity to apply for seasonal workers. As a result, many of these businesses had to cancel events, operate at partial capacity, not open parts of their businesses, or have their full-time staff work overtime to the point of burnout.

Each subsequent year, the cap has been reached sooner as a result of the increased need for seasonal workers and an increasing labor shortage. The cap for the first half of fiscal year 2008 was reached on September 27—3 days before the fiscal year even began.

Without immediate action by Congress, widespread economic consequences will severely impact diverse economic sectors throughout the country including lodging, restaurants, landscaping, clubs, amusement parks, ski resorts, food processing, stone, travel and tourism, horse sports, construction, entertainment, hospitality, recreation and many other seasonal industries.

On behalf of thousands of small businesses and seasonal employers throughout the country, we urge you to support H.R. 1843 and secure its immediate passage.

Sincerely,

National Organizations:
American Forest & Paper Association
American Horse Council
American Hotel & Lodging Association
American Immigration Lawyers Association
American Nursery and Landscape Association
American Rental Association
American Trucking Associations
Asian American Convenience Store Association
Asian American Hotel Owners Association
Associated Builders and Contractors
Associated General Contractors of America
Federation of Employers and Workers of America
International Association of Amusement Parks and Attractions
Interlocking Concrete Pavement Institute
International Franchise Association
National Club Association
National Federation of Independent Business
National Restaurant Association
National Roofing Contractors Association
National Ski Areas Association
National Thoroughbred Racing Association
Outdoor Amusement Business Association
Professional Landcare Network
Tree Care Industry Association
U.S. Chamber of Commerce

State and Regional Organizations:
Alabama Forestry Association
Alabama Hospitality Association
Alabama Restaurant Association
Alaska Hotel & Lodging Association
Alaska Restaurant & Beverage Association
Arizona Hotel & Lodging Association
Arizona Landscape Contractors Association
Arkansas Forestry Association
Arkansas Hospitality Association
Associated Landscape Contractors of Colorado
Branson Lakes Area Lodging Association
California Hotel & Lodging Association
California Ski Industry Association
Chesapeake Bay Seafood Industries Association
Colorado Association of Lawn Care Professionals
Colorado Hotel & Lodging Association
Colorado Restaurant Association
Commercial Flower Growers of Wisconsin
Delaware Restaurant Association
East Hampton Chamber of Commerce
Florida Forestry Association
Florida Restaurant and Lodging Association
Georgia Hotel & Lodging Association
Georgia Restaurant Association
Gulf Oyster Industry Council
Hawaii Hotel & Lodging Association
Hilton Head Island-Bluffton Chamber of Commerce
Hospitality Association of South Carolina
Hotel and Lodging Association of Greater Kansas City
Idaho Nursery & Landscape Association
Indiana Hotel & Lodging Association
Illinois Hotel and Lodging Association
Illinois Landscape Contractors Association
Iowa Lodging Association
Iowa Restaurant Association
Kentucky Hotel & Lodging Association
Kentucky Nursery & Landscape Association
Kentucky Restaurant Association
Kentucky Turfgrass Council
Landscape Contractors Association MD-DC-VA
Lawns of Wisconsin Network
Long Island Hotel and Lodging Association
Long Island Convention and Visitors Bureau
Maine Campground Owners Association
Maine Innkeepers Association
Maine Merchants Association
Maine Restaurant Association
Maine Tourism Association
Maryland Hotel & Lodging Association
Massachusetts Lodging Association
Massachusetts Nursery & Landscape Association
Massachusetts Restaurant Association
Metro Atlanta Landscape & Turf Association

Michigan Green Industry Association
Michigan Hotel, Motel & Resort Association
Michigan Nursery & Landscape Association
Michigan Restaurant Association
Mid-America Green Industry Council
Minnesota Nursery & Landscape Association
Minnesota Restaurant Association
Missouri Restaurant Association
Montana Innkeepers Association
Montauk Chamber of Commerce
Myrtle Beach Area Hospitality Association
Nebraska Hotel & Motel Association
Nevada Hotel & Lodging Association
Nevada Landscape Association
New England Apple Council
New Hampshire Lodging & Restaurant Association
New Jersey Green Industry Council
New Jersey Hotel & Lodging Association
New Jersey Irrigation Association
New Jersey Landscape Contractors Association
New Jersey Nursery & Landscape Association
New York State Hospitality and Tourism Association
New York State Lawn Care Association
New York State Restaurant Association
New York State Turf & Landscape Association
New York Thoroughbred Horsemen's Association
North Carolina Nursery & Landscape Association
North Carolina Restaurant and Lodging Association
North Dakota Hospitality Association
Northern Colorado Stone Quarriers Association
Ohio Hotel & Lodging Association
Ohio Landscape Association
Ohio Nursery & Landscape Association
Ohio Restaurant Association
Oklahoma Greenhouse Growers Association
Oklahoma Hotel and Lodging Association
Oklahoma Nursery & Landscape Association
Oklahoma Restaurant Association
Oregon Landscape Contractors Association
Oregon Lodging Association
Oregon Restaurant Association
Pennsylvania Landscape & Nursery Association
Pennsylvania Restaurant Association
Pennsylvania Tourism & Lodging Association
Restaurant Association of Maryland
Rhode Island Hospitality & Tourism Association
South Carolina Forestry Association
South Texas Nursery Growers Association
Southern Innkeepers Association
Southampton Chamber of Commerce
Tennessee Hotel & Lodging Association
Tennessee Restaurant Association
Texas Forestry Association
Texas Horsemen's Partnership
Texas Hotel & Lodging Association
Texas Nursery & Landscape Association
Texas Restaurant Association
Utah Hotel & Lodging Association
Vermont Ski Areas Association
Virginia Green Industry Council
Virginia Hospitality and Travel Association
Virginia Nursery & Landscape Association
Washington Association of Landscape Professionals
Washington State Hotel & Lodging Association
Washington State Nursery & Landscape Association
West Virginia Hospitality & Travel Association
Wisconsin Green Industry Federation
Wisconsin Innkeepers Association
Wisconsin Landscape Contractors Association
Wisconsin Nursery Association
Wisconsin Restaurant Association
Wisconsin Sod Producers Association
Wyoming Lodging and Restaurant Association

Businesses:
360 Degree Realty, Illinois
4T Total Lawn, Kansas
A–1 Chipseal Co., Colorado
A & A Construction Company, Texas
A To Z Lawn and Landscaping, Ohio
A.E. Phillips & Son, Maryland
A & M Underground Irrigation Systems, South Dakota
A Cut Above Landscape Management, Georgia
A Perfect Landscape, Colorado
A.S.T. Landscape Services, Texas
A Yard & A Half Landscaping, Massachusetts
A Wave Inn, New York
AA Tex-Lawn, North Carolina
AAA Landscape, Arizona
Abernethy & Spencer Greenhouses, Virginia
Absolute Landscaping Inc., New Jersey
Acacia Digging & Transplanting Services, Texas
Academy Sports Turf, Colorado
Ace Landscaping Corporation, Washington
Ackerson Landscape, Missouri
Acres Group, Illinois
Adams Landscaping, New York
Adventure Bound Camping Resorts, New Hampshire
Affordable Lawn Sprinklers & Lighting, Virginia
Airporter Inn, California
Akala, Florida
Al Allentuck Landscaping, Maryland
Alder Springs Enterprises, Maryland
All Around Concrete Cutting, Louisiana
All Around Concrete Demolition, Louisiana
All Pro Landscaping of Tallahassee, Florida
Allin Companies, Pennsylvania
Allen's Landscaping and Maintenance, Virginia
Almeda Wholesale Nursery, Colorado
Alpine Meadows Ski Resort, California
Amberscapes, Texas
Amelia Island Plantation, Florida
American Beauty Landscaping, Ohio
American Landscape, Wisconsin
America's Best Inn, Vicksburg, Mississippi
America's Catch, Mississippi
Ameriworks Global, Louisiana
Anchor Retaining Wall Systems, Texas
Anewalt's Landscape Contracting, Pennsylvania
Angel Inn of Branson, Missouri
Ann Breyer's Cottages, New York
Aplin Masonry of Telluride, Colorado
Apgar Turf Farm, Delaware
Aqua Barrier Exterior Waterproofing, Tennessee
Aqua-Lawn, Connecticut
Arapahoe Acres Nursery & Landscaping, Colorado
Arapahoe Horticulture, Colorado
Architectural Paving Systems, Oklahoma
Aqualawn, Ohio
ArborLawn, Michigan
Architerra, Illinois
Armstrong Landscape & Design Group, Texas
Arrowhead Resort, Michigan
Arteka Companies, Minnesota
ArtisTree, Florida
Artistree Nursery & Landscape Design, Florida
Artistic Designs Lawn & Landscape, Kansas
Arvest Bank, Missouri
Aspen Corporation, West Virginia
Aspen Grove Landscape Company, Maryland
Aspen Lawn Care, Kansas
Aspen Skiing Company, Colorado
Atlantic Plants, New Jersey
Diamond Landscapes, Kentucky
Dinneen Landscaping, Massachusetts
DMB-Highlands Group LLC, California
Doctor's Inc., Kansas
Doctors ''At the Lake'' Inc, Kansas
Doctor's Lawn & Landscape, Kansas
Dom's Landscaping, New York
Don CeSar Beach Resort, Florida
Duke's Tree Landscape Management, New Jersey
Dominguez Racing Stables, New Mexico
Double A Contracting, Texas
Double JJ Concrete, Colorado
Dove Creek Quarries, Utah
Dowco Enterprises, Missouri
Driftwood, New York
Dune Management, New York
Duryea's Lobster Deck, New York
Dusty Lout Agri Service, Texas
Dwyer Designscapes. Kentucky
E.A. Quinn Landscape Contracting, Connecticut
E.L. Irrigation & Landscaping, Texas
Eagle Crest Nursery, Colorado
East Deck Motel, New York
East Hampton House, New York
East West Resorts, Colorado
Eastgate Sod, Ohio
Eastern Land Management, Connecticut
Eastern Shipbuilding Group, Florida
Eco-Cutters, Colorado
ECO Specialty Systems, Missouri
Econo Lodge, Fayetteville, North Carolina
Econo Lodge, Flagstaff, Arizona
Econo Lodge, West Springfield, Massachusetts
ECOSystems Landscape Service, Texas
Ed Castro Landscape, Georgia
Edmundson Inc, Colorado
El Jarrito Restaurants, Texas
The Elevation Hotel and Spa, Colorado
Elite Lawn & Landscape, Ohio
Elite Lawn & Landscape, Tennessee
Elite Professional Lawn & Landscaping, Texas
Ellis Cement Contracting, Ohio
Embassy Lawn & Landscaping Group, Missouri
Emerald Lawn Care & Landscaping, Kansas
The Enchantment Resort & Spa, Arizona
Enviroscapes, Ohio
Epic Landscape Production, Kansas
Equibrand Products Group, Texas
Estate Landscape & Irrigation, California
Evening Shade Lawn Care, New Jersey
Evergreen Gene's, Maryland
Evergreen of Johnson City, Tennessee
Executive Moving Systems, Virginia
F. Espinoza Landscaping, Illinois
Fairfax Golf, Oklahoma
The Fairmont Hotel, Texas
Fairway Landscape & Nursery, Texas
Falcon Executive Inn, Texas
Falfurrias Executive Inn, Texas
Farmside Landscape & Design, New Jersey
Felipe's Lawncare, Oklahoma
Fieldworks Landscape, Massachusetts
Florasearch, Florida
Florida Lawns, Florida
The Fockele Garden Company, Georgia
Focal Pointe Outdoor Solutions, Illinois
Fort Pond Lodge, New York
Frank's Used Tank & Heaters, Texas
Frank Sharum Landscape Design, Arkansas
Franz Witte Landscape Contracting, Idaho
Franzen Farms, Texas
Fred Adams Paving Co, North Carolina
Front Range Snow & Ice, Colorado
Frontier Landscaping, Washington
Fullmer's Landscaping, Ohio

G.W. Hall & Son, Maryland
Gachina Landscape Management, California
Gallegos Corporation, Colorado
Gangemi Landscaping, New Jersey
Garden Gate Landscaping, Maryland
The Garden Greenhouse & Nursery, New Jersey
The Garden of Gethsemane Nursery & Landscaping, Texas
Garden State Irrigation, New Jersey
Gardeners' Guild, California
Gardens Beautiful Garden Centers, Wisconsin
Garner's Northwest, Washington
Garrick-Santo Landscape, Massachusetts
Gateway National Golf Links, Illinois
Gatlinburg Sky Lift, Tennessee
GDK Leasing Inc., Florida
Gear Garden Center, Ohio
Geissler Tree Farms, Pennsylvania
GEL Inc, Utah
Genesis Lawn & Landscape Management, Arkansas
Gentle Giant Moving Co., Massachusetts
Giambrocco Greenhouses, Colorado
Ginkgo Landscape Group, Illinois
GLV Construction, New York
The Good Earth Construction, Arkansas
Good Labor, Alabama
Goodwin Proturf, Kansas
Gosman's Culloden House, New York
Gosman's Restaurant, New York
Gothic Grounds Management, California
GPS Enterprises, Texas
Graham & Rollins, Virginia
Grand Hotel, Michigan
The Grand Lodge Crested Butte, Colorado
Grand Marais Hotel Company, Minnesota
Grand Oaks Hotel, Missouri
Grand Teton Lodge Company, Wyoming
Grand Traverse Resort and Spa, Michigan
GrandScapes, Michigan
Grandscapes Landscape & Design, New Jersey
Lighthouse Inn, Massachusetts
Lilac Tree Hotel & Spa, Michigan
Lindy's Seafood Inc., Maryland
Lindy's Taxi, New York
Lipinski Landscape & Irrigation, New Jersey
Lipinski Snow Services, New Jersey
The Little Nell, Colorado
Live Oak Landscape Contractors, New Jersey
Living Water Landscaping & Irrigation, New Mexico
LMC, Texas
LMI Landscapes, Colorado
LMI Landscapes, Florida
LMI Landscapes, Texas
LMS Guam, Guam
The Lodge at Mountaineer Square, Colorado
The Lodge of Four Seasons, Missouri
Loews Ventana Canyon Resort, Arizona
Longhorn Landscape Lighting & Holiday Decor, Texas
Lonnett Lawn & Landscape Maintenance Service, Pennsylvania
Loon Mountain, New Hampshire
Loyet Landscape Maintenance, Missouri
LSW Show Horses, Vermont
LT Rental Services, New York
Luciano & Son, Massachusetts
Lueders Environmental, Massachusetts
Lynch Landscaping, Maine
Lyons Sandstone, Colorado
M. Atkins Inc, Colorado
M & M Mowing, Colorado
Madison Planting & Design Group, Mississippi
Magic Gardens Landscape Contractors, New Jersey
Magma Industrial Co, Georgia
Magnolia Landscaping, New Jersey
Maid to Clean, Michigan
Main Street Inn & Suites, Michigan
Mainscape, North Carolina
Mandoki Hospitality Group, Alabama
Mango Design, Utah
Mark Kuppe & Associates, Michigan
Mariani Landscape, Illinois
Marriott International, Inc.
Martin Associates, Illinois
Martin Property Maintenance, Texas
Marvin Windows and Doors, Minnesota
Massengale Grounds Management, Louisiana
Mauer Landscapes, Ohio
McCarthy's Landscaping & Irrigation, Massachusetts
McFall & Berry Landscape Mgt, Maryland
MCL, LLC, Virginia
McGinty Bros., Inc. Lawn & Tree Care, Illinois
McKenna Construction, New York
Metco Landscape, Colorado
Meticulous Landscaping, New Jersey
Metivier Inn, Michigan
Michael Bellantoni, Inc., New York
Michigan Peddler, Michigan
Michigan Vacation Rentals, Michigan
Mickey's Carting, New York
Microtel Inn & Suites, Dixon, California
Midwest Landscapes, Minnesota
Milberger's Landscaping, Texas
Mike Ward Landscaping, Ohio
Milieu Design, Illinois
Miller Landscape, Georgia
Mission Point Resort, Michigan
Mohonk Mountain House, New York
Molenaar Greenhouse, Pennsylvania
Montauk Bake Shoppe, New York
Montauk Bike Shop, New York
Montauk Carriage House, New York
Montauk Clothing Co., New York
Montauk IGA, New York
Montauk Inlet Seafood, New York
Montauk Lighthouse Laundromat, New York
Montauk Manor, New York
Montauk Motel, New York
Montauk Soundview, New York
Montauk Sweatshirt Co., New York
Montauk Taxi, New York
Montauk Yacht Club, New York
Moon Nurseries of Maryland
Moon Site Management, Pennsylvania
Moore Landscapes, Illinois
Morin's Landscaping & Lawn Maintenance, New Hampshire
Morin's Landscaping, New Hampshire
Morton's Landscape Development Company, Ohio
Mortellaro's Nursery, Texas
Motivatit Seafoods, Louisiana
Mount Washington Resort, New Hampshire
Moyer Home Turf Advantage, Pennsylvania
MPS LLC, Louisiana
MTK Cafe, New York
Murdick's Fudge, Michigan
Myer Hotels, Missouri
Myers Family Enterprises, North Carolina
Naples Beach Hotel & Golf Club, Florida
National Filter Service, Virginia
Native Land Design, Texas
Natorp's, Ohio
Nature View Landscape, New Jersey
Nature Works Landscapes, Massachusetts
Naturescape, Ohio
Naylor Landscape Management, Michigan
NB Enterprises, Texas
NCN, Inc, Washington
Neave Landscaping, New York
NETAJI, LLC, Georgia
New Castle Hotels & Resorts
Newcon Inc, North Carolina
Newcrest Management, Texas
The Newport Harbor Hotel & Marina, Rhode Island
Newport Village Homeowners Association, Oklahoma
Newton Construction, Texas

This letter is signed by over 1,300 organizations and small businesses from every State in the union supporting this H–2B returning worker program.

H–2B workers offer short-term help. They cannot and do not stay in the United States. More importantly, the H–2B program contains strong provisions to ensure American workers have the first right to work.

Without an extension of the returning worker program, small and seasonal businesses will face significant labor shortages this year. If small businesses lose their ability to hire seasonal, nonimmigrant labor, full-time American jobs are at stake and may be lost.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

(Ms. WATSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

GOLD, SILVER, COPPER AND THE PERU FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I wish to review a recent vote that was held here in this Congress regarding the so-called Peru Free Trade Agreement, and to encourage the American people to read the fine print and to pay attention to the connection between that Peru vote and the value of the U.S. dollar and some hidden forces that may have been responsible for bringing that vote on Peru to the forefront now. Because people in my district were saying, why vote on Peru now? Why vote on another NAFTA-like accord on trade when our balance of trade is so seriously out of whack? Let me mention for the RECORD, and I will place these articles in the RECORD this evening; Peru is the world's third largest producer of copper, zinc and tin. It is the biggest producer of silver, and is the fifth largest producer of gold. In fact, Peru has the largest gold mine in this hemisphere owned by an American company.

Many workers in the mines in Peru went on strike. Over 6,300 workers took their lives in their hands the Monday before the vote trying to send a message to the people of the United States and this Congress that they are treated unfairly, the wages they earn, conditions under which they work, their ability to share in profits, the ability to have decent pensions; all of those were very important issues. Their

voices were hardly heard. It does not mean that they were not speaking truth to power; it means that certain ears here in Washington may have been closed, but they still spoke to us.

Mr. Speaker, the dollar continues its downward spiral. In fact, we know the value of our dollar has fallen by nearly a quarter against a trade-weighted basket of currencies. And while that dollar is falling, other commodities in the market are growing in value. And guess what those are. Metals. Metals are constituting a very large share of where people are moving assets because the dollar is losing its value. In fact, the U.S. Mint just directed that the American people aren't supposed to be melting down pennies for the copper content in them.

The Economist pointed out that in 2002 the euro was worth 86 cents; today, it buys $1.48. We know our credit markets are troubled. Credit Suisse predicted that gold would top $1,000 an ounce by 2012. There are big interests at stake in deals like this deal that was just passed in this House for Peru, and gold and silver and copper have a lot to do with it.

In an article entitled, ''Miner Player'' last month in the Economist, it reported, ''The net profits of mining companies rose from $4 billion in 2002 to $67 billion in 2006.'' They're doing very well, thank you, but they are not sharing in that extraordinary increase in wealth with their own citizens. In fact, the export of these precious metals accounts for over half of Peru's export earnings, over half from mines owned by companies in this country. Are you beginning to get the picture?

The overall profitability of these concerns, which was negative in 1998, is now four times the 7 percent average of growth for the top 500 companies, and the dominant U.S. import from Peru is? Gold, constituting 24 percent of their exports in 2006.

So, when the miners of Peru, who work under godforsaken, horrendous conditions, tried to get our attention, this Congress turned its back. You hardly heard anything in the debate, but they were standing tall in their villages all across Peru. In fact, what's happening to the peasants in Peru is they're being shoved off their land because there might be gold underneath it. And they're crying out to us. Will anyone, for heaven's sake, will anyone here in this country hear them?

The article that was published on Monday before the vote indicated that Peru's Labor Ministry ordered the miners to go back to work or they would lose their jobs. And we were told that, oh, don't worry about the vote on Peru because labor conditions in Peru are just terrific. Well, the article that came out from Bloomberg News Service on November 6 indicated that, in fact, the government had declared the mining strike illegal.

We weren't listening to them. It's really tragic that when an agreement comes before us like this, we do not listen to those who are the least among us and speak truth to power.

I place all these articles in the RECORD this evening.

PERU TO DECLARE MINES STRIKE ILLEGAL, PINILLA SAYS

(By Alex Emery)

Nov. 6 (Bloomberg).—Peru's government will declare a two-day national mining strike illegal today, forcing miners to return to work or lose their jobs, Labor Minister Susana Pinilla said.

The strike, which seeks to pressure companies to improve pensions, profit-sharing and rights for subcontracted workers, is ''politically motivated,'' Pinilla told Lima-based CPN Radio.

''Union leaders have a different stance that has nothing to do with worker vindication,'' Pinilla said. ''They have led workers into an illegal strike where they could lose their jobs.''

Strikes this year, including a five-day national walkout by Peruvian miners in May, have cut copper output in Peru, Chile and Mexico, helping to spur a 17 percent rally in the price of the metal. Peru is the world's third-largest producer of copper, zinc and tin, the biggest of silver and fifth-largest of gold.

The stoppage in Peru has affected mines owned by companies including Southern Copper Corp., Freeport-McMoRan Copper & Gold Inc., Newmont Mining Corp. and Doe Run Resources Corp.

Workers also are on strike at mines run by Cia. De Minas Buenaventura SA, tin miner Minsur SA, Shougang Hierroperu's iron mine and zinc producers Cia. Minera Raura SA and Cia. Minera Santa Luisa, according to Mining Federation spokesman Cirilo Yarihuaman.

TALKS PLANNED

Southern Copper's Peruvian mines, where 20 percent of workers went on strike, don't expect production losses, parent Grupo Mexico said in a filing to the Mexican Stock Exchange.

National metals output hasn't been cut and only 6,300 workers, or 5.3 percent of Peru's miners, are on strike, Pinilla said. The Mining Federation put the number at 45,000.

Union leaders planned to hold talks with Cabinet chief Jorge del Castillo and the president of Congress, Luis Gonzales Posada, to pass laws granting miners a 10 percent share of profits, up from the current 8 percent, and eight-hour shifts instead of the 12 hours imposed at many mines, Yarihuaman said.

The federation, which represents 70 unions and 28,000 miners, also wants 85,000 subcontracted workers put on company payrolls.

Copper futures for December delivery rose 3.95 cents, or 1.2 percent, to $3.3415 a pound on the Comex division of the New York Mercantile Exchange. Zinc rose $95, or 3.5 percent, to $2,820 a metric ton in London trading, and tin rose $345, or 2.1 percent, to $17,095 a ton.

Silver for December delivery rose 59.5 cents, or 4 percent, to $15.38 an ounce. Gold for December delivery rose $12.60, or 1.6 percent, to $823.40 an ounce.

''The strike in Latin America is quite supportive to prices,'' Dan Smith, an analyst at Standard Chartered Plc in London, said today by phone.

PROTESTERS RETURN TO WORK AND END NATIONAL MINING STRIKE IN PERU

Peru's Labor Ministry announced today that mining workers had returned to work and ended the strike they began on Monday, November 5.

The Labor Ministry attributed workers' surrender to the fact that the strike had been declared illegal and that workers had been told they could lose their jobs if they left their workplaces for more than three days.

Peru's Labor Minister, Susana Pinilla announced on Monday that Peru's National Federation of Mining, Metallurgy and Steel Workers had not formally filed any complaints and that there weren't any issues which had to be resolved. She added that strikes and protests were rights workers had when there were formal requests pending.

Pinilla clarified that Peru's Labor Ministry had not received any formal complaints and would therefore consider the strike illegal. She suggested that workers find better ways to negotiate their demands.

Minera Yanacocha. Latin America's largest gold mine, run by reported that the 109 workers, which had taken part in the strike, had returned to work. This was also the case in mining companies such as Chungar, Morococha and Sociedad Minera El Brocal.

According to the Mining Federation, workers from Casapalca had also abandoned the strike and returned to work. Pinilla stated that the strike had not had a significant impact on mining production, explaining that just over 5 percent (6,300) of workers had taken part in the strike.

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.)

□ 1830

HONORING THE LIFE OF SALLY SMITH, FOUNDER OF THE LAB SCHOOL IN WASHINGTON, D.C.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MEEK) is recognized for 5 minutes.

Mr. MEEK of Florida. Mr. Speaker, with great sadness, I come to the floor today to honor a great American by the name of Sally Smith who passed away just days ago.

Sally Smith, during her time here amongst us, was a great American and left a footprint on this country in the area of education like no other in the past.

Sally Smith ran and actually founded with her husband the Lab School of Washington. And for someone who has been not only involved in the Lab School, but has a daughter that attends the Lab School, I had an opportunity to learn more about Mrs. Sally Smith and what she did in the very early days at the Washington Lab School.

Mrs. Smith and the faculty at the Lab School have done an excellent job in protecting and nurturing all of the young people with learning differences at the Lab School, here in Washington and in Baltimore.

On Saturday, December 1, 2007, Mrs. Smith died at the age of 78. Born on May 7, 1929, Mrs. Smith was a native of

New York City and one of four daughters born to Isaac and Bertha Liberman. She graduated in 1950 from Bennington College and earned a master's degree in education from New York University in 1955.

In 1976, Mrs. Smith became a professor in the School of Education at American University, where she led the master's degree program specializing in learning disabilities.

Tonight, I ask Members of Congress to join me in honoring her life and the gifts that she bestowed upon the world of education. Mrs. Smith's empathy, experience, and creative expression prompted her to create the internationally acclaimed Lab School in Washington, D.C. in 1967.

The Lab School is one of the Nation's premier places for students with learning disabilities and an institution that uses arts as a central component to the school's education process. In fact, the Lab School students spend half of the day in highly specialized, individualized classrooms and offer the other half in the arts.

Inspired by her pursuit to assure that her youngest son received a quality education, Mrs. Smith created a school designed to educate students diagnosed with one or more learning disabilities. Relying on her intuition and creativity, Mrs. Smith developed the ''academic method,'' which serves as the core of the Lab School's curriculum. The academic method is a nontraditional academic approach founded on the belief that a child's future to learn means that the teacher has not yet found a way to help him.

Not only did her academic method lead to her youngest son's academic and professional success, but it has also left behind a gift that has enriched the lives of so many. Her great legacy will continue to live through the success of the current students and adults that attend the Lab School of Washington, D.C., Baltimore, and Philadelphia. In addition, her excellence will live on through her literary works, many of which have earned her recognition.

Mrs. Smith was well accomplished in academia and also accomplished in awards, advisory board appointments, and was even highlighted by NBC's Today Show.

Mr. Speaker, I think it's important that the Members understand that there are many Americans, including myself and including many others, that have been honored by the Lab School of Washington. Those of us that have learning disabilities, auditory processing, dyslexia, what have you, Mrs. Smith gave young people the inspiration and adults the inspiration to pursue beyond their disabilities. Those have been honored by the Lab School because Sally was a part of lifting the hopes and the dreams not only of the students but the parents, people like Magic Johnson, James Earl Jones, and also Danny Glover and Charles Schwab have been honored by the Lab School.

We will miss Mrs. Smith, but we know that her legacy and memory will continue.

The SPEAKER pro tempore (Mr. CUELLAR). Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ENERGY INDEPENDENCE FOR AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Mexico (Mr. PEARCE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PEARCE. Mr. Speaker, I would like to address the body tonight about what we are facing in this country as we experience higher gasoline prices, higher energy prices. Today there is an article that I will submit for the RECORD today: Dow Chemical announced it is going to cut jobs and close plants in the United States.

DOW CHEMICAL TO CUT JOBS AND CLOSE PLANTS

(By Bob Sechler and Ana Campoy)

DEC. 5.—Dow Chemical Co. plans to cut 1,000 jobs and shutter a number of underperforming plants, saying it will put the savings into higher-growth opportunities.

The job cuts constitute about 2.3% of Dow's estimated 42,500 employees. The chemical company expects to incur a fourth-quarter charge of $500 million to $600 million, including costs for severance and asset write-downs.

The effort ''reflects our commitment to prune businesses that are not delivering appropriate value and tackle tasks more efficiently across the entire organization,'' Chief Executive Andrew N. Liveris said in a statement.

Dow Chemical, based in Midland, Mich., has been struggling with higher prices for natural gas and oil, the main feedstock for chemicals, and lower prices for commodity chemicals, or the basic building blocks for more complex chemicals. Basic chemicals account for about 50% of the company's revenue.

To reduce its costs, the company has been actively moving its commodity-chemical production to places like Asia and the Middle East, where raw materials are cheaper. It has also worked with local companies in those regions to reduce the amount of money it has to invest.

The company also is trying to expand its specialty-chemical business, which is more profitable and less exposed to the ups and downs of energy markets. Dow has been widely expected to unveil a major joint venture or acquisition that would reduce its dependence on low-margin commodity chemicals.

The company pegged the annual savings from the moves at $180 million once complete.

Among the moves announced yesterday, Dow said it will exit the auto-sealers business in North America, Asia Pacific and Latin America, and explore options for the business in Europe. The company will close an agricultural-sciences manufacturing plant in Lauterbourg, France.

Now, it's not that it is cutting those jobs in the United States and simply lowering its production worldwide. What it is doing is cutting jobs in America in order to make more competitive changes to the company and have those jobs overseas.

This is a significant thing that we on the Republican side have been talking about for the last several years. It is time for us as a Nation to fight the economic fight that we are faced with. We cannot continue to ignore what other nations are doing and what our energy costs are or we are going to continue to see headlines like this today with Dow Chemical cutting jobs and closing plants.

Now, we had a precursor to this earlier this year. Dow Chemical announced that it was going to build a plant in Saudi Arabia that cost $22 billion, an investment that large in Saudi Arabia, and meanwhile they are going to also start in China another plant for approximately $8 billion, and they knew at that point that they would begin this transfer of jobs.

Now, we have to ask ourselves is it because Dow Chemical is just a bad corporate partner? Maybe they are just after corporate greed. They're going to make profits at the expense of the United States, because that's what we have heard. We have heard on the House floor that corporations are evil, that they don't have the interests of the country at heart.

As we look at it a little bit closer, we recognize that in the United States just today the prices for natural gas are quoted at above the $8 range. We have at the same point, and natural gas is a very key component of Dow Chemical's products; in other words, about 50 percent of their costs, if I am not mistaken, come from their raw material costs, of which natural gas is the key component. So there is a direct correlation between the price of natural gas and jobs in this country. Now, when we are paying above $8 for natural gas, what are they paying in Saudi Arabia? In Saudi Arabia the price is today about 75 cents. So almost one tenth, one tenth the cost for 50 percent of their raw materials in Saudi Arabia versus here.

Now, you don't have to be schooled in economics. You simply have to understand that you are not going to Wal-Mart and pay ten times the cost for something you buy when you could go down the street and get it somewhere else. You go to buy and get the best deal. Companies have to have the same incentive. If Dow Chemical stays here and pays ten times more, ultimately they become noncompetitive in the world. Someone else will set up the plant in Saudi Arabia with one tenth the cost of raw materials, and the jobs will come away from Dow Chemical and go to another plant. So all that Dow Chemical is doing is saying we have competitive forces that cause us to consider this move.

We have done nothing in this Congress to dispel those costs, to drive

those costs lower. And, in fact, it is this Congress that is mandating the switch nationwide from coal production, coal-produced energy, to natural gas-produced energy. Now, that's fine except you must realize when we drive that demand up as a regulatory agency, as a government, that we drive the demand up and we say you are going to convert for clean air purposes from coal to natural gas, you have a great increase in demand. It is simply a supply and demand problem. So we have the outcome today. We are seeing Dow Chemical ship jobs overseas.

Now, we have to then look at what the Congress is doing. Speaker PELOSI announced very early on that it was her desire to make this country independent of foreign companies. I will tell you that what we are finding now, we see this particular chart, and this is for the summer of 2007 and moving forward, we see the predictions that we have a 23 percent estimated increase in prices in the northwestern part of the country; in the middle regions about 30 percent increase; 19 percent on the eastern seaboard; in Florida we are seeing 21 percent; Texas, 32 percent; California, 29 percent. Now, when you are seeing increasing prices, you would say that we as consumers are not seeing this energy independence. If we are, it's not a helpful thing to us, that, in fact, it is somewhat hurtful when we see energy prices and our home heating increase by that much. We are told these are the forecasts right now, so we are seeing the effects not only in jobs but also everyday costs.

We have passed two bills, one back in January, H.R. 6, and then we also passed H.R. 3221, and those were to deal with the problem of higher prices, and yet they still have not come back from the Senate. We still don't have an agreement. And I will say that in the early stages, the things that we saw pass off this House floor were actually penalties to energy independence. They tax American companies but they don't tax Hugo Chavez.

Now, we must at some point ask ourselves why we have a policy that would tax American companies and American jobs, would limit the supply so that the cost goes up and we lose jobs. Exactly why are we doing this as a country? Why are we suggesting passing policy off the floor that is causing this particular effect? Those are things that we as Americans should be asking, and we are asking, and yet we don't have a good, clear answer.

It appears to me, because I am not involved in the conference, the discussions between the House and the Senate, it appears to me that special-interest groups have dominated those discussions and have said we are going to tax those high-profit oil companies because they are making $100 per barrel of oil, or maybe today it is only $85, but it seems like there are strong forces out there that say we need to penalize and punish these American companies because, according to some, they are obviously doing things that are harmful.

I would say that the harmful effects are not to be found. The harmful effects are not there. They're not documented. The oil companies are simply price takers. Exxon cannot set the price of oil worldwide. They simply take the price that's offered to them. They have a large production. They are making quite a bit of money, but they have also got a large investment in the offshore rigs. They have got a large investment in onshore production, large transportation costs. Their costs are about the same as any company worldwide. But we are not taxing worldwide companies in each of the energy bills; we are only taxing American companies. And we have to ask ourselves why. Why are we driving the price of natural gas up, sending jobs overseas, and why are we taxing American companies and not taxing Hugo Chavez?

These are the questions that we are here tonight to talk about as we move very close to a discussion of what might be in the energy bill when we close this week. We were told at the beginning of the week we will have an energy bill this week; yet we have not seen it on our side. We have said that we are going to discuss it. Tomorrow is the last day of business for the week, to my knowledge, and yet we still don't have a printed copy, we on the Republican side, and I don't think many Democrats have seen a written bill. But we do have in front of us what has been done earlier this year.

I am joined tonight by a colleague from Pennsylvania, a classmate of mine, Congressman TIM MURPHY. He has concerns also about the direction that we are taking the energy policy in this country. We are facing worldwide competition, increasing pressure from the large states of China, India, the other competitive nations in the world, and at a time when we should be all looking outward and working, Democrats and Republicans alike, to protect the economic base of this country and understanding that energy is a key piece of the economic base of this country, that jobs are created around the cost of energy. At a time when we should be focused outward together, we instead have a, suggested policies that punish American producers, American oil and gas companies, and they give competitive advantage to other nations and other countries.

I would like to yield to the gentleman from Pennsylvania to talk about the nuclear, the coal, and the natural gas industries. He is from a coal-producing State and has good knowledge on these.

Again, I yield to the gentleman from Pennsylvania.

□ 1845

Mr. TIM MURPHY of Pennsylvania. I thank the gentleman for yielding to me on this critically important issue about energy. As American families look into the next few months about how they are going to be paying their gas bills as the cold winter sets upon us, as natural gas prices go up, of how they will be paying their automobile costs as gasoline prices go up, as we look at such things as jobs such as chemical industry as was just outlined by my friend from New Mexico, it is extremely important that as Congress looks at facing an energy bill this week that we note not only what is in there but what we expect is not in the bill. And unless we take on a comprehensive energy policy in America, America will be facing more brownouts, more times when the power is not there. And in a world where other countries, such as China, are opening up a new coal-fired power plant every couple of weeks without the scrubbers and environmental controls we have on, they will be able to undercut us even further with our costs of manufacturing. Unless Congress takes sizable action to back up energy legislation that looks to the big picture of diversifying our energy production and help to lower costs for consumers, our problems will only multiply.

Now, I represent a district in Pennsylvania coal country, directly above the Pittsburgh coal seam. It extends throughout western Pennsylvania, Ohio, and West Virginia. Some geologists tell me that the Pittsburgh coal seam has been the most valuable mineral deposit in the world. It was responsible for the growth of the American steel industry, glass, chemical industry, it has some 50,000 jobs in southwestern Pennsylvania dependent on the coal industry, railroads, barges, trucking, so many other industries involved. It allowed for the development of modern railroads, river navigation networks. It remains a valuable resource that will be able to serve us for many years to come, perhaps 250 more years, long after the Mideast is dry in its oil wells.

Closing the mines in Pennsylvania would be like closing the beaches in Florida or closing the harbors in New Orleans. The country can't afford to stop using coal, either. It is a valuable economic resource for our region as other resources available in other parts of the country. So we have to take advantage of every possible resource to meet our energy demands. The messages today are quite simple. We cannot achieve energy independence without coal. We cannot achieve energy security without coal. And our coal must be clean coal, not the other option of no coal at all.

Now, listen to these numbers. They are quite compelling. Over the next 40 years or so, the electricity demand in the United States will double. These are the demands of people in their homes. They are also the demands of increasing jobs in this country. We will conserve, and we will have make great strides in efficiency. But with the growth in the population and improving quality of life, it all dictates that electricity demands will still increase substantially.

Coal accounts for about 50 percent of our electricity, and nonhydro renewables like solar and wind account for about 2 percent. We have already built as much hydroelectric as possible, and it is doubtful that people will want to see more large super dams built around the country. But even if we triple the share of renewable electricity, we will still need coal for close to half of our electricity in 2050. This means we will still have approximately to double the available coal capacity by 2050 just to meet demand.

Right now there are about 400 coal plants in the United States. Many of them are old and inefficient, outdated. Most or all of them will need to be replaced over the next 40 years. So just to maintain our current level, we are going to need to build about 400 plants to replace those. And then to meet the new electrical demands over the next 40 years, we are going to have to build an additional 400. That is 800 new coal-fired power plants between now and 2050. This is twice as many plants as have been built since the start of the Industrial Revolution. This translates to about one coal plant every 2 to 3 weeks, even if we start in 2010, just to maintain the current capacity. It is a huge demand. And we can do that in a way that has clean coal technology, zero emissions, if we will choose to make the investments. MIT said about $8 billion or so will be needed to meet those investments in real dollars. That seems a lot cheaper than it took us back in the 1960s to put someone on the Moon. In the meantime, China is adding about one or two coal plants a week and they are going to continue. They put cheap power in the plants without scrubbers. In the U.S., renewable technologies such as solar and wind are expanding rapidly and will continue to do so. But they simply cannot match coal in terms of delivered power.

Here are some examples. This past August, power from West Virginia's largest wind farm was available only about 10 percent of the time that it was actually needed. That is, the wind doesn't blow consistently every day. At 10 percent availability and 3 megawatts capacity, about 3,000 windmills would be needed to equal the useful output of just one coal plant. To completely replace coal with wind, we would need to build 1.2 million windmills by 2050. This assumes the utilities will actually be allowed to build all the new miles of transmission lines they will need. And will people want all those wind towers up?

Another area, the largest solar panel array in the United States is under construction at Nellis Air Force Base in Nevada. It is going to cover 140 acres of desert with 70,000 solar panels, but will produce only about 2 percent of the output of a modern coal-fired power plant. At that rate, we would have to destroy 11 square miles of beautiful southwestern Pennsylvania forest or consume this much valuable land from our farmers just to avoid building one coal plant.

The truth is, we need to increase the supply of all energy, coal, natural gas, nuclear and renewables. We can't afford to ignore any of them unless we are willing to put up with a series of brownouts and blackouts during times when the sun doesn't shine and the wind doesn't blow. So the key to solving this problem includes developing clean coal technologies with zero emissions and zero greenhouse gases.

Another option is to switch to natural gas, and what we are hearing in the energy bill is there will be more push for doing that, as was outlined by my friend from New Mexico. As natural gas prices continue to soar, that is more jobs out of America that use chemical plants and more families' gas bills going up. Natural gas provides about 19 percent of our current electricity demand, and its use will also have to double by 2050 to maintain its current market share. About 90 percent of the electric generating capacity installed since the year 2000 has been natural gas-based, and natural gas is about three times more expensive than coal per kilowatt of electricity generated. This has increased the demand for natural gas and raised the price of both gas and electricity. The increased use of natural gas for electricity combined with our policies that place off-limits much of our domestic gas resources has caused us to be become a gas-importing nation when we could be a gas-exporting nation.

Congress has repeatedly made vast areas of our coastlines off-limits, thus embargoing our own resources from ourselves, boycotting our own resources, and all the while countries like Cuba drill closer to our shore than we are allowed to.

We used to be self-sufficient in natural gas, but not anymore. Most of our imported gas still comes from Canada, but this is declining. Imports of liquid natural gas, or LNG, are increasing rapidly. Not only does this move us farther away from independence, but it is unsustainable because demand for liquefied natural gas throughout the world, especially in Europe, is also increasing rapidly. Chemical companies which use natural gas as their primary feedstock to make such chemicals and fertilizers and other products and other industries that depend heavily on natural gas are going to move their operations overseas where gas is cheaper. When natural gas costs in Middle East or Russia are $1 per unit or less compared to $6 to $12 at a fluctuating cost line in the United States, it is easy to see why the decisions are being made.

Already we have lost 3.2 million manufacturing jobs, almost 20 percent of the total since the year 2000. Chemical companies consistently say that natural gas costs are far more important than labor costs when making their decision to move overseas. Worse yet, if greenhouse gas legislation becomes reality in its current form, natural gas will become by default the fuel of choice for electric utilities. The trends we have already seen will only become worse. Prices will soar.

In the mix of which energy source is the cheapest, hydro is probably the cheapest, but as we said before, we doubt if people will want to build several more dams and dam up beautiful valleys across America. Next cheapest is nuclear power followed by coal, wind, natural gas and solar.

But let me briefly talk about nuclear. We need to decide whether nuclear power can pick up the required electricity supply. Nuclear plants currently provide about 19 percent of our electricity, about 30 percent in Pennsylvania. There are about 100 nuclear power plants in operation in the United States today, but we can't just keep relicensing them forever. They are also getting old and worn and will need to be replaced. By 2050, we will have to replace just about all of the existing nuclear fleet. They are long past their prime and will need to close. This means that by 2050, we will have to build about 200 new nuclear power plants. That is 100 replacements and 100 new to meet the expected demands of 2050. The trouble is we haven't built a single nuclear power plant in the last 30 years, given all the delays and costs associated with nuclear construction. It is going to be difficult, if not impossible, to build plants in the U.S. at the rate needed. That is about five per year, about one every 2½ months starting in 2010. Although the operating costs for nuclear plants are about the same or slightly cheaper than coal, the capital costs are much higher and the lead times for construction and permitting are much longer. The nuclear operating costs also do not include the long-term costs of nuclear waste disposal or storage.

As with natural gas, the enactment of greenhouse gas legislation in what we are understanding is the current form, without working to help the nuclear is going to increase the demand for nuclear power and place further strain on resources and increase costs. So there we are, two of our biggest resources for producing electricity, coal and nuclear, are areas that Congress has got to deal with seriously.

We have 250, perhaps 300 years' worth of coal in the ground. Scientists are working on ways of making sure we have zero emissions coal, zero greenhouse gases, massively reduce that. Right now I know in Pennsylvania about 40 percent of our coal-fired power plants have no scrubbers, or inadequate scrubbers. Unfortunately, the way new source review works is if a company says let's work to improve efficiency, let's put in new turbines or other things that improve efficiency by a few percent, at that point, the government comes in and says, no, we now have to review everything you do, and if you don't take care of everything with all the scrubbers, you can't do it at all. The companies say, well, we were

thinking of spending 20, or 50 or $150 million on some upgrades but we don't have four or $500 million to take care of this one plant. So they hold off. That is not cleaning the air. That is not taking care of our needs.

What we have to do is look at ways of promoting the new technology, helping private business make those investments in new technology, but above all, meet our current and our future needs by addressing the issues of America's abundant supplies of coal and expanding the use of nuclear power which is clean. It is one of those areas we have to deal with seriously.

I thank the gentleman from New Mexico for yielding me this time and his leadership on working in these areas which is so important for America's energy security.

Mr. PEARCE. I thank the gentleman for his comments and recognize that we have a 15-year lead time before we build the first nuclear power plant. China is right now currently hiring our nuclear technology capability. They are hiring our people so that we first of all don't have young people going into the nuclear industry, those who are retiring are going to China because they have a commitment to build nuclear power plants. And as the gentleman said, we face a severe shortage of energy in the future. We are already giving up jobs. And we are doing nothing about it.

Now, I would like to show a difference in viewpoints. Up above the Speaker's dais is a quote by Daniel Webster. If I were to read that quote, it says, ''Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.'' It begins, ''Let us develop the resources of our land.'' Daniel Webster.

Can we do something great that our generation might be remembered for? Now, I would go also to a quote from earlier this year from the chairman of our Resources Committee. Now, keep in mind Daniel Webster said, ''Let's develop our resources,'' but the chairman of our Resources Committee this year says, ''I see no reason, no reason whatsoever why good public land law should be linked to the gross national product.'' I'm sorry, the gross national product is our capability to generate jobs. And contrasting with Daniel Webster who says, Let's do everything we can to build a great country. Let's build this dream of American exceptionalism and let's fight to have the hope and opportunity that we as a country have and let's use our resources to do it.

Contrast that to this year, this year's energy bill, ''No reason, no reason whatsoever, why good public land law should be linked to the gross national product.'' Just earlier this week, I authored an article in Human Events magazine. If you want to go online, pearce.house.gov. Be sure and spell it p-e-a-r-c-e. If you spell it p-i-e-r-c-e, there are things on the Web site that come up on that that your mother would not want you to see. We simply need to go and look at energy policy. If you go to pearce.house.gov and look at the Human Events article earlier this week, we talk about the energy bill that was passed out of the House by the chairman who says, ''No reason why public law should be linked to gross national product'' and what they did in that particular bill, H.R. 3221, was they cut off 9 trillion cubic feet of natural gas from Colorado's Roan Plateau.

□ 1900

They cut off 2 trillion barrels of oil from shale oil. That is in Colorado. This, by the way, is twice the reserves of all known reserves in the world. We could be the Saudi Arabia of oil if we would simply harness those resources down there Webster talks about, that shale oil in Colorado.

The bill, H.R. 3221, dramatically expands the environmental study requirements on existing oil and gas pads. This provision alone is expected to reduce or delay onshore natural gas supply by approximately 18 percent. So at a time when Dow Chemical is investing $22 billion in Saudi Arabia because their natural gas prices are one tenth of ours, we are limiting supply by another 18 percent by our bureaucratic and regulatory requirements. It just does not make sense.

There are breaches in the legitimate legal offshore energy contracts between companies and the U.S. Government, in much the same way as Hugo Chavez and Vladimir Putin might install. That is a quote from some of our friends at the Washington Post earlier this year writing about H.R. 6.

It cuts off 10 billion barrels of oil from the National Petroleum Reserve in Alaska, and it cuts off the government agency's communication for oil and gas permitting activities, as they currently do under law.

Now, these are things in the bill that supposedly are going to bring us energy independence. It is a bill that we oppose. We as Republicans and we as conservatives say that we must first take care of the opportunity for our young people to have jobs and careers. We first want to defend our economy against those foreign countries that would take our living standard, that would take our jobs. And yet we are passing a bill where the chairman says there is no reason, no reason whatsoever, why good public land law should be linked to the gross national product. I find that quote to be stunning.

One of the provisions in the bill that is suggested that might come up, again, the Democrats are saying, NANCY PELOSI is saying we are going to have an energy bill this week, and one of the provisions in that is a provision to require renewable fuel standards.

Now, that is well and good, until one looks more closely. That part of the renewable fuel standard is ethanol from cellulose fibers. Those are wood fibers.

I would like to yield to the gentleman from Utah, a good friend of mine, Representative BISHOP, who heads the National Parks Public Lands Subcommittee in the Resources Committee, is knowledgeable about national forests and about the opportunity that we have to help lower energy costs by using renewable fuels as the technology exists or does not exist today.

I yield to the gentleman from Utah.

Mr. BISHOP of Utah. I thank the gentleman from New Mexico for offering, for allowing me an opportunity of saying a few words on what will be a significant piece of legislation that we will maybe be asked to vote upon this week.

You know, it is only intuitive that this Nation should be energy independent. If we were energy independent, not relying on foreign sources of energy from obviously other places, not only would it allow our military to have the flexibility it needs to function in whatever situation upon which it is called to be used, but it allows our diplomacy to be used in flexibility in any situation.

So, how do we actually replace this foreign oil that is presently being brought in here? Everyone who understands the situation will tell you there is no simple, single silver bullet. Multiple means have to be used.

Energy conservation, efficiency in transportation, things we have talked about, those are good. That is part of the mix. But only about 16 percent of our foreign oil imports could be eliminated simply by using efficiency in transportation or energy conservation means. Other methods have to be added to the mix as well, and one of those is biomass.

Biomass by itself could produce 24 percent of all the foreign oil we are importing into this country, far more than even our best efforts of conservation or efficiency. If we combined those two together, we are well on our way to trying to become energy independent.

For those of you like me that like technical talk, biomass is dead trees, dead shrubs, the stuff that burns in forests if you don't remove it first. And as much as our friends on the other side of the aisle will continuously say they want to require biomass to be part of the fuel standards, the renewable alternative fuel standards, the bill that will be brought before us this week will not allow biofuels, dead trees, to come from the one and the largest source of those dead materials, and that is Federal lands where we have unhealthy and overgrown forests. That is specifically prohibited as part of the alternative energy formula.

Now, when we limit the collection of hazardous fuels from those forests, that biomass material, what we are really doing in essence is gutting the Healthy Forest Restoration Act, a bipartisan bill that was passed last year, in an effort to prevent catastrophic fires, wildfires, those fires that we have

seen that destroy property, that actually push more pollutants into the air than any highway full of cars can ever do, and, more importantly, they destroy the lives of people who are caught in the path. This act was there to bring a new energy to people in the West and to help rural economies recover from a collapsed timber industry forced on them by outside sources.

This bill tries in some way to help with payment in lieu of taxes to western counties and secure rural schools; yet at the same time, secure rural schools are rural districts that relied upon the timber industry and can no longer do it because of outside decisions, and therefore they are getting subsidizations for their school systems. At the same time this bill tries to help those schools, it prohibits them from ever having any kind of natural recovery within those areas by prohibiting their last source of job creation in those areas, which is recovering the dead fuel in the forests.

Now, that is the hope, and that is eliminated in the bill that we will have coming before us. It isn't enough that this energy bill prevents the use of this material that is grown in those areas; it prohibits the use that is used in private forests to maintain their health as well.

The Democrat intents of this bill seems to be clear: If you can prohibit the collection of biomass, the dead stuff of the forests, and make the provisions so unworkable, then obviously no responsible company would ever attempt to comply and go in and therefore do it. So the essence is, like Marie Antoinette of old who said ''Let them eat cake,'' the essence of this bill is simply let it burn. That is what will happen to our forests, when it could be being used to help us become energy independent and energy self-sufficient.

And it is a key and crucial element. Not only can we help our societies by reducing wildfires, we can help have jobs in those rural areas that need them so desperately. We can help all of society become energy independent by using a renewable source, but it is specifically prohibited by the language that you will find in this particular bill.

Now, once again, I am very simple, and I need to know who is going to be hurt by this situation. I am an old schoolteacher.

We have two States in the West bordering one another, one of which puts its emphasis on proactive energy development and the other does not. A starting teacher in the school district that puts its emphasis in proactive energy development makes $4,000 a year more than a fourth-year teacher in the neighboring State will do. So who is hurt when we prohibit and eliminate the opportunity of expanding our energy production in the West? Well, the kids are, the school system is, the teachers are, the road funds that you need to construct roads in those larger western areas. Those people who actually pay taxes will be hit higher when we don't need to do it if we simply look to the resources we have.

As the gentleman from New Mexico clearly said, quoting Daniel Webster, this quote that is in this Chamber, we sit and look at it every day, very few of us actually look up the words, but, once again, Daniel Webster said, ''Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests.'' And why? ''And see whether we also, in our day and generation, may not perform something worthy to be remembered.''

This bill that will be before us is a bill that is not going to be worthy to be remembered. It does not move us towards energy self-sufficiency. It does not make us independent in our efforts. It does not grow our energy needs and provide jobs and provide a cleaner kind of energy for the future.

It simply doesn't make the cut on a whole bunch of areas, one of which happens to be biomass. What could have been a great source for energy in the future is literally shut out by provisions in this bill that should not be there, ever. It is the wrong approach to take.

Now, I appreciate the chance of rambling on here for a minute, and I appreciate what my good friend from New Mexico is doing to present the concepts that are in this bill that we are glossing over in an effort to try and rush an energy bill just before Christmas. No one is going to have the time to look at it. No one is going to have the time to study it. No one is going to have the time to simply sit down and say, you know, there is a better way. We could tweak it here and there and actually come up with a decent policy. But because we have waited and piddled around until the very end of the session when our backs are to the wall, we are going to be faced with an up or down vote on something that just isn't worth it. It has too many flaws.

With that, I would yield back to the gentleman from New Mexico.

Mr. PEARCE. I thank the gentleman from Utah for his compelling arguments.

The situation is, again, there appears that there will be a requirement to produce ethanol from cellulose, which is a nice thing to think about. We have had testimony, though, that no technology exists to do that, and it could be 20 years before that technology exists.

Now, you would ask what are the circumstances in the bill that deal with this. What if there is no technology, but there is a requirement? That is fairly simple. There is up to $2 a gallon penalty, tax, fee, on the companies, the refiners, if they can't produce the minimum amount of ethanol from cellulose fibers. So, first of all, we are restricted from going into our national forests and stopping them from burning down. We have all seen the wildfires in San Diego and New Mexico. We had the Los Alamos fire back in 2000. We had the Kokopelli fire up near Ruidoso that burned 30-something houses. We have seen the devastating effects of wildfires in the West, and yet we are prohibited now by this law from going in and taking those fibers. One has to ask, where is the sense in that? Why are we doing that? I would say again, it is special interests, the extremists of the environmental movement who say we are not going to allow the Forest Service to cut one single tree. We are not going to allow any harvest.

We passed the healthy forest initiative back about 2004, and yet this is the way that we gut the bills. We can say on the one hand we passed the healthy forest initiative, and then we don't quite tell the people of the country that the healthy forest initiative will not be implemented. We won't keep our forests healthy because we are going to prevent anybody from using those materials out of them. So it is going to be a sheer cost, a cost to the government, where we could get someone to pay the government.

Mr. Speaker, I would submit the article from the Human Events paper, ''America Does Not Need a San Francisco Energy Policy,'' for the RECORD.

AMERICA DOES NOT NEED A SAN FRANCISCO ENERGY POLICY

(By Representative Steve Pearce)

When Democrats took control of Congress last year, they promised to do something about energy prices. They have delivered on that promise by driving the price of oil to an all-time high of $99 per barrel and forcing families to tighten their budgets. Apparently unfazed by this dramatic increase, the Democratic leadership is poised to deliver legislation that will drive prices even higher and make us more reliant on foreign sources of energy.

LEAVING AMERICANS IN THE DARK

Behind closed doors, House Speaker Nancy Pelosi (D.–Calif.) and Senate Majority Leader Harry Reid (D.–Nev.) are piecing together an energy bill that they plan to unfold sometime in December. In addition to violating procedural rules they promised to uphold, this secretive process prevents both Republicans and Democrats from heading off offensive provisions that would otherwise receive public scrutiny. It appears it is not just the majority's energy plan, but also the process that leaves Americans in the dark.

The mad scientists behind those locked doors are using the remains of two considerably flawed energy bills that came one each from the House and from the Senate. Every objective analysis of both bills concludes they will hurt the U.S. economy. A recent study conducted by a highly respected nonpartisan business consulting firm estimated that by 2030, the House and Senate energy bills will cause the loss of five million American jobs, a 4% reduction in gross domestic product annually (more than $1 trillion) and an estimated loss of $1,788 in spending power for the average household each year.

BUREAUCRATIC HURDLES

The House bill, in particular, is designed to increase bureaucratic hurdles to domestic energy production from oil, natural gas, wind, solar and biomass and punish American energy companies for being in the business of making energy.

Here are just a few of the worst examples of how Democrats would make energy more

expensive and less available to Americans. Their plan:

Cuts off nine trillion cubic feet in natural gas from the Colorado Roan Plateau. This is enough clean-burning natural gas to heat four million homes for 20 years.

Cuts off two trillion barrels of oil from oil shale resources. This is twice the total proven oil reserves available in the world.

Dramatically expands the environmental study requirements on existing oil- and gas-drilling pads. This provision alone is expected to reduce or delay our onshore natural-gas supply by approximately 18%.

Breaches legitimate legal offshore energy contracts between companies and the U.S. government in much the same way as Hugo Chavez and Vladimir Putin.

Cuts off 10 billion barrels of oil from the National Petroleum Reserve in Alaska, as though derailing production of 10 billion barrels from the Artic National Wildlife Refuge weren't enough.

Cuts off government agencies' communication for oil- and gas-permitting activities as they do under current energy law.

Raises the tax on American-made oil and refined products by as much as 9%. This tax will simply be passed on to consumers.

DANGEROUS RELIANCE ON FOREIGN SOURCES

Since their plan will make domestic energy harder and more expensive to produce, the majority's energy future creates a dangerous reliance on foreign energy sources. They have repeatedly prevented the use of energy resources in ANWR and the Outer Continental Shelf and locked up a large portion of our public lands that are rich in energy. Without access to domestic sources, we will become increasingly reliant on energy from ruthless dictators such as Hugo Chavez or from highly volatile regions of the world like the Middle East.

This is not a good time to be experimenting with San Francisco-style energy policies. Our fastest-growing competitors for energy around the world are China and India, who are expected to surpass the United States in economic output within two decades. Both countries vaulted past America at the beginning of this year as an exporter and have since moved at lightning speed to eclipse Germany's once insurmountable export machine. While China and India are using every type of energy they can get their hands on, our leadership in Congress is trying to severely limit our energy options.

America needs energy to survive. If we have the means to ensure that survival, we shouldn't lock it up and throw away the key.

Mr. PEARCE. Mr. Speaker, now we should talk about the components of the bill that is suggested. Again, keep in mind that we are here talking about the future of the Nation. We are talking about the philosophical underpinning of where we are going in this country with our jobs, with our economy, with our future. This bill is at the basis, because the American economy is driven by affordable, cheap energy.

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And what are we to say about the bill? We are having to speculate. We are told that it's coming up this week, either today or tomorrow. It's obvious that it's not coming up today. So one would say that it must come up tomorrow because we had that promise from the Speaker of the House. And yet we don't have the text of the bill that is dealing with our future as a Nation, our ability to make and create jobs, and we know nothing tonight so that we can not really talk in anything but speculative terms. But we feel fairly certain on those speculative terms because we have had leaks from behind those closed doors where this process is going on.

What are we to believe might be in that bill? First of all, there is going to be the renewable fuel standard, the RFS, renewable fuel standard, which says that we need to produce a certain amount of our energy, our gasoline, from ethanol. That is a worthy and acceptable thing if it's possible and if it doesn't stop us from implementing the Healthy Forests Act.

The second thing that is in the bill that we feel pretty certain about is that there will be some renewable portfolio. That is, we are suggesting that companies should produce electricity using renewable fuels. The only problem is that the suggestion up to now has been that they should produce 15 percent. Now, there's a delicate problem there because we have not yet seen the capability to produce from renewable fuels 15 percent. Again, one has to wonder about the penalty. Every major utility is against this provision because they know they cannot comply.

Every single one of us wishes that we were independent of Saudi Arabian oil and Hugo Chavez oil. But the truth is we are not. We made the wrong decisions 30 years ago, and the wrong decisions are causing us the problems that we have today. We did not make incentives in renewables 30 years ago. We made it harder to invest in nuclear power 30 years ago. Today, we are making it harder to invest in coal. We are requiring the conversion to natural gas, and that conversion to natural gas is pushing the price of natural gas up, which is causing Dow Chemical to say we are taking our jobs to where the price of gas is 75 cents, not over $8. It is a very simple process that we are engaged in.

So the bill, we think, is going to have a renewable fuel standard. It's going to have a renewable fuel standard that says we cannot take woody fibers out of our national forests, even when they are burning down, even when the trees are dead, even when they are at threat of burning down. There's going to be a renewable portfolio standard which says that you have to produce more energy than what is technically feasible right now in this country from renewable sources.

The next thing actually appears to be a good consensus from the auto industry on the CAFE standards. If the automakers say that we can hold American jobs and we can produce to those standards, again, we have not seen the exact standards, but if the automakers say we can keep American jobs, then that's one of the key pieces of the debate.

There is another thing in this energy bill that we are supposed to bring up tomorrow but yet haven't seen. But there is a component that we are assured is going to be there. That is $21 billion in taxes on American companies, $21 billion, and the truth is taxes are not paid by companies, taxes are passed along by companies. So that is $21 billion that is going to come out of the taxpayers' pocket. Every time you fill up with gas, $21 billion is going to come from the producer or from the taxpayer. It's going to the government and it's going to lower the capability for us to balance our personal budgets. So $21 billion in taxes in this bill that will be borne by consumers.

Now, the sad thing, and this is where you really must understand that there are elements of this tax provision that include a rollback of the section 199 manufacturers' deduction. That was a deduction that was passed in Congress back in 2004. It included oil and gas, but it was specifically there to encourage increased domestic production activities. We wanted to assure American jobs and we wanted to assure that American jobs were competitive with overseas countries, so we had a rollback in the 199 taxes. I'm sorry; we established the section 199 manufacturers' deduction but the bill that is coming before us, it has leaked out that it has a rollback in those incentives for producers.

Now, the difficult thing is that the rollback hits only the top five producers. It hits BP, Chevron, ConocoPhillips, ExxonMobil, and Shell. Now if you are listening like I am reading, you're wondering who got left out of the list. Who's not going to see a tax increase? Citgo.

Now Citgo is owned by Hugo Chavez. I do not know if it is by design, but I can say that according to the information that is out right now, there is going to be a rollback in deduction for the top five companies so that they pay more taxes, and we are not charging Hugo Chavez any more tax. One has to wonder about the value system that says don't charge Hugo Chavez tax but do charge Exxon, do charge ConocoPhillips, do charge Chevron/Texaco, do charge Shell and BP.

Now, what you have been led to believe, if you listen to the people on the left, they want you to believe that ExxonMobil is an evil entity; that they by themselves are driving the price of oil up that they might profit. When we look at a world assessment of size of companies, we realize the falseness of that argument.

Let's look at this chart which begins to look at countries and companies. Many countries own their oil companies. Saudi Arabia by far has the largest oil company, you can see. It has about 10.3 million barrels per day. You go to Iran. It has a very large oil company. The Iraqi National Oil Company is actually quite large. Qatar, Kuwait, Venezuela, ADNOC, Nigeria. You notice we are not even yet to ExxonMobil.

And yet HILLARY CLINTON says, I am going to take ExxonMobil's profits and spend them. NANCY PELOSI has said the same thing, We are going to take

ExxonMobil profits and spend them. We haven't taken yet any profits from any of these companies, and they dwarf, they dwarf ExxonMobil. We go all the way down to this far on the chart before we find the first privately owned company, ExxonMobil.

ExxonMobil is owned privately by you, the shareholders, the stockholders. You can buy it every day. ExxonMobil is going to be charged taxes. It's going to make them less competitive worldwide. We are going to do away with more jobs so that these companies, these state-owned companies might have an easier time to take our jobs. I wonder at the thought process that went into that. I wonder what compelled policymakers here, the Speaker of the House to say we are going to tax American consumers, we are going to tax American companies, and we are going to let Hugo Chavez, we are going to let Nigeria, we are going to let Kuwait, Saudi Arabia go.

We also have other considerations. In the bills that we have passed, the bills that we have passed out of this Congress so far about energy, we have done kind of sort of a tricky thing. There is much discussion about Enron. That was the large power company that became synonymous with tricky dealings, double dealings.

What did they do? One of the things they did in defrauding the consumer, one of the things they did in defrauding the shareholders is that they did things called round-trip sales. If they needed their balance sheet to look better on a certain day, they would maybe buy or sell a lot of energy, maybe a specified amount of energy, and then they would simply buy it back, sell it to their own selves in a different company, and buy it and sell it, buy it and sell it, round trip, so that nobody was actually giving them money, but it looked like money coming in, and no one could ever see their balance sheet to see that they were actually paying out the money to themselves. It was coming in. The sales looked really good until some day you simply have to have the cash in hand. Those round-trip sales became synonymous with Enron and their double dealing.

But let's look at what this Congress, the new majority, who said they are going to do things in such an ethical fashion, let's look at what they have done. They have used the same taxes on offshore oil and gas in the gulf coast, the gulf region. They used those as on offset because we in Congress say we can't spend money without providing for it; the PAYGO provision. So they use those same taxes in H.R. 6, and, by the way, I am calling these the Enron tax provisions because they are kind of like those Enron round-trip sales, those ways of stating things so you have to check both sides of the ledger before you understand, but there's really not anything there.

So our friends on the other side of the aisle used those offshore taxes, those 1998/1999 leases to offset, to be the PAYGO in H.R. 6. They used it in H.R. 2419. H.R. 6 we passed back on January 18. H.R. 2419, we passed July 27. They used them again on August 4 in H.R. 3221. And they used them again in H.R. 3058, which still has only passed committee but yet has not passed the floor.

When we as policymakers begin to do round-trip sales, it's no wonder that we have the reputation that only 9 or 10 percent of the American public really trusts what we are doing. We are doing things that do not make sense for our economy. We are doing things that are creating a false illusion about our potential to pay for things that we are saying we are going to do. We are watching our jobs leave and go away, all because we in this country need affordable energy, and yet we are doing things that hurt the chances of providing affordable energy.

Again, the point that we object to in this coming bill, the energy bill we are talking about this week, are the renewable fuel standards that are not achievable and keep us from implementing the healthy forest initiative so that we don't burn down our forests. It's objectionable that a renewable portfolio standard is being set that we cannot reach. It's objectionable that we are raising taxes by $21 billion to American consumers. It's objectionable that we are using a tax that is going to be punitive to American companies but will not tax foreign oil companies, will not tax Hugo Chavez. At the end of the day we have to ask ourselves exactly why. Why is it that this majority is taking these stances that harm Americans so much? I don't know an answer to that.

I would like to submit for the RECORD a summary of the report, the Charles River report. In that, Charles River is suggesting that we are going to lose jobs, almost $5 million from the energy policies that are being suggested right now by this Congress. We are going to lose 5 million jobs. The average American household's purchasing power could drop by $1,700 by 2030. Aggregate business investment in the U.S. could drop by as much as $220 billion by 2030. Our gross domestic product could decline by more than $1 trillion by 2030. The costs of petroleum products could more than double by 2030. If you take a look at that report, you will see the damaging effects to your future, your children's future, and your grandchildren's future. The Charles River report is nationally respected and says: Please, please reconsider what you're doing in Congress, what the majority is doing in Congress right now to affect energy prices in the wrong way. We need lower costs of gasoline at the pump, lower costs of heating oil. We need policies which will implement those, not drive them up. We need them to be driven lower.

Mr. Speaker, I thank you for the time that you have yielded me tonight. I thank my friends from Utah (Mr. BISHOP) and from Pennsylvania (Mr. MURPHY). This is a very important consideration that we are talking about tonight.

THE ECONOMIC IMPACTS OF PROPOSED ENERGY LEGISLATION, CHARLES RIVER ASSOCIATES INTERNATIONAL, NOVEMBER 2007

A report by a respected economic analysis firm examines the economic impacts of seven major energy legislative provisions being considered by Congress. If adopted, these provisions would mandate that American families and businesses replace proven energy sources such as oil and natural gas with unproven high cost sources, likely leading to higher energy costs. The study reveals the following:

Almost 5 million jobs could be lost by the year 2030. The impact would likely be felt even sooner, with an estimate of more than 2 million jobs lost by the year 2020, and about 3.4 million jobs lost by the year 2025. These estimates take into account jobs that would be created by the nearly five-fold expansion of the biofuels mandate.

The average American household's purchasing power could drop by about $1,700 by 2030. Higher energy and non-energy costs estimated in the study would likely mean that consumers must spend a larger percentage of their income to maintain their current level of consumption. This could force Americans to make lifestyle changes, as significant quantities of energy would be needed to produce and transport many goods and services.

Aggregate business investment in the U.S. could drop by as much as $220 billion by 2030. Higher energy costs place upward pressure on manufacturing costs, and businesses have less capital to absorb the impact. As household and business consumption fall, demand for goods and services weakens.

Our national GDP could decline by more than $1 trillion by 2030, relative to the baseline. This estimated 4 percent decline in GDP would be the result of energy supplies declining and energy sources becoming more expensive. The economy as a whole likely would suffer, but the impact would resonate strongest in the following sectors: commercial transportation, electric generation, motor vehicles, and manufactured goods.

Costs of petroleum products could more than double by 2030. The impact would likely be felt sooner, with a roughly 44 percent cost increase by 2020. In addition to refined fuels and home heating oil, this would likely impact the many products that have oil or natural gas components, including toothpaste, cell phones, infant seats, and pacemakers.

□ 1930

IOWA PRESIDENTIAL CAUCUS

The SPEAKER pro tempore (Mr. CUELLAR). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I very much appreciate the privilege to be recognized and address you here on the floor of the United States House of Representatives. Each time I come to the floor to address you and speak into the RECORD, I am very well aware that there are people in my district, Iowans and Americans, who are tuned in for one reason or another, who are shaping their ideas and their values as they listen to us here in the people's House, this great deliberative and this great debate body which has 435 Members, representing 300 million of us, each of

us representing roughly 660,000 constituents. We are called upon by the Constitution and the rights that are passed from God through the Declaration and the Constitution, we are called upon to step up to those responsibilities. We are elected to represent the people in our districts with the priorities of what is good for America. First God, then country, then State, and then district.

I know, Mr. Speaker, there are Members of this body who view their job as simply reflecting the political will of their constituents. In other words, take a poll, wet the finger, see which way the wind is blowing, put down a vote, and determine that your longevity here in this Congress somehow puts together this vast mosaic which turns out to be a beautiful painting. I, Mr. Speaker, do not believe that.

I believe we are charged with the responsibility of leadership. We are elected for our judgment. We owe our best effort and best judgment to our constituents, and part of that best effort and best judgment is to listen to them and receive their input, but exchange the information that we gather here and across the country.

We are full-time paying attention to the issues that affect this Nation. We have access to more information than most of our constituents do. We have a responsibility to process that information, give our opinion back to our constituents, exchange our ideas and reach a conclusion on how best to conduct ourselves on our public statements which affect public policy, on our votes and on our activities, on the bills that we sponsor and cosponsor and author, and the positions that we take in committee and here on the floor. All of that comes with a great profound responsibility of serving people here in the United States Congress.

I came here this evening to address one of those profound responsibilities, and maybe a little bit outside of the realm of an official duty of a Member of Congress, but certainly implied within our duty and responsibility, and that is that all of us in this Chamber are involved in a constant conversation with each other, with our constituents, with our associates, with the press, on how we select the next leader in the free world because, Mr. Speaker, the nomination process here in America will determine generally two nominees, one Democrat and one Republican, and perhaps an Independent, that will be on the ballot in November. One of them will be the next leader of the free world. One of them will be the Commander in Chief of the Armed Services of the only unchallenged superpower on the globe, and with that comes a series of profound responsibilities.

So how then do we in these positions of leadership, how do we take this job, and I am going to say seriously, to make this evaluation? How do we come to the conclusion on whom we support and might consider endorsing for President of the United States?

I, Mr. Speaker, have the great privilege to represent a district in Iowa, one of five Congressional districts, where we are the first in the Nation contest. Iowans will, in the caucus on January 3, make the first recommendation to the rest of the Nation and the individuals that Iowans believe would make the next President of the United States, both Democrats and Republicans.

We have had that responsibility of the first in the Nation caucus for several decades now. I believe it was Jimmy Carter that first identified the leverage and the opportunity to come to Iowa in the first in the nation caucus and engage in that process and emerge victorious and go on to New Hampshire and South Carolina and beyond and be successful in the process of nomination and be successful in the process of being elected as President.

Jimmy Carter identified that opportunity in Iowa, and since that time we have had Presidential candidates constantly in Iowa over the last year and a half in particular. But this process is an open process whereby it is the first time in my memory that both the Democrats and the Republicans neither has an incumbent President that will be up for renomination for a second term or a Vice President who might have been picked or anointed by a sitting President. It is wide open. It is wide open for Democrats and Republicans. We have known that for 3 years, perhaps, maybe a little more than 3 years.

So we have seen candidates come through Iowa, and I am sure the people in New Hampshire have as well, and the South Carolinians as well, and this has been going on for a year and a half. Now it is coming down to the crunch time. Iowans will be making their decision on whom they will support in the caucus within the next 30 days, 29 days, perhaps.

There are a lot of Iowans who have not yet made up their mind. I am here to say I understand why. The January 3 contest will bring 100,000 Republicans out who will go to homes across the State. Some will be sitting in living rooms and gymnasiums where they pull the caucus together for an entire county. Some will go to schools or other public buildings, but many will go to the homes. They will go to the homes of Iowans and sit in the living room. Sometimes they will not all fit in one room and they will flow into other rooms, but they will go through the process, Republicans and Democrats, declaring themselves. Democrats openly declare themselves for Presidential candidate. Republicans put up a vote on a piece of paper, and they can maybe vote for a Presidential candidate in a caucus and not be identified as a supporter for a particular candidate. Generally, we listen to each other speak with such focus we know how people vote whether it is a secret vote or whether it is the way it is in a small neighborhood contest.

But before I get into that, I want to get into how important it is that we have a process of nomination that includes a contest like an Iowa caucus, an opportunity for individuals, to caucus-goers, registered voters, and they will all be registered voters who have a voice in our caucuses, regular people, heartland people, regular Americans from all walks of life, it is so important we have a process that allows the supporters of the candidates to get to know the Presidential candidates.

We are in this modern cyber era where information goes with the click of a mouse and you can transfer capital around the world in a nanosecond. In that period of time, we can also transmit visual images and radio commercials and print text in the blogosphere. Anyone who has an e-mail distribution list can listen to a Presidential candidate in a living room in Davenport, Iowa, write that little quote down and pump it into their BlackBerry and send it off to 10,000 people on their e-mail distribution list. We have those kinds of folks who do that.

These Presidential candidates are being evaluated day by day, hour by hour, minute by minute, by people who take their privilege to weigh in on this nomination process very seriously.

We have developed over the generations astute people who are engaged in politics. But I don't want to say that Iowans are the only ones that have that ability because we don't. Obviously that ability exists in every State in significant numbers. But I do want to say that if no State has a first in the Nation caucus process, if every State, for example, if we went to Super Tuesday on the 5th of February, if everybody held the primary contest at the same time, the polls opened at 7 in the morning and closed at 9 at night, we would all go in as a Nation, 300 million of us, those who voted in the primary, and we cast a ballot for our selection for nominee, if we did that, we would nominate the Democrat candidate and the Republican candidate who had the deepest pockets, most ability to raise money and the most ability to buy ads and put their chosen persona out before the American people to convince them that on Super Tuesday, February 5, they should go to the polls and vote for them. Not a personal contest, but a media image, money raising contest is what we would have. We will have that media image, money raising contest on Super Tuesday on February 5 and those dates beyond that other States have their primaries, and some have a caucus or convention.

But this first in the Nation caucus is different. You simply cannot earn votes by running media. You simply can't run television ads and radio ads and print and mailer and do robocalls and be able to get people to be inspired to get up on a cold January night and go on out into their neighborhood's living room or the school gymnasium and declare for a candidate for President. It takes more than that.

If people are going to invest hours of their time, because it isn't just write the name of a Presidential candidate on a piece of paper and turn it in. It also includes the initial offering of the planks for the State party platform and the election of precinct captains and the election of the delegates that go to the county conventions. These nights are full of political debate and exchange of ideas.

There are people who will go to the caucuses who have not made up their mind who they will support for President, but they will listen to the speeches, whether Republicans or Democrats.

So what is this caucus process and why is it unique? It is unique because it requires organization. It requires the candidate to build an organization within the State, to identify workers within the counties and people that will go forth and profess the validity of their candidate as the best President that we could ask for in this era as President of the United States.

This statewide conversation that goes on continually is a conversation one on one, person to person. It goes on in the coffee shop and it goes on in schools and churches and over talk radio constantly. It goes on over the telephone lines from neighbor to neighbor and business conversation to business conversation. People seeking to influence others to support their candidate and others that are ambivalent, and some that will lay out the principles that they require a candidate to stand for, but may not be behind the personality of the individuals.

And there are components of this statewide conversation that have to do with anecdotes about each of the Presidential candidates, how they conducted themselves in private. Maybe they went to a barbecue someplace in Iowa County and when nobody was looking, they got up and cleaned off the table and helped out. Or maybe they got mad at a staff aide and cut loose and yelled at them behind the curtain and the stage when they thought nobody was listening. And maybe they walked off with some young kids when intense conversations were going on about policy and sat down over by the lake and had a conversation about God and country with young impressionable children that won't be voting for that candidate. They might be leaders of this country at a future time. They might have invested in young people instead of likely caucus-goers.

All of these little anecdotes get added up and transferred along and retold, and they become part of the personality, part of the evaluation of each of the Presidential candidates.

This is a statewide conversation through e-mail, by telephone, in print media, word of mouth, things that are said and unsaid. Most good, some negative. But in the end, Iowans will come to a measure of a consensus and they will support different candidates, obviously. But they will make a recommendation. Some candidates will be weeded out and some candidates will be advanced. But there will be two tickets punched in New Hampshire, no more than three, maybe only one.

□ 1945

But to win the Iowa caucus says you have met the standards. You have held up under the bright light of public scrutiny and you have done that for more than a year, and you have not been found wanting in your character or your policy. Your faith will be measured. Your work ethic will be measured. The tempo of your work, the people who are gathered around as paid staff and volunteers, all of them become part of a team, and the personalities of each of those players makes a difference in the evaluations process. If we do not have such a process, then again it becomes just a media campaign, just a media contest.

I would take you back, Mr. Speaker, to reflect upon the 2004 caucus when, at this stage before the caucus, a month before the caucus, the national news media had Howard Dean as the nominee for President for the Democrat Party, because Howard Dean had built an organization, he had raised a ton of money, he had an Internet presence there that was unique and hadn't been matched at the time. The polls were showing that Howard Dean was way ahead and that his next closest competitor was not likely to be able to overcome him or overtake him. And yet 3 weeks before the caucus, at least 2 weeks, in that period of time, 2 to 3 weeks before the caucus, we knew that Howard Dean was not going to win the Iowa caucus. He might have won the nomination elsewhere, but we knew he wasn't going to win the Iowa caucus. We could tell on the streets of Iowa. People were starting to walk away from and back away from Howard Dean.

Mr. Speaker, I don't come here to speak ill of the individual. He set a new standard and certainly made a name for himself in the State and across America. And many, many Iowans had the opportunity to meet Howard Dean. But I think that the conclusion that they drew and the reason that they didn't show up in the Democrat caucus where you have to stand up and say, I'm for Howard Dean, all of us that are for him, come gather around here, we'll count our bodies and that will be the number of people that showed up to support him. If there is an insufficient number, then we won't be able to report support for Howard from this caucus. That's the system and the rules that they have. And, truthfully, they did not show up to support Howard Dean. That was not because of the scream. The scream was a result of folks not showing up to support him, Mr. Speaker. I believe that Iowans came to the conclusion that Howard Dean, of all the things he had to offer, did not have the temperament to be President of the United States. I think that was the bottom line conclusion. And as Iowans walked away from Howard Dean, John Kerry then won Iowa and went on to win the nomination. His prospects were pretty dim at this point and 4 years ago, but we know how history launched John Kerry forward and how Howard Dean went forward to let out the scream that was the scream of frustration that, of all the good things he had done as he was on the inside track and he was turning on towards victory and it collapsed, because in the end we're making a measurement on real people, evaluating their work ethic, their faith, their character, their personalities, how they interact with people. That's something that only happens there and only happens in Iowa. It happens, I think, in New Hampshire also to some degree, but it is a different process. It is a primary process, not a caucus process. So it changes the dynamic in New Hampshire. And then beyond it becomes more and more of a media and less and less of an organizational effort.

But to have this unique process, this first-in-the-Nation caucus process so that Presidential candidates are meeting people face-to-face, eye-to-eye. Some might call it a relic of the old days, but I will tell you that I believe, Mr. Speaker, that it is the foundation of one of the great things about America that those of us who have the privilege to represent the people, whether it is in the White House or in the Congress or in the statehouse or through our courthouses or city hall, we face the people, we answer their questions, we let them evaluate the things we believe in and we let them evaluate our work ethic and our value system, and then they make the decision. It is up to the people.

So I am a great fan of this caucus process. I will do all I can to protect and preserve it, because I do not want to see an America that is simply a paid media nomination and a paid media campaign that insulates Presidential candidates from the people and perhaps launches somebody off to be President who might not meet that test if they had to look you or me in the eye. That is what the caucus does.

On the Republican side of this in the Iowa caucus, Mr. Speaker, we are evaluating a lot of different components, and we have watched the polls sort some of this through. We have some very good people there that stand solid on the issues. Some people with whom I stand alongside on the floor of the House of Representatives, if I put down a wish list of the Presidential candidates, where they stand on each of the issues and a little box to check, we have some people from this House running for President to check all my boxes. They check every piece that I would want to have in a Presidential candidate. And partly due to the media and partly due to the selection process, some of them don't have a lot of traction right now, and it's too bad. They deserve more of our respect. And some of them have stepped forward with a solid agenda on the issues.

I want to at this point, Mr. Speaker, compliment my friend TOM TANCREDO for making immigration the issue of the day. When I first met him, I already knew him, I thought, because of the hours that he had spent on this floor speaking into this microphone, Mr. Speaker, about the importance of border control, about the importance of preserving our national sovereignty by controlling our borders and who comes in the United States and who does not, protecting the security of the American people from the terrorists from without. TOM TANCREDO has done that job to the extent where, in the debate the other night, they spent 30 minutes or more, all of the Presidential candidates, debating on who would be the toughest on immigration and who would be the most like TOM TANCREDO. I call that a victory for TOM TANCREDO.

I think he has implanted the issue that burns the most passionately within him, the immigration reform, border control, workplace enforcement, ending anchor babies, the automatic citizenship that comes with babies of illegal immigrants who are born here on American soil. All of those components that he has worked so hard for all of these years, many of which I stood on this very floor and debated with him and supported with him, and he has come forward to support me on the agenda that I brought forward. I want to compliment TOM TANCREDO, because they all were there, standing there seeking to out-TOM TANCREDO, TOM TANCREDO. And to some extent that is what happens in a Presidential campaign when the issue that is the most important to you is adopted by the rest of the candidates.

Now, it doesn't mean they didn't have some opinions on it. It doesn't mean that immigration wasn't important to them. But what I have seen happen is that they understood that TOM TANCREDO was right, and they wanted to make sure that they had a plank in their platform that reflected the view that he brings to the immigration issue, and generally it is a no amnesty pledge.

I believe all the Presidential candidates have taken the pledge to be opposed to amnesty. Mr. Speaker, amnesty is and it needs to be defined, and I have done so here many times, to grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crimes.

The reason that definition is that way is because those who come into the United States across the border illegally are criminals. They are guilty of the criminal misdemeanor of illegal entry into the United States. And those who overstay their visas are unlawfully present here in the United States, and they are generally guilty of a civil misdemeanor of overstaying their visa. But most of them, and I will say those who are unlawfully present and many of those who are lawfully present and it is not lawful for them to work here, still falsify documents, still present themselves to be somebody they are not in order to get a job, in order to do some type of business here to gain the benefits of this society. Most of those who cross the border are criminals because they violated a criminal misdemeanor, and most of those who overstayed their visas have also violated or committed some crime, generally document fraud, identity fraud in order to achieve access to our benefits or jobs here in the United States.

So this is a group of people who stood up and said they do not deserve amnesty. We do not want to reward immigration lawbreakers. So whether they jumped the border illegally or overstayed their visa, they are lawbreakers. And they should not be rewarded, because if we do, we will get more of them, not less. And to grant a pardon to immigration lawbreakers and reward them with the objective of their crime. What was their objective? Well, to be in the United States for one thing, obviously, because that is the definition of what they have done is found themselves unlawfully present in the United States. So if that is their objective to be in the United States, if we grant them an amnesty that lets them stay in the United States, that's amnesty. We have rewarded them with the objective of their crimes. Or, if they are here and they are working here unlawfully and we jigger the books so that we give them an opportunity to continue working here but we legalize it, we have granted them amnesty because we pardoned them for their crime and we give them their objective, which is a job. Or, if they just want to live here and utilize the social benefits of this great welfare state that we have, that also could be the objective of their crime. Or, if we let them stay here in the United States and they actually are part of that smaller percentage who do have ill will towards Americans or who are criminals or those who do smuggle drugs, those who are part of the criminal element, if they would be allowed to stay here as well, we don't know who the criminals are and who aren't. And the idea that if we would just legalize them, they would all come forward, good guys and bad, and they all sign up and we give them a United States identification document, and then we would know where they are and what they are doing is just a false premise, Mr. Speaker.

The standard is Presidential candidates on the Republican side need to oppose amnesty. Presidential candidates on the Democrat side, I think we know, they have been fairly consistently for amnesty if I read their statements correctly, and I believe I do. If I am incorrect on that, I would hope that one or all of the Democrats would step forward and sign off on the ''no amnesty'' pledge. I am happy to put the amnesty definition in print. And, if you are listening, to grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crimes.

Well, Presidential candidates on the Republican side have all sworn off on amnesty. We just don't agree quite on what amnesty is all the way down the line. And that brings me some concern.

But that is one of the foundational issues that has been debated here, and I wanted to in the RECORD thank TOM TANCREDO for making sure that it is part of this dialogue in the presidential race on the Republican and on the Democrat side of the aisle. And, TOM, you have won this debate. Now we have to figure out how to implement the policy, but you have won this debate.

So that is the definition of amnesty. That is what has taken place here and across Iowa and New Hampshire and down into South Carolina and beyond.

I want to point out also that this Presidential contest does start in Iowa January 3, the first-in-the-Nation caucus then. Immediately, within a couple of days, on the 5th of January, it goes to a convention in Wyoming. And I am glad for them being involved early in the process. It's not very much focused on what happens in Wyoming, but shortly after that the following Tuesday, January 8, just 5 days after the Iowa caucus, is the New Hampshire primary. And we all know that is the first-in-the-Nation primary, and it is significant not so much in the numbers of delegates that will be achieved there but in the message that it sends to the rest of the country. From the 8th of January until 7 days later on the 15th of January, that is when the primary is in Michigan, and then on the 19th we have the primary in South Carolina which will take us to the fifth process. And in Nevada on the same day there is a caucus.

And so the early five contests that we have, Iowa on the 3rd of January, Wyoming on the 5th, New Hampshire on the 8th, Michigan on the 15th, and Nevada and South Carolina on the 19th of January, those early races, six States actually, but the major contests will be Iowa, New Hampshire, Michigan, South Carolina. Those will set the stage for the Florida, Alabama, Alaska primary on the 29th.

As this moves forward, the momentum that comes from a victory in Iowa transcends, at least launches a candidate on the road to New Hampshire, asks the people in New Hampshire: Take another look. If you were looking at this a different way, take another look and see. There was a reason Iowans made the decision that they did. Do you agree with them or do you not agree with them? And I don't want to stir up any contrarian attitude on the part of the New Hampshirites. I have great relationships with the people and I would love to be up there with your primary. I really would. But this process; it is a process of momentum, it is a process of selection. And as Iowans measure the character of the Presidential candidates and as they go to the caucus on the night of the 3rd of

January, that message will be heard around the country and around the world. And those who have not then made a decision on who they support will be taking another look. Some who have made a decision might be reassessing.

So I would ask this. Let's evaluate their character, their work ethic, their personalities, how they handle themselves in a time of stress or a time of relaxation. Let's do that. But I like to look at this as a matter of principle, and I would ask that these Presidential candidates be those who carry with them the convictions on a series of issues that I think are important to the future of America. And this, Mr. Speaker, is the point for which I come to this floor.

The issues that I believe this Nation's future pivots on, the most important issues, among them are life, marriage, the war on terror, illegal immigration, tax reform, second amendment, health care, and national sovereignty.

Of that list of issues that I have laid out here, Mr. Speaker, I will start with life, and that is innocent unborn human life. In particular, life from its natural beginnings, which is from fertilization/conception until natural death. The human life is sacred in all of its forms. It begins and ends as I have described. Do the Presidential candidates understand that and believe that? Or, I would ask them if they did not, then to them I would say, when did your life begin?

□ 2000

Mine began at conception. When did your life begin?

Madam Speaker, I believe that every American that's going to have an opinion on policy needs to ask themselves that very question. When did your life begin? Mine, I believe, began at that moment of conception. I believe that's when I was blessed with a soul, and I have a destiny like all of us, and we're all created in God's image and we have a duty. And from whom much is given, much is required. And so the issue of life is an essential component, and I will say the most important issue in this race or any race because that tells us the quality and the character and the integrity and the faith, the core faith of the Presidential candidates, how they view this subject.

The second issue is marriage. And Madam Speaker, marriage is an institution that I believe is a sacrament. It's a blessing that's given to us from God. Adam and Eve were joined together before original sin. Marriage is as old as man and woman itself. It's a blessing too that came from God, and marriage has survived original sin and marriage has survived the great flood, and marriage has been with us for thousands of years, and it's been defined as the same thing throughout, a man and a woman joined together in holy matrimony. That's marriage, according to our faith. It's marriage according to our civil law in this country. It's marriage according to the Defense of Marriage Act at the Federal level. It's marriage according to the Defense of Marriage acts in all States except Massachusetts, if I have that chart correct, and it's between a man and a woman. And it's protected in the Constitutions of 27 States in America. We don't have a difficulty understanding what marriage is. It's between a man and a woman. And yet we have activists in the country that are using our courts to try to redefine marriage.

I would submit that if you believe differently than me, come to this Congress and make your case. If you believe differently than the law, different than the 27 Constitutions in America, different than the Defense Marriage Act here in the Federal statute, then take your case to the States and make your argument there and lobby for the representatives and the State senators to redefine marriage if that is your wish, if that is your will, if that is your conviction. That is how it's done in this country. But when we hand over decisions to the courts when we know that we don't have the support of the people, then the people who hire the attorneys to take these suits to the courts are asking for an activist judge that will overturn the will of the people, will overturn the Constitution and overturn the State law or the Federal law, as the case may be, that's when we get strife, that's when we get stress in this country. That's when we get domestic conflict in America is when the judges make the laws. But when the people's voice is heard, we accept that as the will of the people and we move on.

If you believe differently than me, I believe marriage is between a man and a woman. I believe Iowa must pass a constitutional amendment now to fix a wrong that was committed, I believe, by an activist judge. I think we have to do that to preserve this oldest institution between people, this institution of marriage that goes back to the Garden of Eden and Adam and Eve, before original sin and before the great flood, and has survived all of that time. And now, here in this era, I am to believe that we're enlightened and we can look at this differently, that all of human experience, all of human history, and the Constitution and the law and our faith can all be set aside because we have modern-day people who want something different. And they would upset all of that for what? For their wish, for their will, when there are provisions that can be made within current law to make sure that people have the things in life that are necessary to respect their rights.

So life is essential. And it's a human life. Marriage is essential for a Presidential candidate to understand and to defend it because the President sets the moral standard for America, and the words that are uttered by a President either raise the standards or lower the standards. They shift the focus. And that's why marriage is so important that we have Presidential candidates that understand this.

The next issue that I mentioned is the war on terror. And we know that here in this city we were attacked on September 11, 2001. We've been conducting this global war on terror since that time, and particularly with operations within Iraq and Afghanistan. And who would have dreamed that on that day, September 11, we didn't think we'd get through the afternoon without being attacked again, let alone all of these 6 years and 3 months since that period of time. No one would have believed that this Nation would have been without a terrorist attack on its soil, a significant terrorist attack on this soil, at least a successful one. But that has been the case because this President has carried this issue to the enemy. The global war against these terrorists must be pursued. We cannot cut and run. We cannot decide to pull our troops back to the horizon. We can't wake up tomorrow morning and decide the horizon is Okinawa. We have a responsibility to defend this country in this global war on terror. And I believe, Madam Speaker, that at least the Republican candidates and probably the Democrat candidates will defend this Nation in this global war on terror, some more aggressively, some with more insight, some with a vision towards a final victory, some reluctantly because they don't really believe that this is a war that we're fighting. Some kind of think on the other side that we just need to understand why they hate us and maybe we can take away the reasons for the hate. But we have to fight this war on terror, and our Republican candidates all will, to one degree or another, a little bit of difference in methodology, but they'll fight this war on terror.

I mentioned the illegal immigration and how important that is. It changes our destiny, Madam Speaker.

And then the next component of this is tax reform. Now, there are people here in this Congress that believe that through money management, through tax management, regulation management, access to tax revenue and handing that money out, that we can engineer this entire society, that we can socially engineer in America with a tax policy, that if we just set our tax structure right, we can grow the businesses that need to grow and shrink the businesses we'd like to shrink and reward the people that need to be rewarded and punish the people that need to be punished. Some people think that through tax policy you can do all of those things. I am not among them, Madam Speaker. I believe that tax policy should be for the purposes of raising revenue, for the legitimate functions of government, for the constitutionally legitimate function of government and nothing else; that we should not have a thought about if we reward this behavior and punish this behavior

with our tax structure, that will maneuver this country into a direction that we like better.

We should have a tax structure that's fair, that makes everyone a taxpayer, that rewards earning, savings and investment and work and sweat equity. We need to have a kind of a tax policy that takes the tax off of all productivity in America and puts it on consumption. If we do that, and I would remind you, Madam Speaker, that the Federal Government has the first lien on all productivity in America. If you're going to produce in this country, if you punch the time clock at 8:00 on Monday morning, or if you go collect the interest on your passbook savings account, or if you sell the farm and you take the capital gains and you roll it over and you invest it into a factory with a production line and higher workers, wherever there's production, wherever there is a return on an investment, the Federal Government has the first lien. And Ronald Reagan said what we tax, we get less of. And so we hear with our tax policy, tax everything that produces and nothing that consumes. Well, little of what is consumed. And tax reform is a big issue. It's important. And I'll get back to that perhaps a little bit later, Madam Speaker.

One of the other issues that I mentioned that we want to make sure we can evaluate Presidential candidates in is the second amendment. Our gun rights, and if we look back in our Constitution under the second amendment, clearly, that we are guaranteed an individual right to keep and own firearms. A well-regulated militia being necessary to a free state, the right of the people to keep and bear arms shall not be infringed. That's the second amendment, Madam Speaker.

There's a case before the United States Supreme Court that will come up perhaps in March of next year, and we will get the first decision of the Supreme Court on that question, I believe, in 70 years. But we need a President that will defend that right to keep and bear arms.

And I would remind the body, Madam Speaker, that the right to keep and bear arms is not a right for self-defense specifically. It wasn't written for that reason. It isn't necessarily a right to go out and target shoot or to hunt. Those things that I've mentioned, self-defense, hunting, target shooting, collecting firearms, all of those things are fringe benefits to the real reason for the second amendment. The real reason we have a right to keep and bear arms is because our forefathers feared tyranny, and they understood that a well-armed populace would not capitulate to a military state, that a dictator could not emerge and herd the people like sheep at the point of a bayonet if the people themselves had guns. That's the philosophy that's behind the second amendment. And you'll notice in the last 200-and-some years, we haven't had a single tyrant emerge as a leader here in America. Some would disagree with me, but I'm sure that they're wrong in any analysis. And one of those reasons is because of the restraint that's in place because the people in America hold guns within their possessions, within their homes. And that is a silent deterrent against the emergence of tyranny. And while that's going on, we're deterring tyranny, and we're protecting our homes and we get to enjoy target shooting and hunting and collecting.

And by the way, if you go over to the Smithsonian, Madam Speaker, you can walk through the collection of firearms that are there and track the history of America, as the history of America is written within the firearms that have defended the balance of our freedoms, and without that defense, the ability to defend our freedoms, none of the rest of this holds together. So the second amendment becomes an essential evaluation and how it's defended by a Presidential candidate.

And health care is an issue that we are constantly churning and it will be an issue in the next Presidential race. It is today in the caucus and in the primary, both among Democrats and Republicans, how would these Presidential candidates deal with health care. And it is 1/7 of our economy that is consumed in health care, Madam Speaker. That's a significant percentage. And I'll come back to that perhaps in a moment.

But I wanted to mention the last issue, which is our national sovereignty. And this national sovereignty issue is one that we give away if we don't control our borders. If we simply have 2,000 miles on the southern border and 4,000 miles on the northern border and open seashores on the Atlantic and on the Pacific, and people that want to come to America come, and those that want to go certainly are always free to leave, Madam Speaker, that is no sign of sovereignty. No nation that doesn't protect its borders will long be a nation. And if we do not protect our borders, if people flow back and forth at will, if they carry goods and contraband back and forth across the border at will, we are no longer a sovereign nation. We're just a location where people do business and trade, whether it's legitimate or illegitimate. This national sovereignty has an essential component, and it must be part of our decision-making process as we evaluate the Presidential candidates.

And so, Madam Speaker, as we come to this, I began to ask these questions. How do I sort these issues? And what stands out as the essential components of this decision-making process? And I'll read through this list again. Life, marriage, the war on terror, illegal immigration, tax reform, the second amendment, health care, protecting our national sovereignty. How do these top Presidential candidates on the Republican side, how do they shake out when I evaluate where they stand on these issues and what are the most important?

Well, as I look across this list, and having served in this Congress now for 5 years, I come to the conclusion that the next President, whether he's a Democrat or Republican, will defend access to health care in America. I don't think that there are any Americans that are in danger of losing their access to health care under any policy that's advocated by a Republican or a Democrat. It might come in a different form from the Democrat side of the aisle. It would be universal socialized medicine. That's clearly in the debate platform and there's no one over there that disagrees. They're all talking about how they would provide socialized medicine, not whether.

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That's not a disagreement. On the Republican side, there is discussion about this, and I don't know Republican candidates that support socialized medicine. Some have varying degrees on how they would approach this, but all would ensure that all Americans have access to health care.

So I don't think health care becomes the deciding issue by which I should throw my support behind an individual Presidential candidate. It's important. We'll debate it, we'll protect it, we'll preserve it, and hopefully we'll make it better. And I bring some ideas to this Congress that I hope can get implemented, along with many of my colleagues. I had a meeting this morning, as a matter of fact. So I will set health care off on the side and I will say it's not in jeopardy. I think that all Presidential candidates will preserve and protect access to health care.

Then I look at the war on terror and also come to the same conclusion that, on the Republican side at least, all Presidential candidates will continue to conduct this war on terror. We understand who our enemy is far better today than we did 6 years and 3 months ago and we will understand our enemy better a year from now. And the next President of the United States will understand this enemy better than we did 4 years ago, and certainly 8 years ago.

But I believe that this Congress supports this global war on terror. It's a battle. You brought 40 resolutions against us, but the American people are going to continue to defeat this enemy that is seeking to kill us. I believe the next Republican will do the same. And I think it's a matter of debate and degrees; whether Rudy Giuliani would have the most insight and be the most aggressive or whether JOHN MCCAIN would have the most insight and be the most aggressive. There are strong convictions on the part of Mitt Romney or Fred Thompson or Mike Huckabee, would all stand up to this foe, would all work to defeat our enemies, would all narrow the laser beam down on Osama bin Laden and on al Qaeda. And I think all would work to promote our American values overseas so that the people over there understand that we want to help them rid

themselves of the habitat that breeds that kind of terror. I think that happens.

So I think I can put health care over on the side and say it's not at risk in this nomination. Americans are going to be okay. We can debate this in Congress on how we want to move forward with it, but let's set it off on the side because we're going to be all right with it. Let's set the global war on terror off on the side because I believe that all Presidential candidates will fight that.

And as I take these issues on down then, the second amendment is another one. It's important. It's essential. We need to protect our right to keep and bear arms, and yet this Congress will protect our second amendment rights. The courts, I believe we will discover in March, or if the decision comes down the following June, that they will have protected our second amendment rights and written for a long time a definitive word on the meaning and the understanding of the second amendment to be consistent with our historical readings and understanding and the text of the Constitution. I think that happens. And I think, even with an unfriendly President on the second amendment, I think that this Congress in the end protects our second amendment rights. So as much as I believe in the second amendment, I think I can set that over on this side with the war on terror and with health care, those three in that category, that we can protect and defend this another way.

But what does it take a President to do? What will the next President do that will turn the destiny of the United States the most profoundly for the good, or miss that opportunity by taking a wrong turn and never being able to get back to the interstate again? And I believe the next President will make probably two appointments to the Supreme Court, maybe more, and these will be significant appointments to the Court.

I think it's imperative that we elect a President who understands that the nominees to the Supreme Court must be originalists, they must be textualists, they must be the kind of jurists who read the Constitution and understand that the Constitution means what it says, means the text that's in the Constitution. They must be the kind of judiciary that look at the Constitution and understand that we need to evaluate it within the original understanding of the Constitution because, without that, without originalism, without textualists, without the original intent of the Constitution as the foundational criterion for determining the constitutionality of current law, without that, the Constitution is no guarantee at all, except a guarantee to the justices to be able to manipulate their decisions to move this society in the direction they choose, as if they were legislators.

The last people that should be amending our Constitution, whether literally amending it or de facto amending the Constitution by their decisions, are the nine Justices of the Supreme Court. The next President has to understand that. And he cannot ask the question of the potential nominees for the Court, are you pro-life or are you pro-choice? Are you pro-marriage or are you pro gay marriage? They can't ask that question because that would interfere with the confirmation process. It would interfere with the decision-making process. And, in fact, I don't ask those questions of the judges myself because I know they have to make a decision on the case that's before them. We would be asking them to make a decision on a case that hasn't been written or presented to them, perhaps.

But they need to be the kind of justices that have profound and reverent respect for this Constitution, for its meaning, for its guarantee. Because in it is the guarantee of our rights and our freedom like none other on the face of this Earth. And we cannot have a justice, or five of the nine, that decide they want to social engineer by the decisions that they make.

This next President must understand this, must have advisers that will probe into the potential nominees, and must come down with nominations of the kind of quality that we see in Justice Roberts, Justice Alito, two stellar appointments to the Supreme Court made by President Bush. If we can continue down that line, we will eventually see the justices in the lower courts start to respect the text of the Constitution, too. And then, in my perfect world, they will start to teach the Constitution in con law in law school instead of teaching off the case law. I know some of you do. Many do not. And that is essential.

So the issues for the next President to understand and promote and embody are the appointments to the Supreme Court being essential, that they be originalists, within the vein of Roberts and Alito. I want those decisions to come down on the Constitution, not on their will or their whim of what the policy should be; not in some legal contortionist approach to try to arrive at a conclusion that fits their social liberalism. I want a justice that can maybe come to a conclusion that, even though they disagree with the policy that unfolds, the Constitution says so, they must follow it. That becomes the most important thing. And life and marriage do hang in the balance on that, but those decisions will be made off the Constitution in my future world, not off the whim of the policy because we wish it so.

So as I look down through this list, life and marriage, wrapped up in the original understanding of the Constitution, that being, I think, the most important, and then the issue of our national sovereignty wrapped up within the immigration issue, who will defend our borders? Who is strong and who is silent? And as I evaluate the Presidential candidates, there are some who have clearly supported our amnesty policy. And the Senator from Arizona has a policy such that has his name on it, or at least did have, the McCain-Kennedy. And some of that has changed, but the debate is the same and the policy is the same. It is amnesty. He served America honorably for every day of his adult life, and I have profound respect for Senator MCCAIN. He and I disagree on the amnesty issue and on the border. And I think that our national sovereignty and the destiny of America is turned if we don't uphold the rule of law.

I'm concerned about the mayor of a sanctuary city, Rudy Giuliani, who has essentially presided over a city that the ''broken windows'' policy is wonderful. It set a standard and cleaned up a city, but it did not preserve and protect the rule of law when it came to immigration. This Nation cannot be sustained if we don't uphold the central pillar of American exceptionalism, the rule of law. Those things weigh heavy in my head and on my heart and on my instincts when it comes to the evaluation process.

It weighs heavy on me that the State of Arkansas, to some degree, has become a sanctuary State because of the promotion there of the DREAM Act. Now, it has a nice name, but what it is is scholarships for illegals to go to college. And also opposition there for a ban on tax dollars going to welfare to illegals. People that are unlawfully present in the United States, the question needs to be asked and answered to each of these Presidential candidates, and I would implore you, you have this opportunity in places like Iowa, New Hampshire and South Carolina, ask these Presidential candidates, what would you do with the people here in the United States who are unlawfully here, whether they came across illegally on the border or overstayed their visa, how would you deal with them? Would you send them home, or wouldn't you, if they had broken no other laws? And if the answer is, well, we can make some other accommodation, or I would send them to college under a scholarship program, or I would grant them a path to citizenship, all of those things are amnesty.

If we don't have the will to send people home when we encounter them on the streets of America through our local law enforcement, for example, if we don't have the will to send them home, then we cannot have an immigration policy that is established here by the people in America. Our immigration policy will be driven by people in foreign countries that, some who drive here, some who take a boat here, some who fly here, but they come to America and do what they want to do, and then we have Presidential candidates out there that would adjust our national policy to accommodate their wish, their will, their whim against the wishes of the American people, against the rule of law. I think that weighs heavily when we make decisions on

who we support for President, weighs heavily if they have supported amnesty, and weighs heavily if they've advocated policies like sanctuary cities, if they've presided over sanctuary cities. It weighs heavily if protecting that central pillar of American exceptionalism, rule of law, has been sacrificed to a whim because of a heart taking over where the head needs to rule. We need to have tough love or we will be sacrificing the rule of law. And I am quite concerned that we have a series of Presidential candidates that won't hold their ground on that issue because holding their ground on the immigration issue holds our ground on the sovereignty issue.

Now, if they would make the right appointments to the Supreme Court, that's going to be, to some degree, a redeeming characteristic, but in the end, the right appointments to the Supreme Court and the sacrifice of our national sovereignty and the importation of every willing traveler changes forever the face of America. We have a unique American character, a unique American spirit. We have a vitality here, much of which comes from having skimmed the cream of the crop off the donor civilizations through the process of a legal immigration policy, and we have such a massive illegal policy that we can no longer have a debate in this Congress on a legal immigration policy. We need a President to lead us out of that, not a President that leads us into that mess even further.

To think of the idea of another 4 or 8 years of hypercompassionate conservatism that would grant a DREAM Act scholarship to people who are here illegally, or grant paths to citizenship to reward people who are unlawfully present here in the United States, that would not uphold the rule of law, undermines our sovereignty, what America do we have left?

If we have a court that would preserve life and marriage, but we don't have a national sovereignty that's protected because the heart of a presidential candidate ruled over their head, then we sacrifice our sovereignty and our destiny.

So, Mr. Speaker, I submit this: Look through the list of the issues that matter, life, marriage, the war on terror, illegal immigration, tax reform, the second amendment, health care, and our national sovereignty. Look at those issues that we can put over to the side and say, we can protect them and promote them here from Congress and we think all the Presidential candidates will stand behind them, and those would be the war on terror, the tax reform issue, which probably doesn't change our destiny right now, but we can put that off on the side because I just think that it's not a destiny changer at this moment. The second amendment we will protect here in this Congress. It's important, but we'll protect it. Health care is important, but we'll protect it. It's not constitutional, by the way, for those of you who are wondering. But what it comes down to is life, marriage and our national sovereignty as viewed through whether we will protect our borders.

Ask yourselves: Do these Presidential candidates understand these issues? What is their focus on life and marriage? What confidence do you have in their judicial appointments all the way down the line? But ask yourselves, where are they in the end? Are they for or against amnesty? Do they stand up for amnesty, as I have defined it, or do they redefine it for their own purpose because their heart leads their head?

I hope you make some sound decisions and make a solid recommendation to America. I thank you for your attention tonight, Madam Speaker.

RECESS

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 30 minutes p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WELCH of Vermont) at 11 o'clock and 52 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 6, ENERGY INDEPENDENCE AND SECURITY ACT OF 2007

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–474) on the resolution (H. Res. 846) providing for consideration of the Senate amendments to the bill (H.R. 6) to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINOJOSA (at the request of Mr. HOYER) for today and December 4.

Ms. HOOLEY (at the request of Mr. HOYER) for December 4, 5, and 6 on account of medical reasons.

Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for today until 7 p.m.

Mr. ORTIZ (at the request of Mr. HOYER) for today after 3 p.m. on account of an event in the district.

Mr. LUCAS (at the request of Mr. BOEHNER) for today after 2:30 p.m. and the balance of the week on account of a family commitment.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. MEEK of Florida, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

(The following Members (at the request of Mr. WALDEN of Oregon) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, December 12.

Mr. JONES of North Carolina, for 5 minutes, December 12.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 863. An act to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds; to the Committee on the Judiciary.

S. 1327. An act to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1429. An act to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes.

ADJOURNMENT

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, December 6, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4230. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Unshu Oranges From the Republic of Korea into Alaska [Docket No. APHIS-2006-0133] (RIN: 0579-AC20) received October 25, 2007, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Agriculture.

4231. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Imported Fire Ant; Additions to the List of Quarantined Areas [Docket No. APHIS-2007-0114] received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4232. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Increased Assessment Rate [Docket No. AMS-FV-07-0089; FV07-984-1 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4233. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, OR; Decreased Assessment Rate [Docket No. AMS-FV-07-0087; FV07-924-1 FIR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4234. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program, Sunset Review [Docket Number AMS-TM-06-0222; TM-04-07FR] (RIN: 0581-AC51) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4235. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2006-07 Crop Natural (sun-dried) Seedless Raisins [Docket No. AMS-FV-07-0027; FV07-989-1 FIR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4236. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — 2007 Crop Cotton Classification Services and User Fees to Growers [Docket Number: AMS-CN-07-0060; CN-07-003B] (RIN: 0581-AC75) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4237. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate [Docket No. AMS-FV-07-0104; FV07-987-1 IFR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4238. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Raisins Produced From Grapes Grown in California; Use of Estimated Trade Demand to Compute Volume Regulation Percentages [Docket No. AMS-FV-07-0071; FV07-989-2 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4239. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Captan, 2,4-D, Dodine, DCPA, Endothall, Fomesafen, Propyzamide, Ethofumesate, Permethrin, Dimethipin, and Fenarimol; Tolerance Actions [EPA-HQ-OPP-2007-0097; FRL-8142-2] received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4240. A letter from the Acting Secretary, Department of Agriculture, transmitting a report of a violation of the Anti-deficiency Act in an account of the Commodity Credit Corporation, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

4241. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 06-10, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

4242. A letter from the General Counsel, Government Accountability Office, transmitting report of a violation of the Antideficiency Act by the Department of Energy during fiscal years 2006 and 2007, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

4243. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Community Development Block Grant Program; Small Cities Program [Docket No. FR-5013-F-02] (RIN: 2506-AC19) received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4244. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Model Manufactured Home Installation Standards [Docket No. FR-4928-F-02] (RIN: 2502-AI25) received October 31, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4245. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Fair Credit Reporting Affiliate Marketing Regulations [Docket ID. OCC-2007-0010] (RIN: 1557-AC88) received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4246. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Requirements for Insurance — received September 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4247. A letter from the Director, Child Nutrition Division, Department of Agriculture, transmitting the Department's final rule — Afterschool Snacks in the Child and Adult Care Food Program — received August 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4248. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule — Technical Assistance on Data Collection—Technical Assistance Center for Data Collection, Analysis, and Use for Accountability in Special Education and Early Intervention — received August 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4249. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Amendment to Interpretive Bulletin 95-1 (RIN: 1210-AB22) received September 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4250. A letter from the Assistant Secretary, Department of Labor, transmitting the Department's final rule — Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provisions of Six Federal Environmental Statutes and Section 211 of the Energy Reorganization Act of 1974, as Amended [Docket Number: OSHA-2007-0028] (RIN: 1218-AC25) received August 30, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4251. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Test Procedure for Residential Central Air Conditioners and Heat Pumps [Docket No. EE-RM/TP-02-002] (RIN: 1904-AB55) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4252. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Loan Guarantees for Projects That Employ Innovative Technologies (RIN: 1901-AB21) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4253. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions [EPA-HQ-OECA-2005-0062; FRL-8467-5] (RIN: 2020-AA42) received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4254. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Nonroad Diesel Technical Amendments and Tier 3 Technical Relief Provision [EPA-HQ-OAR-2007-0652; FRL-8467-2] (RIN: 2060-AO37) received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4255. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Comprehensive Procurement Guideline V for Procurement of Products Containing Recovered Materials [EPA-HQ-RCRA-2003-0005; FRL-8468-3] (RIN: 2050-AE23) received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4256. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District [EPA-R09-OAR-2007-0276; FRL-8456-4] received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4257. A letter from the Director Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — National Source Tracking of Sealed Sources; Revised Compliance Dates (RIN: 3150-AI22) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4258. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on October 27, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4259. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003 a six-month periodic report on the national emergency with respect to Burma declared by Executive Order 13047 of May 20, 1997, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4260. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Development Fund for Iraq that was declared in Executive Order 13303 of May 22, 2003, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4261. 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.

4262. 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.

4263. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-14, concerning the Department of the Navy's proposed Letter(s)of Offer and Acceptance to Kuwait for defense articles and services; to the Committee on Foreign Affairs.

4264. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-10, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office for defense articles and services; to the Committee on Foreign Affairs.

4265. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Burma: Revision of the Export Administration Regulations [Docket No. 071018609-7611-01] (RIN: 0694-AE17) received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4266. A letter from the Director, Office of Policy and Resource Planning, Department of State, transmitting the Department's Fiscal Year 2007 summary of the financial activity of the Bureau of Population, Refugees, and Migration; to the Committee on Foreign Affairs.

4267. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with section 1(a)(6) of Executive Order 13313, a report prepared by the Department of State and the National Security Council on the progress toward a negotiated solution of the Cyprus question covering the period August 1, 2007 through September 30, 2007; to the Committee on Foreign Affairs.

4268. 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 agreement for the export of defense articles and services to the Governments of the United Kingdom and Canada (Transmittal No. DDTC 062-07); to the Committee on Foreign Affairs.

4269. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to international waters (Transmittal No. DDTC 082-07); to the Committee on Foreign Affairs.

4270. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to the Governments of Russia and Kazakhstan (Transmittal No. DDTC 022-07); to the Committee on Foreign Affairs.

4271. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to international waters (Transmittal No. DDTC 076-07); to the Committee on Foreign Affairs.

4272. 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 military equipment to the Government of France (Transmittal No. DDTC 064-07); to the Committee on Foreign Affairs.

4273. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed technical assistance agreement for the export of technical data, defense services, and defense articles to the Government of Israel (Transmittal No. DDTC 010-06); to the Committee on Foreign Affairs.

4274. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed amendment to a manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles and defense services to the Government of Russia (Transmittal No. DDTC 065-07); to the Committee on Foreign Affairs.

4275. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Foreign Affairs.

4276. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting the Department's final rule — Ownership and Control; Permit and Application Information; Transfer, Assignment, or Sale of Permit Rights (RIN: 1029-AC52) received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4277. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Trawl Gear in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XD26) received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4278. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Bahrain Free Trade Agreement [USCBP-2007-0063 CBP Dec. 07-81] (RIN: 1505-AB81) received October 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4279. A letter from the Chief, Publications and Regulations Branch Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Notice of Additional 2008 Transition Relief under Section 409A [Notice 2007-86] received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4280. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Roosevelt Wallace v. Commissioner Docket Number: 4637-03 128 T.C. No. 11 (April 16, 2007) — received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4281. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reporting and Wage Withholding Under Internal Revenue Code 490A [Notice 2007-89] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4282. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Partnership Audit Techniques Guide — Chapter 13 — received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4283. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier 1 Issue: IRC Section 118 Abuse Directive #3 [LMSB– Control No: 04-1007-069] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4284. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2007-82] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4285. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Interest Rate Modification [Notice 2007-81] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4286. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification that the Department intends to use FY 2008 IMET funds for the enclosed list of countries, pursuant to Public Law 109-102; jointly to the Committees on Foreign Affairs and Appropriations.

4287. A letter from the Comptroller, Department of Defense, transmitting the Department's notification of funding transfers made during FY 2007, pursuant to Public Law 109-289, section 8005; jointly to the Committees on Foreign Affairs and Appropriations.

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. FRANK of Massachusetts: Committee on Financial Services. H.R. 3526. A bill to include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions, and for other purposes (Rept. 110–472, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3526. A bill to include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions, and for other purposes; with an amendment (Rept. 110–472, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER: Committee on Rules. House Resolution 836. Resolution granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives to the Committee on Education and Labor for purposes of its investigation into the deaths of 9 individuals that occurred at the Crandall Canyon Mine near Huntington, Utah (Rept. 110–473). Referred to the House Calendar.

Mr. WELCH of Vermont: Committee on Rules. House Resolution 846. Resolution providing for the consideration of the Senate amendments to the bill (H.R. 6) to reduce our Nation's dependence on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes (Rept. 110–474). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EHLERS:

H.R. 4278. A bill to extend the temporary suspension of duty on yttrium oxides having a purity of at least 99.9 percent; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. BERMAN, Mr. SMITH of Texas, Mr. SCHIFF, Mr. FEENEY, Mr. ISSA, Mr. CHABOT, Mr. COHEN, Mr. KELLER, Ms. JACKSON-LEE of Texas, and Mr. GOODLATTE):

H.R. 4279. A bill to enhance remedies for violations of intellectual property laws, and for other purposes; to the Committee on the Judiciary.

By Mrs. CUBIN (for herself, Mr. THOMPSON of California, and Mrs. MCCARTHY of New York):

H.R. 4280. A bill to amend the Federal Land Policy and Management Act of 1976 to provide death and disability benefits for aerial firefighters who work on a contract basis for the Forest Service or an agency of the Department of the Interior and suffer death or disability in the line of duty, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCRERY:

H.R. 4281. A bill to extend the temporary suspension of duty on methyoxyacetic acid; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 4282. A bill to extend the suspension of duty on 2-Acetylnicotinic acid; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself, Mr. DAVIS of Illinois, and Mr. CONYERS):

H.R. 4283. A bill to amend title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs, and for other purposes; to the Committee on the Judiciary.

By Mr. ALEXANDER:

H.R. 4284. A bill to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John ''Marty'' Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007; to the Committee on Oversight and Government Reform.

By Mr. BUTTERFIELD (for himself and Mr. JONES of North Carolina):

H.R. 4285. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Northeastern North Carolina Heritage Area in North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mr. CROWLEY (for himself, Mr. MANZULLO, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ALTMIRE, Mr. ANDREWS, Mr. ARCURI, Mr. BACA, Mr. BAIRD, Ms. BALDWIN, Mr. BARROW, Ms. BEAN, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. BOOZMAN, Ms. BORDALLO, Mr. BOREN, Mr. BOSWELL, Mr. BOYD of Florida, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. BURTON of Indiana, Mr. BURGESS, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARNEY, Mr. CARTER, Ms. CASTOR, Mr. CHANDLER, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. COLE of Oklahoma, Mr. CONYERS, Mr. COOPER, Mr. COSTA, Mr. COSTELLO, Mr. COURTNEY, Mr. CRAMER, Mr. CUELLAR, Mr. CUMMINGS, Mr. DAVIS of Virginia, Mrs. DAVIS of California, Mr. LINCOLN DAVIS of Tennessee, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DOGGETT, Mr. EDWARDS, Mr. ELLISON, Mr. EMANUEL, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. FARR, Mr. FATTAH, Mr. FERGUSON, Mr. FILNER, Mr. FORBES, Mr. FRANK of Massachusetts, Mrs. GILLIBRAND, Mr. GONZALEZ, Mr. GORDON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HALL of New York, Mr. HARE, Ms. HARMAN, Mr. HASTINGS of Florida, Ms. HERSETH SANDLIN, Mr. HIGGINS, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Mr. HODES, Mr. HOLDEN, Mr. HOLT, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. KAGEN, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY, Mr. KILDEE, Mr. KIND, Mr. KING of New York, Mr. KIRK, Mr. KLEIN of Florida, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LATOURETTE, Ms. LEE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. ZOE LOFGREN of California, Mr. LYNCH, Mrs. MALONEY of New York, Mr. MARCHANT, Mr. MARKEY, Mr. MARSHALL, Mr. MATHESON, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHENRY, Mr. MCNERNEY, Mr. MCNULTY, Mr. MEEKS of New York, Mr. MELANCON, Mr. MICHAUD, Mr. GARY G. MILLER of California, Mr. MILLER of North Carolina, Mr. MITCHELL, Mr. MOLLOHAN, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. PATRICK MURPHY of Pennsylvania, Mr. TIM MURPHY of Pennsylvania, Mr. MURTHA, Mrs. MUSGRAVE, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. NEUGEBAUER, Mr. OBEY, Mr. ORTIZ, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Mr. PEARCE, Mr. PERLMUTTER, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. PITTS, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RAMSTAD, Mr. REYES, Mr. RENZI, Ms. RICHARDSON, Mr. RODRIGUEZ, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUSH, Mr. RYAN of Ohio, Mr. SALAZAR, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SHULER, Ms. SCHWARTZ, Mr. SCOTT of Georgia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIRES, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. SNYDER, Ms. SOLIS, Mr. SPACE, Mr. SPRATT, Mr. STUPAK, Mr. TANNER, Mrs. TAUSCHER, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. TSONGAS, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. UPTON, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. WALSH of New York, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Mr. WEINER, Mr. WELCH of Vermont, Mr. WESTMORELAND, Mr. WEXLER, Mr. WILSON of Ohio, Mr. WILSON of South Carolina, Mr. WOLF, Ms. WOOLSEY, Mr. WU, Mr. WYNN, Mr. YARMUTH, Mr. YOUNG of Alaska, Mr. DOYLE, Mr. ELLSWORTH, Mr. LAMPSON, Mr. LEVIN, Mr. CLYBURN, Mr. JEFFERSON, Mr. WALZ of Minnesota, Mr. MAHONEY of Florida, Mr. SESTAK, Mr. STARK, Mr. SCOTT of Virginia, Mr. MEEK of Florida, Mr. BERRY, and Mrs. LOWEY):

H.R. 4286. A bill to award a congressional gold medal to Daw Aung San Suu Kyi in recognition of her courageous and unwavering commitment to peace, nonviolence, human rights, and democracy in Burma; to the Committee on Financial Services.

By Mr. EMANUEL:

H.R. 4287. A bill to include Medicare provider payments in the Federal Payment Levy Program, to require the Department of Health and Human Services to offset Medicare provider payments by the amount of the provider's delinquent Federal debt, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. TOWNS, Mrs. EMERSON, and Mr. PASTOR):

H.R. 4288. A bill to amend title XVIII to provide for coverage of annual preventive physical examinations under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTUÑO:

H.R. 4289. A bill to name the Department of Veterans Affairs outpatient clinic in Ponce, Puerto Rico, as the ''Euripides Rubio Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. MCCAUL of Texas:

H.R. 4290. A bill to amend the Homeland Security Act of 2002 to provide for additional availability of testing facilities and equipment and to extend the authority of the Secretary of Homeland Security to carry out certain research and development projects; to the Committee on Homeland Security.

By Mr. OBERSTAR:

H.R. 4291. A bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes; to the Committee on Natural Resources.

By Mr. OBERSTAR:

H.R. 4292. A bill to authorize the sale of certain National Forest System lands in the Superior National Forest in Minnesota; to

the Committee on Agriculture, and in addition to the Committees on Natural Resources, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 4293. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for State and local, and foreign, real property taxes; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. SHAYS, Mr. VAN HOLLEN, Mr. CASTLE, Mr. EMANUEL, and Mr. PLATTS):

H.R. 4294. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself, Mr. HENSARLING, and Mr. FLAKE):

H.R. 4295. A bill to amend title XVIII of the Social Security Act to require wealthy beneficiaries to pay a greater share of their premiums under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHWARTZ (for herself, Mr. PORTER, and Mrs. CAPPS):

H.R. 4296. A bill to amend title XVIII of the Social Security Act to require physician utilization of the Medicare electronic prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER:

H.R. 4297. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring energy conservation provisions and to provide a tax credit for certain individuals using home heating oil; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 4298. A bill to direct the Federal Trade Commission to revise the regulations regarding the do-not-call registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Georgia:

H. Res. 844. A resolution recognizing the service and dedication of Dr. Daisaku Ikeda and celebrating his 80th birthday; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. MARIO DIAZ-BALART of Florida, Mr. KLEIN of Florida, Mr. MAHONEY of Florida, Mr. WEXLER, Mr. MACK, Mr. LINCOLN DIAZ-BALART of Florida, Ms. ROS-LEHTINEN, Ms. WASSERMAN SCHULTZ, Ms. CASTOR, Mr. BOYD of Florida, Mr. KELLER, Ms. CORRINE BROWN of Florida, Mr. MICA, Mr. MEEK of Florida, Mr. BUCHANAN, and Mr. PUTNAM):

H. Res. 845. A resolution recognizing the 60th anniversary of Everglades National Park; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mrs. CHRISTENSEN, Ms. TSONGAS, and Mr. DUNCAN.

H.R. 549: Mr. WELCH of Vermont and Mr. ROSS.

H.R. 583: Mr. KAGEN.

H.R. 620: Mr. SMITH of New Jersey and Ms. KILPATRICK.

H.R. 621: Mr. BILIRAKIS.

H.R. 718: Mr. JOHNSON of Georgia.

H.R. 871: Mr. SIRES and Ms. BALDWIN.

H.R. 882: Mr. MCCARTHY of California, Mr. RODRIGUEZ, Mr. BOOZMAN, and Mr. LEWIS of Kentucky.

H.R. 989: Mr. JORDAN.

H.R. 1000: Mr. GARY G. MILLER of California, Ms. CASTOR, and Mr. UDALL of Colorado.

H.R. 1031: Mr. SCOTT of Georgia.

H.R. 1032: Mr. HINOJOSA, Mrs. CHRISTENSEN, Mr. GEORGE MILLER of California, Mr. COHEN, and Mr. KUCINICH.

H.R. 1043: Mr. WELCH of Vermont.

H.R. 1091: Mr. MCDERMOTT.

H.R. 1110: Mr. SCHIFF.

H.R. 1111: Mr. MEEKS of New York.

H.R. 1112: Mr. KLINE of Minnesota.

H.R. 1201: Mr. MCCOTTER.

H.R. 1216: Mr. ANDREWS.

H.R. 1237: Mr. COURTNEY, Ms. BERKLEY, Mr. PETRI, Mr. LARSON of Connecticut, and Mr. SCOTT of Georgia.

H.R. 1275: Mr. ROTHMAN.

H.R. 1282: Ms. SOLIS.

H.R. 1359: Mr. SALI and Mr. BARRETT of South Carolina.

H.R. 1422: Mr. WICKER.

H.R. 1497: Mr. SERRANO and Mr. GOODE.

H.R. 1512: Ms. RICHARDSON.

H.R. 1518: Ms. BALDWIN.

H.R. 1590: Mrs. GILLIBRAND.

H.R. 1609: Ms. FOXX, Mr. RAMSTAD, Mr. GRIJALVA, Mrs. MYRICK, Mr. JACKSON of Illinois, and Ms. WOOLSEY.

H.R. 1621: Mr. ENGLISH of Pennsylvania.

H.R. 1711: Mr. ROTHMAN, Mr. ROSS, and Mr. COHEN.

H.R. 1742: Mr. WEXLER, Mr. DAVIS of Alabama, and Mr. ISRAEL.

H.R. 1748: Mr. KLINE of Minnesota.

H.R. 1843: Mr. CRENSHAW, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. SHADEGG, Mr. RODRIGUEZ, Mr. ALEXANDER, Mr. RENZI, and Ms. SUTTON.

H.R. 1881: Mr. TOWNS.

H.R. 1884: Mr. DAVIS of Illinois, Mr. ALLEN, Mr. SIRES, Ms. SUTTON, Ms. BERKLEY, and Mr. TERRY.

H.R. 1964: Mr. CROWLEY.

H.R. 1983: Mr. LATHAM.

H.R. 2017: Mrs. CAPPS.

H.R. 2052: Mr. BUTTERFIELD.

H.R. 2075: Mr. LATOURETTE.

H.R. 2091: Mr. UDALL of Colorado and Mr. DAVIS of Kentucky.

H.R. 2112: Mr. MARKEY.

H.R. 2125: Mr. BONNER.

H.R. 2138: Mr. HINOJOSA and Mr. WELCH of Vermont.

H.R. 2166: Mr. COHEN, Mr. ROSS, Mr. ROTHMAN, and Mr. SHIMKUS.

H.R. 2205: Mr. THOMPSON of California.

H.R. 2421: Mr. LIPINSKI.

H.R. 2477: Ms. SCHWARTZ.

H.R. 2511: Ms. MCCOLLUM of Minnesota.

H.R. 2564: Mr. SOUDER and Mr. DAVIS of Kentucky.

H.R. 2567: Mr. LAMPSON.

H.R. 2593: Mr. KUCINICH.

H.R. 2610: Mr. ANDREWS.

H.R. 2634: Mr. MEEKS of New York, Mr. TOWNS, and Ms. KILPATRICK.

H.R. 2668: Mr. HONDA.

H.R. 2695: Mr. HAYES and Mr. SCOTT of Georgia.

H.R. 2744: Ms. ROYBAL-ALLARD, Mr. COSTELLO, Mr. DINGELL, and Mr. UDALL of New Mexico.

H.R. 2784: Mr. HINOJOSA and Mrs. WILSON of New Mexico.

H.R. 2802: Mr. THOMPSON of California.

H.R. 2864: Mr. KANJORSKI.

H.R. 2914: Ms. SOLIS.

H.R. 2990: Mr. RAMSTAD, Mr. LEWIS of Kentucky, and Mr. WESTMORELAND.

H.R. 3175: Mr. SIRES.

H.R. 3212: Mr. JACKSON of Illinois and Mr. LEWIS of Georgia.

H.R. 3282: Mr. HONDA, Mr. ROTHMAN, and Mr. GERLACH.

H.R. 3327: Mr. HOLT and Ms. WOOLSEY.

H.R. 3329: Mr. LYNCH and Mr. SHAYS.

H.R. 3337: Mr. WELCH of Vermont, Mr. GUTIERREZ, Mrs. TAUSCHER, Mr. LEWIS of Georgia, Mr. FILNER, and Mr. FRANK of Massachusetts.

H.R. 3347: Ms. ZOE LOFGREN of California.

H.R. 3348: Mr. HAYES and Mr. WELDON of Florida.

H.R. 3360: Mr. TOWNS and Mr. LANTOS.

H.R. 3368: Mr. ALTMIRE, Mrs. LOWEY, Mr. CONYERS, Mr. REYES, Mr. BISHOP of Georgia, Ms. CARSON, and Mr. CUMMINGS.

H.R. 3385: Ms. SCHAKOWSKY.

H.R. 3418: Mr. HASTINGS of Washington and Mr. MOORE of Kansas.

H.R. 3430: Mr. TOWNS, Mr. MARKEY, Mr. SESTAK, Mr. PAYNE, Mr. COSTELLO, Mr. WYNN, Mr. BRADY of Pennsylvania, and Ms. SUTTON.

H.R. 3440: Mr. CARNEY and Ms. JACKSON-LEE of Texas.

H.R. 3442: Mr. MELANCON, Mr. HAYES, and Mr. CALVERT.

H.R. 3464: Mr. FATTAH, Mr. MURPHY of Connecticut, Mr. MCGOVERN, Mr. OLVER, and Ms. JACKSON-LEE of Texas.

H.R. 3533: Mr. LATOURETTE.

H.R. 3558: Mr. FORTUÑO.

H.R. 3645: Mr. WEXLER.

H.R. 3646: Mr. ALTMIRE.

H.R. 3660: Mr. MILLER of Florida, Mr. GERLACH, and Mr. THOMPSON of California.

H.R. 3663: Mr. CLEAVER, Mr. CLAY, Mr. OLVER, Mr. JOHNSON of Georgia, Mr. FARR, Mr. MARKEY, Mr. MCNULTY, Mr. PAYNE, Ms. LORETTA SANCHEZ of California, Mr. CUMMINGS, and Mr. NADLER.

H.R. 3689: Mr. DAVIS of Illinois, Ms. BERKLEY, and Ms. CARSON.

H.R. 3691: Mrs. NAPOLITANO, Mr. SIRES, and Mr. SALAZAR.

H.R. 3752: Mr. BOUCHER, Ms. ZOE LOFGREN of California, and Mr. DELAHUNT.

H.R. 3753: Mr. BOUCHER, Ms. ZOE LOFGREN of California, and Mr. DELAHUNT.

H.R. 3846: Ms. SCHAKOWSKY, Mr. WATT, and Mr. BOUCHER.

H.R. 3851: Ms. GRANGER and Mr. SHAYS.

H.R. 3882: Mr. BURTON of Indiana, Mr. CAPUANO, Ms. WOOLSEY, and Mr. ROHRABACHER.

H.R. 3890: Mr. BLUMENAUER and Ms. WOOLSEY.

H.R. 3934: Mr. KNOLLENBERG and Ms. ZOE LOFGREN of California.

H.R. 3951: Mr. BERMAN.

H.R. 3976: Mr. LEWIS of Georgia.

H.R. 4008: Ms. FOXX and Mr. GARRETT of New Jersey.

H.R. 4011: Mrs. MUSGRAVE.

H.R. 4061: Mr. MCNERNEY and Mr. DAVIS of Illinois.

H.R. 4073: Mr. SHAYS.

H.R. 4107: Mrs. BOYDA of Kansas.

H.R. 4114: Mr. ALLEN and Mr. LEVIN.

H.R. 4116: Mr. GORDON, Mr. BRADY of Pennsylvania, Ms. BORDALLO, Mr. CULBERSON, Mr. FOSSELLA, Mr. BOYD of Florida, Mr. WOLF, Mr. SESSIONS, and Mr. JONES of North Carolina.

H.R. 4160: Mrs. BLACKBURN, Mr. MCCOTTER, and Mr. KLINE of Minnesota.

H.R. 4181: Mr. BROUN of Georgia, Mr. FEENEY, Mr. ISSA, Mr. FORTUÑO, and Ms. FOXX.

H.R. 4188: Mr. DAVIS of Illinois, Mr. BAKER, and Mr. BURTON of Indiana.

H.R. 4202: Mr. PETERSON of Minnesota.

H.R. 4247: Ms. HOOLEY and Mr. COHEN.

H.R. 4248: Mr. GORDON and Mr. ETHERIDGE.

H.R. 4264: Ms. ROS-LEHTINEN and Mr. MORAN of Kansas.

H. J. Res. 54: Mr. HODES, Mr. BISHOP of New York, Mr. MELANCON, Mr. LUCAS, and Mr. HINOJOSA.

H. Con. Res. 176: Mr. RUSH.

H. Con. Res. 198: Mr. JEFFERSON, Mr. WATT, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mr. STARK, Mr. AL GREEN of Texas, Mr. KENNEDY, Mr. GUTIERREZ and Ms. DELAURO.

H. Con. Res. 223: Mr. YOUNG of Alaska.

H. Con. Res. 244: Mr. MICA, Mr. CLAY, Mr. SAM JOHNSON of Texas, Mr. BURTON of Indiana, Mr. YOUNG of Alaska, Mr. MCINTYRE, Ms. MATSUI, Mr. LOBIONDO, Mrs. MYRICK, Mr. PAUL, Mr. BROUN of Georgia, Mr. PRICE of Georgia, Mr. JOHNSON of Illinois, Mr. CASTLE, Mrs. MILLER of Michigan, Mr. ADERHOLT and Mr. HULSHOF.

H. Con. Res. 255: Mr. MCNULTY, Mr. TOWNS, Mr. HASTINGS of Florida, Mr. ROTHMAN, Mr. ISRAEL, Mr. BISHOP of New York, Mr. WEINER, Mr. NADLER, Mr. PATRICK MURPHY of Pennsylvania, Mr. ARCURI, Mr. CARNAHAN, Mr. WEXLER, Mr. COHEN, Mr. BERMAN, Mr. HIGGINS, Mrs. TAUSCHER, Ms. MOORE of Wisconsin, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. KLEIN of Florida, Mr. MAHONEY of Florida, Ms. SCHAKOWSKY, Mr. SHULER, Mr. GALLEGLY and Mr. LANTOS.

H. Con. Res. 261: Mr. CALVERT, Mr. DAVIS of Kentucky, Mr. SNYDER, Ms. LORETTA SANCHEZ of California, Mr. SAM JOHNSON of Texas, Mr. REGULA, Mr. ROGERS of Michigan, Mr. LEWIS of California, Mr. CRENSHAW, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. SIMPSON, Mr. LATOURETTE, Mr. LATHAM, Mr. SMITH of New Jersey, Mr. LOBIONDO, Mr. FRELINGHUYSEN, Mr. WHITFIELD, Mr. STEARNS, Mr. WU, Mr. KNOLLENBERG, Mr. SMITH of Texas, Mr. MCCOTTER, Mr. BARTLETT of Maryland, Mr. DREIER, Mr. CAMPBELL of California, Mr. CANNON, Mr. KING of Iowa, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mrs. BLACKBURN, Mr. GARRETT of New Jersey, Mrs. CAPITO, Ms. ROS-LEHTINEN, Ms. FALLIN and Mr. JONES of North Carolina.

H. Con. Res. 263: Mr. HERGER, Mr. MCCARTHY of California, Mr. ENGLISH of Pennsylvania, Mr. FRANKS of Arizona, Ms. GINNY BROWN-WAITE of Florida, Mr. SENSENBRENNER, Mr. KUHL of New York, Mr. FORTUÑO, Mrs. MCMORRIS RODGERS and Mr. NEUGEBAUER.

H. Con. Res. 265: Ms. WOOLSEY and Mr. LEWIS of Georgia.

H. Res. 111: Mr. MCHENRY, Mr. FATTAH, Mr. KUCINICH, Mr. UDALL of New Mexico, Mr. DENT, Ms. WOOLSEY, Mr. GONZALEZ, Mr. DOOLITTLE, Mr. LINDER, Mr. SARBANES and Mrs. CAPPS.

H. Res. 213: Mr. RUSH, Mr. HASTINGS of Florida, Mr. MARKEY and Mr. STARK.

H. Res. 333: Mr. GRIJALVA.

H. Res. 690: Mr. BLUNT.

H. Res. 700: Ms. BERKLEY and Mr. TANNER.

H. Res. 748: Mr. KLINE of Minnesota.

H. Res. 768: Mr. BRALEY of Iowa, Mr. COURTNEY, Mr. WELCH of Vermont, Mr. PAYNE and Mr. LARSON of Connecticut.

H. Res. 783: Mr. BARRETT of South Carolina and Mr. LINDER.

H. Res. 800: Ms. GRANGER.

H. Res. 814: Ms. BORDALLO and Mr. GILCHREST.

H. Res. 819: Mr. HODES, Ms. CASTOR and Mr. JOHNSON of Georgia.

H. Res. 842: Ms. WOOLSEY, Mr. SIRES, Ms. SCHAKOWSKY and Mr. KING of New York.

H. Res. 843: Mr. BURTON of Indiana, Mr. KELLER, Mr. DREIER, Mr. HERGER, Mr. FORTENBERRY, Mrs. MCMORRIS RODGERS, Ms. MCCOLLUM of Minnesota, Mr. MCCAUL of Texas, Mr. BROWN of South Carolina, Mr. EHLERS, Mr. BOUSTANY, Mr. GINGREY, Mr. ROHRABACHER, Mr. GOHMERT, Mr. TIAHRT, Mr. NUNES, Mr. MARIO DIAZ-BALART of Florida, Mr. KNOLLENBERG, Mr. CANNON, Mr. BACHUS, Mr. PETRI, Mr. COBLE, Mr. WAMP, Mr. CALVERT, and Mr. DOOLITTLE.

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. 3120: Mr. PUTNAM.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, WEDNESDAY, DECEMBER 5, 2007 No. 185

Senate

The Senate met at 12 noon and was called to order by the Honorable BOB CASEY, Jr., a Senator from the State of Pennsylvania.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Loving Lord, give our Senators an extraordinary measure of grace to accomplish Your will. As they work under the duress of time and pressure from diverse interests, give them wisdom to make ethical decisions. Be with their staff members who run the offices and provide the information to make responsible decisions. Be with those who process the mountains of business in and out of the cloakrooms. Be, also, with those who transcribe the debates for the CONGRESSIONAL RECORD.

Lord, bless those who monitor parliamentary order, schedule, and voting records. Protect the men and women who provide security at the doors, on the floor, and on the street. Strengthen all who are a part of the Senate's support system.

We ask this in the name of He who is the light of the world. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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 read a communication to the Senate.

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 5, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, Jr., a Senator from the State of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CASEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today there will be a period of morning business for an hour. As normally provided, the time is equally divided and controlled with the majority controlling the first half, Republicans controlling the final portion. When that time is up, we will have to see what we can do.

OBSTRUCTIONISM

Mr. REID. Mr. President, those who watch C–SPAN and people who are watching us in other ways are many times well versed in Senate procedure. People would note today that we didn't come into session until 12 noon. With all the many things we have to do, why are we taking the morning off, so to speak? We have so much work to do. But yet most people's work day is half completed and we are just starting.

The reason is we have another example of obstructionism. The reason we had to come in late today is because we have an extremely important piece of legislation that is being marked up in a committee. The Environment and Public Works Committee has been scheduled to begin to mark up a crucial piece of legislation today, a bill that will take a major step forward in the fight against global warming. If there were ever an occasion when we had to unite as a country and as a world community to fight, it would be against the scourge of global warming which is taking place everywhere. You can't listen to the news without hearing about something global warming has affected. Yesterday on public radio there was a wonderful piece about Finland, how the glaciers are melting in Finland.

Under Senate rules, any Member has the power to object to a committee meeting after the first 2 hours after the Senate is in session. That is why we had to start the Senate late today, so that committee could go forward with its markup so they can hopefully report a bill to the floor by 2 o'clock this afternoon. Had we started at 9, they would have had to stop at 11 because we were told that Republicans would object to the hearing going forward.

Mr. MCCONNELL. Would the majority leader yield?

Mr. REID. I will be happy to yield.

Mr. MCCONNELL. There were no objections on this side. I think maybe the leader was anticipating an objection that did in fact not exist.

Mr. REID. That could be the case, Mr. President. We started at noon today because under the rules anyone can stop us from holding a hearing beyond that time and we were told that was what was going to happen and that is why we did this. It is very easy for people to say we didn't do it. Of course they didn't do it, but had the meeting started at 10 o'clock, they would have done it. We were told that is what they were going to do. It is easy now to come here after the fact and say we wouldn't have done that.

We can see from what is taking place in the committee, about the amendments being offered to try to stop this

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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bill from coming forward. The committee that is meeting has one Republican who is joining with us, JOHN WARNER from Virginia. Every other member of that committee, unless there is some sudden light one of them sees, is going to vote against that bill and they indicated they would do everything they could to stop the markup from being completed today.

I am very happy that now the Republicans are saying we would not have done that. The only way we can protect ourselves, after having been given a direct warning that was what was going to take place, was start the Senate late.

If this were the only case of the Republicans doing everything they could to slow us down, then maybe it would be something that would need to be looked at very closely. But this doesn't have to be looked at very closely. It is everything that we have tried to do since we took the majority, and a slim majority it is. As we all know, about a year ago Senator JOHNSON was stricken with a bleed in the brain. He almost died. So our majority on that day went from 51 to 50—50 to 49 was our majority, and we have struggled with that until Senator JOHNSON was able to return a couple of months ago.

During this period of time this year, the Republicans have done everything they could to slow down and many times stop what we were doing. Look at the numbers. We are now at 57 cloture motions we have had to file. As I said yesterday, this is filibusters on steroids. Within a few days, it will break the record for a Congress of having clotures filed, necessary clotures filed.

We were forced to begin this session late, as I have indicated, to give the committee a chance to begin its work. It is unfortunate we have reached this point of overt obstructionism. If this Republican blocking tactic is a sign of what is going to come—we have already seen it; it can't get worse than what it already is, I don't believe—the remaining weeks are going to be interesting. We know we have been stopped from going forward on the farm bill. We tried everything we could to move forward on the farm bill. I even said you can have 10 amendments, we will have 5. They said no. I talked with Senator HARKIN today. He said—I don't know the exact numbers—I think we can do it with 17 and 14, or something such as that. I said, if you can get a deal like that, take it. We want to move forward on legislation and we are having a difficult time doing that.

Global warming is something we should be joining together to work on, to solve the problem. The work done by Senators LIEBERMAN and WARNER is bipartisan in the true sense of the word. It is a way to address global warming in an important way. Nations throughout the world are demonstrating their commitment to reducing greenhouse emissions. As we speak, there is a conference taking place in Bali. We have 10,000 people there, worried about global warming. Australia, with the change of leadership they had there in recent elections within the past couple of weeks, has now signed the Kyoto protocols. Which is the only industrialized nation not to have signed those? This administration; this country.

President Bush would not acknowledge the words ''global warming'' until the past 6 months. He has now at least been able to say the words and is doing some futile things to help, and even those small gestures are welcome to this country and to the world.

I want to talk a little bit more about the farm bill. I have spoken to Senator CHAMBLISS on a number of occasions. I have not sought him out. We have been on the floor and talked. I don't want to go around my friend, Senator MCCONNELL, unless I tell him I am going to do that, but I have had conversations in front of everybody. He indicates he would like to do the farm bill. We want to do the farm bill. At this time there are 287 amendments pending on the farm bill, amendments dealing with driver's licenses for illegal immigrants, all kinds of other amendments that have nothing to do with the farm bill. As a result of some of my conversations with my friends on the other side of the aisle, it does not appear we can work anything out on the farm bill.

How much more reasonable can we be? I have said if 10 and 5 is not good, how about taking, as I have just said, HARKIN and CHAMBLISS, who supposedly, according to my conversation with Senator HARKIN this morning, have now worked it out to less than 40 amendments. That will be fine, too. Let's move forward. I have even said, to show we are reasonable, have a couple of nongermane amendments. That is fine. We will be happy to take a shot at those. I don't know what they would be. I have been told—I think one of them may be dealing with driver's licenses. But we will be happy to do whatever needs to be done to help the American farmers and ranchers get some relief that they need.

We have also pending something that I think is pretty important. In addition to the farm bill, we have AMT. AMT is a buzzword for a tax proposal that was passed during a Republican administration, which had good intent when it started. Congress wanted to make sure and the President wanted to make sure that even people making a lot of money paid a little bit in taxes. But with inflation having risen its ugly head, as it does, it is affecting people no one anticipated would be affected. Right now, unless we change the AMT, people making between $75,000 and $500,000 would be hit with a tax they ordinarily would not get. The average tax, I understand, is less than $2,000. Somebody making $75,000 would get a very small tax; somebody making half a million dollars a year would be paying a larger tax.

That was not the intent of the tax. The vast majority of American people don't make 75,000 a year and they certainly don't make a half-million dollars a year.

But we want to try to change that. We want to put in a patch so it doesn't affect those people this year. We have tried everything that I know legislatively possible, that is reasonable, to take care of this. Right now, a cloture motion is ripening, our 57th, and that would be on whether we can proceed to legislate on the House-passed bill. The House-passed bill patches it, but it is all paid for. We Democrats believe that tax cuts and any new programs should be paid for. The House has passed a bill and sent it to us which does that. I have been told by my Republican colleagues that it is extremely doubtful we will get cloture on that. I hope we can get a few brave Republicans to say we want to legislate on this.

The President said we should do something to fix AMT. That being the case, why doesn't he place a call or have one of his staff call the Senate and say, Why don't you let them proceed on this? We can offer some amendments once it is there. We will try to be reasonable in what amendments we offer and they offer on this AMT fix. But I think we should at least have the opportunity to move forward. They are creating the worst of all worlds. They are going around saying we have to fix AMT, but they are not allowing us to legislate on it.

Under our Constitution, all revenue matters have to originate in the House. We have what the House wants to do. On this, I have said let's see what we can do. We will vote on the House version and we will go with the 60-vote margin. I am happy to do that. We will vote on what Senators GRASSLEY and BAUCUS have reported out of the Finance Committee here in the Senate, and that is the AMT is not paid for. I don't agree with that, but that is what the committee has done so I accept that. Also as part of that package it has certain tax extenders that are paid for. I said, Let's vote on that. No.

Senator LOTT, the Republican whip, said he wanted to eliminate AMT forever.

That is more than $1 trillion. But we are willing to vote on that. We have gotten no takers on that. I do not know how we can be more reasonable.

I do not want to get into the inner workings of the proposal made between Senator MCCONNELL and myself because I do not think that would be appropriate to talk about, some of the things. I would be happy to do that if he wants to, but some of the other suggestions made—I do not want to do my negotiating out here on the Senate floor. But I think the suggestions they have made have been very unreasonable. I don't know how we can be more reasonable than what we have done.

Now, I would hope we can work something out on AMT. As I said to my distinguished friend, the Republican leader, today, if the President wants an AMT fix and the Republicans say they

want one, why can't we move forward on doing something? I do not understand why we could not do that.

One of the other alternatives I have not suggested, but maybe what we can do is have a vote on not even paying for it, which I disagree with, but if that would be the will of the Senate, fine, we could set something up in that regard. We could have those votes out of the way this afternoon. We would not have to do the cloture vote in the morning. And we would see what the will of the Senate is. The way it is going to be, I have been told that the Republicans have been given their marching orders, as happens all of the time around here, that they are not free agents, that they cannot vote to invoke cloture on this alternative minimum tax, which I think would be a shame.

As I told my friend, the senior Senator from Kentucky, we would like to finish the business of this body by 2 weeks from Friday. That is our goal. I hope we can do that. I hope we do not have to work—we are not going to work on Christmas, but I hope we do not have to work Christmas week. It is possible we may have to do that. We have a number of important issues around here. We have an energy bill that is going to be sent either today or tomorrow from the House. I spoke to the Speaker this morning. We have to complete the alternative minimum tax. I think it would be the right thing to do to see what we are going to do on the Presidents's wiretapping proposal, as to how we can make that a better piece of legislation. We have gotten something that is bipartisan that has come out of the Judiciary Committee. The Judiciary Committee has met on a bipartisan basis. They have some things they want to change on that. But if we have to jump through all of the hoops and file cloture on that, that bill—the legislation that is now in force expires I believe on February 5. I think it would be good if we can complete that before we leave. There are certain other things we need to do before we leave. But it is a lot of work to do.

There is one minor little problem I did not talk about. We have to figure out some way to fund the Government for the rest of the year, either with some type of spending program to involve the Appropriations Committee or a last resort—something that both the Republican leader and I don't want—would be a continuing resolution which, in effect, eliminates the legislative branch of Government from being involved in what money is spent in the country for the next year.

Having said that, I would hope we can hold hands here a little bit in the next couple of weeks and see what we can get done: alternative minimum tax, farm bill, spending bills for our country, and if we really get fortunate, see if we can finish the FISA legislation, the wiretap legislation.

The ACTING PRESIDENT pro tempore. The Republican leader.

AUTHORITY FOR COMMITTEE TO MEET

Mr. MCCONNELL. Mr. President, first with regard to the suggestion by my good friend, the majority leader, that there was some kind of objection to the Environment Committee meeting this morning, I was unaware of one. No such warning was given to the other side. The practice is for the committees to request permission on the day they meet. We did not indicate there was any objection. The committee is, in fact, meeting. I am unaware of any objection to its meeting.

If it makes it more formal, I ask unanimous consent that the committee continue to meet.

Mr. REID. Mr. President, I think that is a wonderful gesture. I would accept that unanimous consent request that the committee be able to continue its deliberations today past 2 o'clock.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I appreciate that very much.

MOVING FORWARD

Mr. MCCONNELL. Mr. President, reclaiming the floor, I know for anybody who might be watching on the outside that all of this parliamentarian talk probably makes your eyes glaze over. But the fundamental problem is this: As recently as a year ago, my party was in the majority, and I had the same problem—Senator Frist and I had the same problem my good friend from Nevada has: Our members do not want to cast any dangerous votes, any votes they do not want to cast.

The first session of the previous Congress, the 109th, was the most productive legislative session of my time here in the Senate. I recall Senator Frist and myself saying over and over and over again to our members that if we are going to pass this bill, we are going to have to give the minority their votes. And people were whining and complaining about having to cast votes. I recall the Democratic whip, the Senator from Illinois, saying: The Senate is not the House, and making the point that the minority is going to get its votes in order to advance legislation.

I understand that my good friend from Nevada gets complaints from his members about having to cast votes, but the fundamental responsibility of the majority is to pass legislation. In order to do that in the Senate—we do not have a rules committee—you have to work with the minority, and you have to give the minority side a reasonable number of amendments. That is the case on the consideration of the alternative minimum tax fix, and that is also the case with regard to the farm bill.

Now, my advice both privately and publicly to my good friend, the majority leader, on the farm bill is take it up and go forward, which is the way we have done it in the past, and it is amazing how quickly you move along. You can sometimes spend more time trying to get a consent agreement, which by its very nature requires every single Member of the Senate not to object—we could have made more progress on the farm bill by simply going to the bill, taking up amendments, and moving forward. That was my advice. It is still my advice. If we turned to the farm bill, even if we didn't have a very narrow amendment list, we would make dramatic progress and make it quickly. Why? Because I think there are significant numbers of Members of this body on both sides of the aisle who want to pass a farm bill. There may be a few who don't but a significant number do.

So here is where we are, December 5. We have nearly a full year's worth of work to finish before we adjourn for Christmas. It is a little after noon, and we are talking about why we are getting started now—I gather based on some misunderstanding about phantom objections that, in fact, did not exist on this side to the Environment Committee meeting.

We have offered our good friends a path forward on the AMT, on troop funding, on appropriations, on the Energy bill, and the farm bill. Yet we cannot seem to get the kind of bipartisan agreement that allows the minority to have some say over amendments in moving forward.

On the AMT, the chair of the Finance Committee called the Republican proposal constructive and said that it was the beginning of an agreement. That was yesterday. We want to make sure 23 million people are not ensnared by this middle-class tax hike and that the tax returns of 50 million Americans are not further delayed. The consequences of a delay will be felt by millions of taxpayers who will see a delay in their refunds next year.

It is, however, important to virtually every member of my conference that the alternative minimum tax, a tax that will never be levied and never be collected, not trigger a tax increase on a whole lot of other Americans. The effort to ''pay for'' the AMT is highly offensive to members on my side of the aisle, and I think the majority knows that, and the way to get the AMT and the extenders passed is not to ''pay for'' them—in other words, not to go out and raise taxes on a lot of other Americans in order to continue basically the status quo. We know we are never going to levy the AMT, and we are never going to collect it. The same is true with the extenders. We know we will pass that package. That is existing tax relief. Why should we raise taxes on some other Americans in order to maintain the status quo, which is the absence of an alternative minimum tax and the extension of the extenders? That is a very strongly held principle, and I believe that is the view of enough Senators to insist that is the way it goes forward.

Now, we know what they plan over in the House. They are going to send the AMT over there, and they are going to pay for it and send it back over here. I think that is a huge mistake; it is an excuse for raising taxes on a whole lot of Americans.

With regard to the remaining appropriations bills, the Democratic leader and I have had a number of constructive conversations. We are going to be talking to the administration later in the day on that subject. Any discussion of finishing up the year is going to have to include funding for the troops in Afghanistan and Iraq. We know we have had this debate a lot of times—at last count, 63 Iraq votes in the House and Senate this year. We know that even when the war was going poorly and there was great opposition to the surge, at the end of the day the funding was there. Now the surge is succeeding, and the war is going better. Why would we not continue the funding now that things are going better when even the majority, which did not favor the effort in Iraq, provided funding when it was going poorly? As part of any settlement of the 11 appropriations bills, we are going to have troop funding into next year.

On FISA, I think we have a way forward. The majority leader and I have talked about it. I think we both have the view that the underlying bill will probably be the intelligence measure. I think we should be able to construct some kind of consent agreement in that particular instance where I don't think there is much of a demand for amendments—some amendments but not a whole lot—that will allow us to go forward.

On energy, Senator DOMENICI tells me that he had an understanding with the majority leader and with the chairman of the Energy Committee in the Senate as to what would and what would not be in an energy bill that we would finally pass. It is my understanding that an energy bill that the House may act on, I gather today, I am not sure—is it today? Does someone know? It is likely to include tax hikes and utility rate increases for those of us in the Southeast. Now, in what way would an energy bill that raises taxes, when oil is about $100 a barrel, and has the practical effect of raising utility rates all across the Southeast be beneficial? My understanding was that the majority leader and Senator DOMENICI and Senator BINGAMAN agreed that was not going to be a part of the proposal. I do not know whether it will be a part of the proposal when it comes over from the House, but that agreement ought to be kept and those provisions ought to be removed.

Finally, at the risk of being redundant, let me say again on the farm bill that we have enough time. Most of the negotiations that are going on, are going on off the floor. We do have floor time. It remains my advice to the majority leader to get on to the farm bill, process amendments, and move forward. I think that would be a way to make progress. It is probably going to be very challenging to get as tight a time agreement on amendments, as tight a number on amendments as the majority leader would like. We spend so much time doing that; we could be processing amendments here on the floor and moving forward with the bill.

Let me say in conclusion that we do want to be cooperative, but the reason we have had a lot of impasse this year is because a very narrow majority is, in effect, trying to dictate amendments to the minority. That will not work in the Senate. One of the prices of being in the majority—it is better to be in the majority than not. I would rather be in majority than not. But one of the prices you pay for being in the majority is you have to take votes you do not want to take in order to advance legislation.

So I would say to my good friend from Nevada, he is going to have as much cooperation as I can possibly muster. I am anxious to help us move forward on all of these issues he and I have been discussing here this morning.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the time Senator MCCONNELL and I have used not be counted against the hour for morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I have been in the minority; I understand how that works. But the record is very clear that on rare occasions did we oppose motions to proceed. We did but on rare occasions.

Keep in mind, as I have said, during this period of time—not even 1 year yet—records for filibusters will be broken for a 2-year session.

We have involved the minority. We did it on the minimum wage. We did it on ethics and lobbying reform. We have done it on U.S. attorneys independence. When we passed a supplemental appropriations bill, there was total involvement of House Republicans and Senate Republicans. That was good. We were able to finally get money for Katrina and wildfire relief. We have worked together on veterans legislation we have done. It has been a bipartisan move forward.

One of the rewarding things for me is the work we have been able to get out of the HELP Committee. Two diametrically opposed political minds, KENNEDY and ENZI, have worked together and produced a lot of good things on which we have been able to move forward—mental health parity, the Head Start Program, a number of other items.

We have passed legislation that has paid for our troops. The only words of disagreement Senator MCCONNELL and I have had on a private basis has been over the Energy bill; that was a misunderstanding. Those things happen, and I have forgotten about that. Other than that, we do our best to represent our caucus and our country. I have no personal animosity toward my friend.

On the Energy bill, I do want to say this before we leave that. To frame this issue, understand we are in the middle of a debate on the Energy bill. The issue was whether we would have a $32 billion tax on the Energy bill. There was objection from my Republican friends. Before votes were taken, one of my friends, a Democratic Senator, stood and said: It doesn't matter what you do here. We will take care of it in conference.

I stood and said: This will not take place in conference. We will not have this matter in conference.

The problem is, we have never been able to get to conference. We tried numerous times to have a conference on the Energy bill, and they wouldn't let us do it. So now we are going to get from the House tomorrow something they have done. Republicans have been involved, Republicans in the House and in the Senate. But, remember, in the House they have a little different procedure. Because the power is with the party that has the most votes, they can do most anything they want.

I have kept my word. There is nothing that has been added in conference. We haven't had a conference. I can't control Speaker PELOSI. I hope everybody understands that. She is a strong, independent woman. She runs the House with an iron hand. I support what she does, but no one needs to come and tell me I didn't keep my word. You check the record, which we have. I said this matter would not be added in conference, and it has not been added in conference. We haven't had a conference.

I have spoken to Senator DOMENICI. He is my friend, and I have great respect for him. He has served his State and the country well. Senator DOMENICI and I have worked as the two leaders of the Energy and Water Subcommittee on Appropriations for a long time. He was either the chairman or I was. We get along very well. I talked to him last night. I explained to him the situation. I think he understands what took place. We have not had a conference. If that bill comes to us and those tax provisions are in it, we will take a look at it.

I do know this: As I have been told, the tax portion of that, if it is tied on to the Energy bill, would be $12 billion less than the one proposed in the Senate. I hope we can get some cooperation on the Energy bill. That would be great. It is something this country needs.

A couple of other things I want to say. On the farm bill, I say with the most genuine respect I can that my friend is not being fair in his description of why we don't move forward on the farm bill. Remember, the last bill

we had to move forward on was Amtrak, a bill that had been in the Republican leadership for years not moving forward. We decided we would move forward on it, and we passed it. What was the first amendment offered? A tax amendment. It had absolutely nothing to do with Amtrak. We can't have these bills in the waning weeks of this Congress, when people are waiting around for all kinds of things they want to do on Iraq and Afghanistan and the military and immigration.

I guess the Republicans think they have a good issue on immigration, to bash immigrants. They have all kinds of issues they want on immigration. They are waiting in the wings to offer these amendments. We can see that on the farm bill. A number of the 287 amendments filed have been dealing with immigration. We can't open the farm bill during the time we are trying to pass FISA, trying to pass the farm bill, AMT, do our spending bills.

How much more reasonable could I be in trying to shorten the time? I said: Republicans take 10; we will take 5. No. So Senator HARKIN comes to me and Senator CHAMBLISS. They have it down to less than 40. I said: Take the deal; we will agree to it. We don't even want time agreements on the amendments. How much more reasonable can we be? We can't be. Whatever we come up with, the Republicans would not agree to it because they do not want us to have a farm bill. So why don't they just acknowledge that. They are acknowledging it by their stopping us from having any kind of agreement.

I agree with the Republican leader, once we got on the bill, we could move forward with these amendments quickly. But that is where we are.

According to my friend—and I think these are the words he said—it is offensive to pay for these tax cuts. Let's follow this. It is offensive to pay for the tax cuts? That has been the Republican mantra for 7 years. And where are we? When President Bush took office, there was a $7 trillion surplus over 10 years. Where are we now? We are approaching a $10 trillion debt. Everything the Republicans have done with their spending has not been paid for, and their tax cuts have not been paid for.

As with the Clinton administration, we adopted pay-go. That is in our budget. If we have a program that is new, we have to pay for it. That doesn't sound unreasonable. That is what the American people want. If they buy a new car, a new refrigerator, they have to pay for it. There is only so much credit in the world. This Government has exceeded its credit limit. The credit card no longer works.

We also believe the tax cuts, which have given us red ink as far as you can see, created by the Republicans, should come to an end. If there are going to be further tax cuts, we should pay for them. That is the right thing to do. That is all we are saying with the AMT. Pay for these tax cuts. This is a tax cut. It should be paid for. I don't know what is offensive about that.

I would further say we are willing to meet the minority more than halfway—halfway, of course, but more than halfway. We have proven that as we have worked through legislation this year. It has been hard. It has been a slog. I understand how disappointed the Republicans are that we are in the majority. It was a surprise to a lot of people when last November we took the majority of the Senate. We won seats that no one expected us to win. But we are in the majority, no matter how slim. We have had some accomplishments, and we are proud of those. But more importantly, we believe in change. We believe we are agents of change for America. The Republicans are agents of the status quo. The American people will have to judge whom they want to support. Do they want to support those who want to keep things the way they are in Iraq and every other bad situation we find ourselves in as a country or do they want to move forward with us and work for change? That is where we are.

I think we are on the right side. I hope during these next couple of weeks we can work together and do some good things for the country. We are willing to go more than halfway. Take AMT, for example. Let's go over that again. I have tried everything I can, offering unanimous consent requests which have been objected to. Vote on the House bill. No. Vote on what we have in the Senate. No. Vote on what Senator LOTT wants: just to repeal it and have another trillion dollars of red ink. No. Not willing to do that.

So today I said: OK, let's vote on not even paying for it. How about that? I have heard no clamor from the Republicans, yes, that sounds like a good idea. What more could we do?

The word is that there are people—and how big the number is we don't know, but we know in the Senate it doesn't take a big majority to cause problems—there are many Republican Senators who don't want us to put the patch for AMT so they can go around, as I told Senator MCCONNELL this morning, pointing fingers at each other about whose fault it is that these people in America with $75,000 to $500,000 in income are going to get a tax increase. How much more reasonable could we be? Have we gone more than halfway? The answer is obviously yes. We want to legislate. We do not want to block things from happening.

If someone can show me how I am unreasonable with my proposal on AMT, I would be happy to sit down and talk to them. I don't know how I could be more reasonable.

The PRESIDING OFFICER (Mr. MENENDEZ). The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, others have been waiting patiently to speak. Let me say with regard to AMT, this is existing law we are trying to extend. With regard to the extenders, there is existing law we are trying to extend. We should not use that as an excuse to raise taxes on a whole lot of other Americans. That is something that virtually every member of my conference feels strongly about. We are going to continue to talk about it. I am still optimistic we are going to be able to get this worked out. The majority leader and I are good friends, and we are going to continue to work on all these issues in the hope that we can go forward in the few weeks remaining before Christmas.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period of morning business for 60 minutes with the time equally divided and controlled between the two leaders or their designees and with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Oregon.

(The remarks of Mr. WYDEN pertaining to the introduction of S. 2411 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

UNANIMOUS-CONSENT REQUEST—S. 1662

Mr. WYDEN. Mr. President, with the indulgence of the Senator from Oklahoma, at this time, on behalf of Senator KERRY, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 422, S. 1662; that the amendment at the desk be considered and agreed to; the committee-reported amendment, as amended, be agreed to; the bill, as amended, be read a third time; that the Small Business and Entrepreneurship Committee then be discharged of H.R. 3567, the House companion, and all after the enacting clause be stricken, the text of S. 1662, as amended, be inserted in lieu thereof, the bill be advanced to third reading, passed, and the motion to reconsider be laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that S. 1662 be returned to the calendar, with all of the above occurring without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, I object and will take my morning hour time to explain why.

The PRESIDING OFFICER. Objection is heard.

CREDIT CARD BILLS

Mr. COBURN. Mr. President, I say to the Senator from Oregon, I look forward to looking at the bill he just introduced. I, too, am very concerned. We

had a hearing yesterday in the Homeland Security Oversight Subcommittee on credit card bills. There was some very revealing information. I think the Senator is addressing a problem we need to look at on the Senate floor. I will look at his legislation, and hopefully I will be able to cosponsor it with him.

LEGISLATIVE AND APPROPRIATIONS PROCESS

Mr. COBURN. Mr. President, let me, first of all, take a minute to talk about this bill for which unanimous consent was just requested. I think it is important in light of what the majority leader just said. Here we have a bill for which unanimous consent was requested. The American people need to understand what it means to get unanimous consent. It means all of us agree to it. It does not need to be further amended, it does not need to be changed, and it should be passed without ever having a vote on it.

This bill has a section in it that so far has lost over $3.5 billion of your money doing venture capital investing by the Small Business Administration. The OMB analysis says there is absolutely no need for this venture capital investment, especially because of the fact it has lost such a great amount of money. And venture capital investing itself is a highly risky business that requires tremendously acute knowledge and people of great acumen in terms of investing, and they lose lots of money investing.

The last thing we ought to be doing at the end of a session is passing a bill without vetting it, without debating it, without talking about the problems that are in the bill. This portion of the bill, the portion that is the Small Business Venture Capital Act, if anything, should come out of this bill. We should not reauthorize something that has lost already in excess of $3 billion, and something for which we do not get to look at the results until 10 years after it happens.

The last thing we ought to be doing is investing the American people's money in venture capital when we cannot pay for the things we need to be paying for that the American people are dependent on. I look forward to working with Senator KERRY. I have had a good relationship with him. We will sit down and talk about this bill. But I think it highlights what we need to be doing and not spending time in quorum calls but spending time debating bills.

I also want to spend a minute on this issue. I think the American people ought to be asking us about this. Here we sit, and we have one appropriations bill passed for the year that started October 1. I think I am correct. Other than the THUD bill, there has been no objection raised by the minority to proceeding to any of the appropriations bills. As a matter of fact, the choice was made not to bring up the appropriations bills in a timely manner and debate them because of the choice it was not a priority.

I do recall the tremendous criticism we rightly received for what happened last year in the appropriations process. What is going to happen? I am happy to be here for Christmas to do the business we should have already done. But let me lay out what will happen, and then let me also give a warning. At the end of sessions, what happens is we get the request to pass all sorts of legislation—much like this bill to which I just objected. Committees do good work on legislation. But a bill that has passed committee has to be agreed to by a majority of the Senators to be able to become law.

When we do unanimous consents, that means we are going to let it pass without looking at it, without amending it, and without voting on it. Well, at the end of the year, the time pressure comes. Everybody wants to get something passed. So what happens is we do a poor job of legislating because we do not look at it. We do not amend it. We do not have a debate so the American people can know about it. We just pass it.

I sent a letter to all of my colleagues today outlining and reinforcing four statements I made at the first of this year. I will object to any bill coming forward by unanimous consent at the end of the session unless it meets the requirements I laid out. That means no new authorizations unless you deauthorize something else. We are not going to grow the Government any more when we cannot pay for the Government we have. No. 2, it has to be constitutional. It has to be a true duty of the Federal Government, not an obligation of the State governments that we are going to stand up for, when they have a $6 billion to $7 billion surplus. Easily, when you look at any combination of any 10 States, they have an over $36 billion surplus totally, and we are running, in real numbers—non-Enron accounting but real numbers—a $250 billion surplus.

I am not going to allow—unless we want to put it on the Senate floor, unless we want to debate it—I am not going to allow us to pass bills at the end of the session by unanimous consent. So if you have a bill that you want to try to pass by unanimous consent, I would suggest we sit down and talk about it now, not 2 weeks from tomorrow but now. If they come in the last week, we will not have the time to look at them. So not agreeing to unanimously consider the bill as passed will be the standard fare.

Now, let's talk about the appropriations process. What we have is $23 billion more than what we agreed we are going to pass in total for the appropriations bills, not counting the emergency things we have already done that we have charged to our grandchildren. As the game is played in Washington, what will come is the pressure of chicken. We are going to play chicken because we chose not to do the appropriations bills at the appropriate time, and lots of Members have lots of earmarks in bills.

So they do not want us to continue to fund where we are. They want us to have an omnibus bill where we can have all these earmarks, about $26 billion worth of earmarks, so we can look good at home—not competitively bid, not based on priorities but based on our political priorities individually as Senators. We are going to spend about $23 billion more than what we said we are going to spend. That $23 billion is almost $300 billion over the next 10 years. And we are fighting about $80 billion on an AMT fix for 1 year. But we are not concentrating on the fact we are going to institute $300 billion worth of more spending.

I will remind my colleagues again, we do not have to raise taxes. We can eliminate the AMT. What we do not want to do, and what we fail to do, is get rid of the waste, fraud, abuse, and duplication that numbers in excess of $250 billion every year—every year—because we will not do the hard work of oversight.

So we are going to line up, and we are going to get a package from the House, and we are going to get a chance to vote on it, and the President has already said he is going to veto it if it has this excess number and all these earmarks in it. I would think this would be better than playing chicken: Why don't we live within our means like every family has to? That $250 billion comes to 20 percent of everything we spend in the discretionary budget. If you ask homeowners and families who are having a lot of pressure now, would they dare waste 20 percent of their budget, would they dare not look and reconsider how they are spending their money when it comes to their family budget, they would not. Yet we continuously refuse to do the hard work of oversight. We do not want to offend anybody. In the process we are offending the next two generations. My hope is we don't end up here at Christmas, but I was dead serious when I took my oath. I am going to defend the Constitution and I am going to work to make sure bills that are outside of that Constitution don't pass this body. I am going to defend my obligation to the next two generations and the heritage this country was built on—one generation sacrificing for the next—so future opportunity is there. I am going to do everything in my power to not let $23 billion of extra spending go through this Senate at the end of the year. Now, I may not be successful in that, but at the end of the day, I am going to sleep real well knowing I am fulfilling my oath, knowing that I know what the Constitution says. When we get outside the bounds of the Constitution, in terms of Federal responsibility, what we do is we say in name we are helping somebody and we are charging it to our grandchildren and undermining the very opportunity we all experience.

My hope is we can come together during this season and say: Let's get it right. Let's not spend a bunch of extra money. Let's put it back. We could be facing some pretty severe economic times in this country in terms of how things look, especially people who were sold homes and mortgages they didn't qualify for and now are struggling. How are we going to address that? How are we going to help them through that? How are we going to accomplish that which empowers people, not Government? We need to be working on those things. We do not need to be spending the extra money now that we may, in fact, need to spend later. We may, in fact, need to borrow money later. So we should be doing the job right the first time, staying within our means, doing what is necessary, even though it offends people who might not get something from the Federal Government through an earmark.

I believe the people of the Senate are great people. I believe, ultimately, they want what is great for this country. I know all of those who have children and grandchildren wish and hope for the very best for their lives and to experience the kind of opportunities we have had. But I wish to tell my colleagues it is at risk. It is not a small risk, it is a great risk. Mr. President, 2012 is coming fast; 2012, that day when the baby boomers are taking both Social Security and Medicare, when we start down this road of $79 trillion worth of unfunded mandates. How can we be trusted to fix those problems when we can't even live within our own budget?

I said before, about a year and a half ago on this floor, that there is a rumble in America and it is real. The American people are sick and tired of the partisan games we play. They don't want to see Republicans pointing their fingers at Democrats. They don't want to see Democrats pointing their fingers at Republicans. What they want us to do is the job of governing within our means.

Our problem is we have difficulty identifying what is most important: Our political careers or the future of the country. What gets in front of us too often is how do we look good at home rather than how do we look good in the future so we secure the promise America stands for. My hope is we will work together.

One final comment on the farm bill. We need a farm bill, but we don't need a farm bill that continues to have programs that wealthy people who aren't real farmers take advantage of—people who aren't farmers, yet suck the money out of the farm program. Twenty percent of our farmers produce 80 percent of our goods, but a large portion of the farm program goes to gentlemen farmers—doctors, lawyers, who happen to own a small acreage and then suck the programs dry for their own benefit for things they could very well afford to pay for. So the farm bill isn't going to go forward until we have an open amendment process.

I agree with the majority leader. We shouldn't have all of these votes that aren't necessarily related to the farm bill, but we should certainly fix the crop insurance program. We should certainly mandate that if you are getting a government benefit as a farmer, you ought to be a farmer. You shouldn't be an investor who is investing in making money off the hard-earned tax dollars of middle-class America. That is what too much of the farm program is. We shouldn't be setting about saying that if we are going to incentivize to get greater production, and then all of a sudden if somebody is successful at it, then you can't do it anymore. If an incentive is put in place to work, then let's make it work. We haven't done that with ethanol. We haven't said you can only produce so much ethanol. So if an incentive works, we ought to use it. But we ought to make sure the people getting those incentives are real farmers.

Again, I thank the Chair for his indulgence and I yield back the remainder of my time.

Mr. KERRY. Mr. President, today the Senate tried to call up and pass an amended version of S. 1662, the Small Business Venture Capital Act of 2007. There was objection to the bill based on a concern that it reauthorized the SBA's Small Business Investment Company Participating Securities program, a program which the Office of Management and Budget has predicted will have losses of about $3 billion.

The amendment pending before the full Senate does not reauthorize the SBIC Participating Securities program. That provision was taken out of the bill in October when the committee first circulated the proposed amendment to colleagues and the parties notified their members that the committee would like to pass the bill by unanimous consent.

Equity financing like the SBIC Participating Securities program is important to the continuum of small business financing, and testimony before our committee this summer emphasized the need for a reformed program to fill the void left by the private sector. However, as the report to S. 1662 clarifies, Congress could not find common ground with the administration on reforming the program and so the committee included a token reauthorization amount to signal to the business community that it understood the need for small equity investments and that there was support for the Small Business Investment Company program in general.

The bill reauthorizes through 2010 the Small Business Investment Company Debenture program, and the New Markets Venture Capital program. Venture capital is a critical driver of our economy and job creation. Since the creation of the SBIC program almost 50 years ago, the country has benefited from hundreds of thousands of jobs. Some examples of success stories include businesses that are now household names—Calaway Golf, Intel, Jenny Craig, Outback Steakhouse, and Federal Express. Through the SBA's New Markets Venture Capital program, which has only been making investments for a couple of years, businesses in areas with the highest national employment, such as in the Appalachia region of Kentucky, have gotten access to more than $48 million in patient investment capital and created hundreds of jobs with sustainable wages and health care benefits. Senator SNOWE and I worked with the SBA in drafting S. 1662, and the committee of jurisdiction adopted it unanimously—by a vote of 19 to 0.

Further, we understand concerns about moving legislation last minute and we try to avoid that. In this case, our committee voted out this bill in June, giving colleagues with concerns more than 5 months to review the legislation. And in anticipation of moving this bill by unanimous consent committee staff reached out to other offices in October. We have tried for 6 weeks to discuss the bill and identify any possible concerns. We gave those offices copies of the bill, the report, the CBO cost estimate, explained what was in the amendment to be hotlined, and provided a copy of the revised CBO cost estimate that reflected striking the section that reauthorized the SBIC participating securities program and the section that triggered direct spending. The bill has a very modest cost, reduces the historic authorization levels, and has the potential to have a very positive impact on the economy, through investment and job creation. We would be happy to work with our colleagues to try and clarify any other misunderstandings and to work through any substantive concerns. I ask unanimous consent that a copy of the amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Venture Capital Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''low-income geographic area'' has the meaning given that term in section 351 of the Small Business Investment Act of 1958 (15 U.S.C. 689), as amended by this Act;

(3) the term ''New Markets Venture Capital company'' has the meaning given that term in section 351 of the Small Business Investment Act of 1958 (15 U.S.C. 689); and

(4) the term ''New Markets Venture Capital Program'' means the program under part B of title III of the Small Business Investment Act of 1958 (15 U.S.C. 689 et seq.).

SEC. 3. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Definitions.
Sec. 3. Table of contents.

TITLE I—SMALL BUSINESS INVESTMENT COMPANY PROGRAM

Sec. 101. Reauthorization.
Sec. 102. Leverage.
Sec. 103. Investments in smaller enterprises.
Sec. 104. Maximum investment in a company.

TITLE II—NEW MARKETS VENTURE CAPITAL PROGRAM

Sec. 201. Diversification of New Markets Venture Capital Program.
Sec. 202. Establishment of Office of New Markets Venture Capital.
Sec. 203. Low-income geographic areas.
Sec. 204. Applications for New Markets Venture Capital Program.
Sec. 205. Operational assistance grants.
Sec. 206. Authorization.

TITLE I—SMALL BUSINESS INVESTMENT COMPANY PROGRAM

SEC. 101. REAUTHORIZATION.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended by inserting after subsection (e) the following:

''(f) SMALL BUSINESS VENTURE CAPITAL.—For the programs authorized under part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.), the Administrator is authorized to make—

''(1) $2,000,000,000 in guarantees of debentures for fiscal year 2007;

''(2) $2,250,000,000 in guarantees of debentures for fiscal year 2008;

''(3) $2,500,000,000 in guarantees of debentures for fiscal year 2009; and

''(4) $2,750,000,000 in guarantees of debentures for fiscal year 2010.''.

SEC. 102. LEVERAGE.

(a) IN GENERAL.—Section 303(b)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)(2)) is amended to read as follows:

''(2) MAXIMUM LEVERAGE.—

''(A) IN GENERAL.—The maximum amount of outstanding leverage made available to any 1 company licensed under section 301(c) may not exceed the lesser of—

''(i) 300 percent of private capital; or

''(ii) $150,000,000.

''(B) MULTIPLE LICENSES UNDER COMMON CONTROL.—The maximum amount of outstanding leverage made available to 2 or more companies licensed under section 301(c) that are commonly controlled (as determined by the Administrator) may not exceed $225,000,000.

''(C) INVESTMENTS IN WOMEN-OWNED AND MINORITY-OWNED BUSINESSES AND IN LOW-INCOME GEOGRAPHIC AREAS.—

''(i) IN GENERAL.—The maximum amount of outstanding leverage made available to—

''(I) any 1 company described in clause (ii) may not exceed the lesser of—

''(aa) 300 percent of private capital; or

''(bb) $175,000,000; and

''(II) 2 or more companies described in clause (ii) that are commonly controlled (as determined by the Administrator) may not exceed $250,000,000.

''(ii) APPLICABILITY.—A company described in this clause is a company licensed under section 301(c) that certifies in writing that not less than 50 percent of the dollar amount of investments of that company shall be made in companies that, prior to that investment, are owned by women or minorities (as determined by the Administrator) or are located in a low-income geographic area (as that term is defined in section 351).

''(D) EXCEPTION.—The Administrator may, on a case-by-case basis, impose such additional terms and conditions relating to the maximum amount of outstanding leverage made available as the Administrator determines to be appropriate to minimize the risk of loss to the Administration in the event of a default.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 303(b) of the Small Business Investment Act of 1958 (15 U.S.C. 683(b)) is amended by striking paragraph (4).

SEC. 103. INVESTMENTS IN SMALLER ENTERPRISES.

Section 303(d) of the Small Business Investment Act of 1958 (15 U.S.C. 683(d)) is amended to read as follows:

''(d) INVESTMENTS IN SMALLER ENTERPRISES.—The Administrator shall require each licensee, as a condition of an application for leverage, to certify in writing that not less than 25 percent of the aggregate dollar amount of financings of that licensee shall be provided to smaller enterprises.''.

SEC. 104. MAXIMUM INVESTMENT IN A COMPANY.

Section 306(a) of the Small Business Investment Act of 1958 (15 U.S.C. 686(a)) is amended by striking ''20 per centum'' and inserting ''30 percent''.

TITLE II—NEW MARKETS VENTURE CAPITAL PROGRAM

SEC. 201. DIVERSIFICATION OF NEW MARKETS VENTURE CAPITAL PROGRAM.

(a) SELECTION OF COMPANIES IN EACH GEOGRAPHIC REGION.—Section 354 of the Small Business Investment Act of 1958 (15 U.S.C. 689c) is amended by adding at the end the following:

''(f) GEOGRAPHIC GOAL.—In selecting companies to participate as New Markets Venture Capital companies in the program established under this part, the Administrator shall have as a goal to select, from among companies submitting applications under subsection (b), at least 1 company from each geographic region of the Administration.''.

(b) PARTICIPATION IN NEW MARKETS VENTURE CAPITAL PROGRAM.—

(1) ADMINISTRATION PARTICIPATION REQUIRED.—Section 353 of the Small Business Investment Act of 1958 (15 U.S.C. 689b) is amended in the matter preceding paragraph (1), by striking ''under which the Administrator may'' and inserting ''under which the Administrator shall''.

(2) SMALL MANUFACTURER PARTICIPATION.—Section 353(1) of the Small Business Investment Act of 1958 (15 U.S.C. 689b(1)) is amended by inserting after ''section 352'' the following: ''(with a goal of at least 1 such agreement to be with a company engaged primarily in the development of and investment in small manufacturers, to the extent practicable)''.

SEC. 202. ESTABLISHMENT OF OFFICE OF NEW MARKETS VENTURE CAPITAL.

Title II of the Small Business Investment Act of 1958 (15 U.S.C. 671) is amended by adding at the end the following:

''SEC. 202. OFFICE OF NEW MARKETS VENTURE CAPITAL.

''(a) ESTABLISHMENT.—There is established in the Investment Division of the Administration, the Office of New Markets Venture Capital.

''(b) DIRECTOR.—The head of the Office of New Markets Venture Capital shall be an individual appointed in the competitive service or excepted service.

''(c) RESPONSIBILITIES OF DIRECTOR.—The responsibilities of the head of the Office of New Markets Venture Capital include—

''(1) to administer the New Markets Venture Capital Program under part B of title III;

''(2) to assess, not less frequently than once every 2 years, the nature and scope of the New Markets Venture Capital Program and to advise the Administrator on recommended changes to the program, based on such assessment;

''(3) to work to expand the number of small business concerns participating in the New Markets Venture Capital Program; and

''(4) to encourage investment in small manufacturing.''.

SEC. 203. LOW-INCOME GEOGRAPHIC AREAS.

(a) IN GENERAL.—Section 351 of the Small Business Investment Act of 1958 (15 U.S.C. 689) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3) through (8) as paragraphs (2) through (7), respectively; and

(3) in paragraph (2), as so redesignated—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''the term'' and inserting ''The term''; and

(ii) by striking ''means'';

(B) by striking subparagraph (A) and inserting the following:

''(A) means a 'low-income community' within the meaning of section 45D(e) of the Internal Revenue Code of 1986 (relating to the new markets tax credit); and''; and

(C) in subparagraph (B), in the matter preceding clause (i), by inserting ''includes'' before ''any area''.

(b) APPLICATION OF AMENDED DEFINITION TO CAPITAL REQUIREMENT.—The definition of a low-income geographic area in section 351 of the Small Business Investment Act of 1958, as amended by subsection (a), shall apply to capital raised by a New Markets Venture Capital company before, on, or after the date of enactment of this Act.

SEC. 204. APPLICATIONS FOR NEW MARKETS VENTURE CAPITAL PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Administrator shall prescribe standard documents for an application for final approval by a New Markets Venture Capital company under section 354(e) of the Small Business Investment Act of 1958 (15 U.S.C. 689c(e)). The Administrator shall ensure that such documents are designed to substantially reduce the cost burden of the application process on a company making such an application.

SEC. 205. OPERATIONAL ASSISTANCE GRANTS.

(a) IN GENERAL.—Section 358(a)(4)(A) of the Small Business Investment Act of 1958 (15 U.S.C. 689g(a)(4)(A)) is amended to read as follows:

''(A) NEW MARKETS VENTURE CAPITAL COMPANIES.—Notwithstanding section 354(d)(2), the amount of a grant made under this subsection to a New Markets Venture Capital company shall be equal to the lesser of—

''(i) 10 percent of the private capital raised by the company; or

''(ii) $1,000,000.''.

(b) CONFORMING AMENDMENT AND LIMITATION ON TIME FOR FINAL APPROVAL OF COMPANIES.—Section 354(d) of the Small Business Investment Act of 1958 (15 U.S.C. 689c(d)) is amended to read as follows:

''(d) REQUIREMENTS TO BE MET FOR FINAL APPROVAL.—The Administrator shall grant each conditionally approved company 2 years to raise not less than $5,000,000 of private capital or binding capital commitments from one or more investors (other than agencies or departments of the Federal Government) who met criteria established by the Administrator.''.

SEC. 206. AUTHORIZATION.

Section 368(a) of the Small Business Investment Act of 1958 (15 U.S.C. 689q(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal years 2001 through 2006'' and inserting ''fiscal years 2007 through 2010''; and

(2) in paragraph (2), by striking ''$30,000,000'' and inserting ''$20,000,000''.

Mr. KERRY. 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. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INFLAMED RHETORIC

Mr. SPECTER. Mr. President, I have sought recognition to comment about a statement made by the majority leader, Senator HARRY REID, yesterday that:

> . . . President Bush, he is the man who is pulling the strings on the 49 puppets he has here in the Senate.

I have had my staff advise his staff that I intended to make some comments about that so he would be notified and could come to the floor if he chose to do so. His office is right adjacent to the floor. He is a minute or 2 away. I believe that is a very inappropriate statement.

I refer to rule XIX of the Senate rules, which provides:

> . . . No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

It is my view that being called a puppet is in direct violation of that rule. I don't think there is much doubt about it. That is a term of derision, of ridicule, of censure, and it is an opprobrious term to make that statement.

I am especially concerned about it because in the immediate past there have been many Senators who have directly disagreed with the President—hardly puppets of President Bush or hardly puppets of anyone. Under our Constitution, the separation of powers makes the Congress separate from the executive branch and from the courts. That separation and that independence is something that Senators prize so very highly. So I don't take it lightly, and I don't think the other 48 of my colleagues take it lightly to be called puppets.

Let's look at the record. Within the past month, on November 8, 35 Republicans voted to override President Bush's veto of the Water Resources and Development Act. The veto was overridden; 35 disagreed with the President. It hardly sounds like there are 35 puppets there to vote to override the President's veto.

On April 11, 18 Republicans joined in support of the Stem Cell Enhancement Act of 2007. That is an issue that this Senator has worked on extensively since 1998, when stem cells first came upon the scene, and I was chairing the Appropriations Subcommittee on Health and Human Services. We have had some 20 hearings. Twice we enacted legislation to authorize the use of Federal funds for embryonic stem cell research. It doesn't sound like the 18 Senators who bucked the President's position are puppets.

On November 13, less than a month ago, 17 Republican Senators voted to support the SCHIP program, which the President was on record as opposing. He didn't like the amount of money that was involved with children's health. On November 7, 10 Republican Senators voted in support of passage of the Labor, Health, Human Services and Education Appropriations bill, despite the President's promised veto. He did veto it.

So here you have 4 situations readily at hand, where 35, 18, 17, and 10 Republican Senators disagreed with the President. It doesn't sound like the Senators are puppets in that context.

Yesterday Senator REID also complained about the necessity to file cloture some 56 times. Well, each time cloture was filed, there is a complex story behind the cloture. On a good many of those occasions, cloture was filed and the so-called tree was filled, which precluded Senators from offering amendments. There was a time when Senators proudly said that any Senator could offer any amendment on any bill at any time. There might be some limitations postcloture on germaneness or on some rules, but a practice has developed in this body to foreclose that. The jargon is the ''filling the tree,'' and when the tree is filled, nobody can offer an amendment.

Regrettably, that has been done by Republicans as well as Democrats. When it is hard to affix blame around here for the logjam, for our inability to get much done, you can usually divide it 50/50 between the parties. So to say Senator REID has had to file cloture on 56 occasions doesn't tell you very much.

Then the issue he took up yesterday in filing for cloture on the AMT, alternative minimum tax, Senator REID filed for cloture on the House bill, which stands very little chance of passing the Senate because it is fully offset with controversial revenue raisers. Now it is true that Senate Democrats offered to remove the offsets but to keep them in place for the tax extenders. The Republican position has been that it is illogical to use permanent tax increases to offset a temporary extension of current tax policy. So there is a good reason for what is being done here.

There is no doubt the AMT has to have a fix. If it is not done, there will be some 23 million Americans who will be taxed instead of the 3 million now. So we are all dedicated to that proposition. If you take a look at the RECORD on August 2 of this year, I offered an amendment to the small business tax relief bill to repeal the 1993 AMT rate increase.

On July 20, 2007, I voted in support of a Kyl amendment to the educational reconciliation bill, which fully repealed the AMT.

On March 23 of this year, I voted in support of a Lott amendment to the budget resolution that would have allowed for repeal of the 1993 AMT rate increase.

Again, on the same day, March 23, I voted in support of a Grassley amendment to the budget resolution that would have allowed the full repeal of the AMT.

The same day, I voted in support of the Sessions amendment to the budget resolution that would have allowed families to deduct personal exemptions when calculating their AMT liability.

The RECORD is full of good-faith efforts to solve this problem. But as indicated, as stated, the course which the majority leader has taken is unsatisfactory to people on this side of the aisle. Whether it is satisfactory or unsatisfactory, it is not appropriate to call 49 Republican Senators puppets. We are trying to move through the business of the year—the people's business. We have 2½ weeks. Not a whole lot has been done. We were in on Monday; no votes. In yesterday; one noncontroversial vote. We didn't come in until noon today.

I have been around here a substantial period of time and I wonder how we are going to get through all of the unfinished appropriations bills and the many other matters that are pending on the calendar. When the majority leader makes a proposal and asks for Republican assistance, many of us have been willing to listen to what he has to say. But he doesn't improve his case when he starts calling us puppets. I wonder if he is up to the job when he resorts to that kind of a statement, which only furthers the level of rancor and insults and animosity with that kind of an insulting comment.

I would be interested in the majority leader's reply, if he cares to make one. I will be near by the Senate floor.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FARM BILL

Mr. CONRAD. Mr. President, I come to the floor to talk about the negotiations on the farm bill and to ask my Republican colleagues to think very carefully—especially the farm State colleagues—about the circumstance we face with respect to the farm bill.

The majority leader made an offer to the Republican leader during the break that we would have a chance to move forward if they could do 10 amendments on their side and we can do 5 amendments on our side; that 2 of their 10 be unrelated to the farm bill, and that we have 2 additional amendments, and the bipartisan amendments that have been filed would not count against either allocation. That offer was made to Senator MCCONNELL, and Senator MCCONNELL has not yet answered or counteroffered.

I hope the Republican leader will indicate how we could proceed. If there is

a need for additional amendments—apparently, Senator HARKIN indicated it would be reasonable if there were 17 perhaps on their side and 14 on our side. Whatever the number is that would help us reach a conclusion would be very important for our being able to advance the legislation that came out of the committee, without a dissenting vote.

There are 21 Members of the Senate Agriculture Committee, Republicans and Democrats. This farm bill came out without a single dissenting vote. It is paid for, it is less costly than the President's farm proposal, and it has the beginnings of reform.

This is a reasonable offer. Certainly, Senator REID made it. If you look at previous farm bills, typically the number of recorded votes have been about 20 amendments, sometimes a bit more, sometimes a bit less. On average, there have been around 20 amendments that have actually been voted on. Senator REID's proposal would have 17 rollcall votes before final passage. So that would be a bit below the average. The leader has made clear that if there are some additional amendments that are required in order to advance this proposal, he is open to doing that.

The current farm bill expires this year. Farmers need to know and their bankers need to know what the rules of the road are going to be. So it is absolutely essential we get this legislation through the Senate and we have an opportunity to go to conference with the House to work out the differences in the early part of next year.

Let me make one final point, if I may. Some are saying just extend the current farm bill by a year or two. First of all, we know that if it is a 1-year extension, it will be 2 years because next year is an election year. Beyond that, our colleagues should know the baseline for writing a farm bill is based on the last 5 years of experience with farm legislation. That baseline is already down substantially because the last farm bill cost $17 billion less than the estimates at the time it was written. That baseline is going to go only in one direction for the commodity provisions at least, and that is down.

So anybody who is concerned about writing a farm bill that meets the needs of the American people—not just the commodity title but nutrition, conservation, research, and all the rest—should understand this noose is going to do nothing but get tighter. It is already very tight—very tight.

I hope our colleagues on the other side bend their best efforts to come up with a response to the proposal the majority leader made to reach conclusion, and I hope they do it soon. The clock is ticking. American farm and ranch families across this country are waiting. We should not ask them to wait past Christmas. So much needs to be done, so many decisions need to be made, but Congress needs to act now.

I yield the floor.

UNANIMOUS-CONSENT REQUEST—H.R. 3074

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report to accompany H.R. 3074, the Transportation-HUD, related agencies appropriations, 2008; that there be 20 minutes of debate with respect to the conference report, with the time equally divided and controlled between Senators MURRAY and BOND or their designees; that upon the use or yielding back of time, the Senate proceed to vote on adoption of the conference report, without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. Mr. President, on behalf of the Republican leadership, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I have come to the floor today to make sure the record is clear on the difference between what is being said in Washington, DC, today and what is actually taking place.

Yesterday, President Bush took to the microphones to complain for the second day in a row that Congress was not getting its work done. For a second day in a row, he complained that Congress is not sending him appropriations bills that fund the most basic functions of Government. And for a second day in a row, our minority leader, Senator MCCONNELL, followed suit. He came out on the Senate floor and complained that Congress has not sent the appropriations bills to the President.

Let's be clear, I made a request to pass the final conference bill for the transportation-housing appropriations bill so it could be sent to President Bush. What was the result? The Republican Senators blocked it from going to the White House, and that was not the first time that happened. They blocked the transportation-housing appropriations bill from going to the White House twice before. Mr. President, 2½ weeks ago on November 15, they blocked it; 2½ weeks ago on November 16, they blocked it; and then they blocked it again today.

Let me tell you what is going on here. President Bush and the Senate Republican leadership are trying to quietly block our progress on funding the needs of the American people while loudly complaining about our failure to make progress.

I would understand the actions of the Senate Republican leadership if our transportation-housing bill was partisan or divisive, but the conference agreement we are trying to move again today has the support of every single Republican who sat on the conference committee in the House and in the Senate. That bill originally passed the Senate with 88 votes. That conference agreement has already passed the House with 270 votes.

This is not a controversial bill. It makes critical investments in some of the most urgent needs of the American people and their local communities. That bill provides $195 million to replace the I–35W bridge that collapsed in Minnesota, an issue all of us came out on the floor and said we would move rapidly to take care of. It is sitting right here in the Senate, one step away from getting it to the President to be signed into law, and the Republican leadership said no. So they are loudly complaining about our failure to make progress.

I would understand the actions of the Senate Republican leadership if they had not taken a look at this bill and realized the critical funding in it. Besides the $195 million for the I–35W bridge, we have $1 billion in enhanced highway formula funding so all our States—all 50 States—can inspect and make repairs to their most deficient bridges, an issue we all agreed was important.

We have $75 million in new housing vouchers that will shelter homeless veterans, including our struggling veterans who have returned from Iraq and Afghanistan. This is critical funding for which our communities and our veterans are waiting.

It rejects hundreds of millions of dollars in cuts that were originally proposed by the White House, cuts that would have thrown Amtrak into bankruptcy and made the congestion at our airports worse, not better.

Our bill also includes $200 million which is urgently needed to provide housing counseling services to keep struggling mortgage holders in their homes.

I wish to take a moment to talk about that last item, the $200 million for housing counseling. This Nation is in the middle of a housing crisis. Millions of homeowners are at risk of losing their homes in the next few quarters as interest rates on billions and billions of dollars in mortgages are being adjusted upward.

On Monday, a few days ago, the President's own Treasury Secretary, Hank Paulson, and his Housing Secretary, Alphonso Jackson, made speeches on the need for Congress to address the many steps necessary to minimize this crisis. Secretary Paulson complained at a national housing forum about the number of borrowers who were entering foreclosure without contacting either their lender or their mortgage counselor. He said:

> For this public outreach campaign to be successful, there must be enough trained mortgage counselors to answer the phone when homeowners call. The administration requested funding for NeighborWorks America and other nonprofit mortgage counseling operations in its budget.

EXTENSION OF MORNING BUSINESS

The PRESIDING OFFICER. The Senator's time under morning business has expired.

Mrs. MURRAY. Mr. President, I ask for 4 additional minutes to finish my statement.

The PRESIDING OFFICER. Is there objection?

Mr. CORNYN. Mr. President, I was going to use the occasion to ask unanimous consent that following the Senator from Washington speaking, I would like to be recognized for up to 10 minutes in morning business.

Mrs. MURRAY. Mr. President, we have a number of Senators on our side seeking recognition. Perhaps we can put that together fairly quickly.

The PRESIDING OFFICER. The Chair notes that at this time, there is 5 minutes left in morning business for the Republican side. The Democratic side has used all of its time in morning business.

Mrs. MURRAY. Mr. President, I ask unanimous consent that morning business be extended to include 4 minutes for myself, the Senator from Washington——

Mr. CORNYN. I would like 10 minutes.

Mrs. MURRAY. Ten minutes to the Senator from Texas, 5 minutes to the Senator from Montana, 10 minutes to the Senator from Illinois.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Mr. President, I assumed we were going to go off morning business and onto the calendar. I was going to speak for 20 minutes, so I will speak in line of appearance on the floor for 20 minutes at whatever appropriate time that is.

Mrs. MURRAY. I add that to the consent request, that if there are Republican Senators who would like intervening times, in between, we include those as well in the unanimous consent request.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Reserving the right to object, and I will not object, I express my appreciation to the Senator from Washington for allowing Republican Senators to intervene and the extent to which Democratic Members speak, I would like to make sure we have equivalent time on our side. I think we can work that out.

Mrs. MURRAY. That is included in my request. I ask additionally that Senator MENENDEZ be allowed 10 minutes as well as the end of that unanimous subsequent request.

The PRESIDING OFFICER. Is there objection? The Senator from Montana.

Mr. BAUCUS. I ask that my 5 minutes be expanded to 10 minutes.

The PRESIDING OFFICER. Does the Senator so modify her request?

Mrs. MURRAY. I do.

The PRESIDING OFFICER. The request is so modified. Is there objection to the existing unanimous consent request? Without objection, it is so ordered.

THUD APPROPRIATIONS

Mrs. MURRAY. Mr. President, as I was saying, Secretary Paulson has been complaining about the need for mortgage counseling, and he said:

> For this public outreach campaign to be successful, there must be enough trained mortgage counselors to answer the phone when homeowners call. The administration requested funding for NeighborWorks America and other nonprofit mortgage counseling operations in its budget. But the appropriations bill has yet to be finalized; Congress needs to get it done quickly.

That was not me, that was Secretary Paulson. We can do that right now. In fact, we could have done it last month. We are trying desperately to send this bill in its final stages that includes critical investment in housing counseling to the White House, just as Secretary Paulson said he wanted us to do.

The bipartisan conferees on this bill agree that the amount the President asked for was too low to meet the demand for housing counseling, given the size of the problem. Congress acted. We increased it substantially. But even though every Republican conferee on our bill signed onto that plan, we are now being blocked from sending it to the White House. I only wish the Senate Republican leadership would follow the words of Secretary Paulson and Secretary Jackson about the need for this urgent initiative.

Yesterday's Washington Post published an article on our $200 million housing counseling initiative. I ask unanimous consent to have printed in the RECORD the Washington Post article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 4, 2007]

NONPROFIT GROUPS TAKE CENTER STAGE

(By Renae Merle)

In the middle of his speech yesterday on the administration's efforts to fix the mortgage crisis, Treasury Secretary Henry M. Paulson Jr. paused to carefully spell out a toll-free telephone number that troubled homeowners can call for help.

The hotline is not staffed by government officials or mortgage lenders. Rather, the calls are answered by consumer counselors from nonprofit groups, which are taking an increasingly high-profile role in helping borrowers with mortgage problems.

The groups are acting in some cases as a buffer between lenders and homeowners. Legislation is pending before Congress that would tap NeighborWorks America, a national nonprofit group, to distribute $200 million to local counseling centers. In October, the Neighborhood Assistance Corporation of America, often a vocal critic of mortgage lenders, signed a deal with Countrywide Financial, the nation's biggest mortgage lender, to help restructure loans for struggling Countrywide clients.

However the administration addresses the mortgage crisis, ''they are going to need the nonprofit community,'' said Kenneth D. Wade, chief executive of NeighborWorks.

His group is training new housing counselors and plans to double its counseling staff by next month. ''We think every consumer needs a mortgage adviser,'' he said.

Nonprofit organizations around the country are already seeing a soaring demand for their services. St. Ambrose Housing Aid Center in Baltimore, which usually sees about 700 families a year, says it has met with almost 2,000 so far this year.

At the National Foundation for Credit Counseling, where about half the counselors at its member agencies focus on housing issues, President Susan Keating says: ''We are very, very busy.''

Government and mortgage industry officials don't often agree on what caused the mortgage crisis, what its impact will be, or how to cure it, but they all say that reaching homeowners before they go into foreclosure is difficult.

If a homeowner with an adjustable-rate mortgage that is about to reset, or one who is behind in payments receives mail from his lender offering help, the homeowner responds 3 to 5 percent of the time, according to Hope Now, a new alliance of mortgage industry and nonprofit organizations. If the offer comes from a community group, the response rate is about 25 percent. About 50 percent of homeowners who go into foreclosure do so without ever contacting their lender.

''If we are to make a difference, that number has to be reduced,'' Paulson said.

The best hope, many think, may be through the nonprofit community. The toll-free number Paulson touted—888–995–HOPE—has seen a spike in volume, to 3,000 calls a day from 300 a year ago.

There are 180 consumer counselors from six nonprofit groups answering those calls. That will increase to 250 by the end of the year, according to the Homeownership Preservation Foundation, which manages the hotline.

With an estimated 2 million adjustable-rate mortgages scheduled to reset in the next two years, even that likely will not be enough. ''We are definitely not going to be stopping at 250,'' said Tracy Morgan, a spokeswoman for the foundation, which is largely financed by the mortgage industry.

The counselors focus on diagnosing the homeowners' problems, then direct them to a local community group for help or guide them through a call with their lender. The initial call usually lasts about 45 minutes as the counselor puts together a detailed budget analysis and creates an action plan for the homeowner, according to the foundation. That could include getting a second job or reducing spending. The foundation does not charge homeowners for the service.

In a separate program, the Neighborhood Assistance Corporation of America acts as a go-between, working out deals with lenders on behalf of borrowers. Under its deal with Countrywide, the Neighborhood Assistance Corporation of America has restructured about 200 loans.

Like many nonprofit groups, it has seen demand for its services climb in the past year and attributes most of the increase to homeowners with adjustable-rate mortgages. To keep up with demand, the organization is opening five offices around the country and is hiring about 30 employees a month.

''This is just the beginning. It is going to get far worse,'' said Bruce Marks, the group's chief executive.

Mrs. MURRAY. Mr. President, this article describes the importance of nonprofit housing counseling agencies and all they can do to help keep our mortgage holders in their homes.

Finally, I wish to say this: In the recent days, the storms in my State of Washington highlight how critical and important this bill is. Devastating mud slides and floods in my State of Washington and the State of Oregon have swamped out homes and washed out roads all across our States. It has been devastating. Families are hurting. People cannot get to work. People cannot get to where they need to go. Many of

our roads are closed, including a 20-mile stretch of Interstate 5, a major artery connecting Seattle and Portland, which will be closed through Thursday, possibly longer, and the floods have virtually isolated communities across the Pacific Northwest. My heart goes out to all these families who have been affected.

We are going to be feeling the effect of this storm you have been watching on television for days, weeks, possibly months. That is not just because it caused serious damage to our roads and bridges. The closure of I–5 forced cars and trucks traveling from Seattle to Portland to detour all the way to the Tri-Cities. That is a drive that not only takes 4 hours longer, but it means our drivers have to go across a high mountain pass, not once but twice, to get to Portland. Think about the effect that is going to have on our businesses and our economy.

The impact of that storm reinforces how important transportation infrastructure is to every single one of us. We need to make those investments in our roads, in our bridges, in our airports, in our railways because one rain storm, one bridge disaster, one airport disruption can have huge impacts on our families and our economy throughout the region and throughout the country.

I am deeply disappointed the Republican leadership has said no. This is a bill that has passed the conference committee, passed the House, and it has one more step to make it to the President. It has bipartisan support. There is no reason we cannot finish this business, send it to the President, and get one of the critical appropriations bills done that he has been yelling we have been holding up. It is here. We are ready. We are waiting for a response.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I hear the distinguished Senator from Washington and other Members on that side of the aisle complain about their inability to get things done. But I have to remind them, here we are on December 5, 2007. We have been operating on a continuing resolution because the majority has failed to pass and send to the President 11 appropriations bills. We are not doing the basic work Congress is supposed to do to keep the lights on, to keep the Government working. Unfortunately, it doesn't stop there.

Mr. BAUCUS. Will the Senator yield?

Mr. CORNYN. I will not yield.

Mr. BAUCUS. I think the Senator from Washington made a point to show the Senator from Texas is incorrect.

Mr. CORNYN. I will reclaim my right to the floor.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. CORNYN. I will be glad to respond to the distinguished Senator after I conclude my remarks.

The fact now is that we have before us an effort—a misguided effort—to protect 23 or so million Americans from a middle-class tax increase. We know health care providers and physicians are going to be subjected to Draconian cuts in their reimbursement rates. We know our intelligence community needs a permanent solution to the Foreign Intelligence Surveillance Act, which will expire in February. And we know that instead of providing the funding to our troops that they need in order to protect us and our allies in the global war on terror, we are seeing strings attached, other qualifications insisted upon by the other party, which have impeded and slowed down and, indeed, to this point stopped our ability to fund our troops.

I wish to particularly, though, focus on the tax increase that, as a result of the inaction of the majority—the so-called alternative minimum tax—is going to take place unless we find some way to work our way through this issue without a tremendous tax increase on other hard-working Americans.

If there were ever a misnomer for a tax, this would be it because for an increasing number of Americans the alternative minimum tax is neither alternative, nor is it minimal.

Congress, it should be remembered, created the AMT almost 40 years ago in response to the testimony of the then-Secretary of the Treasury that 155 taxpayers paid zero Federal income tax on their 1967 tax returns. Unfortunately, but I guess predictably, this tax, created to target the very rich, the 155 who paid no taxes, has now grown to cover roughly 6 million people today and will grow to cover roughly 23 million people next year unless action is taken. It has, in the process, grown to cover more and more taxpayers and now will capture unsuspecting middle-class taxpayers by surprise unless Congress acts. This is because, unlike the regular income tax, the AMT is not indexed for inflation. This means that over time, economic growth and inflation have caused a steady increase in the number of middle-income taxpayers who will get hit by the AMT. Working parents who have children and qualify for deductions and credits under the standard tax system get a rude awakening when they discover they are subjected to the alternative minimum tax, which literally cancels out many of these deductions. This will add unnecessary complexity to the Tax Code and increase tax compliance costs and complicate taxpayers' decisions.

In recent years, Congress has enacted temporary fixes to prevent the AMT from hitting millions of taxpayers with a higher tax bill. While this solution is not perfect, it did at least limit the reach of the AMT.

Now, the Senate has considered legislation on five different occasions that would have either eliminated the AMT or greatly scaled it back. In one instance, not a single member of the majority party voted to fully repeal the AMT, and only one Democrat supported a proposal that would have rolled the increase in the AMT back to rates that took place under President Clinton. Of course, history tells us that President Clinton himself vetoed the bill that would have eliminated the AMT back in 1999.

We know the majority leader has now filed cloture on H.R. 3996, known as the Temporary Tax Relief Act of 2007. Note, Mr. President, the title, ''Temporary Tax Relief.'' While the bill provides limited temporary relief for taxpayers, it, at the same time, permanently increases taxes on America's entrepreneurs and makes it more difficult for the United States to remain competitive in the global capital market. In other words, it makes taxpayers pay for the mistake Congress made 40 years ago when it created the AMT.

The bill makes fundamental changes to the laws affecting the taxation of partnerships. These partnerships have successfully encouraged the pooling of capital, ideas, and skills in a manner that promotes entrepreneurship and risk-taking, and, not to be overlooked, jobs. The bill raises taxes on capital formation in the United States and will increase the cost of and thus decrease the availability of capital to businesses throughout the country. The bill will severely handicap a vibrant and growing part of the U.S. economy in terms of our global competitiveness.

International competition for capital is a driving factor for business. At a time when many of us are raising concerns regarding the competitiveness of U.S. capital markets and pointing out that our economic competitors are doing everything they can to emulate the success of our capital markets, the last thing we should want to do is to put the United States and U.S. businesses to a disadvantage by increasing taxes on capital formation and driving investment dollars away to other markets. We simply can't afford for the Senate to tax long-term investments in a way that puts America at a competitive disadvantage.

Many on the other side would argue that any AMT relief should be ''paid for'' by raising revenue in order to neutralize the effect of the AMT cut. They say they can't just fix the AMT because it is revenue they have already anticipated. This is a revenue which, in fact, they need to fund the ever-increasing growth of the Federal Government, unfortunately demonstrated by pork-laden appropriations bills and a bloated budget. At every turn throughout the year's appropriations season, we have seen the majority push for more and more spending. Threatened with a Presidential veto, they have dared the President to veto these bloated spending bills, only to find us in the mess we are in today.

Those on the other side of the aisle have been counting on the increased revenue from the AMT to fund their growth of the Federal Government.

They seem to consider the mistaken growth of the AMT to be some kind of windfall profit, and, in fact, they seem to have forgotten where the money comes from in the first place. We all should know it comes from hard-working American taxpayers, families, people in my State of Texas who already pay their fair share of taxes and can't afford to bear the burden of the Government's mistakes. So rather than fix the AMT and protect taxpayers from this unwarranted and unexpected tax increase, my colleagues would prefer to replace the AMT revenue with a new tax under a new name. I have to tell you that this kind of shell game is a too typical Washington approach.

Instead of figuring out ways to keep the hands of Washington bureaucrats in the pockets of taxpayers, this Congress ought to continue to do all it can to protect millions of middle-class taxpayers from a tax that no one ever intended for them to have to pay in the first place. Taxpayers already work for 4 months out of the year to pay their local, State, and Federal taxes. The last thing Congress should be doing is increasing the number of days American taxpayers work for Uncle Sam instead of for their families.

What is worse, Congress's inability to provide timely AMT relief will also cause unnecessary delays in processing tax returns and getting refunds to taxpayers who are entitled to them. The IRS Oversight Board, an independent board created by Congress as part of the IRS Restructuring and Reform Act of 1998, told Congress just last month that a delay threatens the IRS's ability to process returns and issue refunds in a timely manner and will impose a significant burden on taxpayers. But that is where we find ourselves today as a result of the mismanagement of our agenda.

According to the IRS governing Oversight Board, delaying the filing season by just 2 weeks would delay the processing of 6.7 million returns, putting a hold on $17 billion in refunds owed to hard-working American taxpayers. If the tax season is delayed by 1 month, this would delay 40 million returns from being processed, and $87 billion in refund checks owed to taxpayers would remain in the Federal Treasury. This is real money to real Americans, and the political games surrounding it ought to end. We should not be using the AMT relief as hostage to be exchanged for tax-and-spend policies and the growth of the Federal Government. Taxpayers can't afford it and neither can the American economy.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Montana.

Mr. BAUCUS. Mr. President, if I understand the Senator from Texas correctly, he is essentially complaining that Congress has not passed legislation to prevent the alternative minimum tax from going into effect for American taxpayers for calendar year 2007. I think that is basically what he is saying. I might say, Mr. President, there is not one Senator on the floor who disagrees with that—maybe one or two, but this Senator wants to fix AMT so Americans do not have to pay an additional tax in calendar 2007 when they are preparing their tax returns next year. I daresay virtually every Member on this side of the aisle has that same belief. We do not want to force that additional tax on Americans for all the reasons he correctly stated; namely, this was a provision which was enacted in the code back in the early 1960s intended to ensure—I think there were 200 only, very wealthy Americans who were not paying income taxes and who should pay some income taxes. That was the genesis of the alternative minimum tax. Unfortunately, as has been stated by many speakers, it was not indexed, so over the years more and more middle-income taxpayers have had to pay this additional tax, and frankly, ironically perversely, the most wealthy Americans have escaped.

So this alternative minimum tax does not do what it was intended to do. It was not a tax on the most wealthy because basically the capital gains provisions in it are so low, the net effect is the basic rate is 26 percent for the first $75,000 and 28 percent just above, and so it affects taxpayers who make between $75,000 and $500,000. That is who it hits. We want to repeal that for 2007. Virtually every Senator here wants to repeal that for 2007. We are trying to do it. We are trying to get that enacted—the repeal for 2007—so taxpayers don't pay it.

What has happened? We are being blocked. We are being blocked. Just as the Senator from Washington was trying to get an appropriations bill up, she was blocked in her effort by the other side of the aisle. Just as the President of the United States says: Congress, do your work, do your work, pass appropriations bills, he is, in effect, instructing his minions here to do the opposite—to block. That is what is happening.

The Senator from Texas, I would daresay—and it is a presumption to say this—would probably vote against efforts here on the floor to bring up a way to fix AMT. There is a cloture motion pending right now, Mr. President. It is basically on the House-passed bill to fix AMT. The leader offered a couple suggestions. What are they? One is, well, if we can't do that, let's take up the measure proposed by myself and the ranking member of the Finance Committee, Senator GRASSLEY. What does it provide? It basically says: Okay, repeal AMT. We have the AMT patch unpaid for, 2007. In addition, we have to pass these so-called tax extenders for 1 or 2 years and pay for it. Nobody seems to complain about that; the complaint is whether the AMT should be paid for. We are willing, myself and Senator GRASSLEY, to bring up and advocate the passing of that legislation. Blocked. We couldn't get consent to bring that up. Not paying for AMT but paying for extenders blocked.

Well, Mr. President, I have another suggestion. In fact, it was even mentioned by our leader. Let us bring up AMT not paid for alone. Will the Republicans object to that? So far, they have. I am waiting. Where is the Republican Party? Do they or do they not want AMT fixed in 2007? What could be easier? Bring it up—alone, unpaid for. Where are they? Why don't they accept it? What is going on here, Mr. President? What could be easier? What could be more appropriate? What could be more Republican? Lowering taxes, unpaid for. No, they do not want to do that, either, which is a good indication to me that what is really going on here—what is really going on here—is that side of the aisle will do whatever is possible to prevent the Congress from even passing legislation that is very good for the American people.

Mrs. MURRAY. Will the Senator from Montana yield for a question?

Mr. BAUCUS. I will be glad to yield.

Mrs. MURRAY. Mr. President, I ask the Senator from Montana, within the extenders package is the deduction of the State sales tax extension, something that has been granted by Congress for the last 7 years to a number of States that were, prior to a few years ago, not able to deduct their State sales tax. That is very important to people in my State. We need to have this extender passed. I wish to ask the Senator from Montana if that is one of the issues that is being blocked now by the Republicans as they object to going to this package because as we come up on the end of the year, as families are looking at what to purchase for Christmas, this is something extremely important to them. If this is not going to be extended, it will impact their incomes at a critical time, when we are facing rising gas prices, the cost of our mortgages, and people are worried about everything else.

So I would ask the Senator from Montana, is the State sales tax deduction part of that extension that is now being blocked?

Mr. BAUCUS. I say to my dear friend from Washington that it is part of the extender package that is in there. So if that were extended this year and that would go into effect, the good people of the State of Washington would not have to pay that.

Mrs. MURRAY. I thank the Senator from Montana. It is very important to our State and a number of other States—I believe Texas and other States here. I hope the Republicans don't continue to block this so we can indeed make sure our constituents are taken care of.

Mr. BAUCUS. I appreciate that. I may also say I suspect—I am only guessing here—the objection from the other side of the aisle is in part mischievous. Senators from the other side of the aisle wish to force some votes on some other measures which are not apt at this moment. What are they? President Bush's tax cuts, extending the tax cuts, extending the 2001 tax cuts. Some

Senators on the other side want to force a vote on that. That doesn't expire until 2010. This is 2007; AMT applies to 2007. We have to act now. This isn't 2010.

Others wish to vote on the 2003 tax cuts, which expire—when? Again, 2010. Not now; in 2010.

I see my time is expiring. I strongly urge people to focus on what is going on here—not the rhetoric, just look at the facts. The facts are that I, as chairman of the Finance Committee, am willing and do advocate bringing up legislation to repeal the alternative minimum tax as it applies to taxpayers for 2007. There are various ways to do it. One is the House-passed bill. If that doesn't work, we will do the measure proposed by myself and Senator GRASSLEY, which is AMT, not paid for, but the tax extenders paid for. If that doesn't work, I am even willing to go so far as to see AMT alone, not paid for. That is where we should be and what we should do.

Finally, I don't know if I am known as a partisan guy. I think I tend to be perceived as somebody who tries to work things out, tries to be pragmatic, tries to get things done, not flail in a partisan manner, not engage in flowery rhetoric for the heck of it, getting headlines, and so forth. There comes a time when you have to call it like it is, say it like it is. That is what I am trying to do. I am trying to be practical and pragmatic here by calling it, saying what is going on here, and that is, despite the cries from the other side, despite the cries from the White House for Congress to fix AMT, they themselves, behind the scenes, indirectly, are blocking it. They are blocking it. They are saying one thing and doing something else.

As my father used to tell me, it is deeds, not words. They have the words but they also are blocking the deeds. I hope very much they change their minds and allow us to pass legislation here to fix AMT, because it is up to them to let us do it.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I see the Senator from Georgia is on the floor. I know it is our custom to take turns on each side of the aisle, but I ask his indulgence. I have to chair a subcommittee hearing at 2:30. Unless he has a scheduling conflict, if he would allow me to go first, I would appreciate it.

Mr. ISAKSON. As a Bears fan, I will be happy to relinquish the time to the Senator from Illinois.

Mr. DURBIN. Thank you. We need all the help we can get.

Mr. President, what I have heard this afternoon on the floor of the Senate is nothing short of incredible. The Senator from Washington came to the floor and asked to bring an appropriations bill up for us to consider. Have you noticed how much business we are doing around here? The answer is none. So there is nothing to conflict with it. We have plenty of time. Shouldn't we earn our paycheck today by doing something? The bill she wanted to bring is an appropriations bill and it is a conference report that has been signed by every Democrat and Republican—bipartisan. Everybody is agreed on it.

She asked to bring it to the floor to consider it, and there was an objection from the Senator from Texas. Senator JOHN CORNYN objected.

Senator MURRAY tried to explain what was in this bill, how important it is. He didn't waiver. He said that is it, we object to considering this bill.

Eventually she yielded the floor to Senator CORNYN who stood up and said, Do you know what is wrong with this Senate? We are not considering any appropriations bills. Just minutes before it was Senator CORNYN of Texas who objected to considering an appropriations bill. That is a matter of record.

But beyond that procedural experience, look what was in that bill. It is not just—just?—transportation and housing and urban development; $200 million is in there for housing counselors across America. What are they going to do? They are going to try to help families work themselves out of this mortgage foreclosure crisis we are facing. This money is desperately needed. Senator MURRAY worked to put it in the bill so people would have a helping hand to save their homes when they are facing foreclosure.

How big an issue is this? Mr. President, 2.2 million Americans face foreclosure on their mortgages. If they go forward with those foreclosures, 44 million American homes will lose value.

You see, the mortgage crisis is not just your neighbor's problem, it is your problem. If that house on your block is foreclosed upon, the value of your home goes down. That is a fact. So 44 million homeowners across America are waiting to see if this Government will do anything.

Senator MURRAY comes to the floor and tries to move the bill to do something. The Republicans object.

I tell you, this is an issue that strikes home in Illinois. Cook County, where Chicago is located, has the second highest number of foreclosures of any county in America—56,000 mortgage foreclosures. As a result, two out of three homes in Cook County, IL, will lose value. This is a crisis. It is not only a housing crisis, it has put our economy in a tailspin. We are trying to move and act and do something about it, and the Republicans say no. No, we don't want to do that.

That is unfortunate. It is unfortunate for the homeowners who need a helping hand. It is unfortunate for their neighbors who do not realize that this kind of effort by the Republican Senators is not in the best interests of America or its economy.

It troubles me as well because this bill includes money to rebuild the bridge near Minneapolis, the one that came crashing down, with deaths involved and real concern across America about the quality and safety of our infrastructure. Senator MURRAY, on this bill, on a bipartisan basis, puts money in—$1 billion, is it?—for bridges across America, including the bridge in Minneapolis.

I would beg Senator NORM COLEMAN of Minnesota to speak to Senator CORNYN of Texas and ask him to take his hold off this bill, to stop objecting for the good of his own home State of Minnesota and for all of our States. I hope Senator CORNYN of Texas will reconsider his position; will remove his objection to this bill; will let us move to this appropriations bill in a timely fashion.

This is not the only time we have run into this. Senator CONRAD of North Dakota was here a moment ago, begging for the farm bill to come to the floor. Every 5 years we have a new farm bill. It takes a lot of work to put it together. It is a very important bill to Illinois and almost every State, and the Republicans have stopped it in its tracks. We waited here on this floor for 2 weeks and did nothing because the Republicans refused to reach an agreement on moving this bill forward. The Senate rules are written so that even a minority party can stop business. Senator CONRAD said, let's agree on a list of amendments. You can have yours, we will have ours, but let's get going, let's get to work. And the Republican answer is no.

It is not the first time. Fifty-six times so far this year, the Republicans have filibustered, stopping debate, stopping legislation, stopping attempts to make America better—56 times.

You might say, I am sure that goes on every day, doesn't it? No. The record in the Senate is 61 filibusters over a 2-year period of time. The Republican Senators this year are about to break the record for filibusters in one Congress in 1 year. It tells you what they are all about. It is not doing the people's business. It is not trying to solve the housing crisis, dealing with the farm issues. It is about stopping the business on the floor of the Senate. They are using that opportunity and that authority to do that.

I want to correct the RECORD. Staff just advised me that Senator SPECTER and not Senator CORNYN was directed on behalf of the Republican leadership to object to the earlier bill. I want to make it clear and apologize to my colleague Senator CORNYN—we are friends—and I misrepresented his position on that because it was, in fact, Senator SPECTER of Pennsylvania speaking on behalf of the Republican leadership, Senator MCCONNELL of Kentucky, who objected to the transportation bill. I hope the RECORD reflects that, and my apologies to Senator CORNYN for mentioning his name improperly.

But the position still stands. A Republican leadership position, directed to stop the appropriations bill, and

then Republicans coming to the floor saying, Isn't it a shame we can't move appropriations bills.

The last thing I want to mention is the alternative minimum tax. This will affect 19 million Americans if we don't change it. Some are in higher income categories. Many are not. We want to make sure we correct this problem and move forward with it. I think the responsible thing to do is, if you are going to cut a tax, either raise another tax or cut spending. I think that is responsible. Republicans reject that. They say we want to cut taxes and we don't want to pay for it. We want to add to the deficit and it is OK, and they can prevail because we don't have 60 votes. It takes 60 votes to accomplish something here on the Senate floor of controversy.

So what we offered to them is their way of looking at the world. We will let you cut this tax and not pay for it, just add to the deficit, the old Republican way of doing things. You prevail. You win. And their answer? No, we won't even let you go to the bill under those circumstances. It is pretty clear; it is a question of blocking and intransigence.

In addition to the fact that the Republicans are blocking the farm bill, an attempt to deal with the mortgage crisis in America, bridge building for the State of Minnesota and all other States, and dealing with the alternative minimum tax, it is pretty clear they want this Congress to end without any accomplishments. They had a do-nothing Congress which cost them control in the last election. They are determined to do everything they can to make sure we do nothing in this Congress.

Sadly, the message to the American voters is we need more votes. If you want real change in Congress, we need more Senators to come to this floor who want to accomplish things, rather than stop things and block things. That is what we have seen repeatedly here, this day and every day during the course of the session. I had hoped a handful of Republican Senators would stand up and say: Enough. We have a responsibility to the people of this country, a responsibility that goes beyond our party responsibility. We need to pass a farm bill, we need to do something about the housing crisis, we need to give real tax relief to American families.

We are still waiting for those voices, and I hope they will come to the floor and accomplish that. In the meantime, we will continue to make our offers to the Republican leadership, to find a responsible way to move forward. I hope they will accept this opportunity and I hope we can get something accomplished. It is clear, as this empty Chamber passes hour after weary hour doing nothing, the American people are fed up with it. I think they are fed up with it enough to want real change in the next election.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

THE MIDDLE EAST

Mr. ISAKSON. Mr. President, last week the Middle East observed a historic anniversary, in fact, a historic anniversary for all of mankind, for the 29th of November was the 60th anniversary of the U.N. resolution partitioning the State of Israel and providing a homeland for the Israeli people. I had the opportunity to be in Israel while that celebration was taking place. Another event took place in Annapolis, MD, the home State of the Presiding Officer, last Tuesday, the 28th of November, when 18 Arab Nations, the Palestinian Authority, and Prime Minister Olmert of Israel met in Annapolis, to try to begin the process for the roadmap for peace in the Middle East. I think all of us are encouraged, happy, and rewarded that the result of that conference was an agreement between the Palestinian Authority and Israel to try, over the next 12 months, to reach an agreement by the end of 2008, which will in fact bring about peace in the Middle East.

All of us have great hope, but all of us have great wonder how we get from the agreement to try to actually having that happen. Since I had the occasion to be in Israel, I thought I would share for a second the fact that, as complex as the Middle East is, as challenging as the issues are that face the nation of Israel and the Palestinian Authority, there are some simple steps upon which we can build to possibly get to a true roadmap to a lasting peace in the Middle East.

There is no question, from having gone there, that the first step is security. The State of Israel deserves the security to live in peace and without intimidation and without threat. Not long ago, Israel took its settlements out of Gaza, moved those settlements out of Gaza to its perimeter. Within months, Hamas took over as the leading authority in Gaza, a Palestinian area, and instead of securing it for themselves began a method of intimidation and threat and terror against the people of Israel. Last Saturday, I stood on the last Israeli outpost overlooking Gaza, talking to an Israeli man and Israeli woman who lived in the settlement outside of Gaza, as a rocket went off and was fired into that very settlement, a practice that every day continues to take place, to intimidate, to threaten, and to terrorize.

As long as elements of terror such as Hamas and Hezbollah in Lebanon continue to disrupt, we will never be able to reach a platform upon which we can have a roadmap to peace. But security could possibly take place. I want to commend the Palestinian Authority on its initial steps in the West Bank, one village at a time, to attempt to bring about peace and security on that side of Israel and in that area of the dilemma.

I met with the Foreign Minister, Riyad Maliki, of the Palestinian Authority, who passionately convinced me that he and his leadership are interested in seeing to it that they deliver on that security, because they understand that without security there can never be any peace, without peace there can never be a Palestinian State.

This President, George Bush, whom I commend for bringing about the Annapolis conference, was very courageous 6 years ago when as President of the United States he declared he would support a homeland and security for the Palestinian people, right after the Palestinians and the people of the Middle East accepted and acknowledged Israel's right to exist and respected its state.

I believe the desire is in the Palestinian people to have their homeland. I believe the will is there to see to it that is accomplished. But as long as terror, through the elements of Hamas and Hezbollah, continue to threaten and intimidate the people of Israel, it will never happen.

So the first step, following that agreement at Annapolis, is for the Palestinian Authority to secure Gaza and to secure the West Bank. But you do not go to the Middle East, as I have four times in the last 5 years, and not realize in the end it is also all about Iran.

As long as there are state sponsors of terrorism, whether it be Hezbollah or Hamas or whether it be infiltration of terrorists or IEDs into Iraq, you can never truly have peace and security.

But this President deserves great credit for setting up the conference at Annapolis. Condoleezza Rice deserves great credit for five times traveling to the Middle East, from one Arab state to the other, encouraging those states to attend. It should not go unnoticed by anybody, us in America and Ahmadinejad in Iran, that when finally pressed, the 18 Arab states all came to Annapolis because, in the end, they all want peace. But in the absence of security and the presence of terror it cannot happen.

I commend our President for bringing about the conference in Annapolis. I commend the people of Israel for making the first step in Gaza and acknowledge their concern now that that first step has only been rewarded with acts of terror against their own people and encourage the Palestinian Authority to continue to work in the West Bank, and later in Gaza, to root out terrorism, bring about security, so the State of Palestine and the State of Israel can live in harmony. And for us in the free world, one of the biggest threats to our security is lessened because people are living together in peace and not in terror and not in fear.

In closing, I wish to acknowledge the great ally we have in Israel, the resilience of their people, to that young man and woman I met on the hill overlooking Gaza, who daily meet the threats of rockets coming from terrorists, and let them know that we in America are with them, and one day peace and security can become a reality if we begin to get the security in

the areas of the West Bank and in Gaza.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

OBJECTIONS

Mr. DORGAN. Mr. President, what is happening in the Senate is going to give frustration a new meaning. I cannot begin to explain how unbelievably frustrating it is for people elected to come to this body, they say the greatest deliberative body, to be at parade rest day after day after day, unable to move because of two simple words uttered almost routinely every day by the minority: I object. I object to everything. I object. I object.

Mark Twain once was asked if he would engage in a debate. And he said: Of course, as long as I can take the negative side.

They said: We have not told you what the subject is.

He said: That does not matter. The negative side will take no preparation.

It takes no preparation to say ''I object,'' to take the negative side of everything. Yet that is what has happened. We have people posing as a set of human brake pads, determined to stop everything in the Senate. Maybe that would make not much difference if there were not things that were so urgent and in need of being done.

I sat here for a while this afternoon and saw something quite stunning. My colleague stood up and said, on the appropriations bill that passed the Senate by a wide margin, over 80 votes on transportation-housing and so on, she wanted to bring the conference report up to the Senate. There was an objection by the Republican leader of the Senate: I object.

Then, immediately afterwards, Senator CORNYN from Texas stood up and said: I do not understand what all of the problem is, the way the majority is running this place, why do we not get appropriations bills to the floor of the Senate?

This was immediately after his side had already objected to bringing an appropriations bill to the floor of the Senate. It is as if they think no one is watching. These are illusionists who provide no illusion. Nobody is watching, they think. This is all done in broad daylight. They say: We object to bringing appropriations bills to the floor of the Senate. Then they stand up and seek recognition and ask: Why are you not bringing appropriations bills to the floor of the Senate? Do they believe people do not watch and listen and understand?

It is absolutely beyond me. Now, let me describe this ''I object'' strategy. I object to appropriations bills, they say. Do you know this year we even had to file a cloture petition to shut off a filibuster on a motion to proceed to the appropriations bill that would fund homeland security needs.

We are in this process of waging a war on terrorism to protect our country, and we cannot bring a bill to the floor earlier this year on homeland security appropriations to fund the programs without having a filibuster by the other side on a motion to proceed, not even on the bill, but a motion to proceed to the bill. That describes what the other side has done all year long.

Now, in December, they come to the floor and they say: Well, where are the appropriations bills? Well, I will tell you where they are; you objected to all of them. You took all the action necessary to try to prohibit us from moving these appropriations bills. That is the case.

Alternative minimum tax, they call it AMT. It is a fancy way of describing an alternative tax system that recalculates your tax. It is going to affect millions more Americans. We should fix that. Why have we not fixed that today? Because the other side has objected. The Republican leader has objected. That is why we have not fixed it.

The farm bill. Why have we not finished the farm bill? Because the Republicans have objected. We wanted to come out here and finish it. We have made unanimous consent requests. We have an offer in front of them now with the amendments and so on, but they continue to object.

I have said often, if farmers behaved the way this Congress—and especially the minority—behaves, they would not have a crop to plant because they would not get time. They would not have a crop to harvest if they got it planted because they would not have time. They would object. They would not milk the cows when the cows were fresh. I mean they would not have a crop or cows. You cannot put all these things off, nor should the Senate put them off.

An energy bill. Well we tried to go to conference on an energy bill. There was an objection on the Republican side. So now we are hoping to try to be able to consider an energy bill that comes from the House. I hope we can round up the votes for it. But we never got to conference because of an objection on the Republican side.

Now my colleague, as I listened this afternoon, said the proposal on the alternative minimum tax by the Democrats was more taxes on the American people, a substitution of taxes and to accommodate the growth of Government.

Let me take both those proposals. This issue of the growth of Government is fascinating to me because this President has proposed more spending than any President in the history of this country, by far. We have in front of this body right now a proposal by this President for $196 billion, none of it paid for, to support the war in Iraq and Afghanistan.

Now, $196 billion, that is $16 billion a month, $4 billion a week, all of it added to the Federal debt, none of it paid for. We have someone over there stand up and say we are the big spenders, we are the ones who want to spend money, after the President has asked for $196 billion in additional spending that he wants.

He said that $22 billion we wanted to invest in this country was too much money. We were $22 billion apart, with respect to the President's budget and our bipartisan approach on the appropriations committee. He said: No, that is too much money, that $22 billion to invest in our country's roads and bridges and health care and energy. That is too much money to invest in our country, but I want $196 billion, none of it paid for, all of it outside the budget, for my priorities, the President said.

It is interesting to me that even as we are told by my colleague from Texas and others that this is growth in spending and that somehow the profligate spenders are on this side of the aisle, and I must say I have held now 12 hearings on the issue of waste, fraud, and abuse in the countries of Iraq and Afghanistan in the prosecution of these wars. Waste, fraud, and abuse by contractors, a massive amount of money shoveled out the door by this administration to contractors.

Let me tell you what the result has been: A blind eye. No one seems to care. You want some nails? I know where there are 50,000 pounds of nails lying in the sand. You know where it is? In the country of Iraq, 50,000 pounds of nails lying in the sands of Iraq in a pile.

You know why? Because the contractor ordered the wrong size. But it did not matter, throw them away, reorder. It is a cost-plus contract. The American taxpayers are picking up the tab. Do you want to see waste, fraud, and abuse? This is a hand towel provided to American soldiers.

I ask unanimous consent to show the item on the floor of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. This was provided to American soldiers by the subsidiary of Halliburton Corporation. They ordered hand towels under their contract for the American soldiers. Well, guess what. The guy who ordered these was the order manager sitting in Kuwait. His name was Henry Bunting. He came and testified before my hearing. He said: I ordered these towels, but I ordered white towels, plain white towels. My supervisor said: You cannot do that. You need for our name, Kellogg, Brown and Root, the subsidiary of Halliburton, to be embroidered on the towel.

He said: Well, that is going to triple the cost. He was told: It does not matter. It is a cost-plus contract. The American taxpayer pays for this. Katy bar the door. Spend whatever you like. The American taxpayer will pay for it. Two hundred and twenty million dollars to a contractor to rehabilitate health clinics in Iraq. The $220 million is gone. The contractor has it all, and there are 20 health clinics built.

And a physician goes to the Health Minister and says: I want to see these 220 health clinics the American taxpayer paid for; the Health Minister of Iraq said: Well, those, you have to understand, are ''imaginary'' clinics.

Seven thousand six hundred dollars a month to rent an SUV, $45 a case for a case of Coca-Cola, $85,000 trucks that have a flat tire and they are left beside the road to be torched in Iraq because they cannot fix a flat tire.

American taxpayer is going to pay for all of that. It is a cost-plus contract. You have a truck with a plugged fuel pump, do not worry, leave it behind. Yeah, it will get torched, but the American taxpayer pays for that. So when I hear somebody talking about profligate spending, I say to them this: We have had four votes on the floor of the Senate to set up a Truman Committee of the type Harry Truman led dedicated to root out waste, fraud, and abuse.

Four times we lost that vote. I am proud to tell you every Member of the Senate on this side of the Senate voted with me, but four times we have lost because there are some who talk a lot about spending but do not care how much is spent.

This is the greatest waste, fraud, and abuse that has occurred in the history of this country with this profligate contracting. I have only described the tip of the iceberg. I could spend an hour out here telling you stories about the way the American taxpayer has been fleeced by the massive amount of money that is shoveled out the door and the $196 billion the President now wants; a substantial portion of it will also go to corporations and still no one is watching the store. Still no one is watching the store. In Iraq itself, $8.9 billion is missing. Think of that. I daresay no one is looking for it.

Growth in government has a pretty hollow sound, it seems to me. The growth of spending, the waste, fraud, and abuse that is occurring under the nose of this administration, an administration that seems unconcerned, is the most significant waste, fraud, and abuse in the history of this country. We need to stop it. I will offer again the issue of a Truman commission to set up a special committee to investigate this and put an end to it.

On the question of who pays taxes, my colleague says: This is fixing the alternative minimum tax, but you are charging some others additional taxes. Let me remind my colleague who is going to pay additional taxes. The person who ran a hedge fund last year and made $1.7 billion was the highest paid person in this country that we know. If you are adding that up, if someone asked: What is your monthly salary, that person would have to say, it is about $145 million a month. Some would ask: What do you earn in a day. About $4.5 million a day. That is a pretty big salary.

Do you know something more interesting about that? The people earning at that level are paying an income tax rate in most cases of 15 percent. Think of that. There are no Americans going to work this morning working in ordinary jobs who are paying 15 percent income tax. I guarantee they are paying much more.

One of the richest men in the world, Warren Buffett from Omaha, said in his offices they got permission from his employees to figure out what happened with respect to the percentage of taxes paid by the employees. It turns out in that office, the lowest tax rate paid in his office is paid by the second richest man in the world, Warren Buffett. He said that is an outrage.

He said: I pay a lower percent of taxes from my income than my receptionist does. That is an outrage. Some want to correct that. I do.

My colleague from Texas would say: You are going to hurt people engaged in capital accumulation. Well, it seems to me the issue is one of fairness. Why is it that one group of people who makes hundreds of millions gets to pay a 15-percent tax rate. But a whole lot of other people who work hard all day, take a shower at night because their labor is important, come home with a meager paycheck and haven't made much progress with their salary in recent years, they look at their tax bill and are paying 25, 30, 35 percent, plus their Social Security taxes.

When my colleague talks about the growth of government, I say: Look in the mirror. When my colleague talks about taxes, I say: Look in the mirror and ask yourself whether you want a fair tax system.

More important than that, I want to talk for a moment about priorities. When we are told that $196 billion ought to be made available, none of it paid for, for the President's priorities, and we don't have enough money for things at home, I ask a question about this young lady. Her name is Ta'shon Rain Littlelight. She is a beautiful young Indian girl from the Crow Reservation in Montana. Ta'shon was 5 years old. Ta'shon died.

I held a hearing in Montana with Senator TESTER on the Crow Reservation. This little girl's grandmother came to the hearing and held up this picture. She said Ta'shon died a very painful death, was in pain month after month. The kind of health care that should have been available to diagnose an illness which later became terminal was not available to this little girl. So she lived a painful last 3 months with a terminal illness and never got the health care she should have received. Not enough money for that, just not enough. Yes, this 5-year-old girl died. Not enough money for Indian health to deal with her.

I have shown my colleagues a picture of a little girl named Avis Littlewind. She was 14. She is dead as well. She took her own life. She lay in bed 90 days in a fetal position, missing school, 90 days, and somehow it didn't raise alarms anywhere. She took her own life. No mental health treatment, no mental health treatment available on that reservation for that young lady.

I have shown my colleagues a picture of a woman brought into an emergency room—a Native American woman, as well. She had an 8-by-10 piece of paper attached to her thigh by a piece of masking tape, being transported on a hospital gurney from the ambulance to the hospital with a piece of paper attached by masking tape to her thigh that said to the hospital: If you accept this patient, understand that the contract health care money is gone for the year. You accept this patient on your own dime and at your own risk, this patient with a heart attack.

We don't have enough money for our domestic needs. The President says: No, I want $196 billion for my priorities. I have just described the massive waste, fraud, and abuse with respect to the priorities of contracting in Iraq. I care about Indian health care for a lot of reasons. I chair the Indian Affairs Committee. We have struggled desperately to try to get the money we need for Indian health. That money is not available. Why? Because investment at home is not the priority. The fact is, these issues are life or death for a little girl like Ta'shon Rain Littlelight. This Congress can do something about it.

One hundred years from now, we will all be dead. But historians can understand who we were. They can look at what this country decided to do, what kind of decisions this Senate made by what we spent our money on. What did we think was important? Someone once asked the question, if you were charged with the task of writing an obituary for someone you had never met, and the only information you had was the check register from that person's checkbook, what could you write about that person? What you could write about that person is what you knew that person to value based on what they spent their money on. What did they invest in, contribute to? What was important to them? What was their value system?

The same will be true when historians evaluate what was important to us, what our value system was. So we have this dispute these days with President Bush and those on the other side of the aisle who are loyally supportive of the President's priorities at this point. I am not suggesting that we shouldn't work together. In fact, all of us have reached out to say: Let's find a way to reach compromise. But on issue after issue after issue—the alternative minimum tax, the Energy bill, the farm bill, appropriations bills—we have had great difficulty getting anything other than a cold shoulder from the White House. Democracy works and this system of government works only with compromise. It is the only way it can work.

The majority leader was here today once again seeking an opportunity to have unanimous consent requests

agreed to or negotiated. The farm bill is an awfully good example. We have now sent to the other side a list of things that we hope perhaps they might agree to. And if they don't agree to that, to give us a list back. Let's find a way to have common lists of amendments to bring the farm bill to the floor and finish it. That is a reasonable thing to do. Yet we can't get that done, can't get the first baby step in the right direction. All we get is hot air, a lot of rhetoric, discussion such as I heard this afternoon that somehow the majority is a group of profligate spenders, and the majority wants to increase taxes. What a bunch of nonsense. It is completely at odds with the facts. It is as if they believe that there are not cameras here and this isn't being recorded.

I was thinking, as I was sitting here, about a story I heard when I was a kid of Joseph Montgolfier from rural France. The story was in 1783. He was sitting in a big, overstuffed chair looking at his fireplace in his country home. And as he watched the fireplace he saw sparks and smoke go up the chimney. As he contemplated the smoke and the sparks, he thought: There is something taking the smoke and sparks up the chimney. That must be some sort of energy. And so several months later he was in a meadow in rural France with burlap bags he had dampened and straw he was burning and he fashioned the first balloon. And it was the first recorded evidence of powered flight. He discovered that hot air rises and used hot air to lift a balloon.

I was thinking about hot air today because I listened to what is supposed to somehow pass for informed debate, and it is nothing but hot air. Why don't you pass the appropriations bills. OK. Let's try one. I object, he says.

I don't understand that at all. Don't ask us to pass bills you are going to object to, if you are going to continue to stall and object. If you want us to pass legislation, appropriations, energy, AMT, if you want us to pass legislation, come to the floor this afternoon. Let's work together and work out a process by which we pass legislation that advances this country's interests. It is not as if we don't have significant challenges and significant interests. We do.

No one in this Chamber can suggest somehow that with the price of oil bobbing at around $90 to $100 a barrel that we don't have serious challenges and a need to pass an energy bill. The House of Representatives is doing an energy bill. We did one in the Senate prior to this. We tried to go to conference, and there was objection. So we couldn't even get to conference. But we will, I think and I hope, have the Energy bill the House is going to pass and then send over to the Senate next week. There is an urgent need to have conservation, efficiency, and renewable energy, as well as continue to use fossil fuels without injuring the environment. We can do all of those things, and should, but we will need some cooperation. We are not asking for the Moon. We are just saying this country faces obvious challenges.

No one party can do it alone. We have a 51–49 majority. All we need is some cooperation. All we need is for people who continue to come day after day after day with a two-word vocabulary, ''I object,'' to see if they can't add a few words and say ''I accept.''

Let's work together. Let's join together to get things done. That is all we are asking. We only have a few days left in this session, probably a maximum of 12 or 13 days. I would hope all of us who are paid to work here and do the public's business would want to make those days productive on behalf of the country. We live in a great place. We should give thanks every day for this opportunity. Let's find a way to address these issues, invest in this country's priorities, pass an energy bill that we can be proud of that makes us less dependent on foreign oil, pass an AMT bill that is going to help avoid increased taxes for a lot of Americans who do not deserve to have an increased tax bill. We can do all of those things if we work together.

I yield the floor and 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. GRASSLEY. 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. GRASSLEY. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senate is in a period of morning business.

Mr. GRASSLEY. Mr. President, I ask unanimous consent, if there is discussion of AMT today, that my remarks be placed in the RECORD at that point.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMT

Mr. GRASSLEY. Mr. President, I am pleased we are finally discussing solutions to the alternative minimum tax problem that is poised to swallow 19 million more filers this year. I would have rather gone through this process several months ago but better late than never.

Over the course of the year, I have given many speeches analyzing the AMT and describing the problem it poses for middle-class taxpayers in great detail. On February 12, I gave a speech on the history of the AMT. On February 13, I highlighted how the AMT affects individual income tax liabilities. On February 15, I discussed ways to reform the AMT and made the case that complete repeal is the best way to deal with the AMT.

Incidentally, I made the case that dealing with the alternative minimum tax 1 year at a time could be problematic, and current events have proven me right.

On March 20, I pointed out the Democrats' budget had no room for AMT relief, not even for 1 year. On March 22, I explained why we need to repeal the AMT. On April 18, I made an appeal for quick action on the AMT to help taxpayers making estimated payments who are already paying the price for the lack of action in Congress. On May 14, I explained why the AMT relief or repeal should not be paid for with a tax increase someplace else on other people. On May 17, I criticized the conference report on the fiscal year 2008 budget resolution for not realistically addressing the alternative minimum tax problem. On that same day, I gave another speech exposing how Democratic offsets to the AMT relief would result in massive tax increases on other people.

On June 13, I discussed the inadequacy of the lead trial balloons House Democrats were floating as possible fixes for the AMT. This was to mark the occasion of the second quarter estimated tax payments coming due because we had taxpayers who file quarterly already being hit by the lack of action on the part of the Congress.

On July 24, I introduced legislation to protect taxpayers who should have been making estimated payments for 2007 but weren't because they did not realize Congress was failing to protect them from the AMT. In other words, if they didn't have to pay the AMT in 2006, why would they think they had to pay the AMT in 2007? By not doing it, they were violating our tax laws, probably innocently.

On September 19, I marked the occasion of the third quarter estimated tax payments coming due by again discussing the AMT problem and how little congressional leadership was doing about it.

I just cited 12 speeches delivered on the Senate floor over the past year. That doesn't even include press conferences, Finance Committee meetings, and other events where I have talked about the need for repeal of the AMT or, in the case of a shorter term fix, just making sure it was fixed for this 1 year and kicking the can down the road. I have been talking about the alternative minimum tax literally all year now. House Democrats finally managed to introduce a bill on October 30, and the majority leader turned to it in the Senate right before the Thanksgiving recess. Democratic leadership cannot blame Republicans for their own failure to act until almost literally the last minute.

As I said, I am glad we are finally discussing solutions, and the Senate leadership seems to realize that the AMT should not be offset. I also want to thank my good friend, Chairman BAUCUS, for all his hard work this year,

and for several years, to protect middle-income taxpayers from the alternative minimum tax. Chairman BAUCUS is doing our country a great service now by trying to work out a compromise between those who want to pay for the AMT relief and extenders with a tax increase and those who are opposed to tax increases to offset AMT. He has consistently, meaning chairman BAUCUS, avoided bitter partisanship and always worked to do the right thing.

Those obsessed with pay-go—and for the public watching, that is pay as you go—those who are obsessed with pay-go, who want to raise more taxes to pay for a tax that was never meant to raise revenue, are punishing the American taxpayers for their obsession. Unfortunately, right now, I cannot support a package with roughly $45 billion of offsets in it for the extenders, even though the AMT relief is not offset.

I am still reviewing some of the revenue raisers, but my issue is not with the raisers themselves. I will only support a raiser if I think it is good policy and will not support a raiser simply for the revenues.

I am concerned then if we send this package to the House, they will try to use the offsets not for what we put them in for, for the extenders, but send it back to us as offsets against the AMT, increasing taxes on others to pay for a tax that was never meant to be collected, and then still not get the extenders passed, as we should be passing them right now.

The House has shown it does not respect the need to get 60 votes in the Senate, and I do not expect that to change right now. If the majority leader is serious about reaching a compromise, and really respects the minority, as he claims, he needs to get his colleagues in the House on board. I have been around long enough not to make it too easy to stab me in the back by having things that even leadership in the House has suggested could happen with this tax ping-pong operation that might go on here.

It is unfortunate congressional leadership took so long to deal with the alternative minimum tax and that some are still putting an obsession with pay-go and narrow partisan interests over the wellbeing of their own constituents. We can talk until we are blue in the face, but the bottom line is we need to change the tax laws with respect to the alternative minimum tax. That law change needs congressional action and a Presidential signature, and anything else is just plain talk.

I would like to end this part of the remarks I am making today with a suggestion. I hope we get all parties to an agreement by changing the law on the AMT patch. By all parties, I am referring to House Democrats, House Republicans, Senate Democrats, Senate Republicans, and, of course, nothing is going to happen if the President can't sign it. Without an agreement, we will not get a law. And without a law change, this is what is going to happen: 23 million families face an unexpected tax increase that is going to average about $2,000 per family. Without a law change, we make worse the filing season fiasco for yet another 27 million families and individual taxpayers. That is on top of the 23 million who, for the first time, are being hit by the alternative minimum tax.

So here is my suggestion. It is simple. It is black and white. It is in a letter from Chairman RANGEL and Chairman BAUCUS and ranking Republicans MCCRERY in the House and myself for the Republicans in the Senate Finance Committee. We are the senior tax-writing committee members from the Congress. That letter was dated October 31 this year assuring Treasury Secretary Paulson and Acting IRS Commissioner Stiff that we would work to pass an AMT patch bill expeditiously. That letter contains the test that ought to be applied to any proposal in substance and process on an AMT patch.

Let me remind you, this is a bipartisan letter by the most senior tax-writing Members of the Congress. And it starts with ''we,'' meaning Chairman RANGEL, Chairman BAUCUS, and ranking Republican members, MCCRERY and GRASSLEY. Here is what that sentence says:

> We plan to do everything possible to enact AMT relief legislation in a form mutually agreeable to the Congress and the President before the end of the year.

That is the end of the quote, but I want to put emphasis within that quote on these words: Passing legislation in a form mutually agreeable to the Congress and to the President before the end of the year, meaning the end of 2007. Chairmen RANGEL and BAUCUS and their ranking members made it clear in this letter.

Mr. President, I ask unanimous consent the letter I have been referring to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TAX WRITERS NOTIFY IRS OF UPCOMING AMT FIX

FINANCE WAYS AND MEANS LEADERS INTEND TO PREVENT TAX FROM AFFECTING MORE AMERICANS, URGE IRS TO BEGIN PLANNING NOW FOR ACCURATE TAX FORMS

WASHINGTON, DC.—Leaders of the congressional tax writing committees notified the Internal Revenue Service (IRS) today of imminent changes to the alternative minimum tax, and encouraged the agency to plan now to produce accurate tax forms for the 2007 filing season. Senate Finance Committee Chairman Max Baucus (D-Mont.), House Ways and Means Chairman Charles Rangel (D-N.Y.), Finance Ranking Republican Chuck Grassley (R-Iowa), and Ways and Means Ranking Republican Member Jim McCrery (R-La.) sent a letter to Acting IRS Commissioner Linda Stiff, indicating their intention to complete legislation preventing the AMT from affecting any additional American taxpayers for 2007. The AMT was originally meant to ensure that wealthy Americans paid some income tax, but without indexing for inflation it has begun to affect middle-income American taxpayers.

The text of the Tuesday letter follows here.

OCTOBER 30, 2007.

MS. LINDA E. STIFF,
Acting Commissioner, Internal Revenue Service, Washington, DC.

DEAR ACTING COMMISSIONER STIFF: Under present law, more than 23 million taxpayers will be subject to higher taxes in 2007 unless legislation is enacted to limit the reach of the Alternative Minimum Tax (AMT). We realize that this fact is causing concern for many taxpayers and is creating administrative difficulties for the IRS as the agency prepares for the upcoming filing season.

As the leaders of the Congressional tax-writing committees, we want to assure you that legislative relief is forthcoming so that no new taxpayers will be subject to the AMT for taxable year 2007. To accomplish this, we are committed to extending and indexing the 2006 AMT patch with the goal of ensuring that not one additional taxpayer faces higher taxes in 2007 due to the onerous AMT. In addition to allowing the personal credits against the AMT, the exemption amount for 2007 will be set at $44,350 for individuals and $66,250 for married taxpayers filing jointly.

We plan to do everything possible to enact AMT relief legislation in a form mutually agreeable to the Congress and the President before the end of the year. We urge the Internal Revenue Service to take all steps necessary to plan for changes that would be made by the legislation.

Thank you for your immediate attention to this matter.

Sincerely yours,

MAX BAUCUS,
Chairman, Committee on Finance.

CHARLES E. GRASSLEY,
Ranking Member, Committee on Finance.

CHARLES B. RANGEL,
Chairman, Committee on Ways and Means.

JIM MCCRERY,
Ranking Member, Committee on Finance.

Mr. GRASSLEY. Now, our leaders in both the House and the Senate need to back up the tax writers. We Senators need to pass a package that is agreeable to the President and to the House. What do we all agree on? We agree the patch needs to get done right now. So that is the base of what should pass the Senate, if we are to get a law enacted. House and Senate Democrats insist on offsets for a patch.

The old joke is that you better make certain the light at the end of the tunnel isn't a train coming toward you. Unfortunately, the joke is on the American people when it comes to the upcoming tax-filing season. Because of the failure of the Congress to act, the taxpayers are going to feel as if they have been hit by a freight train come April 15. The sad part is this was not necessary. Congress could have done the right thing. Congress could have acted. We have never in this century gone this late without passing the AMT patch and having it in place. The IRS and the Treasury have made it clear that the failure to act would cause very real problems in the filing season, in terms of confusion and in terms, especially, of a delay in providing taxpayers their refunds.

I am astonished when I hear that some in the Democratic leadership are telling reporters these claims of a filing fiasco are all somehow a bluff. The Democratic leadership certainly didn't think the problems of the filing season were a bluff when we were delayed in passing an extenders package last year. That is when the Republicans were in control. I strongly advocated then that we needed to pass the extenders package and warned of its negative impact on the filing season, and I was not listened to by my Republican leadership. But Democrats, now in the majority but back then in the minority, joined me in those statements. Now the clamor is much smaller with the alternative minimum tax which will affect 25 million taxpayers and will be, in many ways, significantly more disruptive to the filing season than the extenders delay last year.

As you can see from a chart I have here—I am going to ask my staff to hold that chart up. We all know the story of Chicken Little. But every once in a while, Chicken Little is right. When it comes to the filing season, the sky is falling.

It is important that my colleagues understand that by failing before Thanksgiving, we have already gummed up the works. As my colleagues can see from this next chart, the deadline of October 15 for finalizing forms and instructions has already passed. We have passed the November 7 deadline for printing the tax forms—as you can also see in the chart—and the absolute drop dead date for printing was November 16.

Every week that we don't act, this problem will get worse and worse.

I should make it clear that we are not only hearing from the IRS that the delays have created a filing fiasco; the tax preparer community is making it clear that the problems are real and they are big.

We recently received a letter from the independent IRS Oversight Board that voiced ''grave concerns about the serious risks to the 2008 filing season if legislation to change the AMT is delayed.''

The IRS Oversight Board makes it clear that there is a big, big difference from Congress passing AMT relief this week as opposed to the third week of December. The board specifically says that another 2 or 3 week delay by Congress could mean that another 31 million taxpayers will face a delay in filing returns and that another approximately $70 billion in refunds could be delayed.

These numbers would be on top of the 6.7 million taxpayers who already face a delay in filing returns and the $17 billion in refunds that are going to be delayed because we have not acted to pass the AMT ''patch.''

So if we continue to dilly-dally and delay on AMT relief until Christmas, it will be a total of 37.7 million return filings delayed and $86.9 billion in refunds delayed. These delayed refunds are not just paper; they represent real money that many working families are counting on to help them to pay the bills, make an important purchase or even have an important medical procedure done.

To be blunt, we are already in the soup and it is a question of how bad it is going to get.

I recently joined the ranking member of the Ways and Means Committee in writing to Ms. Stiff, the Acting Commissioner of the Internal Revenue Service, asking that the IRS do the following:

No. 1, take steps to educate taxpayers about the possible changes in the law and tax forms;

No. 2, work closely with the tax preparation community to keep them aware of the IRS to update programming and minimize delays and to encourage the tax preparation community to inform their clients and consumers about likely delays in processing returns and distributing refunds;

No. 3, ensure that all IRS call center employees are fully informed about the status of the tax filing season and can provide accurate and timely information to callers;

No. 4, within available resources, increase staffing of IRS call centers to accommodate the increased call volume that will likely result from taxpayer confusion.

I think these steps will allow us to do the best we can with a very bad hand. But there should be no doubt, the real answer is to pass AMT relief and pass it now.

For many years now, and certainly many times this year, I have tried to shed light on the monstrosity that is the alternative minimum tax and how the failure to index the AMT for inflation threatens middle-class taxpayers. While I have consistently fought for full repeal of the alternative minimum tax, I have had to be content with enacting a series of provisions, since 2001, to increase the exemption amounts pertaining to the AMT to prevent new taxpayers from being caught by it. However, similar action has not yet been taken for tax year 2007. Despite plenty of advanced warning, congressional leadership's failure to act means that time for proactive action has already passed.

The IRS is printing tax forms and making other arrangements to process tax returns submitted for the upcoming filing season. Any legislative fix undertaken now to check the advance of the AMT will not eliminate a problem, but will only manage it. Despite being deeply disappointed that congressional leadership has not seen fit to act faster, I was hopeful that the magnitude of around 19 million additional tax filers paying the AMT for tax year 2007 was finally beginning to hit home. The AMT finally seemed to be getting the attention it deserved, but recent rhetoric has again put me into a negative frame of mind.

Rather than offer new ideas and insights into how to solve the AMT problem, which in the case of many would be to offer any ideas at all, some of my colleagues are merely recycling the same old and tired talking points of years past. More specifically, I'm referring to the accusation, made by left-leaning think tanks and also by the House Committee on Ways and Means majority, that advocates of tax relief in 2001 and 2003 deliberately—I want to emphasize they are accusing use of deliberately using the AMT as a trick to minimize the revenue cost to the Federal treasury as a result of those policies. While it is true that some families benefit less from 2001 and 2003 tax relief than they otherwise would have, to say this is by design, as is indeed done in a Committee on Ways and Means press release issued on November 14, is absolutely ridiculous.

Republicans have consistently fought, even before the 2001 tax relief bill, to curtail and eradicate the alternative minimum tax. In 1999, congressional Republicans passed the Taxpayer Refund and Relief Act of 1999, which completely repealed the AMT, and this bill was vetoed by President Clinton.

Getting back to the Ways and Means press release of November 14, in it I myself am cited as critiquing President Bush for not doing more in his 2001 and 2003 tax packages to counteract AMT effects. I do absolutely want to make clear that despite my belief that the AMT was also a pressing problem at that time, I wholeheartedly supported tax relief in 2001 and 2003 and still think it was absolutely the right thing to do. In fact, I think the provisions in both bills should be made permanent.

In order to counteract the effect of the AMT, Congress passed and President Bush signed into law a series of provisions to increase AMT exemption amounts to keep inflation from pushing new tax filers into the clutches of the AMT. If Ways and Means Democrats were serious in their implied concern for the effectiveness of 2001 and 2003 tax relief, they could do two very simple things: First, House Democrats could make 2001 and 2003 tax relief permanent; second, they could fully repeal the AMT. Of course they have shown no sign of doing either of these two things. In fact, opposition to the 2003 tax relief package was so intense among Democrats that the Vice President was called upon to break a tie during a vote in the Senate.

The provisions of the 2001 and 2003 tax relief bills were not made permanent because doing so might have made it impossible for the bills to overcome Democratic opposition. I believe that including AMT repeal in those bills would have had the same effect.

Aside from being quoted in the November 14 Ways and Means press release, I found it unintentionally humorous in that it reveals that House Democrats are doing exactly what they accuse Republicans of having done since 2001. While they accuse Republicans of using the AMT as a budgeting

gimmick, they are using the AMT as a gimmick to make it appear they are easing the tax burden when they are not.

In the release, Ways and Means Chairman RANGEL is quoted saying ''The house passed a bill to prevent the AMT from hitting 23 million families this year without hurting the economy by adding to the national debt.''

What this means is that the House is protecting some people from the AMT by subjecting other filers to additional taxes. This is the same as if your community's animal control officer caught a rabid dog on your street and let it go someplace else across town. Your problem appears to have been immediately solved, but in the longer-term, the fundamental problem still exists. The fundamental problem with the AMT is the massive amount of unintended revenue it is forecast to collect, and the unwillingness of many of my colleagues to forego that revenue.

If Ways and Means Democrats are serious in their appeal to the administration regarding the AMT to ''work with Congress to do the right thing and kill it,'' they will abandon any notion that revenues not collected because of AMT relief or repeal ought to be offset.

Finally, I want to address the baseless claim that the Bush administration's tax priorities were responsible for the AMT problem on a technical level.

This exact point was raised in 2005 by Democratic Ways and Means staffers in a letter to ''Tax Note,'' a prominent publication for tax professionals. At the time I requested that the nonpartisan Joint Committee on Taxation look into this matter. Their analysis showed that, as I have long maintained, the biggest problem with the alternative minimum tax was it was never indexed for inflation.

In response, I received from the Joint Committee on Taxation a letter dated October 3, 2005. I have requested an update of that document and will discuss the updated numbers as soon as they are available. That estimate could be interpreted to indicate that if the Bush tax cuts were repealed, alternative minimum tax revenues could be expected to drop by $302 billion, or 27 percent.

At the time, the Joint Committee on Taxation estimate also found that extending and indexing the hold-harmless provision in effect at the time would reduce alternative minimum tax revenues by around $667 billion, or 59 percent. Of course, the analysis of this question is complicated by the fact that the variables we are examining overlap and interact with each other. But responsible analysis of available information certainly does not support the allegation that the tax relief packages signed by the President in 2001 and 2003 are responsible for the explosion of the alternative minimum tax. If anything, House Democrats and their pet think tanks have illustrated the fallacy of using projected revenue reductions as a proxy for percentage causation.

Madam President, I ask unanimous consent that the October 2005 Joint Committee on Taxation revenue estimate I referred to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC, Oct. 3, 2005.

MEMORANDUM

To: Mark Prater and Christy Mistr
From: George Yin
Subject: AMT Effects

This memorandum responds to your request of September 29, 2005, for an analysis of the portion of the AMT effect (AMT liability plus credits lost due to the AMT) which can be attributed to the failure to adjust the AMT exemption amount to inflation, assuming alternatively that the EGTRRA and JGTRRA tax cuts (''tax cuts'') are either permanently extended or repealed. We also explain how this information compares to information previously provided to you on August 31, 2005 and September 16, 2005.

For the purposes of this analysis, we have first assumed that the tax cuts are repealed. The first set of figures in Table 1 compares the AMT effect under this assumption if, alternatively, (1) the AMT exemption amount hold-harmless provision is not extended beyond 2005; (2) such provision is extended permanently; and (3) such provision is extended permanently and indexed after 2005. The second set of figures presents the same comparison under the assumption that the tax cuts are permanently extended. All of the information provided in this table was previously provided to you in our September 16, 2005 memo, except in a different format.

TABLE 1

Item	AMT effect (billions of dollars)
Tax Cuts Repealed:	
(1) Hold-harmless provision not extended	399.9
(2) Hold-harmless provision extended permanently	212.0
(3) Percentage of AMT effect attributable to failure to extend hold-harmless provision (((1)–(2))/(1))	47%
(4) Hold-harmless provision extended permanently and indexed	169.7
(5) Percentage of AMT effect attributable to failure to extend and index hold-harmless provision (((1)–(4))/(1))	58%
Tax Cuts Extended Permanently:	
(6) Hold-harmless provision not extended	1,139.1
(7) Hold-harmless provision extended permanently	628.5
(8) Percentage of AMT effect attributable to failure to extend hold-harmless provision (((6)–(7))/(6))	45%
(9) Hold-harmless provision extended permanently and indexed	472.0
(10) Percentage of AMT effect attributable to failure to extend and index hold-harmless provision (((6)–(9))/(6))	59%

In the information provided to you on August 31, 2005 and September 16, 2005, we analyzed the portion of the AMT effect attributable to the tax cuts. In the analysis described above, we identify the portion of the AMT effect attributable to failure to adjust the AMT exemption amount to inflation. There is, however, interaction between these two contributing factors to the AMT effect. In order to avoid double counting of interactions, a stacking order is imposed. The apportionment of effects to each contributing factor will vary depending on the stacking order, even though the total effect remains constant.

This phenomenon is illustrated by Tables 2 and 3 below. The first two columns of Table 2 show the portion of the AMT effect attributed to the tax cuts, consistent with the information provided on August 31, 2005 and September 16, 2005. The second two columns of Table 2 show the portion of the AMT effect attributable to the failure to extend and index the hold-harmless provision, consistent with the information provided in Table 1 above. Note that if these two contributing factors were completely independent of one another, the information in Table 2 would suggest that the two factors together contribute to more than 100 percent of the AMT effect. In fact, as shown in Table 3, the two factors together contribute to only 85 percent of the AMT effect. Thus, there is substantial overlap between these two factors.

TABLE 2

Item	AMT effect (billions of dollars)	Item	AMT effect (billions of dollars)
Baseline	1,139.1	Baseline	1,139.1
Repeal tax cuts	399.9	Extend and index AMT hold-harmless provision	472.0
Difference	739.2	Difference	667.1
Percentage of baseline	65%	Percentage of baseline	59%

TABLE 3

Item	AMT effect (billions of dollars)
Baseline	1,139.1
Repeal tax cuts and extend and index AMT hold-harmless provision	169.7
Difference	969.4
Percentage of baseline	85%

Mr. GRASSLEY. Madam President, as I said, I will discuss those updated numbers when they are given to me by JCT.

I mentioned earlier that the argument that our recent tax policies are responsible for the wild growth in the alternative minimum tax is an old and a very tired argument, intellectually dishonest. The Ways and Means press release of November 14, 2007 refers to a letter of March 6, 2001, sent by Mr. RANGEL to President Bush.

I just talked about a Democratic staffer making the same point in Tax Notes in 2005. I am not bothered by these arguments in and of themselves. They are based upon poor analysis, if that, and it is easy for me to respond to them. What does bother me, however, is that clearly many people are more interested in trying to make cheap political points than actually dealing with the alternative minimum

tax. If House Democrats were concerned about the tax burden, they would repeal the alternative minimum tax without raising taxes on other taxpayers to replace revenue that was never supposed to come into the Federal Treasury, because these 23 million middle-income taxpayers were never supposed to be hit by the alternative minimum tax, because it was only meant to be paid by the superrich.

I have made the point many times, that this alternative minimum tax was never meant as a revenue source, and I do not care if I made it twice in a row, three times in a row, it is a fact of life: These 23 million people were never meant to pay it. The alternative minimum tax is only supposed to hit the superrich—it was an unsuccessful attempt—when the alternative minimum tax was passed in 1969, to promote tax fairness. This point has not been challenged.

Rather, my friends in the House and elsewhere have distorted that argument into a claim that Republicans intended to use the alternative minimum tax to secretly diminish the impact of the 2001 and 2003 tax relief packages. I have shown how that argument is flawed every time it is dug out of the closet by someone. The alternative minimum tax certainly is not a secret. But it is a mystery how so many people can engage in so much pointless discussion when what we need now right now, actually several months late, is urgent action.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SALAZAR. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Madam President, what is the pending business?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. SALAZAR. I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FARM BILL

Mr. SALAZAR. Madam President, I come to the floor to plead with my colleagues that we move forward to address the issues of agriculture and rural communities and food security for our country in moving forward with consideration and passage of the 2007 farm bill. In this Chamber, there needs to be more champions of rural America and agriculture. Those farmers and ranchers around our Nation who today are the ones working to provide food for the tables of all of America, those farmers and ranchers, when you meet them—because when you shake their hand in communities in my State, places such as Lamar or Craig or down in Dove Creek, in my home area of the San Luis Valley, Manassa, it is a rough hand. It is a rough hand that is weathered through the difficult times of having had to eke out a living from the soil and what oftentimes is a very difficult time.

Rural America, in my opinion, is part of the forgotten America. Rural America has been forgotten by Washington, DC for far too long. Rural America has been forgotten by this President and this administration for far too long. Now we have an opportunity with legislation crafted in the spirit of bipartisanship, through the leadership of Senators HARKIN and CHAMBLISS and a number of other members of the Agriculture Committee and the Finance Committee, under the leadership of Senators BAUCUS and GRASSLEY, to make sure that rural America is not forgotten. We have an opportunity to open a new chapter of opportunity for rural America. We can do this with the 2007 farm bill.

Rural America is in trouble. When you look at this map of the United States, when you look at both the red and yellow zones, they are all part of what we consider to be rural America. There are about 1,700 counties in what is characterized as rural America in this great land of ours, the United States. More than half of those counties have been declining in population. Across the heartland of the United States, you see great swathes of red where we see towns and communities that are withering on the vine. This 2007 farm bill will help revitalize rural America in a way that has not happened before.

When we look at the towns and counties across each one of the 50 States, I am sure any one of us could find many places such as this storefront in Brush, CO where half of the main street in many of the towns has essentially been closed down. This is the main street of Brush. There is a for sale sign on this building. When you go to the towns in my native valley, in Conejos County, Costilla County, I can tell you that in the town of Antonito, CO, at one point in time, 15 years ago, there were four or five gas stations on the main street. Today there is one gas station. I remember a few years ago there were multiple grocery stores. Today there is one small grocery store. I haven't done the count when I have gone through the main street of Antonito, as I often do back in the San Luis Valley, but I would guess that 60 to 70 percent of the entire main street of the town has been boarded up and is either not being used or is for sale.

The town of Antonito, like the town of Brush, like so many towns and communities across rural America, is calling out for Congress to do something to help revitalize rural America. We, in the 2007 farm bill that has been crafted in the best spirit of bipartisanship, are attempting to do so. It will be a shame for Washington, DC and for this Chamber to allow the politics of obstructionism we see going on here to essentially kill the promise of rural America represented in the 2007 farm bill.

Over the last several days and over the last month, we have seen many efforts to try to move forward to a conclusion. Yet we haven't been able to move forward because there is a filibuster in place. I have heard the majority leader come to the floor and say: Let's move forward and consider the farm bill. We will make an agreement where we will allow 10 Republican amendments and 5 Democratic amendments and 2 other amendments, a total of 17 amendments. What has happened when he has propounded that unanimous consent request? It has been objected to. He has said, as Senator HARKIN has suggested, let's take 10 amendments on either side or 12 amendments on either side. Let's come up with an agreement that puts us on the pathway of making the farm bill even better through the amendment process but getting the farm bill passed.

Yet what is happening in our inability to move forward? There are objections on the other side because there is a paradigm that has become evident in this place. And that is to try to slow walk any kind of progress we might be able to make on this legislation, on AMT, on the Energy bill, or anything else.

We hopefully will find the courage in this Chamber to make sure that the public purposes for which we were elected will ultimately triumph over the politics of division which we see taking place. Doing nothing is not an option. Obstructionism essentially is leading to that result of doing nothing.

The farmers and ranchers of America don't see this as a Democratic and Republican issue. They want results. They want us to work together to try to get results and to pass this 2007 farm bill.

I urge my colleagues to redouble their efforts to try to find agreement so we can move forward, so we can have a farm bill that is good for America.

As we talk about the farm bill, it is also important, as my good friend from North Dakota, Senator CONRAD, has said, to understand that this is much more than just about conservation and energy and rural development, the things I care so much about. It is also about another thing all of us care a lot about, and that is the nutrition of those who are most vulnerable in society. That is why in this farm bill about 67 percent of all the money that goes into this farm bill actually goes into nutrition programs for America. Yes, newspapers across the country that sometimes are critical of the commodity parts of the farm bill are wrong, because they don't focus on the other parts of the legislation. They don't talk about what we do for nutrition in this farm bill. They don't talk about what we are trying to do with the fresh fruits and vegetables program

included in this bill at a level which has never been done before.

For my small State of Colorado, what it basically means is there is going to be $45 million available to provide fresh fruits and vegetables to those young kids in our schools so they can grow up healthy and learn in the schools they currently attend. What we are doing is, we are spreading what has been a pilot program for fresh fruits and vegetables across the entire 50 States. That is a good program. We should remind Americans that when we talk about the farm bill, we are talking about nutrition.

I also want to talk a bit about one aspect of this farm bill and that is title 9, the energy part. When I look at what is happening across America today, I think that the energy opportunity for America presents one of the signature opportunities for this Nation and for this world in the 21st century. There is no doubt that we have come to realize, progressives and conservatives, Democrats and Republicans, that the addiction we have to foreign oil is something that must end. It is in the fields of rural America that we will find a significant part of the answer to get rid of our dependence on foreign oil. That conclusion is one that will sustain a clean energy revolution in our country for not only years but for decades to come. We will find ways of harnessing the power of the Sun, the power of the wind, the power of biofuels, the power of geothermal capacities to get us to the point of energy independence.

When I think about the fact that Brazil, a Third World country in South America, could become an energy-independent country and we here, the most powerful Nation on the globe, have not been able to do that, we have gone in reverse, we have had a failed energy policy. When we have gone from a point in time in the 1970s when Richard Nixon, then President, coined the term ''energy independence'' and President Jimmy Carter stood before the Nation and said we had to attack our energy addiction with the moral imperative of war, at that point we were importing 30 percent of the oil from foreign countries. Today, in March of this year, we imported 67 percent of our oil from foreign countries. So we need to become energy independent and, yes, this farm bill in title 9 invests significant resources in rural America that will help us become energy independent.

This picture is a wind farm in Prowers County, CO. We invest significant resources in wind power in my State, not only for these larger wind farms which can produce several hundred megawatts of power but also for small farms and industrial areas where you see these small windmills that can actually produce enough electric generation to meet all the needs of a farm or a small business area or to help make sure we are providing electricity to places that are remote and far away.

When we look at this 2007 farm bill, one of the marquis aspects of this bill is that it helps create a new opportunity for rural America and helps us grow our way to energy independence. On that one ground alone, we should all be willing to move forward to come up with an agreement that will allow us to move this farm bill forward.

Two years ago, when I went back to Colorado, shortly after having been elected to the Senate, I asked people to try to find a place where I could go and visit an ethanol plant. There were none at that time. Today we now have four ethanol plants like the one that is located in Sterling, CO in this picture. We are just beginning to see the energy revolution that is revitalizing that whole red part of the eastern plains of the State of Colorado. This farm bill will help us move forward in that continuing positive direction.

Another aspect of this bill which is so important, and we must keep reminding people, is conservation. When you think about conservation and what this farm bill does, this is the most significant investment ever made in conservation in the history of the United States under this farm bill. Through these investments we will be able to help make sure the water—which is the lifeblood of our rural communities; which is the lifeblood of the Nation; which is the lifeblood, certainly, of my State, which is the mother of rivers in the western part of the United States of America—that we are able to take advantage of using the water resources of our country in a positive and constructive way.

Shown in this picture is an EQIP project which is in northern Colorado, where you can actually see an EQIP project which is conserving water in the livestock tanks that have been placed out here on this ranch.

But it goes beyond water tanks and water conservation. There are also a whole host of other programs that we deal with in conservation. There is a Grassland Reserve Program. There is a Conservation Reserve Program. There is a CSP. There is a Wetlands Reserve Program.

This picture is taken of a pond which has been restored in the northern part of my State which is part of the Wetlands Reserve Program that helps us make sure we have quality wetlands.

I want to make this quick point about conservation. When you think about the people who care about our land and our water, farmers and ranchers know about the importance of land and water because they know that is their way of life. If they do not take care of their land and water, they know the next year's crop is not going to be there because their way of living is taken away from them. So farmers and ranchers are among the best environmentalists, among the best conservationists we know.

Seventy percent of our lands across this great United States of America are owned by farmers and ranchers. So the conservation program that we have in the national farm bill, in this 2007 farm bill, is absolutely essential for us to be able to protect the lands and waters of these United States.

So I hope all of the conservation organizations that are out there, knowing we are working on the farm bill today, and the millions of Americans who care about conservation make sure their Senators know we should move forward on this farm bill in order to achieve the conservation objectives of this farm bill. They should let their Senators know this gridlock, this obstructionism we see is allowing politics to triumph over the very important public purposes which we are trying to achieve in conservation.

Let me finally say, there are many other aspects of this farm bill which are important, including the safety net which takes a small portion, about 13 percent or so, of the entire farm bill budget, and that is the support system to make sure we are able to keep farmers and ranchers on the land.

As part of what we have done in trying to be innovative and moving forward with programs that will help rural America and will help farmers and ranchers, we, for the first time, under the leadership of Senator BAUCUS and Senator GRASSLEY, have included a fund to be able to deal with the disasters that affect rural America so often.

In this picture behind me, you see what has become the norm in my State over the last 6 years, where we have seen some of the record droughts in Colorado. In fact, we had the most severe drought in my State of Colorado in almost 500 years just a few years ago which devastated agriculture across the State from corner to corner.

Shown in this picture is a cornfield in Washington County. Now, some people will see this cornfield, and they will say: It looks like a bunch of dead plants. A farmer looks at this cornfield, and a farmer sees a dream—a dream that will not be realized.

In this picture, a farmer will look at it, and the farmer will remember the day when he went out and tilled the soil, when he fertilized the soil, when he planted the seed. The farmer will look at this picture, and he will remember the day when he saw the first green come through the soil as these corn seeds became plants.

In this picture, he also will see the dream he had at that point, which was that he would be able to produce enough corn from his farm to be able to make a living, to be able to pay off the operating line at the bank, to be able to make the mortgage payment for the land. The farmer will see a lot in this picture. Yet we have not had a responsible disaster program for agriculture in Washington, DC, for the longest of times. So every time there is a disaster somewhere, we have to come multiple times to the Senate, to the Congress, to try to find disaster emergency relief, which takes a lot of time.

We have been through that effort dozens of times over the last 20 years. So it is time we fund a permanent disaster fund, which is included in this

legislation, thanks to the leadership of Senator BAUCUS and Senator GRASSLEY and other members of the Finance Committee who have worked on this issue so hard.

Let me, in conclusion, say once again, I have come to the floor to speak about the farm bill because it is something we can easily do. We have 2½ weeks before Christmas. This is legislation we have worked on for a very long time. Under the leadership of Senator CHAMBLISS, several years ago, he held hearings on reforms to the farm bill all over this country. Under the leadership of Chairman HARKIN, this year, the first hearing on the farm bill was held in my State in Brighton, CO, in Adams County, one of the largest agricultural counties in my State. The effort has yielded a farm bill which is a good farm bill which should allow us to move forward to have a final farm bill coming out of the Senate.

Now we have seen, again, Senator REID come to this floor, and he has said to the Republican leadership: We want to move forward on the farm bill. Senator REID has said: We will take 10 Republican amendments to 5 Democratic amendments. Let's have a debate on those. Let's set up some time constraints on that debate, and let's get down to the point where we can have a final vote on this very important bill. Yet the answer is: We object—on the other side—to anything happening here on this farm bill.

I am hopeful the champions of rural America, the champions of agriculture on the Republican side, come over to join us to help us move this farm bill forward.

I hope the people of America put pressure on the Members of the Senate to move forward to bring us to a conclusion on this 2007 farm bill so at the end of the session we can go home for Christmas and we can say we have done something good for the food security of our Nation.

We ought to remember that sign on my desk that says: ''No Farms, No Food.'' ''No Farms, No Food.'' Every American eats. This farm bill is essential to make sure we maintain the independence and the food security we have had with food in America.

I am very hopeful we are able to move forward with this farm bill.

PAYING FOR THE ALTERNATIVE MINIMUM TAX

Mr. LEVIN. Madam President, I rise today to urge my colleagues to support fairness in our Tax Code and fiscal responsibility in our budgets and appropriations.

Sometime in the next 2 weeks, the Senate will likely be asked to vote on legislation to fix the alternative minimum tax—what we call the AMT. The issue before us is not whether the AMT ought to be fixed. Fixing it is the only fair thing to do for America's middle-class families. The real issue is whether we are going to fix it in a way that is fiscally responsible, so that we do not leave our children and our children's children to foot the bill—yet again—for our spending.

After 6 years of runaway deficits and Tax Code revisions that have disproportionately benefited the wealthiest among us, Democrats committed during the 2006 election that we would reinstitute fiscal responsibility. We pledged to play it straight with taxpayers: we said we will not run up deficits with the cost of new legislation; we will pay for what we legislate. That pledge applied to program increases, to new programs, and to tax cuts. The Democrats' fiscally responsible, pay-as-you-go pledge is the only way we have been able to temper deficit spending that has once again become the norm in Washington over the past 7 years.

So far we have held firm on the so-called ''pay-go'' commitment. But fixing the AMT carries a cost of $51 billion, and pressure is mounting on the Senate to break that commitment and add to the record $9 trillion national debt that is already threatening future generations. In the name of fairness and fiscal responsibility, the Senate should resist that pressure.

President Bush has recently used the rhetoric of fiscal responsibility.

President Bush said, ''You have to have some fiscal discipline if you want to balance the federal budget.''

The distinguished minority leader, Senator MCCONNELL added that it is time ''to get us out of the business of political theater and back to the business of governing in a fiscally responsible way.''

I agree with those sentiments even if they are 6 years too late. But being fiscally responsible as we fix the AMT will require the Senate to do more than talk the talk about fiscal discipline; it will require the Senate to walk the walk by paying for any tax reductions, and not paying for them by increasing the national debt.

Unfortunately, some of our Republican colleagues have a blind spot: they call for fiscal discipline when Congress wants to pay for an earmark or a new program, but when tax cuts are on the line, fiscal discipline is suddenly tossed into the legislative trash can. True fiscal discipline means we have to look at the bottom line for taxpayers no matter what kind of legislation we are debating, including a fix for the AMT.

The AMT was intended, when adopted in 1969, to ensure that every American with significant income contributes at least some taxes to this great country. It was designed to stop the highest income taxpayers from using tax loopholes to escape contributing one thin dime to Uncle Sam, ensuring that they shoulder their fair share of the tax burden.

The AMT included exemptions to make sure that middle class Americans were not forced to pay higher AMT taxes instead of their normal tax burden. But in recent years the AMT has gone wrong. The problem is that the AMT's exemptions protecting the middle class have not been adjusted for inflation, and the AMT is now loading additional taxes onto the backs of working families who already pay their fair share.

In 2006, 4 million taxpayers had to pay higher taxes due to the AMT. In 2007, with no fix, 23 million Americans will have their taxes increased because of the AMT. That includes 830,000 taxpayers in Michigan, which is 18 percent of all the taxpayers in the State. Only a few of these Michigan taxpayers are upper income, and most are not taking advantage of unfair tax loopholes. But if they are caught by the AMT, all 830,000 Michiganders could be hammered with hundreds or even thousands of dollars in additional taxes.

There is a consensus in Washington that the AMT exemptions ought to be expanded so that the AMT impacts only upper income Americans, and not middle class Americans already working hard just to get by. The only issue is whether we are going to pay for it.

Protecting the middle class from AMT taxes in 2007 will cost the Treasury about $51 billion over 10 years. Faced with this cost, the House has taken the fiscally responsible course of action. It has sent us a bill, H.R. 3996, which would protect the middle class from the AMT sledgehammer in a way that is revenue neutral and does not add to our national debt.

The House bill includes three fiscally responsible provisions that would raise $52 billion to pay for the AMT fix. These measures would ensure fairness in the taxes levied on stock profits and in the taxes paid by hedge fund managers. Each provision represents an important tax reform in its own right that merits our support as a matter of tax fairness.

The first of the House measures would require stock brokers to start reporting the cost basis of the securities they sell for their clients on the 1099 forms that brokers already send to those clients and to the Internal Revenue Service, IRS. Reporting the cost basis on these forms is a simple way to help ensure that the stock owners accurately report to the IRS any profits earned from the sales of the stock, and it enjoys broad, bipartisan support. It is expected to generate about $3.4 billion in added tax revenues over the next 10 years.

The next two House provisions would affect the income taxes paid by hedge fund managers, a small group of investment advisers who are among the wealthiest in America today.

Hedge funds are private investment funds accessible only to wealthy individuals and large institutional investors. The experts who decide how to invest these dollars are typically called hedge fund managers. In 2006, there were about 2,500 hedge funds registered with the Securities and Exchange Commission, SEC. Hedge funds take money only from sophisticated investors such

as pension funds, university endowments, and individuals who have at least $5 million in investments. By taking investment dollars only from sophisticated investors, hedge funds can avoid complying with SEC regulations that apply to mutual funds and other investment funds available to the general public.

Last year, press reports indicate that the top U.S. hedge fund manager made $1.7 billion in compensation. That's billion. The average compensation for the top 25 hedge fund managers was around $570 million. Each. Think about that. For comparison, the 2006 median income for U.S. households was less than $49,000, which is less than one ten thousandth of the income collected by those top hedge fund managers.

Hedge fund managers make their money by charging their clients a management fee equal to 2 percent of the funds provided to the hedge fund for investment and, in addition, by taking 20 percent of the profits earned from those investments. The 20 percent share of the investment returns from hedge funds is known as ''carried interest.'' Under current law, most hedge fund managers claim that this carried interest qualifies as capital gains subject to a maximum tax rate of 15 percent, rather than as ordinary income subject to a maximum tax rate of 35 percent.

When hedge fund managers take 20 percent of their clients' investment returns, they are being compensated for managing those client funds; they are not collecting profits from investing their own money. Characterizing this compensation as capital gains is a tax dodge that has been allowed to go on for too long. This tax loophole allows hedge fund managers to pay a 15-percent capital gains rate on millions—or even billions—of dollars in income. Meanwhile, a receptionist in the same office receiving a $50,000 salary pays at a regular tax rate. Making a salaried worker pay a higher tax rate than the managers who are making hundreds of millions of dollars is a tax travesty, and it has got to stop.

The House bill would restore fairness by putting an end to this tax loophole. The second provision of the House bill would make it clear that the 20 percent carried interest is, in fact, taxable as ordinary income, making hedge fund managers pay the same income tax rates as ordinary Americans. If enacted, it would raise about $25.6 billion over 10 years, half the cost of fixing the AMT.

The third provision in the House bill would address a smaller group of hedge fund managers—those routing their compensation through offshore corporations located in tax havens.

The hedge fund managers participating in this tax dodge typically don't live or work in the tax haven where the offshore corporation is incorporated. The offshore corporation often doesn't have any physical presence in the tax haven either—it functions as a shell company with no full-time employees or physical office. The whole arrangement is a phony setup to enable the hedge fund manager to appear to get paid outside the United States, direct the offshore corporation to place the compensation in an offshore retirement plan, and defer payment of any U.S. taxes on that compensation until sometime in the future. In the meantime, the offshore corporation can invest the funds tax free and accumulate investment returns for the hedge fund manager. The result of all this tricky maneuvering is that hedge fund managers are able to defer U.S. income taxes and circumvent parts of the U.S. Tax Code that limit tax free contributions to retirement plans. Some are able to defer paying taxes on hundreds of millions of dollars of annual income.

The House bill would put an end to this offshore tax dodge by requiring hedge fund managers to pay taxes on any earnings from their deferred offshore compensation, as those earnings accrue. The tax-free ride would be over. If enacted, this provision would raise $23.8 billion over 10 years.

Requiring accurate reporting of stock profits, applying the same tax rates to carried interest as to the income of ordinary Americans, and taxing deferred offshore investment income are provisions that promote tax fairness and make a lot of sense. Together, these three House provisions would raise more than $52 billion over 10 years, enough to pay for the entire $51 billion AMT fix so that we can protect middle class Americans from the AMT sledgehammer without running up the national debt.

So why is the Senate hesitating to enact the House bill?

Some claim that forcing hedge fund managers to pay their fair share of taxes would somehow put an end to the capitalist spirit in America. Whatever the merits of the argument for lower taxes on capital gains, those arguments certainly do not make any sense when applied to income earned for servicing and managing other peoples' capital. Surely the person who earned $1.7 billion would have had that same capitalist spirit and zeal for investing whether his take home pay was $1.7 billion or $1.1 billion.

Some of my colleagues argue that the Senate just should add the $51 billion cost of the AMT fix to the deficit and leave it at that. But when some taxpayers are given a free ride, the rest will inevitably be asked to make up the difference, whether it is through increased debt or higher taxes down the road. We all know that there is no free lunch, and there is no free tax cut, and history shows that when upper income groups avoid paying taxes, the middle income groups end up footing the tax bill. Unfortunately, some continue to grasp onto the fiscally irresponsible attitude that, in just the last 7 years, has added $3.5 trillion to the $9 trillion debt ditch already threatening the economic well-being of the next generation. And they would dig that debt ditch deeper—instead of paying for the AMT tax cut—primarily to protect hedge fund managers from paying their fair share of taxes.

I don't understand how some can claim that the deficit matters when the debate is over $22 billion in appropriations for health, education or veterans, but not when the issue is $51 billion in tax benefits for the wealthiest Americans.

The bottom line is that the House found the political will to impose tax fairness on hedge funds when they passed H.R. 3996. The Senate can and should do the same. If we don't—if we give in to the pressure to break the pay-as-you-go rules that have so far held firm in the Senate—it will be that much easier to break the rules again in the future. Giving up on pay-go would let down American taxpayers who are counting on us to act responsibly and pay for what we legislate.

If the Republican filibuster continues and succeeds, and if we cannot muster 60 votes to break it, we would then be forced with the choice of raising taxes on 23 million working families or violating our pay-as-you-go rules. I would protect my constituents at the expense of an even deeper national debt. But we don't have to go that way, and we shouldn't. With the House bill we can protect our constituents from unintended tax increases, we can ensure fairness in the tax code, and we can avoid increasing the Federal deficit.

I urge my colleagues, Republicans and Democrats, to take a look at the tradeoffs presented in the House bill. The House bill will allow us to fix the AMT for a year, and at the same time ensure that the wealthiest among us contribute their fair share to this great country. I urge my colleagues to take seriously Congress's commitment to fiscal responsibility as well as fairness, and to pass H.R. 3996.

I yield the floor.

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. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that morning business be terminated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Morning business is closed.

TEMPORARY TAX RELIEF ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to

proceed to H.R. 3996, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the bill (H.R. 3996) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Mr. REID. Madam President, it is my understanding there is a motion to proceed that is now before the Senate. I ask to withdraw it.

The PRESIDING OFFICER. Without objection, the motion is withdrawn.

Mr. REID. What now is the pending business?

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

Pending:

Harkin amendment No. 3500, in the nature of a substitute.

Reid (for Dorgan/Grassley) amendment No. 3508 (to amendment No. 3500), to strengthen payment limitations and direct the savings to increased funding for certain programs.

Reid amendment No. 3509 (to amendment No. 3508), to change the enactment date.

Reid amendment No. 3510 (to the language proposed to be stricken by amendment No. 3500), to change the enactment date.

Reid amendment No. 3511 (to amendment No. 3510), to change the enactment date.

Motion to commit the bill to the Committee on Agriculture, Nutrition, and Forestry, with instructions to report back forthwith, with Reid amendment No. 3512.

Reid amendment No. 3512 (to the instructions of the motion to commit to the Committee on Agriculture, Nutrition, and Forestry, with instructions), to change the enactment date.

Reid amendment No. 3513 (to the instructions of the motion to recommit), to change the enactment date.

Reid amendment No. 3514 (to amendment No. 3513), to change the enactment date.

CLOTURE MOTION

Mr. REID. Madam President, it is my understanding there is a cloture motion on the Harkin substitute amendment at the desk.

The PRESIDING OFFICER. The motion having been filed pursuant to rule XXII, the clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Harkin substitute amendment No. 3500 to H.R. 2419, the farm bill.

Tom Harkin, Russell D. Feingold, Jon Tester, Dick Durbin, Benjamin L. Cardin, Frank R. Lautenberg, John F. Kerry, Ted Kennedy, Byron L. Dorgan, Barack Obama, Ben Nelson, Amy Klobuchar, Sherrod Brown, Sheldon Whitehouse, Tim Johnson, Jim Webb, Hillary Rodham Clinton.

Mr. REID. Mr. President, I now ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. REID. Mr. President, I move to proceed to calendar No. 487, H.R. 3996—I am happy to see my friend, the distinguished Senator from Georgia on the floor. I believe my friend from Georgia knows how hard I have tried to get some way to proceed forward on this farm bill. We don't have farms in Nevada. We do have some. We have lots of ranches. As I have said on the floor before, the one crop we are very proud of is onions. We are the largest white onion producer in the world—in the United States—I am sorry. And in Lyon County, we produce lots of stuff: onions, garlic, and in Mason Valley, lots and lots of alfalfa. The greenbelts of Nevada are shrinking because of the population growth we have. But we still have ranches—ranches that were owned by Bing Crosby—I mean that were famous ranches. They still are. But even they are being hit by the population growth.

We are very proud of our ranching community. There are things in this farm bill that have direct impact on my constituency in the State of Nevada. That is one reason I have tried everything I know to move to this bill.

We have tried moving forward amendment by amendment. The Dorgan amendment under the bill is still pending. That is a bipartisan amendment. I have suggested let's have X number of amendments, and finally I got so desperate I said let's have the Republicans have 10 amendments and we will have 5. Still no takers on that. We heard from Senator HARKIN today who said: Senator CHAMBLISS and I now have the amendments down to less than 40. I said: Oh, good. Let's enter into an agreement that we will have 40 amendments, or whatever it is, and we will proceed to work on those. No time agreements. No deal.

The only agreement we have had on this bill is we have locked in a finite number of amendments. But it is 287 amendments—287 amendments—with issues that are so pertinent to the farm bill, like immigrants' driver's licenses, just for beginners. There have been some suggestions: Well, why don't you just move to the bill. We are in the waning days of this year, and we have to proceed and complete a number of issues. But I was a little bit lax. I said: Well, maybe we are working here, trying to work together on things, and the Amtrak bill hasn't been done for 5 or 6 years and people are crying for something to be done about this. We have one Republican Senator for years who has tried to kill Amtrak. He came very close to it a few times and we always were able to survive. So this year, I said let's move to it. On a bipartisan basis we had people who wanted to do that bill. We opened it up. What is the first amendment? A tax measure. A tax measure. We finally got that bill passed. But we can't on this farm bill open it up.

I have heard the distinguished Republican leader come forward and say: Well, that is what we have done in the past. I have been through this before, but let me repeat for everyone: The average number of nongermane amendments on farm bills has been one—one per bill—one. In my efforts to be fair and to move forward, I said, OK, on the 10 amendments the Republicans want to do on this bill, we will have two of them nongermane. I didn't ask what they would be. There was no taking of that. So I have done literally everything I can do.

The farming and ranching community of this country, they know why we are not moving forward on the farm bill. They know what is going on: The Republicans do not want to move on the farm bill. Maybe they don't care about it. Maybe they think it would be some kind of a victory for Democrats who are in the majority in the Senate—not much of a majority, but we are in the majority. I don't understand what this is all about. But Friday morning we are going to have a cloture vote again. Is that so unreasonable that if people believe in the farm bill, then they would still have 30 hours to offer amendments relating to the farm bill? They would have to be germane amendments. But what would be wrong with that?

We have had one cloture motion. It has been defeated. We have waited weeks now. We have offered all kinds of suggestions to move forward. We have not heard a single proposal back from the Republicans other than to say: Well, open it up for amendments. Open it up for amendments so we can ask that we initiate a flat tax, or open it up to an amendment that we push forward on Bush's tax cuts that have put this country into such a terrible hole financially. That is what the plan is, and we are not going to be a part of that plan. We want to do a farm bill. We want to do it fairly and reasonably.

While we are talking about schedule, I have spoken to the Speaker several times today and she is going to complete either today or tomorrow an energy bill. That being the case, that will come here as a message from the House and we will have a cloture vote on that. The way things now are, if it gets here tomorrow, we will file a cloture motion on that and we will have a vote on that Saturday. So everyone should know that unless there is an agreement to change that, we will have a vote on Saturday. We have Senators leaving for Bali and Senators wanting to go to some celebration at Pearl Harbor, and a lot of other places people want to go. But the country has a lot of business that needs to be attempted to be completed, and we are going to do that. I hope we can work together to solve some of these issues.

But to show the futility of our trying to progress, take, for example, the AMT, this tax proposal which was passed by a former Republican administration. Unless we place a so-called

patch on it, 20 million people or so will have an added tax. Some who make as much as $75,000 to $500,000 will be affected by this legislation if we don't do something to patch it. I have done everything I can except turn a back flip off of the Presiding Officer's chair to see if we can figure out a way to move forward on AMT. I ask: How could we be more reasonable than what we have suggested?

The House has passed a bill. It is over here. I said: Let's vote on that by unanimous consent. Let's vote on it. In addition to voting on that, let's vote on Senator LOTT's proposal. Senator LOTT's proposal is to do away with the AMT. The only problem with that is it would cost about $1 trillion, but we are willing to vote on it. Senator GRASSLEY and Senator BAUCUS have a measure out of the Finance Committee that says we are going to have tax incentives, which people believe in, and they are all paid for. With that is an AMT that is not paid for. Nope, we can't do that. I said: Well, I have a new idea. Let's have a vote and not pay for it. Nope, can't do that. So if there were ever a book on being reasonable, I hope they include a paragraph or two about what we have tried to do the last few days. We have tried to be reasonable.

Think about this: What else could we agree to do on AMT? They don't want to vote on it if it is paid for. They don't want a vote if it is half paid for, they don't want a vote if it is repealed, and they don't want a vote if it is not paid for. I don't know what other iterations of this anyone could come up with, but I think I have covered the basics. We have been told by the Republicans no vote on any of them.

If there is a closure of this congressional session and the AMT hasn't passed, it can be directed where most everything is directed—with the Republicans marching in lockstep with the White House. The Republicans. If there is no AMT patch, it is the fault of the Republicans. They won't let us vote on anything.

So I say through the Chair to the distinguished Senator and my friend from Georgia: Do you know how we can complete the farm bill?

Mr. CHAMBLISS. Mr. President, first, I thank the majority leader for coming down to the floor and providing one more chance to discuss this. I regret that the majority leader has taken this action to file cloture. But I can tell you what the answer is and I can tell you how to complete the farm bill. This is our fifth week on this bill, literally. We had 2 weeks before the Thanksgiving recess. We have been out 2 weeks, and our staff has been working extremely hard during those 2 weeks, and here we are back in the fifth week. If we had had an open process initially, this farm bill would be in conference today. I think that still can happen. The distinguished majority leader referred to the number of amendments that are out there. I don't remember what the number was, but 286, I believe, is what he said, and I think that is correct. A little over half of those were Democratic amendments and about half were Republican amendments. We have hotlined our bill once again today, and through work of the staff on both sides, we have cut our number in half again today, and I daresay I can cut it by two-thirds in very short order. So we are moving south. We are moving in the direction of getting amendments not only that are germane, but as the distinguished majority leader said, we have always had a couple of nongermane amendments on farm bills. As I looked at the list of the Democratic amendments, there were a number—I daresay more nongermane amendments on there than there were amendments that are germane to the farm bill. So I don't think it serves any purpose for us to argue about the germaneness or nongermaneness, obviously, with the exception of the cloture vote, what effect it will have on that.

But here is my point. This has been a bipartisan effort, as the majority leader knows. I worked very closely with Senator HARKIN and Senator CONRAD and we have developed not only a bipartisan farm bill, but we, in a bipartisan way, have been whittling down the amendments. We are going to continue to do that, in spite of the cloture motion being filed, and I am very hopeful that whether it is Friday of this week or Monday of next week or Tuesday of next week, whatever the date may be, we can come back to the majority leader as well as the minority leader and say: OK, here is where we are. This is the final number of amendments that we can finally have votes on, and if no agreement can be negotiated on that basis, then perhaps we can't come to some conclusion of it. But we have stood ready from day 1 to have an open process of amendments being filed, amendments being debated, and votes on those amendments, and some of those amendments I have significant disagreements with. But I was willing to debate those amendments and if we win, we win; if we don't win, we don't win, and we move on, but we get a bill off the floor of the Senate. The House passed their bill in July, and here we are in December and our work has not been completed.

I would simply say to the majority leader, if he asks me, as he did, how can we get a farm bill? Let's start it. Call it up. Let's let amendments be filed, debated, and voted on. I assure you we will move this farm bill. I am here Saturday, Sunday, nights, holidays, whatever the majority leader suggests.

We are here to do a farm bill, and I think I also speak for Senator HARKIN that he will be here, and we will get this done.

Mr. REID. Mr. President, Senator HARKIN told me today Senator CHAMBLISS and he had agreed to about 40 amendments; is that valid?

Mr. CHAMBLISS. We have not agreed to that. We have been working together.

Mr. REID. See, Mr. President, this is the problem we have all the time. The Chairman, Senator HARKIN, said Senator CHAMBLISS and he had agreed to have less than 40 amendments. I said, fine. But it is always this rope-a-dope—no, it is not 40; we are still working on it. Of the 287, half of those are gone. And I guess half of that would be 143. We are down on the Republican side. Maybe they can get rid of two-thirds of them.

There is always some reason we cannot go to the bill. It is very easy to say if we had had an open process, we could have been to conference. That is foolishness. I repeat, we know what farm bills are. It takes a while to work through them. But in recent history, we have averaged one nonrelevant amendment per farm bill. I am willing to take nonrelevant amendments, but no one will tell us what they will agree to. I agreed to 10, 5, and then Senator HARKIN said we can have 40. I said sign them up, let's do 40.

The ranking member of the committee says: Well, we are still working on it. That is what we have had. I want all ranching and farming families to hear what is going on here, which has gone on for weeks. Whether the purpose is to stop Democrats from passing a farm bill, I don't know. Maybe the ranking member simply doesn't want a bill. There may be reasons for that. We had a bipartisan bill. Twenty percent of the Senate voted on the bill. Twenty-one Members of the Senate are members of the Agriculture Committee, and they voted to report the bill out here. But there has been no movement on it. Cloture is ripening now, and we will move forward.

To show what is going on, we have filed cloture on AMT, the bill that came from the House. We filed cloture on the farm bill; we are going to file cloture tomorrow on the Energy bill. Everything we do, we have to procedurally go through all of these hoops because the Republicans are on steroids as it relates to filibusters. They are going to break all records. They will break a 2-year record this year. I think the American people are seeing what is going on.

The Republicans are demanding the status quo, in spite of our accomplishments. We have had a lot of accomplishments, Mr. President. We can run through the list, but we need not do that. But there have been large, significant, and important accomplishments. Accomplishments are not enough. We believe in changing the status quo. We believe in the agents of change. They are agents of keeping things the way they are.

The American people want things changed, and we want to be part of that change. We hope we will be joined by our Republican colleagues to change a few things. Let's have a new farm bill. Let's not have to extend the farm bill

that is now in existence. Let's try to do something with AMT, rather than walk out of here and have people saying it is too bad the Democrats didn't do AMT.

I have said that I defy anybody to come up with a way to do AMT other than the way I have suggested: Vote on the House bill, which is fully paid for; do the Lott proposal, which eliminates it and costs a trillion dollars; do what Senators GRASSLEY and BAUCUS reported, that we pay for the extenders, not for the AMT. This morning I suggested don't pay for it. But, no. Silence.

I am disappointed but not surprised at how we have been treated today.

Mr. CHAMBLISS. Mr. President, let me respond to the distinguished majority leader by saying that when he says I don't want a farm bill, nothing could be further from the truth. I already voted for this farm bill. I am ready to vote for this farm bill that came out of the Agriculture Committee tonight.

But when he says also that they are the advocates of change, what he is proposing is a change in the process when it comes to farm bills. We do think the status quo on farm bills is the direction we ought to go, which is a free and open amendment process, to let the will of the Senate operate relative to farm policy.

This is a critical 5-year bill for every farmer and rancher in America. If we limit the ability of folks to certain areas of concern, then we are not giving every farmer and rancher in America the opportunity to have their case made in the Senate. So I simply say I am ready to bring a farm bill to the floor. I have been ready for 5 weeks to do it. Senator HARKIN and I have not even had a discussion today about 40 amendments. I am not sure where that came from. There has been absolutely no conversation between Senator HARKIN and myself about that.

I am prepared to move forward. If the majority leader will call up the farm bill, let's start the amendment process, debate, and votes. I am here to do it.

Thank you.

Mr. REID. Mr. President, I appreciate the Senator from Georgia talking about his experience here. But I have a little bit of experience, too. I have been here a quarter century. I know how farm bills work. Anybody can look at the record. Farm bills have been handled the way I have talked about them being handled.

If the Senator from Georgia so likes this bill that he voted for, what would be wrong with voting cloture with us and allowing people who have germane amendments to the farm bill to offer them? What in the world is wrong with that? I say, respectfully, that the Senator is speaking out of both sides of his mouth when he is saying he supports this bill, when he is not willing to vote for cloture and accept germane amendments. He wants some other process so they can deal with driver's licenses for illegal immigrants and other issues that have nothing to do with the farm bill. They are trying to send a message. I have said we will accept x number of amendments, and I spoke to Senator HARKIN and he said they worked on this today. I thought he had spoken to the Senator from Georgia. Maybe it was staff driven, but he said they agreed to 40 amendments. I said sign the deal up. Or let's agree to 50 amendments. But we cannot get any agreement. We are in a rope-a-dope, Mr. President.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, this sounds somewhat similar to the discussion the majority leader and I had earlier today, so I will not belabor this. Sometimes it is harder to get a consent agreement limiting Members' opportunities to offer amendments than it is to call up a bill and process amendments, which is the way we have done farm bills in the past.

Six years ago, a Democratic majority filed cloture a couple times and cloture was not invoked. The bill was put aside, and we came back later and finished it in a week, with no consent agreements, no limitations, nothing. We disposed of the amendments. That is the way to pass this bill.

With regard to the AMT, this is a bill upon which there is a possibility of a consent agreement limiting amendments. In fact, I offered one yesterday that would limit the AMT consideration to four amendments. So we can get, on the AMT, a consent agreement that would make that possible to be dealt with in short order.

I repeat my request of the majority leader to take a look at that and see if we cannot enter into a consent agreement to wrap up the AMT.

Regarding floor time, we have spent the whole day doing nothing. Today, we could have been on the farm bill processing amendments and moving us down that path. Senator CHAMBLISS indicated, before I came to the floor, that the list on our side could be significantly narrowed. Why don't we, at some point, look at that, and we will have fewer and fewer amendments to deal with. I don't know what we intend to do on the floor next week, but if most of the work of the Senate right now is going on in negotiations off the floor, why not be doing the farm bill on the floor and processing amendments and moving forward like the Senate normally does?

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, it is interesting that when you offer to the Republicans the opportunity to have a farm bill and debate the issues on the bill, they reject it. They want to debate a lot of other things. They want to bring up a lot of other issues. I recall the list of amendments, including one from the Senator from Alaska regarding the *Exxon Valdez* litigation. That is an important issue, but is it a farm bill issue? Would the Senator from Georgia argue with me that that has no place on the farm bill? Why would that be on the list? I am sure it is a valid idea.

When it comes to AMT, 19 million Americans are going to get hit with this tax if we don't do something. The Senator from Kentucky says we should engage in a debate on the Senate floor on the flat tax. What? Yes, the flat tax. That is one of their amendments. They want to toss out the entire Internal Revenue Code and replace it with a flat tax. We have to argue that before we take up the AMT. That is what we are hearing from the Republicans.

Does that sound like it is responsible, like it addresses the issues we were sent to deal with? Every time we get to a substantive issue, Senator REID comes to the floor and says let's narrow the amendments, have the debate, and decide it up or down. We will give you your chance to offer amendments related to the bill, and we will see how it ends. How much fairer can that be? They reject it.

Time and again, they reject it because they don't want us to achieve anything in this session. Fifty-six times this year they have created a filibuster situation. Now, people who don't follow the Senate may not know what that means, but if you saw ''Mr. Smith Goes to Washington'' and watched Jimmy Stewart crumple at his desk when he had run out of steam and could not talk anymore, that is what a filibuster is all about. That is what the Republicans are all about—talk, talk, talk—or in the modern era, recess, quorum call, recess, quorum call.

Some Senator said to me it reminds him of when Abraham Lincoln contacted a general during the Civil War and said: If you are not going to use the Army, can you let me use it to execute the war?

If we are not going to use the Senate floor to do the business of the American people, can we set up a flea market or something, so that something positive is happening?

The Republicans are determined to stop anything substantive from happening. We want to take up the AMT tax and protect 19 million taxpayers. They are going to stop us. When they stop us, they are going to blame us. We saw that earlier in the day. The Republican leadership stopped a bill, and a Senator said we are just not taking up appropriations bills. They cannot have it both ways.

I listened to Senator REID, and I detected a note of frustration. How many weeks have we wasted trying to get through a farm bill that passed overwhelmingly on a bipartisan basis? They want to consider an amendment on the *Exxon Valdez* spill on the farm bill. I am sorry, but there are important things in that bill that need to pass, and they should not be held hostage to the whim of every Senator on the Republican side who has an idea. I am sure we could have a spirited debate about the future of the flat tax. But it is getting close to Christmas, and we

are supposed to get this done before we leave. We will never get it done if every Senator on the Republican side who dreams up another debate topic is given another half day or 2 days to pursue it.

At some point, leadership involves responsibility. At this point, I think the Republicans are being irresponsible because they refuse to let us do the people's business. They want to protect the status quo. They don't want this to change. They want to make this a do-nothing Congress just like the last Congress, when they were in charge. We are trying our best to avoid that. The honest answer may be that we need more votes on this side of the aisle so we can stop this, so we can move ahead and make some real changes in farm policy and tax policy. We would not reach that point if the Republican strategy continues—filibusters and blocking, coming up with excuses, and spending months on a bill that should have taken days.

That is their plan, their policy. That is what they believe in. That is the best they can offer the American people. That is why the Republican Party leadership in the Congress has been summarily rejected by the American people. They are sick of it. They want bipartisan cooperation, progress, and they want change.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to morning business, with Senators permitted to speak therein, with Senator AKAKA speaking for up to 5 minutes, Senator MENENDEZ for up to 15 minutes, Senator MURRAY for up to 5 minutes, and Senator WYDEN for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii is recognized.

COMMENDING THE UNIVERSITY OF HAWAII WARRIOR FOOTBALL TEAM

Mr. AKAKA. Mr. President, I rise today to commend the University of Hawaii Warrior football team, which completed the first undefeated season in the team's history, securing a first-ever appearance in the Sugar Bowl on New Year's Day.

Facing powerful schools from across the country, this dedicated, hard working, selfless team found the courage, strength and discipline to emerge victorious from every challenge. A spirit of support and teamwork, as well as confidence under pressure, made this historic undefeated season possible.

In addition to their victories on the field, the Warrior football players have also introduced viewers to the diverse cultures they represent. They have become positive role models for young people not only in Hawaii, but in Samoa, Australia, around the South Pacific and in communities across the United States.

They have made many people proud.

They honor the people and land of Hawaii before every game. They have shared our unique culture with the world.

The Warriors have brought the people of Hawaii together, united in supporting this incredible team that continues to defy the odds. I join the people of Hawaii in congratulating the University of Hawaii Warrior football team and rooting for victory in the Sugar Bowl New Year's Day in New Orleans.

As we say in Hawaii, ''Hana Hou,'' do it again! Go Warriors!

The PRESIDING OFFICER. The Senator from Oregon.

COUNTY PAYMENTS

Mr. WYDEN. Mr. President, I thank my colleagues, especially Senator MURRAY and Senator MENENDEZ, for their courtesy. I will be brief.

Today the House and Senate announced a historic package to address the energy crisis facing our Nation. But in addition, as part of that important legislation, the agreement contains more than $1.8 billion in desperately needed funding for our Nation's rural schools, counties, and communities.

Without the safety net funding provided as part of the energy legislation, rural communities across this country could literally be wiped off the map. Without this critical funding, rural counties across America will once again be staring down into a precipice and a future filled with closed schools, terminated services, and deteriorating roads. Within months, pink slips could again be sent to teachers and to county workers.

Fortunately, some help for those rural communities is now on the way. The energy package contains an extension of the Secure Rural Schools Program that I authored in 2000. This proposal closely mirrors the legislative proposal that was crafted with Senators BAUCUS, BINGAMAN, REID, and myself, a proposal that passed overwhelmingly in this body by a 74-to-23 vote as an amendment that I offered to the war emergency supplemental spending bill last spring.

Specifically, the new energy package provides 4 more years of funding for the Secure Rural Schools Program, commonly known as the County Payments Program. A year of full funding for the payment in lieu of taxes program has also been included. By providing funds through 2011, this deal gets our rural counties off the fiscal roller coaster and back to stable funding so they can get at the real work of planning for the future. Today's announcement would mean $1.8 billion in critical funding for school and road programs across America.

In our home State of Oregon, particularly when folks are suffering because of the bad weather, it would mean hundreds of millions of dollars for schools and public safety, roads, and other essential county services. This program has been a successful one. It has been built around collaboration among counties, environmentalists, timber interests, and others, and the funds are absolutely critical to our rural communities.

The legislation that has been agreed to today, the Energy bill, is very important to our country's future. But equally important is the legislation known as the County Payments Program for rural communities.

I am grateful to my colleague, Senator MURRAY, and Senator MENENDEZ, who have been waiting patiently for the chance to make this announcement, and it is my hope that with the unflagging support of rural folks from across the country that this much-needed energy legislation will move forward and the country can look to a brighter future for rural communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

WASHINGTON STATE FLOODS

Mrs. MURRAY. Mr. President, I thank my colleague from New Jersey for allowing me to speak before he does. I wish to speak today because, as we all know, in the last several days, the Pacific Northwest has been hit by devastating storms. We have seen wind and dangerous floods and mud slides that have cut off our roads, our homes, cut off power to literally thousands in my State.

Today, the pouring rain thankfully has subsided a bit, but thousands of people are coping with the damage in my State, in my region. We will not know the full impact of this storm for some time, but our Governor has already estimated that the cost is going to be in the billions of dollars.

My heart goes out to everyone in my home State of Washington and in Oregon who are coping with the aftermath of this tremendous storm. Those people are in my thoughts constantly. I am working with all of our State, local, and Federal entities to be sure everyone gets all the service and support they need at this critical time.

I especially thank and mention our Governor, Governor Gregoire of Washington State. She has been very strong in her leadership throughout this disaster and has been working tirelessly to coordinate the rescue efforts.

I especially today send a very heartfelt thanks to all of our rescue workers. They have been working out in these torrential rains, night and day, rescuing people from flooded homes and vehicles. They have been flying in supplies to people who are stranded. They have been working very hard to clear roads and railways that are still tonight swamped.

So far, the Navy, the Coast Guard, the National Guard, and all of our

agencies have rescued about 300 people by helicopter alone. This is our State's largest aerial search-and-rescue operation in over a decade.

Let me paint a picture for all my colleagues of the damage that has occurred so far.

Parts of southwest Washington now look like a sea of brown water. Homes are flooded up to their roofs. Entire communities have been isolated by swamped roads. Out on our coast, winds of up to 100 miles an hour have knocked out power to literally thousands of homes. People feel very isolated today. They don't have power, they don't have telephones, and, in some areas, it is very tough to even assess how bad the damage is yet because we cannot even get to these people who do not have power or telephones.

I know a lot of relatives in the region and across the country are desperately trying this evening to reach their loved ones who have been affected, and our office, along with Governor Gregoire, Senator CANTWELL, and others, is doing everything we can to help.

Finally, I wish to mention one of the hardest hit areas, and that is Interstate 5. This is the major artery that links Portland, OR, and Seattle, WA. That highway has been closed since Monday, and some are saying it is going to be several more days before we even get it open. This has forced cars and trucks that are traveling from Seattle to Portland or Portland to Seattle to detour through the Tri-Cities. For those who don't know my State, that means they have to go over a mountain pass that is snow packed right now, take 4 extra hours, if the roads are good and the snow and ice has not stopped them on the pass used to get to Portland. So this is a major nightmare in our area.

It is very hard to explain the impact of all this damage, but estimates of cost to businesses from delays on that highway alone have been placed at $4 million a day to our businesses that rely on this major artery to get their goods quickly and safely back and forth.

As I said in a speech earlier today on the floor, the impact of these storms reinforces how important our transportation infrastructure is to absolutely everyone. We are all one rainstorm, one bridge disaster away from huge impacts to our economy and to families' lives.

Again, I wished to come to the floor this evening to send my heartfelt thanks to everyone who is working so hard in my State of Washington and to all those people who have been affected so devastatingly by these storms. They are all in my thoughts every minute. My heart goes out to them, and I know everyone stands ready to be by their side.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

COST OF THE IRAQ WAR

Mr. MENENDEZ. Mr. President, for more than 4 years now, President Bush has been declaring victory or progress in Iraq. The thousands of soldiers who have lost their legs, gone blind or suffered horrible nightmares might be finding it hard to celebrate. The families of those men and women might not be cheering very loud about the President's view of success. Thousands more whose children, whose mothers and fathers are lost forever might be finding it hard to share in the latest cries of victory.

Yes, the number killed last month dropped to 37, and we certainly rejoice in the fact that fewer soldiers are dying. That is still another 37 families who have no reason to rejoice. More American troops have died this year than any other year.

No matter how much military progress has been made in Iraq, that kind of security can only go so far. No amount of troops will force Iraqi politicians to agree on a fair distribution of oil revenues. No Abrams tank can build trust between Shiites and Sunnis.

The whole point of this surge was to create the conditions necessary for Iraqis to make political progress. But 2 weeks ago, the Washington Post ran a headline that said: ''Iraqis Wasting an Opportunity, U.S. Officers Say.''

Iraqi security forces are still unable to operate on their own. Any cease-fire between factions could evaporate in minutes. We started drawing down troops to pre-surge levels, but we have to wonder whether we are going to be told again we have to re-surge, do it all over again because the Iraqi Government and security forces are largely still at square one.

Our generals in Iraq have been the first to admit that a solution to the country's conflict has to be more than a military solution; it has to be a political solution. A political solution is up to Iraqi leaders. Right now there has been practically zero progress on the core critical issues necessary to bring a lasting peace.

The administration set 18 benchmarks for the Iraqi Government to meet. They have barely met three. So is it time to turn up the pressure or let them keep squabbling while Americans pay and Americans die?

There is more corruption in Iraq than almost anywhere else on the face of the Earth. We simply don't know where our money is going. It is a pit of quicksand when it comes to money. Some estimates say that as much as a third of the money we spend on Iraqi contracts and grants winds up unaccounted for or stolen—a third of billions of dollars, with a lot of it going straight to Shiite or Sunni militias. Let me repeat that: $1 out of every $3 we pay gets either lost or stolen—lost or stolen. Even after billions and billions and billions of dollars in funding, Iraqi society is still dysfunctional.

American money went toward improving, for example, municipal water systems in Iraq. The Iraqis now break open the pipes and steal the water. American money went toward books for schools. Iraqis steal them from the Ministry of Education and sell them on the street at three times the price. Government officials have sold the furniture right out of their offices. That is what the American taxpayers are funding.

So is it time to change our strategy, or do we ignore the corruption while Americans pay and Americans die? Here is the message we send to Iraqi politicians by sending them a blank check with no expiration date: Continue your squabbles. We will continue to see the loss of American life and continue to empty our treasury for you for as long as you like. That message is: You can sit back while Americans pay and Americans die. I think it is time for a different message, Mr. President.

After seeing a surge in the military that has lasted for months do nothing about a splurge of corruption that has lasted for years, the conclusion we have to draw from that is clear: The only way Iraqis will take charge of their own country and make the tough compromises necessary to form a functional society is when they believe we won't be there forever. That is the only way. It is long past time for the Iraqi Government to take charge, and the only way they are going to step up is if we begin to transition out. A reduction in fighting is not an excuse for a reduction in planning for our involvement to end.

The fact is, the violence has not stopped and the costs of this war have only gone up. The war is costing us $10 billion or so per month. The debt our Government is taking on, and that taxpayers are going to be responsible for, is exploding at the rate of $1 million a minute. I heard our colleagues earlier today, when I was Presiding Officer, talk about fiscal responsibility and what we bequeath to the next generation. Well, we are bequeathing them $1 million a minute of debt, because none of the money the President asked for is paid for—none of it. Yet when we try to invest in America, we are told there is no money for it. But it is okay to continue to saddle the next generation of Americans with a huge debt, $1 million a minute.

When the numbers are that high, every American taxpayer has to ask him or herself a basic question: How does the President plan to pay for the war?

Well, last week, we got a small part of that answer. He wants to cut funding for counterterrorism at home. According to a leaked administration document, President Bush wants to cut counterterrorism funding for cities by more than half. When I saw that article, I had to do a double-take. When I read that, I thought the report had to be wrong. It had to be wrong. Coming from the State of New Jersey, which lost 700 people—700 of my fellow citizens on that fateful day, and coming

from a nation that lost 3,000 fellow Americans—to hear that we are going to continue to pump money into this war, a blank check, unpaid for, but that we will not take care of our security here at home, that had to be wrong.

His reported budget would slash funding for police, firefighters, and rescue workers. It could mean fewer security guards at ports, less reliable detection of explosives, and less training for security personnel. Basically, it would undermine the entire effort to prevent terrorism that our Nation realized that September day, one of the most urgent challenges we have ever faced. Cutting counterterrorism funding is simply outrageous.

Now I certainly hope the Congress is not going to stand for it, and the people who live in those cities definitely will not stand for it. But is it necessary to remind the President how important it is to protect our homes and families from terrorist attacks? Do we have to say that we must do everything within the bounds of possibility and the law to prevent a terrorist attack from happening again? And this suggestion that we are ultimately spending our efforts and lives and national treasure there so we don't have to spend it here is a falsehood. That is a falsehood.

Is anyone here in America going to feel safer at the end of the day when counterterrorism funding is cut for their hometown security, which as we found out on that fateful day on September 11 is how we responded—with local police, local firefighters, local emergency management? It was not the Federal Government but the local public safety entities. Is that a risk President Bush wants to take, to cut what amounts to .06 percent of the Federal budget, especially when the war in Iraq has eaten up $455 billion and counting; when the amount he wants to take away from police and firefighters, the people who respond, should, God forbid we have an attack, is an amount we spend in Iraq every 5 days? The money we are talking about for protecting us here at home in America is what we spend every 5 days in Iraq. What are our values? What are our priorities, Mr. President?

The President has requested $1 billion for the Iraqi police, but he wants to cut funding for the community-oriented policing program that fights crime in America's communities. So he will spend anything on the streets of Baghdad, but he suddenly thinks we should be stingy when it comes to security on the streets of our hometowns. The President wants a blank check for Iraq, but nothing for America.

That ties into what you have been seeing on the floor over the last several days. The reason we can't get appropriations bills out is because Republicans object to the type of domestic priorities the American people elected a new majority to achieve. He wants a blank check for Iraq, but nothing for America. From children's health to cancer research to crucial water resources, the President has vetoed what is most essential: our health, our safety, and in essence, our liberty. He has repeatedly said it is all too expensive. Meanwhile, he is requesting $200 billion more to fight a war in Iraq that has achieved nothing for any of us; that has ultimately seen the deaths of thousands of Americans and has left us more disliked around the world as a nation than at any other point in recent history. He wants a blank check for Iraq, but nothing for America. If he submits a budget that cuts funding for counterterrorism, I think he will truly be laying a final brick in the Department of Homeland Hypocrisy.

In high school many of us read George Orwell's book ''1984,'' which was about a nightmare world where words mean the exact opposite of what they should mean. America is starting to understand what the word ''security'' means to the President. He apparently thinks funding firefighters, police officers, and emergency responders is excessive, but he wants to spy on Americans without warrants, he wants to tap people's phones without any oversight, he condones procedures even the U.S. Army itself considers torture, he wants to throw people in jail without trials, and he basically ignores the most basic tenets of the justice system of the United States since the Constitution came into effect in 1789.

President Bush wants to cut funding to stop terrorism in order to fund a war that has created terrorists. We didn't have al-Qaida in Iraq before we invaded Iraq. We have al-Qaida in Iraq after we invaded Iraq.

America isn't just ready to turn the page on this administration; we are ready for a whole new book. I hope, as we move forward, we can get some of these domestic priorities that the Nation wants to see. I cannot believe we would spend $200 billion for Iraq but not a fraction of that to be able to ensure that millions of American children can have health care. I cannot believe we would spend $200 billion more for Iraq but not enough to handle police, firefighters, and emergency management in our communities across the landscape of this country. I cannot imagine approving $200 billion for Iraq but not being able to deal with the alternative minimum tax relief, a measure Senator REID has tried to bring to the floor.

On issue after issue, the obstructionism, the roadblocks, the coordination between the White House and our colleagues here in the Senate to impede the progress the American people want to see is incredible, as it is equally incredible to continue this course by asking for a blank check for Iraq, but nothing for America.

PERU FREE TRADE AGREEMENT

Mr. HARKIN. Mr. President, I am a longtime supporter of policies designed to open foreign markets to our Nation's exports through trade agreements. I have fought to break down barriers that many other countries have erected to block our exports and to create unfair advantages. The fact is that mutually beneficial trade agreements serve to improve farm income and create jobs here at home, and American consumers receive benefits as well, including lower prices and a greater variety of goods.

I supported the fast track procedure in the 1988 Trade Act. I voted for the North American Free Trade Agreement and the Uruguay Round GATT Agreement. However, trade agreements are not only about commercial transactions. Trade agreements also have major environmental impacts, and they have major implications for the legal rights and working conditions of laborers. All of these factors must be carefully considered in determining whether to support a given trade agreement.

Certainly, there are modest positives in this Peru Free Trade Agreement. The American Farm Bureau Federation has estimated that the agreement would generate a net increase in U.S. agricultural exports of more than $700 million annually once the agreement is fully implemented in 2025. I note, however, that, in today's dollars, that would represent only roughly one-half of 1 percent of current U.S. agricultural exports.

In addition, this agreement would level the playing field for the United States vis-à-vis other major agricultural exporters in South America. Both Brazil and Argentina enjoy preferential access into Peru's markets because of Peru's associate membership in Mercosur, and this FTA would make it easier for our products to compete with exports from Brazil and Argentina. However, I have always considered these country-by-country trade deals to be far less than ideal. It would be far better to negotiate a successful global trade agreement under the auspices of the World Trade Organization.

Despite these modest benefits, I believe that, on balance, the Peru Free Trade Agreement falls short. I am particularly concerned about the agreement's deficiencies with regard to fighting child labor.

As many of our colleagues know, I have been working to reduce abusive and exploitative child labor around the world for a decade and a half. I first introduced a bill on this issue in 1992. Over the years, I have worked hard to improve the labor provisions in various trade measures, concentrating particularly on abusive and exploitative child labor. I believe strongly that trade agreements should support and reinforce existing international child-labor standards, not undercut them. On this criterion, the Peru FTA falls short.

According to the best estimates by the International Labor Organization, ILO, there are at least 218 million child laborers between the ages of 5 and 17 in today's global economy. Of these 218

million child laborers, more than 100 million have never seen the inside of a classroom. An estimated 126 million children are working under the most hazardous circumstances in mines, in fishing operations and on plantations. These children are being robbed of their childhoods. Many are being denied an education. They are deprived of any hope for a brighter future. In the years ahead, they will grow up illiterate and exploited, and this will create a wellspring of future social conflict and strife, and even terrorism.

We have made progress in recent years by increasing funds for programs to rehabilitate child laborers through our contribution to the ILO's International Program for the Elimination of Child Labor. In 2000, I successfully amended the Trade and Development Act with a provision directing that no trade benefits under the Generalized System of Preferences, GSP, will be granted to any country that does not live up to its commitments to eliminate the worst forms of child labor. I required that the President submit a yearly report to Congress on the steps being taken by each GSP beneficiary country to carry out its commitments to end abusive and exploitative child labor.

I want to explain clearly to my colleagues what I mean when I refer to abusive and exploitative child labor. I am not talking about children who work part time after school or on weekends. There is nothing necessarily wrong with that. What I am referring to is the definition set out by ILO Convention 182 on the Worst Forms of Child Labor. This is not just a Western or a developed-world standard; it is a global standard that has been ratified by 163 countries. It was ratified by Peru in 1999. The United States was the third country in the world to ratify this convention.

It is true that we have made some modest progress in including labor protections in this Peru Free Trade Agreement. But we all know that labor protections in trade agreements mean nothing in the absence of political will to enforce them. I am also concerned that, on the very same day that the deal to include new labor provisions in the Peru FTA was announced, the president of the U.S. Chamber of Commerce said, ''We are encouraged by assurances that the labor provisions cannot be read to require compliance with ILO Conventions.'' Clearly, this statement sends a powerful message that the labor provisions in the Peru FTA should be ignored.

Under the Peru deal, the only party that can seek enforcement of labor violations in Peru is the U.S. administration. There is no mechanism for an outside party, such as a nongovernmental organization, to bring a complaint, as exists under the GSP. This would actually take us, and the world, a step backward when it comes to protecting children. That is right. This free-trade agreement with Peru, which replaces GSP provisions in governing trade between our two countries, will take us backward with respect to combating abusive and exploitative child labor.

Under the current U.S. GSP provisions, the President now must report to Congress annually regarding Peru's child labor practices. Under GSP, if Peru is not meeting the obligations that it undertook as a signatory to the ILO Convention 182, if it is not acting to eliminate the worst forms of child labor, then trade sanctions are imposed immediately to require enforcement in Peru of internationally recognized standards. This protects children. It also ensures that our workers will not be subjected to unfair competition from abusive and exploitative labor abroad. Unfortunately, under the Peru Free Trade Agreement, trade sanctions are not automatic.

I remind our colleagues that we voted 96 to 0 to include those protections, which I offered to GSP. It was a Harkin-Helms amendment, and it received unanimous, bipartisan support. None of us wanted to have those child labor protections undercut by our trade negotiators in an agreement with Peru or any other country but that is exactly what has happened. Now, because of fast-track rules which don't allow us to amend this legislation, we won't even be able to vote to restore the GSP protections in this agreement. If we vote for this trade agreement, we are voting to remove the protections that all of us who were here in 2000 voted to put in place.

On the matter of child labor, this Peru Free Trade Agreement takes us in the wrong direction. Abusive and exploitative child labor is wrong as a matter of principle. And it is also wrong as a practical matter. Our workers and our small businesses should not have to compete with abused and exploited child laborers abroad.

I am sorry to say that this is not an academic or rhetorical issue in the case of labor practices in Peru. Peru is far from the worst Government, even in our hemisphere, when it comes to meeting its international obligations to protect children from abusive and exploitative labor. I don't mean to single out Peru. But there is broad agreement among international observers—including our own Department of Labor, the Department of State, UNICEF and the International Labor Organization—that the problem of abusive child labor persists in that country. As many as 1.9 million Peruvian children between the ages of 6 and 17 are working rather than attending schools as they should. There are an estimated 150,000 child laborers in the capital city of Lima alone. The Government of Peru may be seeking to reduce the problem, as it should, but we should not be weakening our sole existing trade mechanism that allows us to monitor its progress. That is not the way forward for free and fair trade. And it is certainly not the way to lift up the Peruvian economy. Abusive child labor perpetuates the cycle of poverty across generations. No country has achieved broad-based economic prosperity on the backs of working and exploited children.

Mr. President, I appreciate that improvements were made to this agreement thanks to my Democratic colleagues in the House. But this remains a flawed agreement, one that we are not allowed to correct through amendments. I was eager to support an agreement promoting freer trade with Peru, but I cannot support a flawed agreement that takes a step backward from current law.

PASSAGE OF S. 1327

Mrs. FEINSTEIN. Mr. President, I rise today to welcome the passage of S. 1327, which will reestablish temporary judgeships where needed in the district courts and extend other temporary judgeships that are about to expire.

The bill will reestablish a 10-year temporary judgeship in the Eastern District of California, where it is sorely needed. It will also reestablish a temporary judgeship in Nebraska and extend the terms of existing temporary judgeships in Hawaii, Kansas, and Ohio.

The Eastern District of California had a temporary judgeship from 1992 to 2004. At the end of that period, the caseload in the district was the second-highest in the Nation: 787 filings per judge. That was almost 50 percent more than the national average.

Still, the temporary judgeship expired in the fall of 2004 as required by law. Since then the situation in the Eastern District has grown even more dire. Average caseloads across the Nation have declined, but in the Eastern District they have increased by 18 percent.

The most recent statistics show that the Eastern District of California has the highest caseload in the country: 927 filings per judge. That is twice as many cases as the national average.

It is no exaggeration to say that the judges of the Eastern District are in desperate need of relief. They have continued to serve with distinction in the face of the crushing caseloads. Two of the court's senior judges still carry full caseloads after taking senior status. Two other senior judges are also continuing to hear cases.

In recent months, the caseload has become even more crushing with the departure of chief judge David Levi. He stepped down from the bench after 17 years of service to become the dean of the Duke University School of Law.

It is clear that the Eastern District of California needs our help to ensure that cases continue to be handled with the care, attention, and promptness that are essential to the fair administration of justice. Reestablishing the expired temporary judgeship is one way to help.

This bill is also a crucial first step toward getting California all of the

judges it needs. According to the 2007 recommendations of the Judicial Conference of the United States, California needs a total of 12 new judges—more judges than are needed in any other State in the Nation. Four of those judges are needed in the Eastern District. By adding a temporary judgeship in the Eastern District, this bill will begin to meet that need.

I am pleased to be a cosponsor of this bill and pleased that the Senate has passed it.

INTERNATIONAL VOLUNTEER DAY

Mr. FEINGOLD. Mr. President, today I am pleased to recognize the United Nations International Volunteer Day for Economic and Social Development, IVD. I strongly support international volunteering because of the mutual personal and cultural benefits it yields to both those who volunteer and those who benefit from volunteer efforts. Volunteering is one of the more meaningful ways for us to address very significant needs and develop a common understanding throughout our interconnected world.

Volunteering overseas regularly changes perspectives for the better. My constituents often share their stories about these international experiences, and I am always pleased to hear them talk about how it broadened their understanding and deepened their compassion for other cultures. Today, some of the greatest threats to our national security are based on, or feed upon, a false impression of who the American people are and what we care about. To reverse these erroneous impressions we need to share and make clear the qualities of empathy and kindness that are central to our heritage. American volunteerism abroad is not only a simple act of benevolence—an effort to improve the lives of others—but it is also one of our best resources to create greater, more meaningful interaction and common points of reference and to build strong relationships throughout the world.

Claudia from Milwaukee wrote me recently about her first international volunteer experience. She said, ''I have always had a desire to travel and explore. . . . Most recently, I had the opportunity to volunteer internationally with Cross-Cultural Solutions in Lima, Peru . . . which brought out every emotion we have. While in Lima, I worked with the elderly of Villa El Salvador, many of whom are abused, neglected and in poor health. Villa El Salvador, which is outside of Lima, is a shantytown built on the sand dunes in 1970. The warmth and love felt from the people was unbelievable. I also had the opportunity to participate in home visits. Seeing how people live with very little, most with only one or two rooms, many with dirt floors and some having no indoor plumbing, makes me realize that it's not the possessions we have in life but life itself. . . . We are one world, one planet. We do need to share it as one.''

I believe every American should have the opportunity to volunteer overseas and experience firsthand, like Claudia, how crucial this kind of assistance is to building meaningful personal understanding and international relationships as well as contributing to the development of nations. For this reason, I introduced the Global Service Fellowship Act, S. 1464, which creates an international volunteer program designed to provide more opportunities for people-to-people engagement. The bill reduces two key barriers that Americans face when volunteering overseas—cost and time limitations. First, the Global Service Fellowship Act reduces financial barriers by awarding fellowships that can be applied towards airfare, housing, or program costs, to name a few examples. By providing financial assistance, the Global Service Fellowship Program opens the door for every American to be a program participant—not just those with the resources to pay for it.

Second, this bill offers flexibility in the length of time for which an individual can volunteer. I often hear from constituents who do not seek opportunities to participate in Federal volunteer programs because they cannot leave their jobs or family for years at a time. The Global Service Fellowship Program provides a commonsense approach to the time constraints of many Americans who seek volunteer opportunities by offering a timeframe that works for them—from a month up to a year.

My bill would broaden the spectrum of Federal volunteer opportunities already made available by our Government. Given the increasingly negative perception of the United States overseas, we need more support for international volunteerism now more than ever. My constituents who engage in such opportunities are proof of how we can both inform ourselves of the needs and nature of our foreign neighbors and also directly change attitudes about the United States for the better.

For these reasons, today marks a special day for me and, in particular, for my constituents who have shared with me their stories of hope and fulfillment from their international experiences. It is my wish that all of us will have these types of experiences and that this day will remind us of—and encourage us to participate in—the very meaningful opportunities and benefits offered by international volunteer initiatives.

ADDITIONAL STATEMENTS

TRIBUTE TO ED SHINODA

• Mr. AKAKA. Mr. President, I would like to commend Ed Shinoda for receiving the Organization of Chinese Americans', OCA, Asia Pacific American Corporate Achievement Award. October 19, 2007, he was recognized in Las Vegas, NV, for his work at the United States Parcel Service, UPS, as a Pacific region manager. He has been at UPS since 1975, where he started as a part-time loader.

The OCA was founded in 1973 to advance the social, political, and economic well-being of Asian Pacific Americans. With 50 chapters across the Nation, including one in Hawaii, OCA helps citizens achieve their aspirations and improve their lives. The organization also facilitates the development of leadership and involvement in the community.

The Asia Pacific American Corporate Achievement Award was given to twelve individuals this year. This national program recognizes the achievements of Asian Pacific Americans in the corporate world, and their service to the community. Those honored were nominated by their employers, and then selected by a panel of judges.

Ed is currently the UPS Hawaii Operations Manager and is responsible for all UPS operations in Hawaii. Throughout his time at UPS, Ed has served in various leadership positions and is now one of the highest ranking Asian Pacific Americans at UPS. Ed not only works hard at UPS, but also in the community. He has participated in programs such as Neighbor-to-Neighbor, Global Volunteer Week, and the United Way campaign.

In addition to working hard and being involved in the community, Ed also supports fellow Asian Pacific American communities. He has served in organizations such as the Honolulu Japanese Chamber of Commerce, the Honolulu Chamber of Commerce, and the Hong Kong Business Association. He helped found ''A Safe Place,'' an organization which works with children whose parents have been incarcerated. Ed is a hard-working individual, and I wish him and his family a warm aloha and best wishes.•

HALEIWA SUPER MARKET CENTENNIAL

• Mr. AKAKA. Mr. President, I would like to take this opportunity to congratulate the Haleiwa Super Market of Haleiwa, HI, on celebrating its 100-year anniversary. The store was opened by Kasaku Sakai, a Japanese plantation contract worker, and has since been run by four generations of the Sakai family.

Since opening in 1907, the store has expanded from a small grocery store to a full service supermarket. The business has changed locations several times in order to accommodate the store's increasing size. It has provided the residents of Haleiwa town with an invaluable resource throughout its many years. For example, during WWII, the store operated by credit, and its customers were not required to pay interest on their outstanding balances. Debts were often forgiven for families that were unable to pay. Now, both tourists and locals stroll the aisles of the Haleiwa Super Market for its fresh

produce, fish, wines, and its line of Haleiwa Super Market logo items.

For 100 years, the Haleiwa store has remained a family run business. Everyone in the family has contributed to the business since the time they were young. It is now operated by Robert and Roy Sakai. They credit the success of the company to their great employees.

People continue to enjoy the Haleiwa Super Market for its friendly employees and family atmosphere. Many people have helped to keep the market a flourishing business, and although we cannot name them all, we honor them through the celebration of the centennial anniversary. Without the support and dedication of the owners, employees, and customers of the Haleiwa Super Market, the store could not have survived these 100 years.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

REMEMBERING BROTHER J. STEPHEN SULLIVAN

● Mrs. CLINTON. Mr. President, on January 9, 2007, Brother J. Stephen Sullivan, Manhattan College's 17th president from 1975 to 1987, passed away at the age of 86 in Lincroft, NJ. A noted teacher, scholar, theologian, and administrator, Brother Sullivan served Manhattan College tirelessly for more than a quarter century. A champion for Catholic higher education, he was dedicated to establishing new programs, which enhanced the landscape of the college. He is credited with fully implementing the transformation of Manhattan College into a coeducational institution and ensuring the integration of women into the entire curriculum. The college had become coed just prior to Brother Sullivan's move into the president's office. Brother Sullivan touched and enriched the lives of so many, and I am pleased to ask to have the below moving tribute to the life and accomplishments of Brother Sullivan, written by Brother Luke Salm, F.S.C., a longtime professor and trustee of Manhattan College, printed in the CONGRESSIONAL RECORD.

The material follows.

THE LATE BROTHER J. STEPHEN SULLIVAN, F.S.C., PRESIDENT, MANHATTAN COLLEGE, BRONX, NEW YORK

''What is so rare as a day in June?'' says the poet. June 25, 1920 was a rare day, indeed, that saw the birth of Jeremiah Thomas Sullivan to the delight of his parents, Bridget Quirk and John Joseph Sullivan. The child grew in wisdom, age and grace in a typical Irish Catholic family in the Boston suburbs, a family that would give to the Church not only this Christian Brother but also a Jesuit priest and a Sister of Charity. In due time, young Jeremiah attended the distinguished Boston Latin School, but after two years, contact with the Brothers in nearby Waltham was the instrument of Providence that led him to heed the divine call to become a disciple of St. John Baptist de La Salle. With joy and fervor he entered the junior class in the Barrytown, New York, juniorate in 1936. The novitiate inevitably followed, where, on September 7, 1938, he was invested with the religious habit and given the name Brother Casimir Stephen.

In those days, the year of novitiate in Barrytown was followed by the scholasticate at De La Salle College in Washington in an extension program of The Catholic University. The scholasticate was supposed to continue the spiritual formation begun in the novitiate, while at the same time and often more successfully, providing a solid academic grounding for future assignments to classroom teaching. Brother Stephen was one of those chosen souls, lured by Brother Charles Henry, into the major in Latin and Greek that was usually reserved for the intellectual elite. Brother Stephen did very well and graduated magna cum laude and Phi Beta Kappa.

There was more to the scholasticate experience than prayer and study; manual labor and recreational activities provided humanity and balance. In the early 1940s, Brother Abdon Lewis presided over the student tailor shop where Brother Stephen was assigned to the ironing board. Monastic silence was rarely observed and duels were fought, sometimes with words, sometimes with yardsticks. In a student production of Shakespeare's Julius Caesar, Brother Stephen played the cameo role of Cicero opposite Brother Leo Chorman's Cassius. Although always willing to wax eloquent as occasion warranted, Brother Stephen never attained the oratorical eloquence for which the historical Cicero has been known through the ages. Student athletics were also much in vogue in those days, with organized leagues on Thursday afternoons and in the summers, but Brother Stephen, like most of his fellow Latin majors, such as Austin O'Malley, James Kaiser, Joseph Warganz and Luke Salm, never got beyond handball and an occasional try at the free-for-all version of basketball known as horse-O. Leo Chorman was an exception.

After four years, the carefree student days, as all good things do, came to an end. In September 1943, Brother Stephen and his classmates set forth to face the challenges of the classroom, extracurricular activities, graduate study and community life. For Brother Stephen, the venue was St. Peter's in Staten Island, where he taught mostly Latin, his major, but also, as needed, algebra, geometry, English, history and French. After school and during summers, he pursued successfully a master's degree in Latin at Manhattan College under the direction of the rigorous and relentless Brother Alban Dooley. In 1948, Brother Stephen was assigned to St. Mary's in Waltham, Massachusetts, as teacher and sub-director of the community. He was, thus, able to be close to his family and at the same time attend courses at Boston College, earning a second M.A., this time in philosophy.

With such a strong background in classical languages and philosophy, in 1953 Brother Stephen was sent back to The Catholic University to study for the doctorate in sacred theology, a program only recently made available to the Brothers. In addition to full-time study, the assignment also involved full-time teaching of the classics and theology to the scholastics and, in due time, administrative duties as pro-director and director of studies. One of his signature courses was on God, One and Three, that earned for him the nickname ''God.'' When Brother Cornelius Luke, the Visitor General, heard of it, he was not amused. Writing under the inspired direction of Father Eugene Burke, Brother Stephen successfully defended his thesis on what the Council of Trent had to say about grace and merit, was awarded the STD degree in 1959, and then assigned to Manhattan College.

At Manhattan, Brother Stephen was an important addition to the department of theology, still in the process of becoming an academic department with a qualified and professionally active full-time faculty. Brother Stephen regularly attended the meetings of the Catholic Theological Society and the College Theology Society for which he served as treasurer from 1960 to 1970. He authored the article on merit for the New Catholic Encyclopedia and his collection of articles entitled Readings in Sacramental Theology was published by Prentice-Hall. Meanwhile Brother Abdon Lewis was nudging Brother Stephen in the direction of administration, at first having him assist in the dean's office, then urging Brother Gregory to name him academic vice president and later executive vice president and Provost. Thus, Brother Stephen became a hands-down choice to become president of the College when Brother Gregory Nugent resigned in 1975.

By that time, the student unrest of the late 1960s had pretty well quieted down, the cooperative program with the College of Mount St. Vincent was well underway, and Manhattan itself had officially gone coed, bringing and ever-increasing number of female students to the campus. In 1978, Brother Stephen presided over the celebration of the College's 125th anniversary that was followed in the next year by the construction of the Draddy Gymnasium. During his presidency, programs for teaching the handicapped were introduced, as well as an M.B.A. program and courses in professional ethics, biotechnology and computer science. In 1979, he was awarded an honorary doctorate of laws by La Salle College in Philadelphia. Determined to keep the Brothers in the forefront, he commissioned Fabian Zaccone to paint a new mural for the reredos in the College chapel, which was renamed the Chapel of De La Salle and his Brothers. He had the same painter do a mural for the president's dining room depicting the successive Brother Presidents and their contributions to the College. For the tercentenary of the Institute in 1980, he sponsored a series of lectures that were then published. In addition, he made arrangements to have the shrine of St. De La Salle in St. Patrick's Cathedral redecorated to include the newly canonized Brothers Miguel and Mutien-Marie.

Although Brother Stephen certainly enjoyed being president, not all his record breaking twelve years in that office were full of sweetness and life. There were the inevitable conflicts with administrators and faculty, and some serious problems with a declining enrollment and consequent financial strain. He had always been close to his family and in constant touch with his brother John, a Jesuit priest at Boston College, and Sister Margaret de Sales, who was then principal at Paramus Catholic High School. He felt very deeply the deaths of his mother, his older sister, and that of his brother John. In 1980, Brother Stephen suffered the first of a series of heart attacks that eventually required surgery. After having organized and financed the first session of the Buttimer Institute of Lasallian Studies, it was a disappointment for him when the facilities of the College proved inadequate and the program was moved to California. Eventually it became clear to Brother Stephen that he no longer had the energy to complete his third five-year term. On his retirement from office in 1987, more than 600 guests gathered at a banquet in the Draddy Gymnasium to honor his achievement. In that same year, the College of Mount St. Vincent honored him with the honorary doctorate in humane letters.

After leaving Manhattan College, Brother Stephen moved to Lincroft, where he took charge of the development office. He initiated an outreach program to the entire

Lasallian family, especially relatives of the Brothers and former Brothers, based on the concept of stewardship for the Lasallian tradition. ''Associates in Stewardship'' was a constant theme in his quarterly publication called Lasallian Notes. He took special care to celebrate the lives of the deceased Brothers and to keep in contact with their families, most notably through the annual Memorial Mass. Involved as he was in public relations for the district, Brother Stephen never lost his association with Manhattan College. He rarely missed a formal college event, alumni gathering, funeral or social occasion, traveling from Lincroft by hired limo when he could no longer drive and serving as a kind of informal public relations person for the College. When the strain of his very active retirement proved to be too much for his declining physical resources, he retired reluctantly but gracefully in 2004, at age 83, and took up residence in De La Salle Hall. There, he died peacefully on January 9, 2007.

—Luke Salm, F.S.C.●

TRIBUTE TO GEORGE TOOKER

● Mr. SANDERS. Mr. President, I wish to acknowledge the lifetime work of the artist George Tooker. Earlier this month, President Bush presented him with the National Medal of Arts, our Nation's highest and most prestigious award for artistic excellence.

George Tooker, born in New York City, is a resident of Hartland, VT. After studying English literature at Harvard and then studying painting at the Art Students League of New York, he found a world of modern possibilities in the medieval and Renaissance medium of egg tempera, helping to begin a revitalization of that technique. The choice of egg tempera gave his paintings an archaic and otherworldly feel, creating wonderfully rich juxtapositions as Tooker often used contemporary subjects and circumstances as the theme of his work. For instance, many of his paintings convey images of modernity and alienation while using colors, surface finishes, and techniques that hearken back to the long tradition of art history. But they do more, of course; the reference to that long tradition of culture foregrounds the current manifestations of that culture, which George Tooker addresses as his subject.

Although some have seen elements of fantasy in his paintings, George Tooker has been explicit; he seeks not an escape into a dream world but, rather, the creation of a new approach to realism. ''I am after painting reality impressed on the mind so hard that it returns as a dream, but I am not after painting dreams as such, or fantasy,'' he once said.

His haunting works often highlight the increased social isolation that has accompanied the pressures of modernization on everyday life. He deals with society and its very real consequences; although many of his paintings retain a magical and stylized feel, at their heart are images that have the capacity to reveal and reflect many of the deepest feelings each viewer of Tooker's work encounters in his or her own life in the contemporary world.

I commend Mr. George Tooker for his important contributions to American art and congratulate him on receiving the National Medal of Arts. We in Vermont are proud of his accomplishment.●

RECOGNIZING MAINE MACHINE PRODUCTS COMPANY

● Ms. SNOWE. Mr. President, with tremendous enthusiasm, I recognize Maine Machine Products Company, a phenomenal small business from my home State of Maine that manufactures products for various hi-tech industries. Because of its hard work and dedication to leading its field, Maine Machine Products was recognized with the Maine Development Foundation's Champion of Economic Development Award at the Foundation's annual meeting on October 5, 2007. Headquartered in South Paris, Maine Machine Products has a history replete with innovation and success, and is a company highly deserving of such an aptly titled award.

Founded in 1956 by Roland Sutton, Maine Machine Products is a custom precision manufacturer of components and assemblies whose products are sent to global high-technology markets including those serving the defense and aerospace, telecom and fiber optic, and semiconductor markets. Located in a temperature-controlled 75,000-square-foot building in western Maine, Maine Machine Products employs roughly 150 highly skilled workers who consistently produce products of the finest quality for these vital industries. Always seeking to be on the cutting edge of technology, Maine Machine Products earlier this year began working with the Mazak Integrex e-Series, which is the most advanced multitasking machine in custom precision manufacturing. The machine allows the company to complete all operations, such as turning, boring, and drilling, in a single setup, increasing productivity and efficiency. Additionally, the firm has upgraded its Clean Room, where it tests and finishes semiconductor equipment, by expanding it and making other improvements.

More than merely adding to its existing infrastructure, Maine Machine Products has made significant contributions to both its employees and the western Maine community. Two programs, in particular, demonstrate the attention that the company pays to its workers and aspiring manufacturing personnel. First, Maine Machine Products makes use of the machine operators skills training grant, MOST, program, that assists firms with the training of their computer numerical control, or CNC, operators. In addition, the program attempts to fill open CNC positions with nontraditional workers by training individuals and matching them with employers. In MOST's inaugural season, 52 incumbent Maine Machine Products employees received training through the program, and the company hired 6 new employees who participated.

Through a second program, Maine Machine Products gives scholarships to students who are enrolled in the Machine Tool Program at Central Maine Community College based in Auburn. Since its inception in 1974, Maine Machine Products' scholarship program has sponsored 47 scholarships. The program provides a work-study program to students who qualify, and—most fittingly—many graduates of the scholarship program are presently employed at Maine Machine Products.

Maine Machine Products has filled a specific niche in the precision custom manufacturing industry for over five decades, and it continues to be a market leader. With measured expansion and sustained growth throughout the years, Maine Machine Products has excelled in a highly technical and competitive field. I wish everyone at Maine Machine Products continued success and growth in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 12:37 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1429. An act to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes.

At 2:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. REYES, HASTINGS of Florida, BOSWELL, CRAMER, Ms. ESHOO, Messrs. HOLT, RUPPERSBERGER, TIERNEY, THOMPSON of California, Ms. SCHAKOWSKY, Messrs. LANGEVIN, PATRICK J. MURPHY of Pennsylvania, HOEKSTRA, EVERETT, GALLEGLY, Mrs. WILSON of New Mexico, Messrs. THORNBERRY, MCHUGH, TIAHRT, ROGERS of Michigan, and ISSA.

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities: Messrs. SKELTON, SPRATT, and HUNTER.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 710) to amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1662. An act to authorize the Secretary of the Interior to seek limited reimbursement for site security activities, and for other purposes.

H.R. 2246. To provide for the release of any reversionary interest of the United States in and to certain lands in Reno, Nevada.

H.R. 3887. An act to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other persons.

H.R. 3998. An act to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures.

H.R. 4118. An act to exclude from gross income payments from the Hokie Spirit Memorial Fund to the victims of the tragic event at Virginia Polytechnic Institute & State University.

At 3:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2371. An act to amend the Higher Education Act of 1965 to make technical corrections.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. SKELTON, SPRATT, ORTIZ, TAYLOR, ABERCROMBIE, REYES, SNYDER, SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mr. MCINTYRE, Mrs. TAUSCHER, Messrs. BRADY of Pennsylvania, ANDREWS, Mrs. DAVIS of California, Messrs. LARSEN of Washington, COOPER, MARSHALL, Ms. BORDALLO, Messrs. UDALL of Colorado, HUNTER, SAXTON, MCHUGH, EVERETT, BARTLETT of Maryland, MCKEON, THORNBERRY, JONES of North Carolina, HAYES, AKIN, FORBES, WILSON of South Carolina, TURNER, KLINE of Minnesota, and Mrs. DRAKE.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Mr. BOSWELL, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. HOEKSTRA.

From the Committee on Education and Labor, for consideration of sections 561, 562, 675, 953, and 3118 of the House bill, and sections 561, 562, 564, 565, and 3137 of the Senate amendment, and modifications committed to conference: Mr. GEORGE MILLER of California, Mr. COURTNEY, and Mr. WALBERG.

From the Committee on Energy and Commerce, for consideration of sections 311–313 and 1082 of the Senate amendment, and modifications committed to conference: Mr. DINGELL, Mr. WYNN, and Mr. BARTON of Texas.

From the Committee on Foreign Affairs, for consideration of sections 831, 833, 1022, 1201, 1203, 1204, 1206–1208, 1221, 1222, 1231, 1241, 1242, title XIII, and section 3117 of the House bill, and sections 871, 934, 1011, 1201–1203, 1205, 1211, 1212, 1214, 1215, 1217, 1219, 1232, title XIII, sections 1511, 1512, 1532, 1533, 1539–1542, 1571, 1574–1576, 1579, 3134, and 3139 of the Senate amendment, and modifications committed to conference: Mr. LANTOS, Mr. ACKERMAN, and Ms. ROS-LEHTINEN.

From the Committee on Homeland Security, for consideration of section 1076 of the Senate amendment, and modifications committed to conference: Mr. THOMPSON of Mississippi, Mr. CARNEY, and Mr. DANIEL E. LUNGREN of California.

From the Committee on the Judiciary, for consideration of sections 582, 672, 673, and 850 of the House bill, and sections 824, 1023, 1024, 1078, 1087, 1571–1574, 1576, 1577, 1579, and title LII of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Mr. BERMAN, and Mr. SMITH of Texas.

From the Committee on Oversight and Government Reform, for consideration of sections 325, 326, 328–330, 604, 653, 674, 801, 802, 814, 815, 821–824, 1101–1112, 1221, 1231, and 1451 of the House bill, and sections 366–370, 603, 684, 821, 823, 842, 845, 846, 871, 902, 937, 1064, 1069, 1074, 1093, 1101–1106, 1108, 1540, 1542, and 2851 of the Senate amendment, and modifications committed to conference: Mr. WAXMAN, Mr. TOWNS, and Mr. DAVIS of Virginia.

From the Committee on Science and Technology, for consideration of sections 846, 1085, and 1088 of the Senate amendment, and modifications committed to conference: Mr. GORDON of Tennessee, Ms. GIFFORDS, and Mr. EHLERS.

From the Committee on Small Business, for consideration of sections 828, 1085, 1088, 4001, 4002, 4101–4103, 4201–4203, and 4301–4305 of the Senate amendment, and modifications committed to conference: Ms. VELÁZQUEZ, Mr. ALTMIRE, and Mr. CHABOT.

From the Committee on Transportation and Infrastructure, for consideration of sections 523 and 1048 of the House bill, and sections 311–313, 353, 1070, 2853, 2855, 2863, 5101, 5202, and 5208 of the Senate amendment, and modifications committed to conference: Mr. OBERSTAR, Mr. COSTELLO, and Mr. GRAVES.

From the Committee on Veterans Affairs, for consideration of sections 525, 1421, 1433, and 1453 of the House bill, and sections 701, 710, 1084, 1611, 1612, 1621, 1626, 1634, 1641, 1654, 1662, and 1702–1712 of the Senate amendment, and modifications committed to conference: Mr. FILNER, Mr. MICHAUD, and Mr. BUYER.

From the Committee on Ways and Means, for consideration of section 536 of the Senate amendment, and modifications committed to conference: Mr. RANGEL, Mr. STARK, and Mr. CAMP of Michigan.

At 6:12 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2517. An act to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1662. An act to authorize the Secretary of the Interior to seek limited reimbursement for site security activities, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2246. An act to provide for the release of any reversionary interest of the United States in and to certain lands in Reno, Nevada; to the Committee on Energy and Natural Resources.

H.R. 3887. An act to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes; to the Committee on the Judiciary.

H.R. 3998. An act to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures; to the Committee on Energy and Natural Resources.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2416. A bill to amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax on individuals and replace it with an alternative tax individuals may choose.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4082. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC–4083. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2007–235—2007–264); to the Committee on Foreign Relations.

EC–4084. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles to the United Kingdom to support the maintenance, repair and modification services for the C–130J and C–130K Aircraft; to the Committee on Foreign Relations.

EC–4085. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed amendment to a manufacturing agreement relative to the export of defense services to Russia for the RD–180 Liquid Propellant Rocket Engine Program; to the Committee on Foreign Relations.

EC–4086. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense services to Saudi Arabia for the operation and maintenance of the Saudi Air Defense Forces HAWK and PATRIOT Air Defense Missile Systems; to the Committee on Foreign Relations.

EC–4087. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement involving the export of technical data to France for the initial development and subsequent manufacture of Complimentary Metal Oxide Semiconductor Application Specific Integrated Circuits; to the Committee on Foreign Relations.

EC–4088. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles to Israel for the manufacture of certain Alternate Mission Equipment; to the Committee on Foreign Relations.

EC–4089. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of two commercial communications satellites to international waters for launch under the Sea Launch program or to Russia and Kazakhstan for launch; to the Committee on Foreign Relations.

EC–4090. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles relative to a commercial communications satellite; to the Committee on Foreign Relations.

EC–4091. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition that was filed on behalf of workers from the Nuclear Materials and Equipment Corporation in Apollo, Pennsylvania, to be added to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–4092. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Annual Reporting and Disclosure'' (RIN1210–AB06) received on November 20, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4093. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Applications for Food and Drug Administration Application Approval to Market a New Drug; Revision of Postmarketing Reporting Requirements'' (Docket No. 2000N–1545) received on November 20, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4094. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; General Hospital and Personal Use Devices; Classification of Remote Medication Management System'' (Docket No. 2007N–0328) received on November 20, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4095. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy, nomination, and designation of an acting officer for the position of Assistant Secretary for Public Affairs, received on November 20, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4096. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of action on a nomination for the position of Deputy Secretary, received on November 20, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4097. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Corps' Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4098. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period of April 1, 2007, to September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4099. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, the Department's annual financial report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4100. A communication from the Acting Secretary of Veterans Affairs, transmitting, pursuant to law, the semiannual report of the Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4101. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4102. A communication from the Director, Institute of Museum and Library Services, transmitting, pursuant to law, the agency's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4103. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Semiannual Report of the Administration's Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4104. A communication from the Attorney General, transmitting, pursuant to law, the Department's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4105. A communication from the Acting Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4106. A communication from the Chief Acquisition Officer, General Services Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–21'' (FAC 2005–21) received on November 16, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4107. A communication from the Archivist of the United States, transmitting, pursuant to law, the Organization's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4108. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the eight audit reports issued during fiscal year 2007 relative to the Agency and the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

EC–4109. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4110. A communication from the Director, Center for Pay and Leave Administration, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Recruitment, Relocation, and Retention Incentives'' (RIN3206–AK81) received on November 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4111. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4112. A communication from the Chairman, Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4113. A communication from the Chairman, Board of Governors, Federal Reserve

System, transmitting, pursuant to law, the Semiannual Report of the Board's Inspector General for the six-month period ending September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4114. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Employment of Veterans in the Federal Government—Fiscal Year 2006''; to the Committee on Homeland Security and Governmental Affairs.

EC–4115. A communication from the Secretary of Energy, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4116. A communication from the Chairman, Federal Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Commission's Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4117. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4118. A communication from the Chairman, Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Semiannual Report of the Service's Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4119. A communication from the Special Counsel, transmitting, pursuant to law, the Office's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4120. A communication from the President of the United States, transmitting, pursuant to law, an alternative plan for locality pay increases payable to civilian Federal employees covered by the General Schedule; to the Committee on Homeland Security and Governmental Affairs.

EC–4121. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4122. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of United States Attorney for the Middle District of Pennsylvania, received on November 16, 2007; to the Committee on the Judiciary.

EC–4123. A communication from the White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, the report of action on a nomination for the position of General Counsel, received on November 16, 2007; to the Committee on Veterans' Affairs.

EC–4124. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a change in previously submitted reported information and discontinuation of service in an acting role for the position of United States Attorney, received on November 20, 2007; to the Committee on the Judiciary.

EC–4125. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act; to the Committee on the Judiciary.

EC–4126. A communication from the Director of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Transfer of Duties of Former VA Board of Contract Appeals'' (RIN2900–AM73) received on November 20, 2007; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 704. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information (Rept. No. 110–234).

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1178. A bill to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft (Rept. No. 110–235).

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1780. A bill to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent (Rept. No. 110–236).

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

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 followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act , and for other purposes.

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2045. A bill 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, and for other purposes.

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. KERRY (for himself, Mr. ENSIGN, Ms. STABENOW, and Mr. MARTINEZ):

S. 2408. A bill to amend title XVIII of the Social Security Act to require physician utilization of the Medicare electronic prescription drug program; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. ENZI, and Mr. VITTER):

S. 2409. A bill to direct the Architect of the Capitol to ensure that the Pledge of Allegiance to the Flag and the national motto ''In God We Trust'' are each displayed prominently in the Capitol Visitor Center on a permanent basis and to prohibit the Architect from removing or refusing to include language or other content from exhibits and materials relating to the Capitol Visitor Center on the grounds that the language or content includes a religious reference or Judeo-Christian content; to the Committee on Rules and Administration.

By Mr. KYL (for himself and Mr. SUNUNU):

S. 2410. A bill to require the Federal Communications Commission to either grant or deny a Petition for Reconsideration within 1 year after such Petition is first submitted; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. OBAMA):

S. 2411. A bill to require the establishment of a credit card safety star rating system for the benefit of consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD (for himself, Ms. COLLINS, Mr. OBAMA, Mr. DURBIN, Mrs. CLINTON, Mr. BIDEN, Mr. DODD, and Mr. KERRY):

S. 2412. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Finance.

By Mr. ENZI (for himself and Mrs. FEINSTEIN):

S. 2413. A bill to provide death and disability benefits for aerial firefighters who work on a contract basis for a public agency and suffer death or disability in the line of duty, and for other purposes; to the Committee on the Judiciary.

By Mr. ENSIGN (for himself, Mr. GREGG, Mr. COBURN, Mr. GRAHAM, Mr. CORKER, Mr. DEMINT, Mr. BUNNING, and Mr. ENZI):

S. 2414. A bill to amend title XVIII of the Social Security Act to require wealthy beneficiaries to pay a greater share of their premiums under the Medicare prescription drug program; to the Committee on Finance.

By Mr. REID (for Mrs. CLINTON):

S. 2415. A bill to require the President and the Office of the Global AIDS Coordinator to establish a comprehensive and integrated HIV prevention strategy to address the vulnerabilities of women and girls in countries for which the United States provides assistance to combat HIV/AIDS, and for other purposes; to the Committee on Foreign Relations.

By Mr. DEMINT:

S. 2416. A bill to amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax on individuals and replace it with an alternative tax individuals may choose; read the first time.

By Mr. BROWNBACK (for himself and Mr. BYRD):

S. 2417. A bill to amend title 31, United States Code, to require the inscription ''In God We Trust'' to appear on a face of the $1 coins honoring each of the Presidents of the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN):

S. 2418. A bill to ensure the safety of imported food products for the citizens of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO (for himself, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. BIDEN):

S. Res. 388. A resolution designating the week of February 4 through February 8, 2008, as ''National Teen Dating Violence Awareness and Prevention Week''; to the Committee on the Judiciary.

By Mr. ALLARD (for himself, Mr. SALAZAR, Mr. TESTER, Mr. ISAKSON, Ms. COLLINS, Mrs. HUTCHISON, Mr. COCHRAN, Mr. HAGEL, Mr. CONRAD, Mr. DORGAN, Mr. DOMENICI, Mr. HATCH, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FEINSTEIN):

S. Res. 389. A resolution commemorating the 25th Anniversary of the United States Air Force Space Command headquartered at Peterson Air Force Base, Colorado; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. INHOFE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 400

At the request of Mr. SUNUNU, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 453

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 453, a bill to prohibit deceptive practices in Federal elections.

S. 458

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 458, a bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare program.

S. 522

At the request of Mr. BAYH, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 522, a bill to safeguard the economic health of the United States and the health and safety of the United States citizens by improving the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement, and for other purposes.

S. 561

At the request of Mr. BUNNING, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 561, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 602

At the request of Mr. PRYOR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 602, a bill to develop the next generation of parental control technology.

S. 661

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 694

At the request of Mrs. MCCASKILL, her name was added as a cosponsor of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

S. 814

At the request of Mr. SPECTER, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 814, a bill to amend the Internal Revenue Code of 1986 to allow the deduction of attorney-advanced expenses and court costs in contingency fee cases.

S. 827

At the request of Mr. KERRY, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 827, a bill to establish the Freedom's Way National Heritage Area in the States of Massachusetts and New Hampshire, and for other purposes.

S. 884

At the request of Mr. DURBIN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 884, a bill to amend the Public Health Service Act regarding residential treatment programs for pregnant and parenting women, a program to reduce substance abuse among nonviolent offenders, and for other purposes.

S. 910

At the request of Mr. KENNEDY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 910, a bill to provide for paid sick leave to ensure that Americans can address their own health needs and the health needs of their families.

S. 972

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 972, a bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes.

S. 1019

At the request of Mr. COBURN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1019, a bill to provide comprehensive reform of the health care system of the United States, and for other purposes.

S. 1395

At the request of Mr. LEVIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1395, a bill to prevent unfair practices in credit card accounts, and for other purposes.

S. 1430

At the request of Mr. BROWNBACK, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1512

At the request of Mrs. BOXER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1512, a bill to amend part E of title IV of the Social Security Act to expand Federal eligibility for children in foster care who have attained age 18.

S. 1551

At the request of Mr. BROWN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1551, a bill to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes.

S. 1731

At the request of Mr. CORNYN, the name of the Senator from Texas (Mrs. HUTCHISON) 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. 1910

At the request of Mr. REED, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1910, a bill to amend the Internal Revenue Code of 1986 to provide that amounts derived from Federal grants and State matching funds in connection with revolving funds established in accordance with the Federal Water Pollution Control Act and the Safe Drinking Water Act will not be treated as proceeds or replacement proceeds for purposes of section 148 of such Code.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1958

At the request of Mr. CONRAD, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S. 2056

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2056, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 2058

At the request of Mr. LEVIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2058, a bill to amend the Commodity Exchange Act to close the Enron loophole, prevent price manipulation and excessive speculation in the trading of energy commodities, and for other purposes.

S. 2071

At the request of Mrs. FEINSTEIN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. 2071, a bill to enhance the ability to combat methamphetamine.

S. 2088

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2088, a bill to place reasonable limitations on the use of National Security Letters, and for other purposes.

S. 2129

At the request of Mr. DORGAN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2129, a bill to amend the Internal Revenue Code of 1986 to establish the infrastructure foundation for the hydrogen economy, and for other purposes.

S. 2133

At the request of Mr. SPECTER, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2133, a bill to authorize bankruptcy courts to take certain actions with respect to mortgage loans in bankruptcy, and for other purposes.

S. 2140

At the request of Mr. DORGAN, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Delaware (Mr. CARPER) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 2140, a bill to award a Congressional Gold Medal to Francis Collins, in recognition of his outstanding contributions and leadership in the fields of medicine and genetics.

S. 2209

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2209, a bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes.

S. 2279

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 2279, a bill to combat international violence against women and girls.

S. 2307

At the request of Mr. KERRY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2307, a bill to amend the Global Change Research Act of 1990, and for other purposes.

S. 2332

At the request of Mr. DORGAN, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2332, a bill to promote transparency in the adoption of new media ownership rules by the Federal Communications Commission, and to establish an independent panel to make recommendations on how to increase the representation of women and minorities in broadcast media ownership.

S. 2334

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2334, a bill to withhold 10 percent of the Federal funding apportioned for highway construction and maintenance from States that issue driver's licenses to individuals without verifying the legal status of such individuals.

S. 2344

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2344, a bill to create a competitive grant program to provide for age-appropriate Internet education for children.

S. 2347

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 2347, a bill to restore and protect access to discount drug prices for university-based and safety-net clinics.

S. 2355

At the request of Ms. CANTWELL, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2355, a bill to amend the National Climate Program Act to enhance the ability of the United States to develop and implement climate change adaptation programs and policies, and for other purposes.

S. 2356

At the request of Mr. COLEMAN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2356, a bill to enhance national security by restricting access of illegal aliens to driver's licenses and State-issued identification documents.

S. 2372

At the request of Mr. SMITH, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2372, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear.

S. 2400

At the request of Mr. SESSIONS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2400, a bill to amend title 37, United States Code, to require the Secretary of Defense to continue to pay to a member of the Armed Forces who is retired or separated from the Armed Forces due to a combat-related injury certain bonuses that the member was entitled to before the retirement or separation and would continue to be entitled to if the member was not retired or separated, and for other purposes.

S.J. RES. 22

At the request of Mr. BAUCUS, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Virginia (Mr. WEBB), and the Senator from Montana (Mr. TESTER) were added as cosponsors 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. ENSIGN, Ms. STABENOW, and Mr. MARTINEZ):

S. 2408. A bill to amend title XVIII of the Social Security Act to require physician utilization of the Medicare electronic prescription drug program; to the Committee on Finance.

Mr. KERRY. Mr. President, seven thousand Americans die every year because of preventable adverse drug events. Tens of thousands of more are injured. Meanwhile, of the three billion prescriptions that are written each year, doctors report that nearly one billion of them required a followup for clarity, costing our health care system billions of dollars a year. That is why I am pleased to join my colleagues Senator ENSIGN, Senator STABENOW and Senator MARTINEZ to introduce critical legislation to help bring our health care system into the 21st century through electronic prescribing, e-prescribing, of medications in the Medicare program.

The benefits of e-prescribing are clear and compelling. When a doctor ''writes'' an electronic prescription, a computer or handheld device warns of potentially dangerous interactions or allergies or informs a physician whether a particular drug is covered by a patient's insurance. It also tells the physician whether a chemically identical generic alternative is available at a fraction of the price. The path to a more modern, accountable health care system starts with health information technology. The path to robust health information technology starts with e-prescribing.

This legislation would provide permanent funding for physician payment bonuses in Medicare to help offset the costs of acquiring e-prescribing systems and to incentivize the use of the

technology. The bill would also require all physicians in Medicare to use e-prescribing starting in 2011—1 year later than the Institute of Medicine recommended in their recent study. We have talked long enough about using technology to stem perpetually rising health care costs and poor quality, and our legislation takes an important step to do something about it.

I want to give particular credit to Mark Merritt and his team at Pharmaceutical Care Management Association, PCMA, for their hard work and leadership. PCMA is responsible for a seminal study in this field, which showed for the first time that broader adoption of e-prescribing will not only save lives, but will also save billions of dollars for patients, payers and taxpayers alike. Perhaps most importantly, PCMA created a strong and diverse coalition of health care stakeholders to advocate for this legislation, including business, labor, consumer advocates, physicians, health plans, pharmacists, and drug manufacturers. The PCMA-led coalition has worked diligently on Capitol Hill in support of this important issue. They have educated Congress on e-prescribing and are helping to make sure that we get the policy right.

The Medicare E–MEDS Act gets it right. The standards and interoperability for e-prescribing are in place; the technology is affordable; and, most importantly, the dramatic benefits for patients and health care purchasers—especially the Federal Government—are overwhelmingly clear. This bill is a solid step towards addressing these important issues in the delivery of our Nation's health care. It is time that Congress act to save lives and increase efficiency in America's health care system.

Mr. President, I ask for unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to the printed in the RECORD, as follows:

S. 2408

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 ''Medicare Electronic Medication and Safety Protection (E-MEDS) Act of 2007''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Patient safety is an important issue and a priority among patients, providers, insurers, businesses, and government entities alike.

(2) Adverse drug events are defined by the Institute of Medicine as ''any injury due to medication''.

(3) According to the Institute of Medicine, more then 1.5 million preventable adverse drug events occur every year in the United States.

(4) Studies indicate that at least 530,000 preventable adverse drug events occur each year among the Medicare population, and cost the Federal Government upwards of $887,000,000, or $1,983 per person.

(5) Electronic prescription drug programs, or e-prescribing, provide for the electronic transmittal of prescription information from the prescribing health care provider to the dispensing pharmacy and pharmacist.

(6) Electronic prescribing provides formulary and coverage information before a prescription is written to better inform the patient and prescriber of lower cost options, including generics.

(7) E-prescribing can help to eliminate medical errors, injuries, hospitalizations, and even death that can result from illegible prescriptions and bad drug interactions, in addition to reducing patient medication nonadherence.

(8) The Institute of Medicine recommends that all physicians create a plan to implement and use e-prescribing technology by 2010.

SEC. 3. INCENTIVES FOR USE OF E-PRESCRIBING UNDER MEDICARE.

(a) BONUS PAYMENTS.—Section 1833 of the Social Security Act (42 U.S.C. 1395l) is amended by adding at the end the following new subsection:

''(v) INCENTIVE PAYMENTS FOR PHYSICIAN USE OF E-PRESCRIBING.—

''(1) ONE-TIME BONUS FOR START-UP COSTS.—

''(A) IN GENERAL.—If the Secretary determines, based upon coding in claims submitted under this part over a duration specified by the Secretary, that a physician meets a threshold volume or proportion (as specified by the Secretary) of claims for physicians' services for individuals enrolled under this part that—

''(i) are classified (under section 1848) as evaluation and management services;

''(ii) include the making of a prescription that could under law be made using the electronic prescription drug program; and

''(iii) use the electronic prescription drug program for such prescription,

the Secretary shall make a payment to the physician, in addition to any other payment under this part, of the amount specified in subparagraph (B). Not more than one payment may be made under this subsection with respect to any physician.

''(B) AMOUNT.—The payment amount under subparagraph (A) shall be, in the case of a physician that meets the conditions of subparagraph (A) for a period that begins during—

''(i) 2008 or 2009, $2,000;

''(ii) 2010 or 2011, $1,500; or

''(iii) 2012 or a subsequent year, $1,000.

''(2) ON-GOING BONUS FOR USE OF E-PRESCRIBING.—

''(A) IN GENERAL.—If the Secretary determines, based upon coding in claims submitted under this part over a period specified by the Secretary, that a physician uses the electronic prescription drug program for prescribing at least a threshold volume or proportion (as specified by the Secretary) of claims for physicians' services for individuals enrolled under this part, in addition to the amount of payment that would otherwise be made under this part for physicians' services by the physician that are classified as evaluation and management services under section 1848, there also shall be paid to the physician an amount equal to 1 percent of the allowed charges for such services. In applying the previous sentence, there shall not be taken into account claims for prescriptions written for controlled substances which may not under law be prescribed using the electronic prescription drug program.

''(B) APPLICATION TO PHYSICIAN SHORTAGE BONUSES.—The additional payment under this paragraph shall be taken into account in applying subsections (m) and (u).

''(3) AUDITING.—Provisions applicable to the auditing of claims for payment and enforcement of false claims under this part shall apply to claims for payment under this subsection.

''(4) ELECTRONIC PRESCRIPTION DRUG PROGRAM DEFINED.—In this subsection, the term 'electronic prescription drug program' means the program established under section 1860D–4(e).''.

(b) REQUIREMENT FOR USE OF E-PRESCRIBING.—Section 1848(a) of such Act (42 U.S.C. 1395w–8(a)) is amended by adding at the end the following new paragraph:

''(5) ADJUSTMENT IN FEE SCHEDULE FOR FAILURE TO USE E-PRESCRIBING.—

''(A) IN GENERAL.—Subject to subparagraph (B), effective for physicians' services furnished on or after January 1, 2011, in the case of such services—

''(i) that are classified as evaluation and management services under this section; and

''(ii) in connection with which there was one or more prescriptions made that could have been made, but were not all made, under the electronic prescription drug program,

the fee schedule amount otherwise applicable under this section shall be reduced by 10 percent.

''(B) WAIVER.—The Secretary may waive the application of subparagraph (A) until January 1, 2012, or January 1, 2013, as specified by the Secretary, in cases of demonstrated hardship or unforeseen circumstances specified by the Secretary.''.

SEC. 4. REPORTS ON E-PRESCRIBING.

(a) CMS REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator of the Centers for Medicare & Medicaid Services shall submit to Congress a report on progress on implementing e-prescribing under the Medicare electronic prescription drug program under section 1860D–4(e) of the Social Security Act (42 U.S.C. 1395w–104(e)).

(2) ITEMS INCLUDED.—Such report shall include information on—

(A) the percentage of Medicare physicians that utilize the electronic prescription drug program;

(B) the estimated savings resulting from the use of e-prescribing; and

(C) progress on reducing avoidable medical errors resulting from the use of e-prescribing.

(b) GAO REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the impact of implementation of such program on physicians.

(2) ITEMS INCLUDED.—Such report shall include information on—

(A) factors influencing the adopting of e-prescribing by physicians; and

(B) the impact of this Act on physicians practicing in individual or small group practices and on physicians practicing in rural areas.

By Mr. WYDEN (for himself and Mr. OBAMA):

S. 2411. A bill to require the establishment of a credit card safety star rating system for the benefit of consumers, and for other purposes; to the Committee on Banking, Housing, And Urban Affairs.

Mr. WYDEN. Mr. President, credit card debt is hitting American families like a wrecking ball, with our families already being hammered by skyrocketing fuel prices and the subprime mortgage mess. We have seen credit card debt go up almost 25 percent in the last 3 years. I have brought to the floor a typical credit card agreement

that millions of our citizens enter into. It is 44 pages long. You can't see it from the chair, but it goes on and on and on with small print. It is very obvious to me that buried in all of this legalese, buried in all of this technical jargon, is a variety of sneaky terms that end up hurting consumers because it is not possible to understand what is in much of the key provisions of these agreements. For example, we understand folks in New Jersey, Oregon, or anywhere else pay a lot of attention to the interest rate provision. They pay a lot of attention to the annual fee provision. But they don't notice a lot of the little disclosures that end up hidden in the legalese that can end up making the real cost of credit significantly higher.

Last week, I met with students across the State of Oregon. A lot of them, with the financial aid cutbacks, are now walking on an economic tightrope. They balance their food bills against their fuel bills and their fuel bills against their housing costs. They are on an economic tightrope. They are getting buried in credit card debt. Very often they find, for example, that if they have a credit card, and they are late on another payment with someone else, their credit card interest rate ends up going up as a result. There may be a small provision in their existing credit card agreement that allows it, but nobody, for the most part, knows about it.

Students would say their interest rates would double almost overnight with virtually no notice. They would not be given any clear communication about what is going on. They would just find their costs would arbitrarily skyrocket, and they would again be unable to pay their bills.

Now, I recognize in a free society folks have a constitutional right to be foolish, to rack up charges that would not be wise, but they can do so anyway in a free society. I do not think most people will do that, certainly not the students I met with in Oregon last week, if it is possible to understand the terms of these credit cards in straightforward, plain and simple English rather than see the key provisions buried in all kinds of legalese that you would have to be a wizard to sort out.

So I am proposing today, with the support of our colleague, Senator OBAMA from Illinois, that the Federal Reserve, which has great expertise in this area, set up a safety rating system for credit cards—not one that evaluates credit card companies on provisions that are appropriately evaluated in the marketplace, but on safety matters—for example, whether a credit card company gives the consumer adequate notice before they change terms; whether, for example, they highlight the key kinds of changes rather than bury them in the small print.

I think the Federal Reserve, with the technical expertise they have and the independent judgment they bring to these financial questions, is the ideal place to develop and operate a safety rating system. Such a system has worked quite well for new cars. When you have a rating system for cars, people can understand how they would be protected in a crash. The legislation I am offering will tell people whether credit card companies are treating them fairly and disclosing the key provisions so that a free market can work.

So under the rating system I propose today with Senator OBAMA, it would be required for credit card companies to put on the card itself, put on the various promotional materials they are using, stars which, in effect, would be granted on the basis of the Federal Reserve's independent judgment as to whether the key safety criteria are being met.

I am very hopeful that at a time when our citizens are being pounded by powerful economic forces, particularly in the energy and housing field, there could at least be bipartisan agreement that the Senate could support transparency, disclosure, changes in the credit card business, so our consumers—and millions are using these credit cards during this holiday season—can understand the agreements they are getting into.

The students I met with last week are taking steps now to better police what is going on in the credit card field. On several campuses in Oregon, they have moved the credit card companies off campus. Yet the credit card companies continue to flood the students with promotional material.

I was told, for example, about one program where students were brought into a room where money was essentially floating in the air, where it was as if you would be going to a financial paradise if you just signed up for one of these credit card agreements.

I am not proposing heavy-handed regulation. I am not proposing one-size-fits-all government. I am proposing that an agency with the expertise to make sure there is disclosure, that the forms and agreements are printed in simple English—that that kind of information be rewarded in the marketplace. If companies are not willing to do it, the American people could find that out as well.

That is the kind of simple, straightforward approach—with disclosure, transparency, in simple English—that makes sense for the digital age. With the Federal Reserve completing that first safety rating, all Americans could get that kind of information quickly and conveniently. That is what is in the interest of the American people with respect to this credit card debt issue at a critical time.

I hope my colleagues will support the legislation I introduce today with Senator OBAMA.

By Mr. FEINGOLD (for himself, Ms. COLLINS, Mr. OBAMA, Mr. DURBIN, Mrs. CLINTON, Mr. BIDEN, Mr. DODD, and Mr. KERRY):

S. 2412. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, today I will reintroduce a bill to repair and strengthen the presidential public financing system. Bipartisan support is a key element of successful campaign finance reform efforts, and I am therefore delighted that the junior Senator from Maine, Sen. COLLINS, has agreed to be the principal cosponsor of the bill.

The Presidential Funding Act of 2007 will ensure that this system will continue to fulfill its promise in the 21st century. The bill will take effect in January 2009, so it will first apply in the 2012 presidential election.

The presidential public financing system was put into place in the wake of the Watergate scandals as part of the Federal Election Campaign Act of 1974. It was held to be constitutional by the Supreme Court in Buckley v. Valeo. The system, of course, is voluntary, as the Supreme Court required in Buckley. Every major party nominee for President since 1976 has participated in the system for the general election and, prior to 2000, every major party nominee had participated in the system for the primary election as well.

In the 2004 election, President Bush and two Democratic candidates, Howard Dean and the eventual nominee JOHN KERRY, opted out of the system for the presidential primaries. President Bush and Senator KERRY elected to take the taxpayer-funded grant in the general election. President Bush also opted out of the system for the Republican primaries in 2000 but accepted the general election grant. Several of the leading candidates for President in the 2008 election are not participating in the primary system, and it remains to be seen whether either major party candidate will accept public funds in the general election.

It is unfortunate that the matching funds system for the primaries has become less practicable. The system protects the integrity of the electoral process by allowing candidates to run viable campaigns without becoming overly dependent on private donors. The system has worked well in the past, and it is worth repairing so that it can work in the future. If we don't repair it, the pressures on candidates to opt out will increase until the system collapses from disuse.

This bill makes changes to both the primary and general election public financing system to address the weaknesses and problems that have been identified by participants in the system, experts on the presidential election financing process, and an electorate that is increasingly dismayed by the influence of money in politics. First and most important, it eliminates the state-by-state primary spending limits in the current law and substantially increases the overall primary spending limit from the current

limit of approximately $45 million to $150 million, of which up to $100 million can be spent before April 1 of the election year. This should make the system much more viable for serious candidates facing opponents who are capable of raising significant sums outside the system. The bill also makes available substantially more public money for participating candidates by increasing the match of small contributions from 1:1 to 4:1.

One very important provision of this bill ties the primary and general election systems together and requires candidates to make a single decision on whether to participate. Candidates who opt out of the primary system and decide to rely solely on private money cannot return to the system for the general election. Candidates must commit to participate in the system in the general election if they want to receive Federal matching funds in the primaries. The bill also increases the spending limits for participating candidates in the primaries who face a nonparticipating opponent if that opponent raises more than 20 percent more than the spending limit. This provides some protection against being far outspent by a nonparticipating opponent. Additional grants of public money are also available to participating candidates who face a nonparticipating candidate spending substantially more than the spending limit.

The bill also sets the general election spending limit at $100 million, indexed for inflation. If a general election candidate does not participate in the system and spends more than 20 percent more than the combined primary and general election spending limits, a participating opposing candidate will receive a grant equal to twice the general election spending limit.

This bill also addresses what some have called the ''gap'' between the primary and general election seasons. Presumptive presidential nominees have emerged earlier in the election year over the life of the public financing system. This has led to some nominees being essentially out of money between the time that they nail down the nomination and the convention where they are formally nominated and become eligible for the general election grant. For a few cycles, soft money raised by the parties filled in that gap, but the Bipartisan Campaign Reform Act of 2002 fortunately has now closed that loophole. This bill allows candidates who are still in the primary race as of April 1 to spend an additional $50 million until funds for the general election are made available. In addition, the bill allows the political parties to spend up to $25 million between April 1 and the date that a candidate is nominated and an additional $25 million after the nomination. The total amount of $50 million is over three times the amount allowed under current law. This should allow the ''gap'' to be more than adequately filled.

Obviously, these changes make this a more generous system. So the bill also makes the requirement for qualifying more difficult. To be eligible for matching funds, a candidate must raise $25,000 in matchable contributions—up to $200 for each donor—in at least 20 States. That is five times the threshold under current law.

The bill also makes a number of changes in the system to reflect the changes in our presidential races over the past several decades. For one thing, it makes matching funds available starting 6 months before the date of the first primary or caucus, that's approximately 6 months earlier than is currently the case. For another, it sets a single date for release of the public grants for the general election—the Friday before Labor Day. This addresses an inequity in the current system, under which the general election grants are released after each nominating convention, which can be several weeks apart.

The bill also prohibits Federal elected officials and candidates from soliciting soft money for use in funding the party conventions and requires presidential candidates to disclose bundled contributions. The bundling provision builds on a provision contained in ethics and lobbying reform bill enacted earlier this year. It requires presidential candidates to disclose all bundlers of $50,000 or more.

The purpose of this bill is to improve the campaign finance system, not to advance one party's interests. In fact, this is an excellent time to make changes in the Presidential public funding system. The 2008 presidential campaign, which is already underway, will undoubtedly be the most expensive in history. A number of candidates from both parties have opted out of the primary matching funds system, and some experts predict that one or both major party nominees will even refuse public grants for the general election period. It is too late to make the changes needed to repair the system for the 2008 election. But if we act now, we can make sure that an updated and revised system is in place for the 2012 election. If we act now, I am certain that the 2008 campaign cycle will confirm our foresight. If we do nothing, 2008 will continue and accelerate the slide of the current system into irrelevancy.

Fixing the presidential public financing system will cost money, but our best calculations at the present time indicate that the changes to the system in this bill can be paid for by raising the income tax check-off on an individual return from $3 to just $10. The total cost of the changes to the system, based on data from the 2004 elections, is projected to be around $365 million over the 4-year election cycle. To offset that increased cost, this bill first amends the Energy Policy Act of 2005 to allow the Bureau of Land Management to implement new user fees for processing oil and gas permits. It also amends the Geothermal Steam Act of 1970 to increase the yearly maintenance fee and one-time location fee for holders of more than 10 mining claims on federal land to $150 and $50 per claim, respectively, and imposes a 4 percent royalty on the gross income from mining on existing claims. Finally, it amends the Public Rangelands Improvement Act of 1978 to use a state's fee formula to establish the grazing fees for federal land in that state.

Though the numbers are large, this is actually a very small investment to make to protect our democracy and preserve the integrity of our presidential elections. The American people do not want to see a return to the pre-Watergate days of unlimited spending on presidential elections and candidates entirely beholden to private donors. We must act to ensure the fairness of our elections and the confidence of our citizens in the process by repairing the cornerstone of the Watergate reforms.

Mr. President, I ask unanimous consent that the text of the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2412

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Presidential Funding Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Revisions to system of Presidential primary matching payments.
Sec. 3. Requiring participation in primary payment system as condition of eligibility for general election payments.
Sec. 4. Revisions to expenditure limits.
Sec. 5. Additional payments and increased expenditure limits for candidates participating in public financing who face certain nonparticipating opponents.
Sec. 6. Establishment of uniform date for release of payments from Presidential Election Campaign Fund to eligible candidates.
Sec. 7. Revisions to designation of income tax payments by individual taxpayers.
Sec. 8. Amounts in Presidential Election Campaign Fund.
Sec. 9. Regulation of convention financing.
Sec. 10. Disclosure of bundled contributions to presidential campaigns.
Sec. 11. Repeal of priority in use of funds for political conventions.
Sec. 12. Offsets.
Sec. 13. Effective date.

SEC. 2. REVISIONS TO SYSTEM OF PRESIDENTIAL PRIMARY MATCHING PAYMENTS.

(a) INCREASE IN MATCHING PAYMENTS.—

(1) IN GENERAL.—Section 9034(a) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''an amount equal to the amount'' and inserting ''an amount equal to 400 percent of the amount''; and

(B) by striking ''$250'' and inserting ''$200''.

(2) ADDITIONAL MATCHING PAYMENTS FOR CANDIDATES AFTER MARCH 31 OF THE ELECTION

YEAR.—Section 9034(b) of such Code is amended to read as follows:

''(b) ADDITIONAL PAYMENTS FOR CANDIDATES AFTER MARCH 31 OF THE ELECTION YEAR.—In addition to any payment under subsection (a), an individual who is a candidate after March 31 of the calendar year in which the presidential election is held and who is eligible to receive payments under section 9033 shall be entitled to payments under section 9037 in an amount equal to the amount of each contribution received by such individual after March 31 of the calendar year in which such presidential election is held, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person after such date exceeds $200.''.

(3) CONFORMING AMENDMENTS.—Section 9034 of such Code, as amended by paragraph (2), is amended—

(A) by striking the last sentence of subsection (a); and

(B) by inserting after subsection (b) the following new subsection:

''(c) CONTRIBUTION DEFINED.—For purposes of this section and section 9033(b), the term 'contribution' means a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address, but does not include a subscription, loan, advance, or deposit of money, or anything of value or anything described in subparagraph (B), (C), or (D) of section 9032(4).''.

(b) ELIGIBILITY REQUIREMENTS.—

(1) AMOUNT OF AGGREGATE CONTRIBUTIONS PER STATE.—Section 9033(b)(3) of such Code is amended by striking ''$5,000'' and inserting ''$25,000''.

(2) AMOUNT OF INDIVIDUAL CONTRIBUTIONS.—Section 9033(b)(4) of such Code is amended by striking ''$250'' and inserting ''$200''.

(3) PARTICIPATION IN SYSTEM FOR PAYMENTS FOR GENERAL ELECTION.—Section 9033(b) of such Code is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting '', and''; and

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

''(5) if the candidate is nominated by a political party for election to the office of President, the candidate will apply for and accept payments with respect to the general election for such office in accordance with chapter 95, including the requirement that the candidate and the candidate's authorized committees will not incur qualified campaign expenses in excess of the aggregate payments to which they will be entitled under section 9004.''.

(c) PERIOD OF AVAILABILITY OF PAYMENTS.—Section 9032(6) of such Code is amended by striking ''the beginning of the calendar year in which a general election for the office of President of the United States will be held'' and inserting ''the date that is 6 months prior to the date of the earliest State primary election''.

SEC. 3. REQUIRING PARTICIPATION IN PRIMARY PAYMENT SYSTEM AS CONDITION OF ELIGIBILITY FOR GENERAL ELECTION PAYMENTS.

(a) MAJOR PARTY CANDIDATES.—Section 9003(b) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3); and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1) the candidate received payments under chapter 96 for the campaign for nomination;''.

(b) MINOR PARTY CANDIDATES.—Section 9003(c) of such Code is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3); and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1) the candidate received payments under chapter 96 for the campaign for nomination;''.

SEC. 4. REVISIONS TO EXPENDITURE LIMITS.

(a) INCREASE IN EXPENDITURE LIMITS FOR PARTICIPATING CANDIDATES; ELIMINATION OF STATE-SPECIFIC LIMITS.—

(1) IN GENERAL.—Section 315(b)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(b)(1)) is amended by striking ''may make expenditures in excess of'' and all that follows and inserting ''may make expenditures—

''(A) with respect to a campaign for nomination for election to such office—

''(i) in excess of $100,000,000 before April 1 of the calendar year in which the presidential election is held; and

''(ii) in excess of $150,000,000 before the date described in section 9006(b) of the Internal Revenue Code of 1986; and

''(B) with respect to a campaign for election to such office, in excess of $100,000,000.''.

(2) CLERICAL CORRECTION.—Section 9004(a)(1) of the Internal Revenue Code of 1986 is amended by striking ''section 320(b)(1)(B) of the Federal Election Campaign Act of 1971'' and inserting ''section 315(b)(1)(B) of the Federal Election Campaign Act of 1971''.

(b) INCREASE IN LIMIT ON COORDINATED PARTY EXPENDITURES.—Section 315(d)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)(2)) is amended to read as follows:

''(2)(A) The national committee of a political party may not make any expenditure in connection with the general election campaign of any candidate for President of the United States who is affiliated with such party which exceeds $25,000,000.

''(B) Notwithstanding the limitation under subparagraph (A), during the period beginning on April 1 of the year in which a presidential election is held and ending on the date described in section 9006(b) of the Internal Revenue Code of 1986, the national committee of a political party may make additional expenditures in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party in an amount not to exceed $25,000,000.

''(C)(i) Notwithstanding subparagraph (B) or the limitation under subparagraph (A), if any nonparticipating primary candidate (within the meaning of subsection (b)(3)) affiliated with the national committee of a political party receives contributions or makes expenditures with respect to such candidate's campaign in an aggregate amount greater than 120 percent of the expenditure limitation in effect under subsection (b)(1)(A)(ii), then, during the period described in clause (ii), the national committee of any other political party may make expenditures in connection with the general election campaign of a candidate for President of the United States who is affiliated with such other party without limitation.

''(ii) The period described in this clause is the period—

''(I) beginning on the later of April 1 of the year in which a presidential election is held or the date on which such nonparticipating primary candidate first receives contributions or makes expenditures in the aggregate amount described in clause (i); and

''(II) ending on the earlier of the date such nonparticipating primary candidate ceases to be a candidate for nomination to the office of President of the United States and is not a candidate for such office or the date described in section 9006(b) of the Internal Revenue Code of 1986.

''(iii) If the nonparticipating primary candidate described in clause (i) ceases to be a candidate for nomination to the office of President of the United States and is not a candidate for such office, clause (i) shall not apply and the limitations under subparagraphs (A) and (B) shall apply. It shall not be considered to be a violation of this Act if the application of the preceding sentence results in the national committee of a political party violating the limitations under subparagraphs (A) and (B) solely by reason of expenditures made by such national committee during the period in which clause (i) applied.

''(D) For purposes of this paragraph—

''(i) any expenditure made by or on behalf of a national committee of a political party and in connection with a presidential election shall be considered to be made in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party; and

''(ii) any communication made by or on behalf of such party shall be considered to be made in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party if any portion of the communication is in connection with such election.

''(E) Any expenditure under this paragraph shall be in addition to any expenditure by a national committee of a political party serving as the principal campaign committee of a candidate for the office of President of the United States.''.

(c) CONFORMING AMENDMENTS RELATING TO TIMING OF COST-OF-LIVING ADJUSTMENT.—

(1) IN GENERAL.—Section 315(c)(1) of such Act (2 U.S.C. 441a(c)(1)) is amended—

(A) in subparagraph (B), by striking ''(b), (d),'' and inserting ''(d)(3)''; and

(B) by inserting at the end the following new subparagraph:

''(D) In any calendar year after 2008—

''(i) a limitation established by subsection (b) or (d)(2) shall be increased by the percent difference determined under subparagraph (A);

''(ii) each amount so increased shall remain in effect for the calendar year; and

''(iii) if any amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.''.

(2) BASE YEAR.—Section 315(c)(2)(B) of such Act (2 U.S.C. 441a(c)(2)(B)) is amended—

(A) in clause (i)—

(i) by striking ''subsections (b) and (d)'' and inserting ''subsection (d)(3)''; and

(ii) by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

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

''(iii) for purposes of subsection (b) and (d)(2), calendar year 2007.''.

(d) REPEAL OF EXCLUSION OF FUNDRAISING COSTS FROM TREATMENT AS EXPENDITURES.—Section 301(9)(B)(vi) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(vi)) is amended by striking ''in excess of an amount equal to 20 percent of the expenditure limitation applicable to such candidate under section 315(b)'' and inserting the following: ''who is seeking nomination for election or election to the office of President or Vice President of the United States''.

SEC. 5. ADDITIONAL PAYMENTS AND INCREASED EXPENDITURE LIMITS FOR CANDIDATES PARTICIPATING IN PUBLIC FINANCING WHO FACE CERTAIN NONPARTICIPATING OPPONENTS.

(a) CANDIDATES IN PRIMARY ELECTIONS.—

(1) ADDITIONAL PAYMENTS.—

(A) IN GENERAL.—Section 9034 of the Internal Revenue Code of 1986, as amended by section 2, is amended by redesignating subsection (c) as subsection (d) and by inserting

after subsection (b) the following new subsection:

''(c) ADDITIONAL PAYMENTS FOR CANDIDATES FACING NONPARTICIPATING OPPONENTS.—

''(1) IN GENERAL.—In addition to any payments provided under subsections (a) and (b), each candidate described in paragraph (2) shall be entitled to—

''(A) a payment under section 9037 in an amount equal to the amount of each contribution received by such candidate on or after the beginning of the calendar year preceding the calendar year of the presidential election with respect to which such candidate is seeking nomination and before the qualifying date, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person exceeds $200, and

''(B) payments under section 9037 in an amount equal to the amount of each contribution received by such candidate on or after the qualifying date, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person exceeds $200.

''(2) CANDIDATES TO WHOM THIS SUBSECTION APPLIES.—A candidate is described in this paragraph if such candidate—

''(A) is eligible to receive payments under section 9033, and

''(B) is opposed by a nonparticipating primary candidate of the same political party who receives contributions or makes expenditures with respect to the campaign—

''(i) before April 1 of the year in which the presidential election is held, in an aggregate amount greater than 120 percent of the expenditure limitation under section 315(b)(1)(A)(i) of the Federal Election Campaign Act of 1971, or

''(ii) before the date described in section 9006(b), in an aggregate amount greater than 120 percent of the expenditure limitation under section 315(b)(1)(A)(ii) of such Act.

''(3) NONPARTICIPATING PRIMARY CANDIDATE.—In this subsection, the term 'nonparticipating primary candidate' means a candidate for nomination for election for the office of President who is not eligible under section 9033 to receive payments from the Secretary under this chapter.

''(4) QUALIFYING DATE.—In this subsection, the term 'qualifying date' means the first date on which the contributions received or expenditures made by the nonparticipating primary candidate described in paragraph (2)(B) exceed the amount described under either clause (i) or clause (ii) of such paragraph.''.

(B) CONFORMING AMENDMENT.—Section 9034(b) of such Code, as amended by section 2, is amended by striking ''subsection (a)'' and inserting ''subsections (a) and (c)''.

(2) INCREASE IN EXPENDITURE LIMIT.—Section 315(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(b)) is amended by adding at the end the following new paragraph:

''(3)(A) In the case of an eligible candidate, each of the limitations under clause (i) and (ii) of paragraph (1)(A) shall be increased—

''(i) by $50,000,000, if any nonparticipating primary candidate of the same political party as such candidate receives contributions or makes expenditures with respect to the campaign in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under clause (i) or (ii) of paragraph (1)(A) (before the application of this clause), and

''(ii) by $100,000,000, if such nonparticipating primary candidate receives contributions or makes expenditures with respect to the campaign in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under clause (i) or (ii) of paragraph (1)(A) after the application of clause (i).

''(B) Each dollar amount under subparagraph (A) shall be considered a limitation under this subsection for purposes of subsection (c).

''(C) In this paragraph, the term 'eligible candidate' means, with respect to any period, a candidate—

''(i) who is eligible to receive payments under section 9033 of the Internal Revenue Code of 1986;

''(ii) who is opposed by a nonparticipating primary candidate; and

''(iii) with respect to whom the Commission has given notice under section 304(j)(1)(B)(i).

''(D) In this paragraph, the term 'nonparticipating primary candidate' means, with respect to any eligible candidate, a candidate for nomination for election for the office of President who is not eligible under section 9033 of the Internal Revenue Code of 1986 to receive payments from the Secretary of the Treasury under chapter 96 of such Code.''.

(b) CANDIDATES IN GENERAL ELECTIONS.—

(1) ADDITIONAL PAYMENTS.—

(A) IN GENERAL.—Section 9004(a)(1) of the Internal Revenue Code of 1986 is amended—

(i) by striking ''(1) The eligible candidates'' and inserting ''(1)(A) Except as provided in subparagraph (B), the eligible candidates''; and

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

''(B) In addition to the payments described in subparagraph (A), each eligible candidate of a major party in a presidential election with an opponent in the election who is not eligible to receive payments under section 9006 and who receives contributions or makes expenditures with respect to the primary and general elections in an aggregate amount greater than 120 percent of the combined expenditure limitations applicable to eligible candidates under section 315(b)(1) of the Federal Election Campaign Act of 1971 shall be entitled to an equal payment under section 9006 in an amount equal to 100 percent of the expenditure limitation applicable under such section with respect to a campaign for election to the office of President.''.

(B) SPECIAL RULE FOR MINOR PARTY CANDIDATES.—Section 9004(a)(2)(A) of such Code is amended—

(i) by striking ''(A) The eligible candidates'' and inserting ''(A)(i) Except as provided in clause (ii), the eligible candidates''; and

(ii) by adding at the end the following new clause:

''(ii) In addition to the payments described in clause (i), each eligible candidate of a minor party in a presidential election with an opponent in the election who is not eligible to receive payments under section 9006 and who receives contributions or makes expenditures with respect to the primary and general elections in an aggregate amount greater than 120 percent of the combined expenditure limitations applicable to eligible candidates under section 315(b)(1) of the Federal Election Campaign Act of 1971 shall be entitled to an equal payment under section 9006 in an amount equal to 100 percent of the payment to which such candidate is entitled under clause (i).''.

(2) EXCLUSION OF ADDITIONAL PAYMENT FROM DETERMINATION OF EXPENDITURE LIMITS.—Section 315(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(b)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(4) In the case of a candidate who is eligible to receive payments under section 9004(a)(1)(B) or 9004(a)(2)(A)(ii) of the Internal Revenue Code of 1986, the limitation under paragraph (1)(B) shall be increased by the amount of such payments received by the candidate.''.

(c) PROCESS FOR DETERMINATION OF ELIGIBILITY FOR ADDITIONAL PAYMENT AND INCREASED EXPENDITURE LIMITS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(j) REPORTING AND CERTIFICATION FOR ADDITIONAL PUBLIC FINANCING PAYMENTS FOR CANDIDATES.—

''(1) PRIMARY CANDIDATES.—

''(A) NOTIFICATION OF EXPENDITURES BY INELIGIBLE CANDIDATES.—

''(i) EXPENDITURES IN EXCESS OF 120 PERCENT OF LIMIT.—If a candidate for a nomination for election for the office of President who is not eligible to receive payments under section 9033 of the Internal Revenue Code of 1986 receives contributions or makes expenditures with respect to the primary election in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under clause (i) or (ii) of section 315(b)(1)(A), the candidate shall notify the Commission in writing that the candidate has received aggregate contributions or made aggregate expenditures in such an amount not later than 24 hours after first receiving aggregate contributions or making aggregate expenditures in such an amount.

''(ii) EXPENDITURES IN EXCESS OF 120 PERCENT OF INCREASED LIMIT.—If a candidate for a nomination for election for the office of President who is not eligible to receive payments under section 9033 of the Internal Revenue Code of 1986 receives contributions or makes expenditures with respect to the primary election in an aggregate amount greater than 120 percent of the expenditure limitation applicable to eligible candidates under section 315(b) after the application of paragraph (3)(A)(i) thereof, the candidate shall notify the Commission in writing that the candidate has received aggregate contributions or made aggregate expenditures in such an amount not later than 24 hours after first receiving aggregate contributions or making aggregate expenditures in such an amount.

''(B) CERTIFICATION.—Not later than 24 hours after receiving any written notice under subparagraph (A) from a candidate, the Commission shall—

''(i) certify to the Secretary of the Treasury that opponents of the candidate are eligible for additional payments under section 9034(c) of the Internal Revenue Code of 1986;

''(ii) notify each opponent of the candidate who is eligible to receive payments under section 9033 of the Internal Revenue Code of 1986 of the amount of the increased limitation on expenditures which applies pursuant to section 315(b)(3); and

''(iii) in the case of a notice under subparagraph (A)(i), notify the national committee of each political party (other than the political party with which the candidate is affiliated) of the inapplicability of expenditure limits under section 315(d)(2) pursuant to subparagraph (C) thereof.

''(2) GENERAL ELECTION CANDIDATES.—

''(A) NOTIFICATION OF EXPENDITURES BY INELIGIBLE CANDIDATES.—If a candidate in a presidential election who is not eligible to receive payments under section 9006 of the Internal Revenue Code of 1986 receives contributions or makes expenditures with respect to the primary and general elections in an aggregate amount greater than 120 percent of the combined expenditure limitations applicable to eligible candidates under section 315(b)(1), the candidate shall notify the Commission in writing that the candidate has received aggregate contributions or made aggregate expenditures in such an

amount not later than 24 hours after first receiving aggregate contributions or making aggregate expenditures in such an amount.

''(B) CERTIFICATION.—Not later than 24 hours after receiving a written notice under subparagraph (A), the Commission shall certify to the Secretary of the Treasury for payment to any eligible candidate who is entitled to an additional payment under paragraph (1)(B) or (2)(A)(ii) of section 9004(a) of the Internal Revenue Code of 1986 that the candidate is entitled to payment in full of the additional payment under such section.''.

SEC. 6. ESTABLISHMENT OF UNIFORM DATE FOR RELEASE OF PAYMENTS FROM PRESIDENTIAL ELECTION CAMPAIGN FUND TO ELIGIBLE CANDIDATES.

(a) IN GENERAL.—The first sentence of section 9006(b) of the Internal Revenue Code of 1986 is amended to read as follows: ''If the Secretary of the Treasury receives a certification from the Commission under section 9005 for payment to the eligible candidates of a political party, the Secretary shall, on the last Friday occurring before the first Monday in September, pay to such candidates of the fund the amount certified by the Commission.''.

(b) CONFORMING AMENDMENT.—The first sentence of section 9006(c) of such Code is amended by striking ''the time of a certification by the Comptroller General under section 9005 for payment'' and inserting ''the time of making a payment under subsection (b)''.

SEC. 7. REVISIONS TO DESIGNATION OF INCOME TAX PAYMENTS BY INDIVIDUAL TAXPAYERS.

(a) INCREASE IN AMOUNT DESIGNATED.—Section 6096(a) of the Internal Revenue Code of 1986 is amended—

(1) in the first sentence, by striking ''$3'' each place it appears and inserting ''$10''; and

(2) in the second sentence—

(A) by striking ''$6'' and inserting ''$20''; and

(B) by striking ''$3'' and inserting ''$10''.

(b) INDEXING.—Section 6096 of such Code is amended by adding at the end the following new subsection:

''(d) INDEXING OF AMOUNT DESIGNATED.—

''(1) IN GENERAL.—With respect to each taxable year after 2008, each amount referred to in subsection (a) shall be increased by the percent difference described in paragraph (2), except that if any such amount after such an increase is not a multiple of $1, such amount shall be rounded to the nearest multiple of $1.

''(2) PERCENT DIFFERENCE DESCRIBED.—The percent difference described in this paragraph with respect to a taxable year is the percent difference determined under section 315(c)(1)(A) of the Federal Election Campaign Act of 1971 with respect to the calendar year during which the taxable year begins, except that the base year involved shall be 2008.''.

(c) ENSURING TAX PREPARATION SOFTWARE DOES NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION QUESTION.—Section 6096 of such Code, as amended by subsection (b), is amended by adding at the end the following new subsection:

''(e) ENSURING TAX PREPARATION SOFTWARE DOES NOT PROVIDE AUTOMATIC RESPONSE TO DESIGNATION QUESTION.—The Secretary shall promulgate regulations to ensure that electronic software used in the preparation or filing of individual income tax returns does not automatically accept or decline a designation of a payment under this section.''.

(d) PUBLIC INFORMATION PROGRAM ON DESIGNATION.—Section 6096 of such Code, as amended by subsections (b) and (c), is amended by adding at the end the following new subsection:

''(f) PUBLIC INFORMATION PROGRAM.—

''(1) IN GENERAL.—The Federal Election Commission shall conduct a program to inform and educate the public regarding the purposes of the Presidential Election Campaign Fund, the procedures for the designation of payments under this section, and the effect of such a designation on the income tax liability of taxpayers.

''(2) USE OF FUNDS FOR PROGRAM.—Amounts in the Presidential Election Campaign Fund shall be made available to the Federal Election Commission to carry out the program under this subsection, except that the amount made available for this purpose may not exceed $10,000,000 with respect to any Presidential election cycle. In this paragraph, a 'Presidential election cycle' is the 4-year period beginning with January of the year following a Presidential election.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 8. AMOUNTS IN PRESIDENTIAL ELECTION CAMPAIGN FUND.

(a) DETERMINATION OF AMOUNTS IN FUND.—Section 9006(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''In making a determination of whether there are insufficient moneys in the fund for purposes of the previous sentence, the Secretary shall take into account in determining the balance of the fund for a Presidential election year the Secretary's best estimate of the amount of moneys which will be deposited into the fund during the year, except that the amount of the estimate may not exceed the average of the annual amounts deposited in the fund during the previous 3 years.''.

(b) SPECIAL RULE FOR FIRST CAMPAIGN CYCLE UNDER THIS ACT.—

(1) IN GENERAL.—Section 9006 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) SPECIAL AUTHORITY TO BORROW.—

''(1) IN GENERAL.—Notwithstanding subsection (c), there are authorized to be appropriated to the fund, as repayable advances, such sums as are necessary to carry out the purposes of the fund during the period ending on the first presidential election occurring after the date of the enactment of this subsection.

''(2) REPAYMENT OF ADVANCES.—

''(A) IN GENERAL.—Advances made to the fund shall be repaid, and interest on such advances shall be paid, to the general fund of the Treasury when the Secretary determines that moneys are available for such purposes in the fund.

''(B) RATE OF INTEREST.—Interest on advances made to the fund shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date of the enactment of this Act.

SEC. 9. REGULATION OF CONVENTION FINANCING.

Section 323 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441i) is amended by adding at the end the following new subsection:

''(g) NATIONAL CONVENTIONS.—Any person described in subsection (e) shall not solicit, receive, direct, transfer, or spend any funds in connection with a presidential nominating convention of any political party, including funds for a host committee, civic committee, municipality, or any other person or entity spending funds in connection with such a convention, unless such funds—

''(1) are not in excess of the amounts permitted with respect to contributions to the political committee established and maintained by a national political party committee under section 315; and

''(2) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.''.

SEC. 10. DISCLOSURE OF BUNDLED CONTRIBUTIONS TO PRESIDENTIAL CAMPAIGNS.

(a) IN GENERAL.—Paragraphs (1) through (3) of section 304(i) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(i)) are amended to read as follows:

''(1) IN GENERAL.—

''(A) DISCLOSURE OF BUNDLED CONTRIBUTIONS BY LOBBYISTS.—Each committee described in paragraph (6) shall include in the first report required to be filed under this section after each covered period (as defined in paragraph (2)) a separate schedule setting forth the name, address, and employer of each person reasonably known by the committee to be a person described in paragraph (7) who provided 2 or more bundled contributions to the committee in an aggregate amount greater than the applicable threshold (as defined in paragraph (3)) during the covered period, and the aggregate amount of the bundled contributions provided by each such person during the covered period.

''(B) DISCLOSURE OF BUNDLED CONTRIBUTIONS TO PRESIDENTIAL CAMPAIGNS.—Each committee which is an authorized committee of a candidate for the office of President or for nomination to such office shall include in the first report required to be filed under this section after each covered period (as defined in paragraph (2)) a separate schedule setting forth the name, address, and employer of each person who provided 2 or more bundled contributions to the committee in an aggregate amount greater than the applicable threshold (as defined in paragraph (3)) during the election cycle, and the aggregate amount of the bundled contributions provided by each such person during the covered period and such election cycle. Such schedule shall include a separate listing of the name, address, and employer of each person included on such schedule who is reasonably known by the committee to be a person described in paragraph (7), together with the aggregate amount of bundled contributions provided by such person during such period and such cycle.

''(2) COVERED PERIOD.—In this subsection, a 'covered period' means—

''(A) with respect to a committee which is an authorized committee of a candidate for the office of President or for nomination to such office—

''(i) the 4-year election cycle ending with the date of the election for the office of the President; and

''(ii) any reporting period applicable to the committee under this section during which any person provided 2 or more bundled contributions to the committee; and

''(B) with respect to any other committee—

''(i) the period beginning January 1 and ending June 30 of each year;

''(ii) the period beginning July 1 and ending December 31 of each year; and

''(iii) any reporting period applicable to the committee under this section during which any person described in paragraph (7) provided 2 or more bundled contributions to the committee in an aggregate amount greater than the applicable threshold.

''(3) APPLICABLE THRESHOLD.—

''(A) IN GENERAL.—In this subsection, the 'applicable threshold' is—

''(i) $50,000 in the case of a committee which is an authorized committee of a candidate for the office of President or for nomination to such office; and

''(ii) $15,000 in the case of any other committee.

In determining whether the amount of bundled contributions provided to a committee by a person exceeds the applicable threshold, there shall be excluded any contribution made to the committee by the person or the person's spouse.

''(B) INDEXING.—In any calendar year after 2007, section 315(c)(1)(B) shall apply to each amount applicable under subparagraph (A) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amount applicable under subparagraph (A), the 'base period' shall be 2006.''.

(b) CONFORMING AMENDMENTS.—Subsection (i) of section 304 of such Act (2 U.S.C. 434) is amended—

(1) in paragraph (5), by striking ''described in paragraph (7)'' each place it appears in subparagraphs (C) and (D);

(2) in paragraph (6), by inserting ''(other than a candidate for the office of President or for nomination to such office)'' after ''candidate''; and

(3) in paragraph (8)(A)—

(A) by striking '', with respect to a committee described in paragraph (6) and a person described in paragraph (7),'' and inserting '', with respect to a committee described in paragraph (6) or an authorized committee of a candidate for the office of President or for nomination to such office,'';

(B) by striking ''by the person'' in clause (i) thereof and inserting ''by any person''; and

(C) by striking ''the person'' each place it appears in clause (ii) and inserting ''such person''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to reports filed under section 304 of the Federal Election Campaign Act of 1971 after January 1, 2009.

SEC. 11. REPEAL OF PRIORITY IN USE OF FUNDS FOR POLITICAL CONVENTIONS.

(a) IN GENERAL.—Section 9008(a) of the Internal Revenue Code of 1986 is amended by striking the period at the end of the second sentence and all that follows and inserting the following: '', except that the amount deposited may not exceed the amount available after the Secretary determines that amounts for payments under section 9006 and section 9037 are available for such payments.''.

(b) CONFORMING AMENDMENT.—The second sentence of section 9037(a) of such Code is amended by striking ''section 9006(c) and for payments under section 9008(b)(3)'' and inserting ''section 9006''.

SEC. 12. OFFSETS.

(a) REMOVAL OF PROHIBITION ON INCREASING FEES FOR PERMITS.—Section 365 of the Energy Policy Act of 2005 (42 U.S.C. 15924) is amended—

(1) by striking subsection (i); and

(2) by redesignating subsection (j) as subsection (i).

(b) DISPOSAL OF MONEYS FROM SALES, BONUSES, RENTALS, AND ROYALTIES.—Section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019) is amended to read as follows:

''SEC. 20. DISPOSAL OF MONEYS FROM SALES, BONUSES, RENTALS, AND ROYALTIES.

''Subject to section 35 of the Mineral Leasing Act (30 U.S.C. 192), all funds received from the sales, bonuses, royalties, and rentals under this Act (including payments referred to in section 6) shall be disposed of in the same manner as funds received pursuant to section 6 of this Act or section 35 of the Mineral Leasing Act (30 U.S.C. 192), as the case may be.''.

(c) ROYALTY FOR HARDROCK MINING.—The Revised Statutes are amended by inserting after section 2352 (30 U.S.C. 76) the following:

''SEC. 2353. RESERVATION OF ROYALTY.

''(a) DEFINITION OF LOCATABLE MINERAL.—In this section:

''(1) IN GENERAL.—The term 'locatable mineral' means any mineral, the legal and beneficial title to which remains in the United States and that is not subject to disposition under—

''(A) the Mineral Leasing Act (30 U.S.C. 181 et seq.);

''(B) the Act of August 7, 1947 (commonly known as the 'Mineral Leasing Act for Acquired Lands') (30 U.S.C. 351 et seq.);

''(C) the Act of July 31, 1947 (commonly known as the 'Materials Act of 1947') (30 U.S.C. 601 et seq.); or

''(D) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

''(2) EXCLUSIONS.—The term 'locatable mineral' does not include any mineral that is subject to a restriction against alienation imposed by the United States and is—

''(A) held in trust by the United States for any Indian or Indian tribe (as defined in section 2 of the Indian Mineral Development Act of 1982 (25 U.S.C. 2101)); or

''(B) owned by any Indian or Indian tribe (s defined in section 2 of that Act).

''(b) ROYALTY.—Except as otherwise provided in this section, production of all locatable minerals from any mining claim located under the general mining laws, or mineral concentrates or products derived from locatable minerals from any such mining claim, as the case may be, shall be subject to a royalty of 8 percent of the gross income from mining.

''(c) LIABILITY FOR PAYMENT.—The claim holder or any operator to whom the claim holder has assigned the obligation to make royalty payments under the claim, and any person who controls the claim holder or operator, shall be liable for payment of royalties under this section.

''(d) ROYALTY FOR FEDERAL LAND SUBJECT TO EXISTING PERMIT.—The royalty under subsection (b) shall be 4 percent in the case of any Federal land that—

''(1) is subject to an operations permit on the date of enactment of this section; and

''(2) produces valuable locatable minerals in commercial quantities on the date of enactment of this section.

''(e) FEDERAL LAND ADDED TO EXISTING OPERATIONS PERMIT.—Any Federal land added through a plan modification to an operations permit that is submitted after the date of enactment of this section shall be subject to the royalty that applies to Federal land under subsection (b).

''(f) DEPOSIT.—Amounts received by the United States as royalties under this section shall be deposited into the general fund of the Treasury.''.

(d) HARDROCK MINING CLAIM MAINTENANCE FEE.—

(1) FEE.—

(A) IN GENERAL.—Except as provided in section 2511(e)(2) of the Energy Policy Act of 1992 (30 U.S.C. 242(e)(2)), for each unpatented mining claim, mill, or tunnel site on federally owned land, whether located before, on, or after enactment of this Act, each claimant shall pay to the Secretary, on or before August 31 of each year, a claim maintenance fee of $150 per claim to hold the unpatented mining claim, mill, or tunnel site for the assessment year beginning at noon on September 1.

(B) RELATION TO OTHER LAW.—A claim maintenance fee described in subparagraph (A) shall be in lieu of—

(i) the assessment work requirement in section 2324 of the Revised Statutes (30 U.S.C. 28); and

(ii) the related filing requirements in subsections (a) and (c) of section 314 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744).

(C) WAIVER.—

(i) IN GENERAL.—The claim maintenance fee required under subparagraph (A) shall be waived for a claimant who certifies in writing to the Secretary that on the date the payment was due, the claimant and all related parties—

(I) held not more than 10 mining claims, mill sites, or tunnel sites, or any combination of mining claims, mill sites, or tunnel sites, on public land; and

(II) have performed assessment work required under section 2324 of the Revised Statutes (30 U.S.C. 28) to maintain the mining claims held by the claimant and all related parties for the assessment year ending on noon of September 1 of the calendar year in which payment of the claim maintenance fee was due.

(ii) DEFINITION OF ALL RELATED PARTIES.—In clause (i), with the respect to any claimant, the term ''all related parties'' means—

(I) the spouse and dependent children (as defined in section 152 of the Internal Revenue Code of 1986), of the claimant; or

(II) a person affiliated with the claimant, including—

(aa) a person controlled by, controlling, or under common control with the claimant; or

(bb) a subsidiary or parent company or corporation of the claimant.

(D) ADJUSTMENT.—

(i) IN GENERAL.—Not less than 5 years after the date of enactment of this Act, and every 5 years thereafter, or more frequently if the Secretary determines an adjustment to be reasonable, the Secretary shall adjust the claim maintenance fee required under subparagraph (A) to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(ii) NOTIFICATION.—Not later than July 1 of any year in which an adjustment is made under clause (i), the Secretary shall provide claimants notice of the adjustment.

(iii) APPLICATION.—A fee adjustment under clause (i) shall be effective beginning January 1 of the calendar year following the calendar year in which the adjustment is made.

(2) LOCATION FEE.—Notwithstanding any other provision of law, for each unpatented mining claim, mill, or tunnel site located during the period beginning on the date of enactment of this Act and ending on September 30, 1998, the locator shall, at the time the location notice is recorded with the Bureau of Land Management, pay to the Secretary a location fee, in addition to the fee required by paragraph (1), of $50 per claim.

(3) DEPOSIT.—Amounts received under paragraph (1) or (2) that are not otherwise allocated for the administration of the mining laws by the Department of the Interior shall be deposited into the general fund of the Treasury.

(4) CO-OWNERSHIP.—The co-ownership provisions of section 2324 of the Revised Statutes (30 U.S.C. 28) shall remain in effect except that the annual claim maintenance fee, if applicable, shall replace applicable assessment requirements and expenditures.

(5) FAILURE TO PAY.—Failure to pay the claim maintenance fee required by paragraph (1) shall conclusively constitute a forfeiture of the unpatented mining claim, mill, or tunnel site by the claimant and the claim shall be considered to be null and void by operation of law.

(6) OTHER REQUIREMENTS.—

(A) RELATION TO OTHER LAW.—Nothing in this section changes or modifies the requirements of subsections (b) or (c) of section 314(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744).

(B) CONFORMING AMENDMENT.—Section 2324 of the Revised Statutes of the United States (30 U.S.C. 28) is amended by inserting ''or section 12(d)(1) of the Presidential Funding Act of 2007'' after ''Act of 1993,''.

(e) GRAZING FEES.—Section 6(a) of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1905) is amended by striking ''the $1.23 base'' and all that follows through ''previous year's fee'' and inserting ''an amount determined in the same manner as the State in which the land is located determines the amount of fees charged for public grazing on land owned by the State, as determined by the Secretary of Agriculture and the Secretary of the Interior, as appropriate''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by this Act shall apply with respect to elections occurring after January 1, 2009.

SECTION-BY-SECTION ANALYSIS

SECTION 1: SHORT TITLE

SECTION 2: REVISIONS TO SYSTEM OF PRESIDENTIAL PRIMARY MATCHING PAYMENTS

(a) Matching Funds: Current law provides for a 1–to–1 match, where up to $250 of each individual's contributions for the primaries is matched with $250 in public funds. Under the new matching system, individual contributions of up to $200 from each individual will be matched at a 4–to–1 ratio, so $200 in individual contribution can be matched with $800 from public funds.

Candidates who remain in the primary race can also receive an additional 1-to-1 match of up to $200 of contributions received after March 31 of a presidential election year. This additional match applies both to an initial contribution made after March 31 and to contributions from individuals who already gave $200 or more prior to April 1.

The bill defines ''contribution'' as ''a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address.''

(b) Eligibility for matching funds: Current law requires candidates to raise $5,000 in matchable contributions (currently $250 or less) in 20 states. To be eligible for matching funds under this bill, a candidate must raise $25,000 of matchable contributions (up to $200 per individual donor) in at least 20 states.

In addition, to receive matching funds in the primary, candidates must pledge to apply for public money in the general election if nominated and to not exceed the general election spending limits.

(c) Timing of payments: Current law makes matching funds available on January 1 of a presidential election year. The—bill makes such funds available six months prior to the first state caucus or primary.

SECTION 3: REQUIRING PARTICIPATION IN PRIMARY PAYMENT SYSTEM AS CONDITION OF ELIGIBILITY FOR GENERAL ELECTIONS PAYMENTS

Currently, candidates can participate in either the primary or the general election public financing system, or both. Under the bill, a candidate must participate in the primary matching system in order to be eligible to receive public funds in the general election.

SECTION 4: REVISIONS TO EXPENDITURE LIMITS

(a) Spending limits for candidates: In 2004, under current law, candidates participating in the public funding system had to abide by a primary election spending limit of about $45 million and a general election spending limit of about $75 million (all of which was public money). The bill sets a total primary spending ceiling for participating candidates in 2008 of $150 million, of which only $100 million can be spent before April 1. State by state spending limits are eliminated. The general election limit, which the major party candidates will receive in public funds, will be $100 million.

(b) Spending limit for parties: Current law provides a single coordinated spending limit for national party committees based on population. In 2004 that limit was about $15 million. The bill provides two limits of $25 million. The first applies after April 1 until a candidate is nominated. The second limit kicks in after the nomination. Any part of the limit not spent before the nomination can be spent after. In addition, the party coordinated spending limit is eliminated entirely until the general election public funds are released if there is an active candidate from the opposing party who has exceeded the primary spending limits by more than 20%.

This will allow the party to support the presumptive nominee during the so-called ''gap'' between the end of the primaries and the conventions. The entire cost of a coordinated party communication is subject to the limit if any portion of that communication has to do with the presidential election.

(c) Inflation adjustment: Party and candidate spending limits will be indexed for inflation, with 2008 as the base year.

(d) Fundraising expenses: Under the bill, all the costs of fundraising by candidates are subject to their spending limits.

SECTION 5: ADDITIONAL PAYMENTS AND INCREASED EXPENDITURES LIMITS FOR CANDIDATES PARTICIPATING IN PUBLIC FINANCING WHO FACE CERTAIN NONPARTICIPATING OPPONENTS

(a) Primary candidates: When a participating candidate is opposed in a primary by a nonparticipating candidate who spends more than 120 percent of the primary spending limit ($100 million prior to April 1 and $150 million after April 1), the participating candidate will receive a 5-to-1 match, instead of a 4-to-1 match for contributions of less than $200 per donor. That additional match applies to all contributions received by the participating candidate both before and after the nonparticipating candidate crosses the 120 percent threshold. In addition, the participating candidate's primary spending limit is raised by $50 million when a nonparticipating candidate spends more than the 120 percent of either the $100 million (before April 1) or $150 million (after April 1) limit. The limit is raised by another $50 million if the nonparticipating candidate spends more than 120 percent of the increased limit. Thus, the maximum spending limit in the primary would be $250 million if an opposing candidate has spent more than $240 million.

(b) General election candidates: When a participating candidate is opposed in a general election by a nonparticipating candidate who spends more than 120 percent of the combined primary and general election spending limits, the participating candidate shall receive an additional grant of public money equal to the amount provided for that election—$100 million in 2008. Minor party candidates are also eligible for an additional grant equal to the amount they otherwise receive (which is based on the performance of that party in the previous presidential election).

(c) Reporting and Certification: In order to provide for timely determination of a participating candidate's eligibility for increased spending limits, matching funds, and/or general election grants, non-participating candidates must notify the FEC within 24 hours after receiving contributions or making expenditures of greater than the applicable 120 percent threshold. Within 24 hours of receiving such a notice, the FEC will inform candidates participating in the system of their increased expenditure limits and will certify to the Secretary of the Treasury that participating candidates are eligible to receive additional payments.

SECTION 6: ESTABLISHMENT OF UNIFORM DATE FOR RELEASE OF PAYMENTS FROM PRESIDENTIAL ELECTIONS CAMPAIGN FUNDS TO ELIGIBLE CANDIDATES

Under current law, candidates participating in the system for the general election receive their grants of public money immediately after receiving the nomination of their party, meaning that the two major parties receive their grants on different dates. Under the bill, all candidates eligible to receive public money in the general election would receive that money on the Friday before Labor Day, unless a candidate's formal nomination occurs later.

SECTION 7: REVISIONS TO DESIGNATION OF INCOME TAX PAYMENTS BY INDIVIDUAL TAXPAYERS

The tax check-off is increased from $3 (individual) and $6 (couple) to $10 and $20. The amount will be adjusted for inflation, and rounded to the nearest dollar, beginning in 2009.

The IRS shall require by regulation that electronic tax preparation software does not automatically accept or decline the tax checkoff. The FEC is required to inform and educate the public about the purpose of the Presidential Election Campaign Fund (''PECF'') and how to make a contribution. Funding for this program of up to $10 million in a four year presidential election cycle, will come from the PECF.

SECTION 8: AMOUNTS IN PRESIDENTIAL ELECTION CAMPAIGN FUND

Under current law, in January of an election year if the Treasury Department determines that there are insufficient funds in the PECF to make the required payments to participating primary candidates, the party conventions, and the general election candidates, it must reduce the payments available to participating primary candidates and it cannot make up the shortfall from any other source until those funds come in. Under the bill, in making that determination the Department can include an estimate of the amount that will be received by the PECF during that election year, but the estimate cannot exceed the past three years' average contribution to the fund. This will allow primary candidates to receive their full payments as long as a reasonable estimate of the funds that will come into the PECF that year will cover the general election candidate payments. The bill allows the Secretary of the Treasury to borrow the funds necessary to carry out the purposes of the fund during the first campaign cycle in which the bill is in effect.

SECTION 9: REGULATION OF CONVENTION FINANCING

Federal candidates and officeholders are prohibited from raising or spending soft money in connection with a nominating convention of any political party, including funds for a host committee, civic committee, or municipality.

SECTION 10: DISCLOSURE OF BUNDLED CONTRIBUTIONS

This section builds on the bundling disclosure provision of the Honest Leadership and Open Government Act of 2007 (''HLOGA'') to require presidential campaigns to disclose

the name, address, and employer of all individuals or groups that bundle contributions totaling more than $50,000 in the four year election cycle. Individuals who are registered lobbyists would have to be separately identified. HLOGA's definition of bundling would apply to bundling disclosure by the presidential candidates, and no change is made to the requirements of HLOGA with respect to congressional campaigns.

SECTION 11: REPEAL OF PRIORITY IN USE OF FUNDS FOR POLITICAL CONVENTIONS

Current law gives the political parties priority on receiving the funds they are entitled to from the PECF. This means that parties get money for their conventions even if adequate funds are not available for participating candidates. This section would make funds available for the conventions only if all participating candidates have received the funds to which they are entitled.

SECTION 12: OFFSET

This section provides an offset for the increased cost of the presidential public funding system. The total increased cost is estimated to be $365 million over four years. The bill (1) authorizes the Bureau of Land Management to implement new user fees for processing oil and gas permits; (2) increases the yearly maintenance fee and one-time location fee for holders of more than 10 mining claims on federal land to $150 and $50 per claim, respectively, and imposes a 4% royalty on the gross income from mining on existing claims; and (3) uses state formulas to set federal grazing fees.

SECTION 13: EFFECTIVE DATE

Provides that the amendments will apply to presidential elections occurring after January 1, 2009.

Ms. COLLINS. Mr. President. I rise to join my friend from Wisconsin, Senator FEINGOLD, in introducing the Presidential Funding Act of 2007.

It was 100 years ago that the reformer President Theodore Roosevelt proposed ''a very radical measure'' in his State of the Union message to Congress. He envisioned a system of campaign financing that would include a congressional appropriation to support national campaigns so that, as he said, ''The need for collecting large campaign funds would vanish.''

When the campaign financing reforms of the 1970s were enacted, it was hoped that we would draw closer to achieving Theodore Roosevelt's goal of funding the pursuit of our highest public office largely from public rather than private funds.

Our Presidential-campaign finance system still suffers from serious defects, however, and current events are dramatically highlighting the need for continued reform and improvement.

The current Presidential campaign is already shaping up as the most expensive election in history by far. Candidate after candidate has chosen to forego public funds due to fundamental flaws in the system. Fund-raising tallies have already shattered records. If a candidate decides to seek public funding, he or she risks running out of funds to counter candidates who can attract large amounts of private contributions.

Current estimates are that the 2008 contest for the Presidency of the U.S. will cost more than $1 billion. Much of that cost will be incurred in delivering messages to the electorate through advertising and publications of all sorts.

One billion dollars is a huge sum. Yet we cannot expect modern campaigns to be run on budgets that might have sufficed for William McKinley, whose successful 1896 campaign relied heavily on speeches from his front porch in Canton, Ohio, to admirers who came by train to hear him. This idyllic but limited approach to campaigning is long gone.

Unless we wish to return to the cronyism, influence peddling, and restricted suffrage of the 19th century, large expenditures on broadcasting and other media are essential for any campaign that hopes to prevail. That financial fact obliges candidates to spend a great deal of time appearing at exclusive, big-ticket fundraisers.

To allow candidates to spend less time raising money, Congress established a system of public funding for Presidential campaigns that started with the 1976 Presidential election. That system has not been substantially changed since 1984, and its limitations have only become more evident with time.

The central problem is that the system does not provide enough public funds to permit a credible contest against well-bankrolled candidates who have opted out of the public-financing system.

In November 2003, Governor Dean announced that he would opt out of public financing, saying ''floods of special-interest money have forced us to abandon a broken system.'' Senator KERRY also felt obliged to opt out so that he could lend his campaign $6 million rather than be restricted to the use of $50,000 in personal funds.

Citing Senator Dole's campaign in 1996, Senator MCCAIN's campaign in 2000, and Senator EDWARDS's campaign in 2004, the League of Women Voters has spoken of the public system's ''devil's bargain'' for candidates: ''To get matching funds, they have to accept a spending limit that will leave them bankrupt if the contest continues into March. . . . With the underdogs boxed in by the limits, the frontrunners, and others who can afford it, have additional incentive to opt out.''

The bill we introduce today would make a number of important changes.

The key provisions of the Presidential Funding Act of 2007 would increase the public match for primary-season contributions, make funds available earlier in the contest, tie the availability of public funding during the general-election campaign to a candidate's using it during the primary season, provide additional funds if a non-publicly funded opponent spends heavily, and update spending limits to more realistic levels.

All of these steps represent sensible and useful improvements in the campaign-finance system.

I recognize that some of our colleagues and some members of the public are wary of taxpayer-supported funding for Presidential candidates. I can only respond that the alternative—a complete reliance on private contributions—is worse.

I would also reassure doubters that this bill is no giveaway or an inducement to fringe candidates of narrow appeal. Its provisions are predicated upon matches for individual contributions, not absolute grants, and it requires achieving significant levels of individual contributions in at least 20 States.

We all understand that the current system of public funding for campaigns has defects. The growing inclination of candidates to opt out of the system underscores that fact. The Presidential Funding Act of 2007 would cure some serious problems and help restore the appeal of public funding.

If enacted, this bill would take effect in January 2009. By moving toward virtually full realization of Theodore Roosevelt's ''very radical measure,'' we can take a big step toward making the financing, the conduct, and the outcome of the 2012 presidential campaign a genuine source of pride for American citizens of all political affiliations.

By Mr. ENZI (for himself and Mrs. FEINSTEIN):

S. 2413. A bill to provide death and disability benefits for aerial firefighters who work on a contract basis for a public agency and suffer death or disability in the line of duty, and for other purposes; to the Committee on the Judiciary.

Mr. ENZI. Mr. President, the 2007 fire season was one of the worst in recent history. Millions of acres burned across America. The fires destroyed homes, and their damage is estimated in the hundreds of millions of dollars. These fires would have been worse, if not for the skill and bravery of the aerial firefighters who risked their lives to fight them.

Aerial firefighters take on the dangerous tasks of maneuvering aerial vehicles in and out of fire zones. Each time they step in a plane, their life is at risk. Unfortunately, while we expect aerial firefighters to risk their lives to help control fires, we refuse to provide their families with the knowledge that they will be made financially whole if their husband or wife dies in the line of duty.

This is because aerial firefighters do not qualify for death benefits under the Public Safety Officers' Benefit, PSOB, program, which provides financial and educational benefits to individuals serving a public safety agency in an official capacity, on a paid or volunteer basis. Currently, those receiving benefits include, but are not limited to, law enforcement officers, firefighters, emergency medical technicians, ambulance crew members, and corrections officers.

Senator FEINSTEIN and I say that these pilots do the same work and take on the same risks as other public safety officers. They should get the same

benefits. That is the reason that we have introduced the Aerial Firefighter Relief Act of 2007. This important legislation will remedy this problem and makes aerial firefighters eligible for death benefits.

The Department of Justice's Bureau of Justice Assistance, BJA, the agency that administers the PSOB, has ruled that aerial pilots are ineligible because they are contractors and not employed directly by the federal and state agencies involved in wildland fire management and suppression. The 1980 official finding that prohibits the pilots and their families from receiving benefits states that pilots are not ''a 'public safety officer' as this term is defined in the PSOB ACT because [they are] not serving a public agency in an official capacity . . . as a fireman.''

Unfortunately, pilots also often do not receive benefits from their employers. Federal agencies outsource air tanker missions to the lowest-cost private operators who do not provide benefits to keep their costs down. Some companies do offer a minimal amount of life insurance. However, it is expensive, both for the pilot and the contractor. In the ''low cost'' competitive bid situation they are in, the contractors cannot afford to add more expenses to the payroll or they reduce their chances of winning a fire suppression contract—and go out of business. Other forms of life insurance are also difficult to obtain because of the dangerous nature of aerial firefighting.

It is common sense legislation that deserves the support of my colleagues, and I am pleased to have Senator FEINSTEIN as an original cosponsor. In the coming months, I look forward to working with the appropriate committees to move this legislation forward so that our brave aerial firefighters can take to the skies knowing that their families will be taken care of if they pass away taking care of our country.

Mrs. FEINSTEIN. Mr. President, today I am pleased to cosponsor Senator ENZI's Aerial Firefighter Relief Act of 2007.

On August 27, 2001, a California pilot named Larry Groff took off from Ukiah in State Air Tanker 87, doing what he loved, flying and fighting fires.

Like thousands of contract firefighters hired by the Government, he figured that if anything ever happened to him, his family would be taken care of. But that day, while maneuvering above a north coast fire started by a couple of Hells Angels who had blown up their methamphetamine lab, Larry Groff died in a midair collision.

Faced with the prospect of raising their 6 children alone, his widow, Christine Wells-Groff, filed a claim under the Public Safety Officers' Benefit Program. This PSOB Program provides a lump-sum payoff to survivors of any ''public safety officer,'' a term which can include not only actual government employees but also any volunteer or any person acting in a ''similar relationship of performing services as part of a public agency.''

At the time of his death, Larry Groff had been flying a State-operated air tanker. He was wearing a California Department of Forestry uniform. And after his death, the California agency for which he had worked issued an opinion stating that he was an officially recognized member of that agency. But he was also a contract employee.

Because of that, Ms. Wells-Groff's PSOB claim was initially denied by the Bureau of Justice Affairs, based on its opinion that contract employees cannot qualify for PSOB benefits. Ms. Wells-Groff then appealed, and she later convinced a trial court that despite being a contract employee, her husband had held a ''similar relationship of performing services as part of a public agency,'' thereby qualifying him as a ''public safety officer'' entitled to PSOB benefits.

Unfortunately, on July 3, the U.S. Court of Appeals for the Federal Circuit reversed that decision. The appellate court agreed that Mr. Groff's facts might fall within the applicable regulation's key definition of a ''similar relationship'' but it said that the question of whether he had met this standard was not entirely clear and that it would defer to the Government's narrow interpretation of that language, absent further clarification from Congress.

Following this decision, Ms. Wells-Groff petitioned the Supreme Court to take her case. However, it is unclear if the Court will hear the case, let alone decide in her favor. So today, I want to go on record to support the policy that these contract employees should be entitled to the same PSOB benefits as other injured firefighters and volunteers.

The bill that Senator ENZI is introducing and that I am pleased to cosponsor will make it clear that survivors of aerial firefighters like Larry Groff who make the ultimate sacrifice should qualify for PSOB benefits. In addition, this legislation will clarify that the district court was right in the Wells-Groff case. Brave firefighters like Larry Groff, who regularly put their lives on the line in officially sanctioned aerial firefighting activities to protect us, do this country a great service.

This bill will clarify that when actually up in the air carrying out official firefighting missions, contract employees will be deemed to hold a ''similar relationship of performing services as part of a public agency''—and meet the regulatory standard already in place—so that they are covered by the PSOB laws, and their survivors can receive the benefits they need and deserve.

I urge my colleagues to support this legislation.

By Mr. REID (for Mrs. CLINTON):

S. 2415. A bill to require the President and the Office of the Global AIDS Coordinator to establish a comprehensive and integrated HIV prevention strategy to address the vulnerabilities of women and girls in countries for which the United States provides assistance to combat HIV/AIDS, and for other purposes; to the Committee on Foreign Relations.

Mrs. CLINTON. Mr. President, today I rise to introduce the Protection Against Transmission of HIV for Women and Youth, PATHWAY, Act of 2007, legislation that is a companion to the bill introduced by Representative BARBARA LEE.

Women and girls account for about half of the 33 million infections worldwide. But in the places that are hardest hit by epidemic, AIDS has a disproportionate impact upon women. In sub-Saharan Africa, women account for more than 60 percent of those living with HIV/AIDS. Young women account for 3 out of every 4 new HIV infections among sub-Saharan youth. Our prevention messages are not reaching youth—in studies completed in 17 countries in 2003, more than 75 percent of the young women surveyed could not identify ways to protect themselves against HIV infection.

Clearly, we need to do more to stem the rising tide of HIV infection in women, particularly in sub-Saharan Africa. But what doing more requires is an examination of the factors that contribute to women's vulnerability to HIV infection. There are links between gender-based violence and increased risk for HIV infection, links between lack of education and economic opportunity and increased risk for HIV infection, links between human trafficking and sexual exploitation and increased risk for HIV infection.

Unfortunately, our current policies do not allow us to take these factors into account. The law governing funding of the President's Emergency Plan for AIDS Relief, PEPFAR, requires ⅓ of all prevention funding to be spent on abstinence-until-marriage programs. In addition, a 2005 guidance from the Office of the Global AIDS Coordinator found that countries were directed to spend half of their prevention funds on sexual transmission prevention, with a full ⅔ of that funding to be spent on ''abstinence and be faithful'' programs, rather than comprehensive HIV prevention education efforts.

More than 40 percent of women in Africa and South Asia are married before the age of 18. Directing funding to abstinence-until-marriage programs fails to address their needs. Exhorting them to ''be faithful'' in relationships where they may not have control over their partners' behavior is short-sighted. Making it the official policy of the U.S. Government to restrict funding for efforts that could help these women learn about female-controlled prevention methods is unconscionable.

In 2003, President Bush pledged to prevent 7 million new HIV infections through PEPFAR. But we cannot let that promise go unmet due to ideology.

The legislation I am introducing today will lift restrictions on funding

for our prevention efforts. It will also require the President to develop and implement a coordinated, comprehensive HIV strategy to address gender disparities in HIV infection, with a focus on the stigma surrounding HIV, the links between gender-based violence and HIV infection, the ways in which increasing educational and economic opportunities for women can prevent HIV infection, and ways in which to improve access to female-controlled prevention methods. This strategy is a step forward—one that can ensure that the disproportionate risks faced by too many women are taken into account in our global AIDS efforts.

I look forward to working with my colleagues to ensure that women's vulnerability to HIV infection is addressed as we work to reauthorize PEPFAR.

By Mr. CASEY (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN):

S. 2418. A bill to ensure the safety of imported food products for the citizens of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CASEY. Mr. President, I rise today to introduce the EAT SAFE Act of 2007. I am pleased to be joined by my colleague on the Agriculture Committee, Senator GRASSLEY, to introduce this important piece of food safety legislation.

As we have all seen this past year, in the wake of massive recalls of pet food manufactured using contaminated Chinese gluten and consumer warnings about the safety of various imported food products, ensuring the safety of food products and food ingredients being brought into this country from other nations has taken on a greater urgency.

A report issued in September by the President's Interagency Working Group on Import Safety acknowledged that ''aspects of our present import system must be strengthened to promote security, safety, and trade for the benefit of American consumers.'' The EAT SAFE Act that we are introducing today is designed to address one of those critical aspects of the food and agricultural import system that, in the face of the mounting imported food safety crisis, has received little public focus. That issue is food and other agricultural products that are being smuggled into the U.S.

When many people think of food smuggling, they likely think of it as something that occurs when travelers attempt to bring small amounts of foreign food or agricultural products into the U.S. by concealing it in their vehicles, luggage, or other personal affects. While this type of smuggling is unquestionably a problem that U.S. authorities must and do address, the larger threat of smuggled food and agricultural products comes from the companies, importers, and individuals who circumvent U.S. inspection requirements or restrictions on imports of certain products from a particular country.

The ways in which these companies, importers, and individuals circumvent the system can happen in any number of ways. Many times smuggled products are intentionally mislabeled and bear the identification of a product that can legally enter the country. Other times, smuggled products gain import entry through falsifying the products' countries of origin. And, many times, products that have previously been denied entry are later ''shopped around,'' that is, presented to another U.S. port of entry in the effort to gain importation undetected.

Just some examples of prohibited products discovered in commerce in the United States in recent years include duck parts from Vietnam and poultry products from China, both nations with confirmed human cases of avian influenza; unpasteurized raw cheeses from Mexico containing a bacterium that causes tuberculosis; strawberries from Mexico contaminated with hepatitis A; and mislabeled puffer fish from China containing a potentially deadly toxin. These smuggled food and agriculture products present safety risks to our food, plants, and animals, and pose a threat to our Nation's health, economy, and security.

The EAT SAFE Act addresses these serious risks by applying commonsense measures to protect our food and agricultural supply. This legislation authorizes funding for the U.S. Department of Agriculture and the Food and Drug Administration to bolster their efforts by hiring additional personnel to detect and track smuggled products. It also authorizes funding to provide food safety cross training for Homeland Security Agricultural Specialists and agricultural cross training for Customs' Border Patrol Agents to ensure that those men and women working on the front lines are knowledgeable about these serious food and agricultural threats.

In addition to focusing on increased personal and training, the EAT SAFE Act also seeks to increase importer accountability. The legislation requires private laboratories conducting tests on FDA-regulated products on behalf of importers to apply for and be certified by FDA. It also imposes civil penalties for laboratories or importers who knowingly or conspire to falsify imported product laboratory sampling and for importers who circumvent the USDA import reinspection system.

Finally, the EAT SAFE Act will also ensure increased public awareness of smuggled products, as well as recalled food products, by requiring the USDA and FDA to provide this information to the public in a timely and easily searchable manner.

These commonsense measures are an important first step towards safeguarding Americans' food and agricultural supply and ensuring our Nation's health, economy, and security.

I urge all of my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2418

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Ending Agricultural Threats: Safeguarding America's Food for Everyone (EAT SAFE) Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Food safety training, personnel, and coordination.
Sec. 5. Reporting of smuggled food products.
Sec. 6. Civil penalties relating to illegally imported meat and poultry products.
Sec. 7. Certification of food safety labs.
Sec. 8. Data sharing.
Sec. 9. Public notice regarding recalled food products.
Sec. 10. Foodborne illness education and outreach competitive grants program.

SEC. 2. FINDINGS.

Congress finds that—

(1) the safety of the food supply of the United States is vital to—

(A) the health of the citizens of the United States;

(B) the preservation of the confidence of those citizens in the food supply of the United States; and

(C) the success of the food sector of the United States economy;

(2) the United States has the safest food supply in the world, and maintaining a secure domestic food supply is imperative for the national security of the United States;

(3) in a report published by the Government Accountability Office in January 2007, the Comptroller General of the United States described food safety oversight as 1 of the 29 high-risk program areas of the Federal Government; and

(4) the task of preserving the safety of the food supply of the United States is complicated by pressures relating to—

(A) food products that are smuggled or imported into the United States without being screened, monitored, or inspected as required by law; and

(B) the need to improve the enforcement of the United States in reducing the quantity of food products that are—

(i) smuggled into the United States; and

(ii) imported into the United States without being screened, monitored, or inspected as required by law.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term ''Administration'' means the Food and Drug Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Animal and Plant Health Inspection Service.

(3) DEPARTMENT.—The term ''Department'' means the Department of Agriculture.

(4) FOOD DEFENSE THREAT.—The term ''food defense threat'' means any intentional contamination, including any disease, pest, or poisonous agent, that could adversely affect the safety of human or animal food products.

(5) SMUGGLED FOOD PRODUCT.—The term ''smuggled food product'' means a prohibited

human or animal food product that a person fraudulently brings into the United States.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 4. FOOD SAFETY TRAINING, PERSONNEL, AND COORDINATION.

(a) DEPARTMENT.—

(1) TRAINING PROGRAMS.—

(A) AGRICULTURAL SPECIALISTS.—

(i) ESTABLISHMENT.—The Secretary shall establish training programs to educate each Federal employee who is employed in a position described in section 421(g) of the Homeland Security Act of 2002 (6 U.S.C. 231(g)) on issues relating to food safety and agroterrorism.

(ii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $1,700,000.

(B) CROSS-TRAINING OF EMPLOYEES OF UNITED STATES CUSTOMS AND BORDER PROTECTION.—

(i) ESTABLISHMENT.—The Secretary shall establish training programs to educate border patrol agents employed by the United States Customs and Border Protection of the Department of Homeland Security about identifying human, animal, and plant health threats and referring the threats to the appropriate agencies.

(ii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subparagraph $4,800,000.

(2) ILLEGAL IMPORT DETECTION PERSONNEL.—Subtitle G of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6981 et seq.) is amended by adding at the end the following:

''SEC. 263. FOOD SAFETY PERSONNEL AND TRAINING.

''(a) ADDITIONAL EMPLOYEES.—Not later than 2 years after the date of enactment of the Ending Agricultural Threats: Safeguarding America's Food for Everyone (EAT SAFE) Act of 2007, the Secretary shall hire a sufficient number of employees to increase the number of full-time field investigators, import surveillance officers, support staff, analysts, and compliance and enforcement experts employed by the Food Safety and Inspection Service as of October 1, 2007, by 100 employees, in order to—

''(1) provide additional detection of food defense threats;

''(2) detect, track, and remove smuggled human food products from commerce; and

''(3) impose penalties on persons or organizations that threaten the food supply.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000.''.

(b) ADMINISTRATION.—Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by adding at the end the following:

''SEC. 417. FOOD SAFETY PERSONNEL AND TRAINING.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Ending Agricultural Threats: Safeguarding America's Food for Everyone (EAT SAFE) Act of 2007, the Administration shall hire a sufficient number of employees to increase the number of full-time field investigators, import surveillance officers, support staff, analysts, and compliance and enforcement experts employed by the Administration as of October 1, 2007, by 150 employees, in order to—

''(1) provide additional detection of food defense threats;

''(2) detect, track, and remove smuggled food products from commerce; and

''(3) impose penalties on persons or organizations that threaten the food supply.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000.''.

(c) COORDINATION OF FEDERAL AGENCIES.—Section 411(b) of the Homeland Security Act of 2002 (6 U.S.C. 211(b)) is amended by adding at the end the following:

''(4) COORDINATION OF FEDERAL AGENCIES.—The Commissioner of United States Customs and Border Protection, in coordination with the Secretary of Agriculture and the Commissioner of Food and Drugs, shall conduct activities to target, track, and inspect shipments that—

''(A) contain human and animal food products; and

''(B) are imported into the United States.''.

SEC. 5. REPORTING OF SMUGGLED FOOD PRODUCTS.

(a) DEPARTMENT.—

(1) PUBLIC NOTIFICATION.—

(A) IN GENERAL.—Not later than 3 days after the date on which the Department identifies a smuggled food product, the Secretary shall provide to the public notification describing the food product identified by the Department and, if available, the individual or entity that smuggled the food product.

(B) REQUIRED FORMS OF NOTIFICATION.—The Secretary shall provide public notification under subparagraph (A) through—

(i) a news release of the Department for each smuggled food product identified by the Department;

(ii) a description of each smuggled food product on the website of the Department;

(iii) the management of a periodically updated list that contains a description of each individual or entity that smuggled the food product identified by the Secretary under subparagraph (A); and

(iv) any other appropriate means, as determined by the Secretary.

(2) NOTIFICATION TO DEPARTMENT OF HOMELAND SECURITY.—Not later than 30 days after the date on which the Department identifies a smuggled food product, the Secretary shall provide to the Department of Homeland Security notification of the smuggled food product.

(b) ADMINISTRATION.—

(1) PUBLIC NOTIFICATION.—

(A) IN GENERAL.—Not later than 3 days after the date on which the Administration identifies a smuggled food product, the Secretary of Health and Human Services shall provide to the public notification describing the smuggled food product identified by the Administration and, if available, the individual or entity that smuggled the food product.

(B) REQUIRED FORMS OF NOTIFICATION.—The Secretary of Health and Human Services shall provide public notification under subparagraph (A) through—

(i) a press release of the Administration for each smuggled food product identified by the Administration;

(ii) a description of each smuggled food product on the website of the Administration;

(iii) the management of a periodically updated list that contains a description of each individual or entity that smuggled the food product identified by the Secretary of Health and Human Services under subparagraph (A); and

(iv) any other appropriate means, as determined by the Secretary of Health and Human Services.

(2) NOTIFICATION TO DEPARTMENT OF HOMELAND SECURITY.—Not later than 30 days after the date on which the Administration identifies a smuggled food product, the Secretary of Health and Human Services shall provide to the Department of Homeland Security notification of the smuggled food product.

SEC. 6. CIVIL PENALTIES RELATING TO ILLEGALLY IMPORTED MEAT AND POULTRY PRODUCTS.

(a) MEAT PRODUCTS.—Section 20(b) of the Federal Meat Inspection Act (21 U.S.C. 620(b)) is amended—

(1) by striking ''(b) The Secretary'' and inserting the following:

''(b) DESTRUCTION; CIVIL PENALTIES.—

''(1) DESTRUCTION.—The Secretary''; and

(2) by adding at the end the following:

''(2) CIVIL PENALTIES.—Each individual or entity that fails to present each meat article that is the subject of the importation of the individual or entity to an inspection facility approved by the Secretary shall be liable for a civil penalty assessed by the Secretary in an amount not to exceed $25,000 for each meat article that the individual or entity fails to present to the inspection facility.''.

(b) POULTRY PRODUCTS.—Section 12 of the Poultry Products Inspection Act (21 U.S.C. 461) is amended—

(1) by striking the section heading and all that follows through ''(a) Any person'' and inserting the following:

''SEC. 12. PENALTIES.

''(a) PENALTIES RELATING TO THE VIOLATION OF CERTAIN SECTIONS.—

''(1) IN GENERAL.—Any person''; and

(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

''(2) FAILURE TO PRESENT POULTRY PRODUCTS AT DESIGNATED INSPECTION FACILITIES.—Each individual or entity that fails to present each poultry product that is the subject of the importation of the individual or entity to an inspection facility approved by the Secretary shall be liable for a civil penalty assessed by the Secretary in an amount not to exceed $25,000 for each poultry product that the individual or entity fails to present to the inspection facility.''.

(c) EGG PRODUCTS.—Section 12 of the Egg Products Inspection Act (21 U.S.C. 1041) is amended—

(1) by striking the section heading and all that follows through ''(a) Any person'' and inserting the following:

''SEC. 12. PENALTIES.

''(a) PENALTIES RELATING TO THE VIOLATION OF CERTAIN PROHIBITED ACTIONS.—

''(1) IN GENERAL.—Any person''; and

(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

''(2) FAILURE TO PRESENT EGG PRODUCTS AT DESIGNATED INSPECTION FACILITIES.—Each individual or entity that fails to present each egg product that is the subject of the importation of the individual or entity to an inspection facility approved by the Secretary shall be liable for a civil penalty assessed by the Secretary in an amount not to exceed $25,000 for each egg product that the individual or entity fails to present to the inspection facility.''.

SEC. 7. CERTIFICATION OF FOOD SAFETY LABS; SUBMISSION OF TEST RESULTS.

(a) IN GENERAL.—Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.), as amended by section 4(b), is amended by adding at the end the following:

''SEC. 418. CERTIFICATION OF FOOD SAFETY LABS; SUBMISSION OF TEST RESULTS.

''(a) DEFINITION OF FOOD SAFETY LAB.—In this section, the term 'food safety lab' means an establishment that conducts testing, on behalf of an importer through a contract or other arrangement, to ensure the safety of articles of food.

''(b) CERTIFICATION REQUIREMENT.—

''(1) IN GENERAL.—A food safety lab shall submit to the Secretary an application for certification. Upon review, the Secretary

may grant or deny certification to the food safety lab.

''(2) CERTIFICATION STANDARDS.—The Secretary shall establish criteria and methodologies for the evaluation of applications for certification submitted under paragraph (1). Such criteria shall include the requirements that a food safety lab—

''(A) be accredited as being in compliance with standards set by the International Organization for Standardization;

''(B) agree to permit the Secretary to conduct an inspection of the facilities of the food safety lab and the procedures of such lab before making a certification determination;

''(C) agree to permit the Secretary to conduct routine audits of the facilities of the food safety lab to ensure ongoing compliance with accreditation and certification requirements;

''(D) submit with such application a fee established by the Secretary in an amount sufficient to cover the cost of application review, including inspection under subparagraph (B); and

''(E) agree to submit to the Secretary, in accordance with the process established under subsection (c), the results of tests conducted by such food safety lab on behalf of an importer.

''(c) SUBMISSION OF TEST RESULTS.—The Secretary shall establish a process by which a food safety lab certified under this section shall submit to the Secretary the results of all tests conducted by such food safety lab on behalf of an importer.''.

(b) ENFORCEMENT.—Section 303(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(f)) is amended—

(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (5), (6), and (7), respectively;

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

''(3) An importer (as defined in section 418) shall be subject to a civil penalty in an amount not to exceed $25,000 if such importer knowingly engages in the falsification of test results submitted to the Secretary by a food safety lab certified under section 418.

''(4) A food safety lab certified under section 418 shall be subject to a civil penalty in an amount not to exceed $25,000 for knowingly submitting to the Secretary false test results under section 418.'';

(3) in paragraph (2)(C), by striking ''paragraph (3)(A)'' and inserting ''paragraph (5)(A)'';

(4) in paragraph (4), as so redesignated, by striking ''paragraph (1) or (2)'' each place it appears and inserting ''paragraph (1), (2), (3), or (4)''; and

(5) in paragraph (6), as so redesignated, by striking ''paragraph (4)'' each place it appears and inserting ''paragraph (6)''.

SEC. 8. DATA SHARING.

(a) DEPARTMENT OF AGRICULTURE MEMORANDA OF UNDERSTANDING.—The Secretary shall ensure that the agencies within the Department of Agriculture, including the Food Safety and Inspection Service, the Agricultural Research Service, and the Animal and Plant Health Inspection Service, enter into a memorandum of understanding to ensure the timely and efficient sharing of all information collected by such agencies related to foodborne pathogens, contaminants, and illnesses.

(b) INTERAGENCY MEMORANDUM OF UNDERSTANDING.—The Secretary, in collaboration with the Secretary of Health and Human Services, shall enter into a memorandum of understanding between the agencies within the Department of Agriculture, including those described in subsection (a), and the agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the Food and Drug Administration, to ensure the timely and efficient sharing of all information collected by such agencies related to foodborne pathogens, contaminants, and illnesses.

SEC. 9. PUBLIC NOTICE REGARDING RECALLED FOOD PRODUCTS.

(a) DEPARTMENT.—

(1) NEWS RELEASES REGARDING RECALLED FOOD PRODUCTS.—

(A) IN GENERAL.—On the date on which a human or animal food product regulated by the Department is voluntarily recalled, the Secretary shall provide to the public a news release describing the human or animal food product.

(B) CONTENTS.—Each news release described in subparagraph (A) shall contain a comprehensive list of each human and animal food product regulated by the Department that is voluntarily recalled.

(2) WEBSITE.—The Secretary shall modify the website of the Department to contain—

(A) not later than 1 business day after the date on which a human or animal food product regulated by the Department is voluntarily recalled, a news release describing the human or animal food product;

(B) if available, an image of each human and animal food product that is the subject of a news release described in subparagraph (A); and

(C) not later than 90 days after the date of enactment of this Act, a search engine that—

(i) is consumer-friendly, as determined by the Secretary; and

(ii) provides a means by which an individual could locate each human and animal food product regulated by the Department that is voluntarily recalled.

(3) STATE-ISSUED AND INDUSTRY PRESS RELEASES.—To meet the requirement under paragraph (1)(A), the Secretary—

(A) may provide to the public a press release issued by a State; and

(B) shall not provide to the public a press release issued by a private industry entity in lieu of a press release issued by the Federal Government or a State.

(4) PROHIBITION ON DELEGATION OF DUTY.—The Secretary may not delegate, by contract or otherwise, the duty of the Secretary—

(A) to provide to the public a news release under paragraph (1); and

(B) to make any required modification to the website of the Department under paragraph (2).

(b) ADMINISTRATION.—

(1) PRESS RELEASES REGARDING RECALLED FOOD PRODUCTS.—

(A) IN GENERAL.—On the date on which a human or animal food product regulated by the Administration is voluntarily recalled, the Secretary of Health and Human Services shall provide to the public a press release describing the human or animal food product.

(B) CONTENTS.—Each press release described in subparagraph (A) shall contain a comprehensive list of each human and animal food product regulated by the Administration that is voluntarily recalled.

(2) WEBSITE.—The Secretary of Health and Human Services shall modify the website of the Administration to contain—

(A) not later than 1 business day after the date on which a human or animal food product regulated by the Administration is voluntarily recalled a press release describing the human or animal food product;

(B) if available, an image of each human and animal food product that is the subject of a press release described in subparagraph (A); and

(C) not later than 90 days after the date of enactment of this Act, a search engine that—

(i) is consumer-friendly, as determined by the Secretary of Health and Human Services; and

(ii) provides a means by which an individual could locate each human and animal food product regulated by the Administration that is voluntarily recalled.

(3) STATE-ISSUED AND INDUSTRY PRESS RELEASES.—For purposes of meeting the requirement under paragraph (1)(A), the Secretary of Health and Human Services—

(A) may provide to the public a press release issued by a State; and

(B) may not provide to the public a press release issued by a private industry entity in lieu of a press release issued by a State or the Federal Government.

(4) PROHIBITION ON DELEGATION OF DUTY.—The Secretary of Health and Human Services may not delegate, by contract or otherwise, the duty of the Secretary of Health and Human Services—

(A) to provide to the public a press release under paragraph (1); and

(B) to make any required modification to the website of the Administration under paragraph (2).

SEC. 10. FOODBORNE ILLNESS EDUCATION AND OUTREACH COMPETITIVE GRANTS PROGRAM.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621 et seq.) is amended by adding at the end the following:

''SEC. 412. FOODBORNE ILLNESS EDUCATION AND OUTREACH COMPETITIVE GRANTS PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Food Safety and Inspection Service.

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner of Food and Drugs.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) the government of a State (including a political subdivision of a State);

''(B) an educational institution;

''(C) a private for-profit organization;

''(D) a private non-profit organization; and

''(E) any other appropriate individual or entity, as determined by the Secretary.

''(b) ESTABLISHMENT.—The Secretary (acting through the Administrator of the Cooperative State Research, Education, and Extension Service), in consultation with the Administrator and the Commissioner, shall establish and administer a competitive grant program to provide grants to eligible entities to enable the eligible entities to carry out educational outreach partnerships and programs to provide to health providers, patients, and consumers information to enable those individuals and entities—

''(1) to recognize—

''(A) foodborne illness as a serious public health issue; and

''(B) each symptom of foodborne illness to ensure the proper treatment of foodborne illness;

''(2) to understand—

''(A) the potential for contamination of human and animal food products during each phase of the production of human and animal food products; and

''(B) the importance of using techniques that help ensure the safe handling of human and animal food products; and

''(3) to assess the risk of foodborne illness to ensure the proper selection by consumers of human and animal food products.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,500,000 for fiscal year 2008 and each fiscal year thereafter.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 388—DESIGNATING THE WEEK OF FEBRUARY 4 THROUGH FEBRUARY 8, 2008, AS ''NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK''

Mr. CRAPO (for himself, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 388

Whereas 1 in 3 female teenagers in a dating relationship has feared for her physical safety;

Whereas 1 in 2 teenagers in a serious relationship has compromised personal beliefs to please a partner;

Whereas 1 in 5 teenagers in a serious relationship reports having been hit, slapped, or pushed by a partner;

Whereas 27 percent of teenagers have been in dating relationships in which their partners called them names or put them down;

Whereas 29 percent of girls who have been in a relationship said that they have been pressured to have sex or to engage in sexual activities that they did not want;

Whereas technologies such as cell phones and the Internet have made dating abuse both more pervasive and more hidden;

Whereas 30 percent of teenagers who have been in a dating relationship say that they have been text-messaged between 10 and 30 times per hour by a partner seeking to find out where they are, what they are doing, or who they are with;

Whereas 72 percent of teenagers who reported they'd been checked up on by a boyfriend or girlfriend 10 times per hour by email or text messaging did not tell their parents;

Whereas parents are largely unaware of the cell phone and Internet harassment experienced by teenagers;

Whereas Native American women experience higher rates of interpersonal violence than any other population group;

Whereas violent relationships in adolescence can have serious ramifications for victims, putting them at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where the pattern of violence has been established in adolescence; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Week will benefit schools, communities, and families regardless of socio-economic status, race, or sex: Now, therefore be it

Resolved, That the Senate—

(1) designates the week of February 4 through February 8, 2008, as ''National Teen Dating Violence Awareness and Prevention Week''; and

(2) calls upon the people of the United States, high schools, law enforcement, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence in their communities.

SENATE RESOLUTION 389—COMMEMORATING THE 25TH ANNIVERSARY OF THE UNITED STATES AIR FORCE SPACE COMMAND HEADQUARTERED AT PETERSON AIR FORCE BASE, COLORADO

Mr. ALLARD (for himself, Mr. SALAZAR, Mr. TESTER, Mr. ISAKSON, Ms. COLLINS, Mrs. HUTCHISON, Mr. COCHRAN, Mr. HAGEL, Mr. CONRAD, Mr. DORGAN, Mr. DOMENICI, Mr. HATCH, Mr. CHAMBLISS, Mr. INHOFE, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 389

Whereas, on September 1, 1982, the United States Air Force created the United States Air Force Space Command to defend North America through its space and intercontinental ballistic missile operations;

Whereas 2007 marks the 25th year of excellence and service of Air Force Space Command to the United States of America;

Whereas the mission of Air Force Space Command is to deliver trained and ready airmen with unrivaled space capabilities to defend the United States;

Whereas Air Force Space Command organizes, trains, and equips forces to supply combatant commanders with the space and intercontinental ballistic missile capabilities to defend the United States and its national interests;

Whereas Air Force Space Command's Ground-based radar and Defense Support Program satellites monitor ballistic missile launches around the world to guard against a surprise missile attack on North America;

Whereas Air Force Space Command provides a significant portion of United States Strategic Command's war fighting capabilities, including missile warning, strategic deterrence, and space-based surveillance capabilities;

Whereas Air Force Space Command space radar provide vital information on the location of satellites and space debris for the Nation and the world;

Whereas the current war on terror requires extensive use of space-based communications, global positioning systems, and meteorological data to effectively prosecute military operations;

Whereas Air Force Space Command provides war fighters with ''high ground'' through satellite communications and positioning and timing data for ground and air operations and weapons delivery;

Whereas Air Force Space Command deployed helicopters to the Gulf Coast region during the aftermath of Hurricane Katrina to deliver meals, water, and medical supplies and to conduct search and rescue operations;

Whereas the work done by the men and women of Air Force Space Command is vital to our military, making the Nation more combat effective and helping save lives every day; and

Whereas Air Force Space Command advocates space capabilities and systems for all unified commands and military services, and collectively provides space capabilities America needs today and in the future: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions made by Air Force Space Command to the security of the United States; and

(2) commemorates Air Force Space Command's 25 years of excellence and service to the Nation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3803. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3803. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. ASSET TREATMENT OF HORSES.

(a) 3-YEAR DEPRECIATION FOR ALL RACE HORSES.—

(1) IN GENERAL.—Clause (i) of section 168(e)(3)(A) of the Internal Revenue Code of 1986 (relating to 3-year property) is amended to read as follows:

''(i) any race horse,''.

(2) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service on or after the date of the enactment of this Act.

(b) REDUCTION OF HOLDING PERIOD TO 12 MONTHS FOR PURPOSES OF DETERMINING WHETHER HORSES ARE SECTION 1231 ASSETS.—

(1) IN GENERAL.—Subparagraph (A) of section 1231(b)(3) of the Internal Revenue Code of 1986 (relating to definition of livestock) is amended by striking ''and horses''.

(2) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. __. ELIMINATION OF PRIVATE PAYMENT TEST FOR PROFESSIONAL SPORTS FACILITY BONDS.

(a) IN GENERAL.—Section 141(a) (defining private activity bond) is amended by adding at the end the following new flush sentence: ''In the case of any professional sports facility bond, paragraph (1) shall be applied without regard to subparagraph (B) thereof.''.

(b) PROFESSIONAL SPORTS FACILITY BOND DEFINED.—Section 141 is amended by adding at the end the following new subsection:

''(f) PROFESSIONAL SPORTS FACILITY BOND.—For purposes of subsection (a)—

''(1) IN GENERAL.—The term 'professional sports facility bond' means any bond issued as part of an issue any portion of the proceeds of which are to be used to provide a professional sports facility.

''(2) PROFESSIONAL SPORTS FACILITY.—The term 'professional sports facility' means real property and related improvements used, in whole or in part, for professional sports, professional sports exhibitions, professional games, or professional training.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act, other than bonds with respect to which a resolution was issued by an issuer or conduit borrower before January 24, 2007.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

Mr. CRAIG. Mr. President, I wish to notify the Senate of my intent to object to proceeding to S. 311, a bill to

amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

The bill would prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption. In short, it would further limit the already limited options for disposal of unwanted horses.

An unwanted horse is one that has reached the useful end of its economic or recreational life. There are numerous reasons for the existence of unwanted horses, not the least of which are economic reasons such as loss of job, price of feed or stabling, relocation, poor health of the horse or its owner.

It must be recognized that no one has adequately addressed the fate of the estimated 90,000 unwanted horses that were formerly slaughtered on an annual basis. Animal welfare groups and rescue organizations can only do so much to shoulder the load of aiding the adoption or care of these horses. They are currently stretched to capacity, and we expect an increase in need. As a result, we are witnessing a significant increase in abandonment and neglect of horses in this country. Particularly in the West, growing numbers of unwanted horses are being dumped on public or private rangelands.

I believe that we should take the time to examine this growing issue of the unwanted horse before passing legislation that ties the hands of horse owners, public and private land managers, and others.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, December 5, 2007 at 9 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a business meeting to consider the following items: amendment in the Nature of a Substitute, Lieberman-Warner Climate Security Act of 2007, S. 2191.

Pending nominations: John S. Bresland, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board; John S. Bresland, of New Jersey, to be Chairperson of the Chemical Safety and Hazard Investigation Board; C. Russell H. Shearer, of Delaware, to be a Member of the Chemical Safety and Hazard Investigation Board; William H. Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority; Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority; and Thomas C. Gilliland, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate in order to conduct a hearing entitled ''Reauthorization of the Juvenile Justice and Delinquency Prevention Act: Protecting Our Children and Our Communities'' on Wednesday, December 5, 2007 at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

Witness list:

J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, Washington, DC; Shay Bilchik, Founder and Director, Center for Juvenile Justice Reform, Georgetown University Public Policy Institute, Washington, DC; Deirdre Wilson Garton, Chair, Governor's Juvenile Justice Commission, Madison, WI; Ann Marie Ambrose, Director, Bureau of Child Welfare and Juvenile Justice Services, Harrisburg, PA; Richard Miranda, Chief, Tucson Police Department, Tucson, AZ.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate in order to conduct a hearing entitled ''The Looming Foreclosure Crisis: How To Help Families Save Their Homes'' on Wednesday, December 5, 2007 at 2:30 p.m. in room SD–226 of the Dirksen Senate Office Building.

Witness list:

Nettie McGee, Chicago, IL; Mark Zandi, Chief Economist, Moody's Economy.com, Inc., West Chester, PA; Mortgage Industry Witness TBD; Professor Mark Scarberry, Resident Scholar, American Bankruptcy Institute, Washington, DC; The Honorable Jacqueline P. Cox, United States Bankruptcy Judge, United States Bankruptcy Court for the Northern District of Illinois, Chicago, IL; The Honorable Thomas Bennett, United States Bankruptcy Judge, United States Bankruptcy Court for the Northern District of Alabama, Birmingham, AL; Henry J. Sommer, President, National Association of Consumer Bankruptcy Attorneys, Philadelphia, PA.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DORGAN. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Wednesday, December 5, in order to conduct a hearing on the Nomination of James Peake to be Secretary of Veterans Affairs. The Committee will meet in room SDG–50 of the Dirksen Senate Office Building, at 9:30 a.m.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 5, 2007 at 3 p.m. to hold a closed conference on the fiscal year 2008 Intelligence Authorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. DORGAN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet today, Wednesday, December 5, 2007 from 10:30 a.m. to 12:30 p.m. in Dirksen 106 for the purpose of conducting a hearing concerning the elderly who have been displaced by war, poverty, and persecution abroad.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. WYDEN. I ask unanimous consent that privileges of the floor be granted to my legislative aide, Jacquelyn Elder.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 2416

Mr. MENENDEZ. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER (Ms. CANTWELL). The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2416) to amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax on individuals and replace it with an alternative tax individuals may choose.

Mr. MENENDEZ. Madam President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR THURSDAY, DECEMBER 6, 2007

Mr. MENENDEZ. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10:30 a.m., Thursday, December 6; that on Thursday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour deemed expired, the time for the two leaders be reserved for their use later in the day; that there be an hour of debate prior to a vote on the motion to invoke cloture on the motion to proceed to H.R. 3996, with the time equally divided and controlled between the leaders or their

designees; that the 20 minutes immediately prior to the cloture vote be divided 10 minutes each for the leaders and the majority leader controlling the final 10 minutes; that upon the use or yielding back of time, without further intervening action, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MENENDEZ. Madam President, as a reminder, cloture was filed on the Harkin substitute to the farm bill. Therefore, if Members have amendments on the list of amendments in order to the bill, they should have germane first-degree amendments filed at the desk by 1 p.m. tomorrow. However, if amendments have already been filed, there is no need to refile at this time.

ORDER FOR ADJOURNMENT

Mr. MENENDEZ. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that following the remarks of Senator THUNE for up to 15 minutes, the Senate then stand adjourned under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE FARM BILL

Mr. THUNE. Madam President, for the past 5 weeks now, my colleagues and I have spent literally hours on the Senate floor talking about the 2007 farm bill. Unfortunately, talking about the farm bill for over 5 weeks is all we have done. We could have spent all the days and hours since November 5 productively debating this farm bill. Instead, the distinguished leader on the other side of the aisle made a decision the very first day of the farm bill debate when the farm bill was brought to the floor and the debate ensued to not allow any amendments to reach the floor. Not one single farm bill amendment has been discussed.

Farm bill authority spans 5 years. This legislation impacts every man, woman, and child in America. My colleagues in the minority, who are not members of the Agriculture Committee and who have not had an opportunity to help craft this legislation, deserve a chance to offer their suggested changes.

The farm bill before us totals 1,600 pages. It reauthorizes over $280 billion in spending on commodity, conservation, nutrition, trade, energy, and rural development programs. This bill is far too important to be held hostage by partisan tactics. However, the majority leader made a decision, as I said, nearly 2 weeks ago, to prohibit amendments from being offered to this landmark legislation.

I am a member of the Senate Agriculture Committee, and I am proud of the farm bill we passed out of the committee. I give Chairman HARKIN and the ranking member, Senator CHAMBLISS, great credit. I believe they deserve to be given great credit for the efforts they made in committee deliberation. The members of the committee held an open and productive debate. Several amendments were offered, debated, and voted on. At the end of the day, Senate Democrats and Republicans set aside their differences and reported out a bill to meet America's food and energy needs over the next 5 years.

Is the committee-reported bill perfect? No, of course not. But that being said, my colleagues all deserve an opportunity to offer their amendments to the farm bill. There are only 21 of us who serve on the Senate Agriculture Committee, 11 Democrats, 10 Republicans. Senator DOMENICI, Senator NELSON, and I authored an amendment that would add an increased renewable fuels standard to the 2007 farm bill on the floor because it didn't get added in the committee and because there were questions about whether an energy bill was ultimately going to pass the Senate. Therefore, we thought it would be good to improve and strengthen the energy title of the farm bill by adding the RFS to the farm bill. That is one of the amendments that, of course, could be debated if, in fact, there were an open debate process.

As I travel across my State and met with farmers and agricultural leaders, the message to me is very clear. No single policy is more important to our agricultural community than this farm bill and the accompanying Energy bill. If we can get a farm bill passed with a renewable fuel standard, I think our farmers would be very pleased with the work Congress has done to promote American agriculture and move the renewable fuels industry forward.

This renewable fuels standard will create jobs in rural America, give our producers an alternative market for our crops, spur billions of dollars in renewable fuels investment, and save over $600 million in taxpayer dollars in the underlying bill.

However, we have not had an opportunity to debate any of these amendments, including a renewable fuels standard amendment. I listened all day while accusations have flown back and forth. There has been all this hand wringing going on finger pointing, and the blame game being played. I have to say, as someone who voted for cloture the first time we had a cloture vote on the farm bill, I voted for cloture because I need this bill to move forward—my farmers and my ranchers want a new farm bill—but not because the process has been fair to Members on my side of the aisle.

Senators on the minority side, on the Republican side of the aisle—as I said, there are only 21 of us who serve on the Senate Agriculture Committee. That means there are 79 other Senators who would like to weigh in on this important legislation. We have had the bill on the floor literally for a 2-week period and we didn't debate or vote upon one single amendment.

As I said before, you are talking about a 1,600-page bill that authorizes $280 billion in spending over the next 5 years, and there has not been one single amendment voted on. The majority leader decided when the bill came to the floor he was going to fill the amendment tree, which in effect said no amendment can be offered unless it is approved by the majority leader.

I don't happen to disagree with the notion that amendments that are brought to the floor of the Senate ought to be somewhat germane to the underlying legislation. But it is a reality, a practical reality every single day in this institution, in the Senate, that amendments are brought to the floor that are not germane to the underlying bill. I will hold up a case in point because I have heard my colleagues on the other side get up and say: The Republicans want to offer all these nongermane amendments and what are we supposed to do about that, these need to be germane to the underlying farm bill? I would like to see amendments that are germane to the underlying farm bill, but it is a reality in the Senate that on many occasions—in fact it is often the case—amendments are offered to all kinds of legislation that are not germane to that underlying legislation.

A case in point: We are now stalled on the Defense authorization bill, a bill that was debated and voted upon a long time ago. The House passed it, the Senate passed it, we went to conference, we resolved all the differences. I serve as a Member of the Senate Armed Services Committee, and I know some of the issues that were being debated in the conference were somewhat contentious, but they all got resolved. Most of them were related to the underlying bill. Most of them were related to our national security programs, our readiness and that sort of thing. What is holding up the conference on the Defense authorization bill is hate crimes legislation because hate crimes was put on the bill in the Senate before it left, over the objections of many of us who didn't feel it was relevant or germane to the underlying Defense authorization bill. But nevertheless we didn't have the votes. It went to conference.

Now the debate over whether we are going to have a Defense authorization bill doesn't hinge on anything having to do with national security. It hinges on hate crimes legislation. How is that germane to the Defense authorization bill? Yet my colleagues on the other side have continually gotten up today and railed on the Republicans because Republicans, of all things, want a vote on a death tax amendment to the farm bill.

In my State, most farmers and ranchers think the death tax is relevant to their everyday lives because it is probably the single biggest barrier to multigenerational transfers of cattle operations. There is not anything that is a bigger barrier, a larger impediment to those types of transfers in passing farm operations and ranching operations down to the next generation than is the death tax. In most cases, these are people who are asset rich but cash poor. Oftentimes, when someone dies and they wanted to pass it on, they have to liquidate all their assets in order to pay the death tax.

My point simply is this. I would like to see us move forward. We need a farm bill. We need an energy bill. As I said before, I voted for cloture on the farm bill, but I have to say this process has been very tilted in favor of a procedure that the majority leader adopted on the first day that is very much without precedent—in terms of what happens on the Senate floor, I am sure it has been done. I am sure it has been done under Republican majorities. But the fact is, filling the amendment tree and prohibiting amendments from being offered, in a place such as the Senate which thrives on an open amendment process, I think is undermining the very foundation, the rules and procedures on which the Senate is based.

I would like to see us be able to get to a vote on the farm bill, but we can't do that until we have some agreement on amendments, and we can't get to the amendments on the floor until such time as the majority leader agrees we will be able to offer amendments. Until that happens, our side is going to continue to object to proceeding to the farm bill because, in fairness to them, as I said, this is a 1,600-page bill that spends $280 billion over 5 years and was debated by 21 of the 100 Senators. In the Agriculture Committee, I think we produced a very good bill. I would like to see it—as I said, if it went through unamended, that would be fine by me because I think we got as good a consensus in the farm committee as we could. But there are 79 other Members of the Senate on both sides of the aisle who want to strengthen and make this bill better, and right now the process has precluded that opportunity to a point where we are at a standstill on legislation that is of great importance to the farmers I represent and, I would argue, to all Americans.

The farm bill not only funds production agriculture—and frankly less and less of the overall funding in the farm bill is going to production agriculture. More of it now, 68 percent of it, is going to nutrition and food stamps and other aspects of the farm bill; 9 percent toward conservation. All of those are important. But my point simply is this is a bill important to all Americans, not just to those farmers and ranchers.

During debate on the 2002 farm bill, there were 246 amendments filed. Democrats and Republicans came together and voted on 49 amendments, including 29 rollcall votes. Before that, in the 1996 farm bill, there were 339 amendments offered, which were debated. Republicans controlled the Congress at that time. Republican leadership allowed 26 amendment votes, including 11 rollcall votes.

During consideration of the 1990 farm bill, there were 113 votes on the farm bill, 22 of which were rollcall votes. Finally, in 1985, there were 88 votes on that farm bill, 33 of which were rollcall votes.

My point is, writing a farm bill is not an easy task. A lot goes into this. It is a lengthy process, involving compromise between stakeholder groups, national priorities, regional interests, and compromise is simply unachievable under the political maneuvers that have been employed by the Democratic leader on this farm bill.

As I said before, it has been 5 weeks since it was called up on the floor. We had it on the floor for 2 weeks at one stretch before we went out for the Thanksgiving break, and let me emphasize we did not vote on one single amendment to this legislation.

I hope that will change because I think there is precious little time left in this session of the Congress and there are a lot of priorities. There is not much, frankly, that has been done. The Defense authorization bill, as I said, is being held up over an unrelated, nongermane amendment dealing with hate crimes. We don't have funding going out to the troops. We have only gotten one appropriations bill signed into law. The VA-Military Construction appropriations bill is cued up, ready to go. The President said he would sign it. We have not moved that through here. The list goes on and on.

I think it is regrettable because, as most Americans observe this process, they become increasingly cynical. The reason I think these public opinion polls that are published and surveys that are done indicate that Congress has terribly low approval ratings is for this reason: They see the partisan bickering, gridlock, finger pointing and all they want is for Congress to work together to get things done. One recent public opinion survey had the approval rating of the Congress at 11 percent which, as our friend John McCain always says: When you get down to 11 percent, you are pretty much talking about paid staff and blood relatives; and if you factor in the margin of error, you might even run a negative on that.

That is because the American public perceives what is happening and is incredibly frustrated by that. They want to see us work together toward solutions. We cannot do that absent a process and procedure that allows amendments to be offered when bills come to the floor. Legislation put on the floor that is as comprehensive as this farm bill is which, as I said, is 1,600 pages, $280 billion in spending over a 5-year period, to date not one single amendment has been voted on.

That is regrettable. It is a disservice to the farmers and ranchers of this country who are waiting for this farm bill but, as important, I think it is a disservice to the American public, all of whom benefit from the farm bill and all of whom want to see the Senate work and function effectively to address the challenges and the problems we face as a country.

The process employed by the majority leader on the farm bill completely precludes us from having anything that resembles an open debate. As I pointed out earlier, if you go back to the 1985, 1990, 1996 or 2002 farm bills, there were ample opportunities for amendments. There was vigorous and spirited debate and lots of rollcall votes. This is really historic in terms of the precedent it sets and the message it sends to American agriculture, which desperately needs a farm bill.

I hope in the next day or two, and next week—which in my view is about what we have left to work with. I am frankly happy to stay here this weekend. I would stay here Saturday, Sunday, and beyond if we could get a farm bill on the floor, actually debate it, actually have amendments offered and voted on. I am happy to stay. I would be willing to bet that many of my colleagues would be happy to stay.

But the clock is a-running, time is a-wasting. All the American people see is finger pointing and hand wringing and bickering and gridlock. That is not in their best interests. Certainly, it is not fair to them, the people by whom we were elected. They sent us to do a job. We need to get about that job. That means allowing the Senate to function, to work, to allow Senators to offer amendments to these bills and to get to final action and completion and to get some legislation passed that will hopefully improve the lives of many Americans.

I yield the floor.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m. tomorrow.

Thereupon, the Senate, at 6:13 p.m., adjourned until Thursday, December 6, 2007, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

MARK R. FILIP, OF ILLINOIS, TO BE DEPUTY ATTORNEY GENERAL, VICE PAUL J. MCNULTY, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID P. VALCOURT, 0000

EXTENSIONS OF REMARKS

A TRIBUTE TO CHRISTOPHER MICHALSKI

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Mr. Christopher Michalski of New York City, New York. Mr. Michalski is an asset to our fair city and a testament to the American dream.

Mr. Michalski was born on July 12, 1949 in a small city in Poland where he grew up with huge dreams of coming to America. While in school he studied architecture extensively and eventually received a master's degree in structural engineering. He instantly put his knowledge to good use by following in his family's footsteps to become a third generation church builder.

While Mr. Michalski was in his midtwenties, he was afforded an opportunity to migrate to America of which he eagerly took advantage. With strength and perseverance Chris was able to build a new life for himself and his family in New York City. He married his longtime love Dorothy and had two beautiful children, Monica and Eric.

Today, Chris Michalski can be found running his company, Solution New York Contracting Inc., while interacting with people from all over the world. He is a dog lover, a church builder, and a one-of-a-kind individual.

Madam Speaker, I would like to recognize Chris Michalski: for his hard work and structural contributions to the city of New York.

Madam Speaker, I urge my colleagues to join me in paying tribute to this intrepid individual who is fine example of the entrepreneurial spirit upon which America was built.

HONORING THE LIFE OF CAPTAIN TIMOTHY McGOVERN, U.S. ARMY, OF IDAVILLE, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. DONNELLY. Madam Speaker, I rise today to honor U.S. Army Captain Timothy McGovern of Idaville, Indiana, who died on October 31, 2007 while serving in Mosul, Iraq. Assigned to the 2nd Battalion, 7th Cavalry Regiment, 4th Brigade Combat Team, 1st Cavalry Division, Tim was leading his troops in a mission clearing roads of IEDs when his group came under fire and his Bradley was hit by a roadside bomb. Today I would like to take a moment to mourn a well-lived life cut tragically short.

After moving to Idaville as a teen, Tim graduated from Twin Lakes High School in 1997 where he excelled in honors classes and was a star in football and track. Even at that point it was clear what Tim was going to do with his life, as his former football coach commented, ''It didn't surprise me at all when he joined the armed forces and became an officer . . . that was just the kind of guy he was.'' And it probably didn't surprise anyone, for a career in the Army was in Tim's blood: just a year before he graduated from high school, his father Bill retired from the Army having achieved the rank of Lieutenant Colonel.

Tim started on that path immediately following high school, when he joined the Reserve Officers' Training Corps while attending Purdue University. Less than two years after his graduation from Purdue in 2001, Tim set off to serve the first of his two tours of duty in Iraq. ''He was on his very first tour when the war in Iraq started, and when he came home, (he) didn't hesitate to do another,'' his uncle Mike recalls.

Although Tim was in the process of buying a house in El Paso, Texas, his heart remained with his family in Idaville and with the Chicago Bears. During his second tour of duty in Iraq, Tim was given a two-week pass to return home to the United States. He made sure to return home for the Superbowl, and Tim's parents will never forget their last moments spent at home with their beloved son. ''He was a Bears fan,'' his mother Jonell said. ''He was one of the few rooting for the Bears, him and his grandmother. That's going to stay in our minds for a really long time.''

But if his heart was with his family, his passion and purpose was with the Army. As captain of a ninety-member company, Tim showed exemplary dedication to his duties as an officer and to the safety and well-being of his men. His mother noted, ''He said the thing he was the most proud of was that he had not sent anybody home injured and that nobody had been killed from his group. To him, that meant he was doing his job.'' Safety did not mean staying away from where the action was, however. He assumed command of Company E from Captain Tim Hudson, who said ''We both chose to go to El Paso and Fort Bliss, and we both came here for the same reason. And that was to come out here and command soldiers in combat.'' Having commanded Company E for twenty months, Captain Hudson could only praise Tim's work upon assuming command in June. ''I put my heart and soul into this company,'' Hudson said. ''And after he took over, Echo Company only got better.''

What was Tim's secret to being an excellent commander? He may well have shared it with 1st Lieutenant Michael Holbrook. ''He told me there was no greater honor than leading American soldiers in combat. I'm going to remember that until the day I hang up my uniform.''

A private man, Tim would not have wanted all the attention placed on his life. ''He wouldn't have liked this,'' said his mother. ''He would have wanted people to be thinking about the other soldiers still over there fighting.'' For that reason, I wish to remember those soldiers Tim commanded in Echo Company still serving in Mosul, and all those serving in Iraq and Afghanistan. Indeed, may we keep all those in the Armed Forces in our hearts and prayers as a way of honoring and remembering Tim's outstanding service and loyal dedication to our great nation.

CONGRATULATING ERICA FRENCH OF LOWERY ROAD ELEMENTARY SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Erica French, a teacher at Lowery Road Elementary School in Fort Worth, Texas. Ms. French was chosen as one of fourteen recipients of the 2007–2008 Chairs for Teaching Excellence award.

The Fort Worth School District recognizes the teachers, and to be chosen, you must be nominated by a principal, parent, or colleague. The selection process also entails an interview and an evaluated teaching demonstration. The teachers were presented with their awards at the Petroleum Club of Fort Worth.

It is my honor to represent a teacher such as Ms. French in the 26th District of Texas. Her dedication to education, her school, and her students and families of Fort Worth, Texas should be viewed as an example for all.

TRIBUTE TO MACK HARMON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Mack Harmon, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 412, and in earning the most prestigious award of Eagle Scout.

Mack has been very active with his troop, participating in many Scout activities. Over the many years Mack has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Mack Harmon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF PROPERTY TAX DEDUCTION FOR ALL ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. PAUL. Madam Speaker, I rise to introduce the Property Tax Deduction for All Act,

legislation making the property tax deduction an ''above-the-line'' deduction. This simple change makes the property tax deduction available to homeowners who do not file an itemized tax return.

The Property Tax Deduction for All Act will help millions of Americans who struggle with high property taxes, but because they do not itemize, are unable to take advantage of the Federal deduction for property taxes. Extending the property tax deduction to all homeowners will especially benefit senior citizens, whose homes often are the major part of their wealth, and young families struggling to cope with the costs of owning a new home. I respectfully urge my colleagues to help ensure all homeowners can take advantage of the tax deduction for property taxes by cosponsoring this legislation.

IN RECOGNITION OF OPERATION COMMUNITY SHIELD

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SESSIONS. Madam Speaker, I rise today to proudly recognize the Dallas Field Office of Immigration and Customs Enforcement, and the Detention and Removal Operations agents who participated in Operation Community Shield—an annual, national law enforcement initiative that brings together federal, state, and local law enforcement to fight gang violence, drug smuggling and organized crime linked to illegal immigration.

I applaud the remarkable accomplishments they produced in just seven days of Operation Community Shield: 120 gang members arrested, including members from 28 alien gangs, 63 criminal arrests, and 8 firearms and over 4,000 grams of marijuana and cocaine seized.

Thanks to Operation Community Shield, numerous murderers, rapists, and drug dealers have been taken off our streets. With the collaborative work of federal, state, and local law enforcement, Operation Community Shield enables officers to more effectively communicate between agencies, developing a ''force multiplier'' effect in fighting against violent gangs and criminal illegal immigrants. Consequently, I believe that this important initiative represents a critical step in addressing the illegal immigration problem facing our community and nation.

Madam Speaker, I would further like to give recognition to the leadership of John Chakwin, ICE Special Agent-in-Charge, and Mrs. Nuria T. Prendes, Director for Detention and Removal Operations. Both have remarkable staffs that support the mission in light of the challenging times in our nation, and their steadfast commitment is one we can all be proud of in Dallas, Texas.

A PROCLAMATION HONORING KRISTA SIEGFRIED FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Krista Siegfried competed in England's largest youth soccer tournament; and

Whereas, Krista Siegfried showed hard work and dedication to the sport of soccer; and

Whereas, Krista Siegfried has broadened her abilities and skills in the sport of soccer; and

Whereas, Krista Siegfried was a supportive team player; and

Whereas, Krista Siegfried always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Krista Siegfried on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

TRIBUTE TO BILL HAMPTON

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mrs. EMERSON. Madam Speaker, I rise today to congratulate Bill Hampton for receiving the 2007 Missouri Community College Association News Media Award. Mr. Hampton's work has been essential to the successes of Three Rivers Community College, TRCC.

Academic institutions such as TRCC require consistent and aggressive advocacy to advance opportunities for students. By using innovative means to connect more than 20,000 households to TRCC, Mr. Hampton has effectively conveyed the importance of this institution to our regional communities. Mr. Hampton's optimistic, community-minded message continues to foster necessary support for the college's growth and continued improvement.

With career experience in education, business, and government, Mr. Hampton understands the importance of higher education; he remains a generous supporter of the college as a private citizen. Mr. Hampton's contributions, both professionally and personally, have helped foster TRCC as the source for educational and career opportunities for the entire southern Missouri region.

Madam Speaker, it is a great privilege to honor Bill Hampton on winning this prestigious award. I ask that you join me along with the people of southern Missouri to congratulate him on this wonderful achievement and to wish him a happy and productive future.

RECOGNIZING THE 50TH ANNIVERSARY OF THE VIAHEALTH OF WAYNE COUNTY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. WALSH of New York. Madam Speaker, I rise today to recognize the 50th anniversary of ViaHealth of Wayne located in Newark, New York.

Newark Wayne Community Hospital opened its doors on April 1, 1957, and for 50 years it has provided the people of Wayne County and surrounding areas with quality medical care. The highly trained, dedicated staff is committed to providing superior health care to everyone who comes through the hospital doors.

The health care professionals at Newark Wayne Community Hospital offer a wide range of expertise, from heart and cancer care to providing living assistance for seniors. The incredible staff is able to offer care to everyone, using leading edge medical technology that ensures patients receive the best health care services possible.

I thank all of the individuals, families, and foundations whose hard work and dedication have been instrumental in making Newark Wayne Community Hospital a success. I congratulate all of you on reaching this important milestone and know that you will continue to serve the community proudly for another 50 years.

HONORING JACKIE AND MOLLIE SINGER

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Ms. BERKLEY. Madam Speaker, I rise today to recognize Jackie and Mollie Singer, remarkable twin sisters from my district in Las Vegas, Nevada. At the age of four, Mollie was diagnosed with diabetes. Since that time, both sisters, now eighteen, have worked tirelessly to raise money and promote awareness of the disease which afflicts more than 20 million Americans.

The Singer sisters first came to my attention nearly ten years ago on their first visit to my office for the important advocacy work they began at such a young age. As part of their spirited efforts, Mollie and Jackie organize annual walks and numerous other events to benefit the Juvenile Diabetes Research Foundation. Altogether their efforts have raised more than $500,000 for the cause. The sisters have also formed the Diabetic Angels, an international support group for those suffering from juvenile diabetes.

The Singer sisters have put a memorable face to this alarming medical crisis through speaking engagements, meetings with policy makers, and numerous print and television interviews. They have compiled many of their experiences into a booklet entitled ''The Road to a Cure,'' which gives pointers to parents and kids on fundraising, health fairs, and public speaking. Members of my staff and I have had the pleasure of meeting with Mollie and Jackie and their family on many occasions through the years.

Madam Speaker, I am proud to honor the work of Mollie and Jackie Singer and their family to raise awareness of diabetes and to work toward a cure, and I wish them continued success in their efforts.

CONGRATULATING KAZAKHSTAN ON ITS ELECTION AS CHAIR OF OSCE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I welcome the unanimous decision of the Organization for Security and Cooperation in Europe (OSCE) to elect Kazakhstan its Chair-in-Office for 2010, reached on November 30, 2007 in Madrid.

This is undoubtedly a monumental event not only in the history of modem Kazakhstan, but also of the OSCE of which the United States is a member. For the first time, a country which in recent past was part of the Soviet Empire will lead this international institution. This vividly shows that Kazakhstan has managed to make a breakthrough from its communist past to a democratic future in a short time. This is also testimony to the evolutionary development of the OSCE itself. The Madrid decision, helps the OSCE strengthen its unity and become an organization of equal partners who sincerely believe in and are committed to ideals of democracy and freedom.

This is a stellar moment for the people of Kazakhstan, and a recognition of the long-standing efforts of their leader, President Nursultan Nazarbayev, on building a truly democratic and free society. President Nazarbayev has managed to achieve things leaders of many other countries can only dream of. To pull the country from the chaos of Soviet era and lead it towards the ranks of economically strong and democratically developed nations of the world in a little more than a decade takes incredible efforts, strategic vision and endless care for one's people. Today, Kazakhstan is a recognized leader in Central Asia, and I believe that, as Chair-in-Office, Kazakhstan will not only strengthen its leadership in that key region but will also help strengthen the OSCE's authority internationally, as well as improve mutual understanding and cooperation between East and West.

Madam Speaker, next week the people of Kazakhstan will celebrate the 16th anniversary of their independence and mark the establishment of Kazakhstan-U.S. diplomatic relations. We are proud that in these 16 years our relations have developed into a true strategic partnership. Kazakhstan has always been true to its commitments and has never wavered in its support for our nation.

I join my colleagues in congratulating our strategic ally and friend with its Chairmanship of OSCE in 2010 and with the 16th anniversary of independence. I strongly believe the opportunities Kazakhstan and our strategic partnership have to offer have not been fully explored. I wish the wise people of Kazakhstan and their leader Nursultan Nazarbayev happiness, well-being, and further prosperity.

CONGRATULATING THE L.D. BELL HIGH SCHOOL BLUE RAIDER MARCHING BAND

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate the L.D. Bell High School Blue Raider Marching Band of Hurst, Texas, on being named the 2007 Bands of America Grand National Champion on November 17, 2007 in Indianapolis, Indiana.

The L.D. Bell Blue Raider Marching Band has participated in the Bands of America Grand Nationals five times since 2001, placing 4th, 5th, 3rd, 2nd, and now 1st. They also received the highest achievement awards in the areas of Outstanding Music Performance and Outstanding General Effect. In the semi-finals round, the band received the highest score given in Bands of America history: an astounding 97.8.

The Band is capably led by Director of Bands Jeremy Earnhart, Assistant Director of Bands Jolette Wine, and Associate Band Directors Nick Thomas and Brandon Holt.

I sincerely commend the L.D. Bell High School Blue Raider Marching Band, their directors, and Drum Majors, for winning 1st place at the University Interscholastic League Bands of America Grand Nationals. Their hard work, dedication, desire to excel, and success in promoting and performing music deserves the highest recognition and congratulations. I'm very proud to represent these students and teachers in the U.S. House of Representatives.

A PROCLAMATION HONORING ALEX LEAS FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Alex Leas competed in England's largest youth soccer tournament; and

Whereas, Alex Leas showed hard work and dedication to the sport of soccer; and

Whereas, Alex Leas has broadened her abilities and skills in the sport of soccer; and

Whereas, Alex Leas was a supportive team player; and

Whereas, Alex Leas always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Alex Leas on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

HONORING MRS. HELENA SNYDER ON THE CELEBATION OF HER 100TH BIRTHDAY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. LIPINSKI. Madam Speaker I rise today to honor Mrs. Helena Snyder, an outstanding American, on her 100th birthday. A resident of Riverside, Illinois, for over fifty years, Helena celebrated 100 years on November 7th of this year.

Born in Pekin, Illinois, to Sicilian parents, Helena grew up dreaming of a career in Chicago. After graduating high school, Helena left Pekin to pursue her dream and was hired by the offices of the U.S. District Attorney in Chicago. She remained employed there until 1939, when she married her husband Bernard Snyder.

Shortly after their first child was born, World War II began and Bernard enlisted in the Navy. Helena and their son Brad moved to California with him until he was sent overseas. Upon Bernard's return, Helena became a full-time homemaker and spent much of her valuable time volunteering for a number of different groups in her community. Notably, Helena has held many offices as a member of the Riverside Women's Club and served as president of the organization for two years.

Madam Speaker, it is my honor to recognize Mrs. Helena Snyder, an exceptional woman and pillar in the community, on the celebration of her 100th birthday. I am honored to have such an outstanding individual in my district and wish Helena and her family a joyous celebration.

TRIBUTE TO EFRAIN GUERRERO, AKA: ''HAPPY''

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. ORTIZ. Madam Speaker, I rise today to pay tribute to a unique American patriot, a South Texan whose pleasure is derived from making other people happy: Efrain Guerrero, also known as ''Happy the Clown.''

If you ever have the pleasure of talking to Happy, you will laugh too loud, and walk away wiping tears of laughter. If laughing is indeed good for our health, Happy is an extraordinary doctor.

Like every great American comedian, Happy delves deeply into the human condition—our habits, our reactions, our relationships, and all the things that make us laugh about ourselves, our families, and our lives.

Happy has a tremendous connection to people, using humor—and his exceptional personal charm—to inspire them and motivate them. He is an international award-winning entertainer and public speaker throughout Texas and the United States. As a motivational consultant, Happy has made countless presentations to schools, health organizations, and parent groups.

His humor is disarming. Happy recently brought down the room as a headliner at Harrah's Hotel & Casino in Las Vegas Nevada. He has written and co-produced comedy

CD's, and has been dubbed: a "Texas legend in entertainment."

Happy is one of the top twenty-five Latino comedians in the United States. Happy's performances have delighted thousands of diverse audiences who attend his comedy concerts, conventions, and private events throughout the United States, Mexico, and Puerto Rico.

Happy is a member of the Texas Magician's Association and uses a level of magic in his shows and presentations, for which he has also won numerous awards.

He has written and produced five comedy CD's: Happy Live Disconnected, El Pachuco Dude, Dalé Gas, Happy Live! Chisquitito . . . and his most recent CD, Barely Reality. Happy also released two comedy DVD's, Happy Live! I and Happy Live! II.

On screen, Happy was featured in Harvest of Redemption (April 2005), an independent film about the journey of an angry young man in the Rio Grande Valley, cira 1920. Happy was the original host and co-producer of the comedy show Que Locoi on Galavision's network.

Happy's recent comedy show, La Migra Gone Wild! is a Tejano comedian's hysterical perspective of the chaos immigration is causing on both sides of the border ... his latest installment of illustrating and illuminating through humor.

I ask my colleagues to join me in commending my friend, Efrain Guerrero "Happy," for his intense and hysterical comedy that gives us all a hard look at ourselves and the world around us.

RECOGNIZING LAWSON CARDINALS HIGH SCHOOL FOOTBALL TEAM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize the outstanding achievement of the Lawson Cardinals high school football team on defeating Blair Oaks, by a score of 38–17, to win the Class 2 State Championship.

The Cardinals finished their incredible season by posting an unblemished record of 14–0 this season while scoring 501 points and only allowing 145 points. In the Championship game, the defense forced seven turnovers, resulting in 24 points from turnovers, third most in Show-Me Bowl history.

Also, I want to recognize the great leadership of the team, including Head Coach Todd Dunn and the work of his assistance coaches. I also want to acknowledge the work of school administrators, Superintendent Craig Barker, Principal Don Edwards and Assistant Principal Clint Ross, and Athletic Director Scott Harrold, as additional keys to success.

Madam Speaker, I ask you to join me in congratulating the achievement of Lawson Cardinals High School football team on their perfect season and state championship. It is an honor to represent this team in the United States Congress.

CONGRATULATING THE ACCOMPLISHMENTS OF SPECIAL OLYMPIAN JESSICA CROOK OF LOGANSPORT, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. DONNELLY. Madam Speaker, I am so proud to rise before you today to offer a word of congratulations to Special Olympian Jessica Crook of Logansport, Indiana for her accomplishments at this year's World Games in Shanghai, China and for being selected as a member of the 2007–2009 class of Sargent Shriver International Global Messengers.

Not only is Jessica the first Global Messenger to be selected from the State of Indiana, but she is an accomplished athlete as well. She became involved with the Special Olympics in 1999, with the Cass County Aquatics program. In June 2005, Jessica won a Gold Medal in the Summer Games, and followed up with two more in 2006. Also in 2006, Jessica won top honors in three events at the National Games.

This year, Jessica was one of seven Hoosiers representing Team USA at the World Games in Shanghai, China. She competed in three events at the World Games, held in November, placing 6th in the 50-meter Freestyle, winning a Silver Medal as part of the 4x50-meter Medley Relay team, and winning a Gold Medal in the 50-meter Butterfly.

As an International Global Messenger, Jessica will serve for two years as a voice of the Special Olympics. Sargent Shriver International Global Messengers (IGM) are a group of twelve Special Olympians from around the world that speak on behalf of the Special Olympics, appearing in various national and international media outlets. The new class, consisting of athletes from across the globe, is committed to the vision and benefits gained from participation in athletics. Jessica is the first Special Olympian athlete from Indiana to receive this distinguished appointment, and she is eager to relay the powerful declarations of hope, acceptance, dignity and courage of Special Olympics Athletes around the world.

Again, it is my honor to join with the constituents of Indiana's Second Congressional District and around the country in congratulating Jessica Crook of Logansport, Indiana, for her accomplishments at the 2007 Special Olympics World Games and for being selected as a Sargent Shriver International Global Messenger.

CONGRATULATING RILEY BELL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Riley Bell, of Trinity Christian Academy, on qualifying for induction into the Spring 2007 National Honor Roll. Riley resides in The Colony, TX and is in her third year of high school at Trinity Christian.

The National Honor Roll offers several benefits that can contribute to the success of its student members. The National Honor Roll chooses students based upon their academic performance. Each student that qualifies for induction must have a B average or better, and show ambition in areas such as grade point average, interests, activities, and future goals.

I extend my sincere congratulations to Ms. Riley Bell for her remarkable dedication to education and exemplary learning. Her commitment to her studies, her school, and her future should serve as an inspiration to all. I am honored to represent her in the 26th District of Texas.

TRIBUTE TO ELIZABETH SIMONE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. GRAVES. Madam Speaker, I proudly ask you to join me in recognizing Elizabeth Simone of Gladstone, Missouri. Elizabeth will be celebrating her 78th birthday on November 22nd and it is my privilege to offer her my warmest regards.

Elizabeth raised three children and has eight grandchildren, including my legislative attorney Dominic Lackey. Elizabeth is a talented pianist and now spends her days retired after serving as an accomplished secretary for the International Association of Machinists and Aerospace Workers.

Madam Speaker, it is an honor to represent Elizabeth in the United States Congress, and I wish her all the best on this birthday and many more in the future.

VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM PREVENTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. PAUL. Madam Speaker, I regret that I was unavoidably out of town on October 23, 2007, when a vote was taken on H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act. Had I been able to vote, I would have voted against this misguided and dangerous piece of legislation. This legislation focuses the weight of the U.S. government inward toward its own citizens under the guise of protecting us against "violent radicalization."

I would like to note that this legislation was brought to the floor for a vote under suspension of regular order. These so-called "suspension" bills are meant to be non-controversial, thereby negating the need for the more complete and open debate allowed under regular order. It is difficult for me to believe that none of my colleagues in Congress view H.R. 1955, with its troubling civil liberties implications, as "non-controversial."

There are many causes for concern in H.R. 1955. The legislation specifically singles out the Internet for "facilitating violent radicalization, ideologically based violence, and the homegrown terrorism process" in the United States. Such language may well be the first step toward U.S. government regulation of

what we are allowed to access on the Internet. Are we, for our own good, to be subjected to the kind of governmental control of the Internet that we see in unfree societies? This bill certainly sets us on that course.

This seems to be an unwise and dangerous solution in search of a real problem. Previous acts of ideologically-motivated violence, though rare, have been resolved successfully using law enforcement techniques, existing laws against violence and our court system. Even if there were a surge of ''violent radicalization''—a claim for which there is no evidence—there is no reason to believe that our criminal justice system is so flawed and weak as to be incapable of trying and punishing those who perpetrate violent acts.

This legislation will set up a new government bureaucracy to monitor and further study the as-yet undemonstrated pressing problem of homegrown terrorism and radicalization. It will no doubt prove to be another bureaucracy that artificially inflates problems so as to guarantee its future existence and funding. But it may do so at great further expense to our civil liberties. What disturbs me most about this legislation is that it leaves the door wide open for the broadest definition of what constitutes ''radicalization.'' Could otherwise non-violent anti-tax, antiwar, or anti-abortion groups fall under the watchful eye of this new government commission? Assurances otherwise in this legislation are unconvincing.

In addition, this legislation will create a Department of Homeland Security-established university-based body to further study radicalization and to ''contribute to the establishment of training, written materials, information, analytical assistance and professional resources to aid in combating violent radicalization and homegrown terrorism.'' I wonder whether this is really a legitimate role for institutes of higher learning in a free society.

Legislation such as this demands heavy-handed governmental action against American citizens where no crime has been committed. It is yet another attack on our Constitutionally-protected civil liberties. It is my sincere hope that we will reject such approaches to security, which will fail at their stated goal at a great cost to our way of life.

IN HONOR OF THE VARSITY VOLLEYBALL TEAM AT CANYON CREEK CHRISTIAN ACADEMY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SESSIONS. Madam Speaker, I rise today to proudly recognize the Varsity Volleyball team at Canyon Creek Christian Academy (CCCA) for winning the 2007 Texas Association of Private and Parochial Schools (TAPPS) Volleyball State Championship.

Last weekend, CCCA defeated Austin Regents 3–1 in the semi-finals and then proceeded to face the Tyler All Saints in their final match. On November 10, 2007, CCCA emerged triumphant with the score of 3–0 and won the coveted title of 4A State Champions. This title speaks loudly of their hard work and discipline, which led to their victory. I commend them for dedicating the time and effort to enhance their ability to perform as a team and skills and techniques of this great sport.

I congratulate the members of the volleyball team for their well-deserved victory and wish them all the best in future endeavors.

A PROCLAMATION HONORING STELLA GIRKINS FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Stella Girkins competed in England's largest youth soccer tournament; and

Whereas, Stella Girkins showed hard work and dedication to the sport of soccer; and

Whereas, Stella Girkins has broadened her abilities and skills in the sport of soccer; and

Whereas, Stella Girkins was a supportive team player; and

Whereas, Stella Girkins always displayed sportsmanship on and off of the field: Now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Stella Girkins on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

TRIBUTE TO BEN AND MARTHA BIDEWELL

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mrs. EMERSON. Madam Speaker, I rise today to congratulate Ben and Martha Bidewell for receiving the 2007 Missouri Community College Association Award of Distinction. Their vision and commitment to education has had an enduring impact on their community, State and Nation.

Three Rivers Community College (TRCC) has played a critical role in helping people of all ages develop the skills necessary to begin and sustain a productive career. For four decades, the Bidewells have generously contributed their time, efforts and financial resources to the betterment of TRCC, ensuring a brighter future for our State and Nation.

Mr. and Mrs. Bidewell both possess a deep sense of community and true desire to improve the lives of their neighbors. Their friendliness and optimism have positively impacted countless people both in and out of the college. Their leadership, dedication and generosity serve as an example to all, particularly young students enrolled at TRCC. Poplar Bluff and the entire southern Missouri region owe a debt of gratitude to Mr. and Mrs. Bidewell for their significant contributions to higher education and their community.

Madam Speaker, it is a great privilege to honor Ben and Martha Bidewell on winning this prestigious award. I ask that you join me along with the people of southern Missouri to congratulate Mr. and Mrs. Bidewell on this wonderful achievement and to wish them a happy and productive future.

RECOGNIZING THE 200TH ANNIVERSARY OF THE SHERWOOD INN

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. WALSH of New York. Madam Speaker, I rise today to recognize the 200th anniversary of the Sherwood Inn in Skaneateles, New York.

Founded by Isaac Sherwood in 1807 the Sherwood Inn has served as a fixture in the Central New York community for two centuries. Throughout its long history, the Sherwood Inn has seen many renovations and expansions and been known by many different names and owned by numerous people, but it has constantly been dedicated to serving travelers and diners in the area. During the influenza epidemic of 1918 the Sherwood Inn went above and beyond its call of public service by serving as a temporary hospital.

Owned by William Eberhardt since 1974, the Sherwood Inn is one of the oldest, continuously operating inns in New York State. It has served as a place for community activities, business meetings, family gatherings, and special events. Throughout its operation, the Sherwood Inn has employed hundreds of area citizens and has served as a crucial leader in the revival of the village of Skaneateles and the Finger Lakes region.

The Sherwood Inn has always strived to maintain the highest standards of public service, and I am proud to recognize them today. I congratulate the past and present employees of the Sherwood Inn on reaching this milestone, and I thank them for their two centuries of dedicated public service that has been such a positive influence on the community.

HONORING GERALDINE GENNET

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Ms. BERKLEY. Madam Speaker, I rise today to thank Ms. Geraldine Gennet for her diligent service to the Office of General Counsel for the House of Representatives. Ms. Gennet joined the General Counsel's office 12 years ago, and served in the capacity of General Counsel for more than a decade.

Ms. Gennet worked tirelessly to carry out her office's mandate to provide legal assistance and representation without regard to political affiliation. The advice and guidance she has provided to Speaker PELOSI, as well as to former Speakers Gingrich and Hastert, was unfailingly rooted in sound legal judgment and an impartial reading of the law. In carrying on an important tradition of nonpartisanship, Ms. Gennet significantly advanced the long-term, institutional interests of the House. Specifically, her vigorous defense of the Constitutional Speech or Debate clause has preserved the rights of Members, committees, and staff in their official capacities.

Ms. Gennet's capable leadership of the General Counsel's office through an era marked by partisan conflict is a testament to her integrity and professionalism. I consider it an honor to have formed both a personal and

working relationship with Geraldine during my tenure in Congress. I wish her continued success, and once again thank her for her service to the House of Representatives.

A TRIBUTE TO REVEREND DR. WILLIAM A. WATSON, JR.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute and honor to the work and achievements of Rev. Dr. William A. Watson, Jr. A native of Portsmouth, Virginia, Reverend William Jr. is the fifth of seven children and the first male child born to Deacon William A. Watson, Sr., and Cornelia Watson.

Reverend William Jr. was educated in the Virginia public school system. He relocated to Hempstead, New York, and earned a vocational degree from Manpower Development Training School in New Hyde Park. Reverend William Jr. became a licensed minister in June 1978. He was ordained in July 1979 as an assistant to the late Rev. Joseph J. Howell. He became the interim Pastor of St. John's Baptist Church in Westbury in April 1983. Following that, he became the first secretary of the Eastern Baptist Association's Board of Evangelism.

Reverend William Jr. served as chairman of the board of evangelism; vice-moderator of Nassau County; vice-moderator at large of the Eastern Baptist Association of New York, Inc. He was appointed Vice President of area 7 for the Empire Baptist Missionary Convention, Inc., of New York State. In addition, he is the chaplain for the incorporated village of Hempstead's police department and president of its board of directors.

Reverend William Jr. is a retired businessman and a 41-year resident of the incorporated village of Hempstead. He continues to be on the front line of the struggle for unity and empowerment for the church and his community.

Madam Speaker, I would like to recognize Rev. Dr. William A. Watson, Jr., for his contributions to our community and for his years of service to New Yorkers.

Madam Speaker, I urge my colleagues to join me in paying tribute to Rev. Dr. William A. Watson, Jr.

HONORING COACH GARY KORHONEN OF RICHARDS HIGH SCHOOL FOR HIS RECORD-BREAKING 301ST WIN IN ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor Coach Gary Korhonen of the Richards High School football team in Oak Lawn, Illinois, for his achievement as the all time winningest prep school coach in the state of Illinois. Breaking the record on September 28th, 2007, with his 301st win, Coach Korhonen has demonstrated a great commitment to his student-athletes. I am pleased to rise today to recognize Coach Korhonen's unyielding dedication and honor this great milestone in his career.

Considered to be one of the best coaches in Illinois football history, Coach Korhonen's legacy reached a new level this fall when his Richards squad faced Evergreen Park High School. Their 44–0 victory gave Korhonen his record-breaking 301st win as an Illinois head football coach and propelled the Richards Bulldogs into their 23rd consecutive playoff berth. With this win, Coach Korhonen broke the record of 300 wins previously set by Providence Catholic Coach Matt Senffner.

Demonstrating a high commitment to the success of the individual members of his team, Coach Korhonen's understanding of what truly defines success doesn't include the number of games he's won as a coach. Korhonen considers his greatest accomplishment in life to be the fact that he has sent 274 kids to college on scholarships. Always believing in the potential of his team, Korhonen humbly puts the kids first, saying, ''It's not about me, but about everyone else I'm working with.''

Madam Speaker, I rise to honor Coach Gary Korhonen for the positive role model that he is to the young men of Richards High School and for his continuing commitment to excellence for his players, both on and off the field. As the Representative of the 3rd District of Illinois, I am proud to say that we are home to the state's winningest coach, and I wish him and his team great success in the coming seasons.

CONGRATULATING REYNA TREVINO

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Reyna Trevino of Little Elm High School in Little Elm, TX, on qualifying for induction into the Spring 2007 National Honor Roll.

The National Honor Roll offers several benefits that can contribute to the success of its student members. The National Honor Roll chooses students based upon their academic performance. Each student that qualifies for induction must have a B average or better, and show ambition in areas such as grade point average, interests, activities, and future goals.

I extend my sincere congratulations to Ms. Reyna Trevino for her remarkable dedication to education and exemplary learning. Her commitment to her studies, her school, and her future should serve as an inspiration to all. I am honored to represent her in the 26th District of Texas.

A PROCLAMATION HONORING BAILEY VAN ORDER FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Bailey Van Order competed in England's largest youth soccer tournament; and

Whereas, Bailey Van Order showed hard work and dedication to the sport of soccer; and

Whereas, Bailey Van Order has broadened her abilities and skills in the sport of soccer; and

Whereas, Bailey Van Order was a supportive team player; and

Whereas, Bailey Van Order always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Bailey Van Order on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

TRIBUTE TO JAIME Y LOS CHAMACOS

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. ORTIZ. Madam Speaker, I rise today to boast about one of the great bands to come out of South Texas, Jaime y Los Chamacos. Led by renowned maestro of the accordion, Jaime de la Anda, the band's success can be directly attributed to 15 years of combined talent, and continues to live up to their stage name with youthful energy that appeals to audiences of all ages.

The distinct music of the Texas border—whether known as norteño, tejano, or conjunto—has grown together in the modem Mexican-American community. The genres emerged during the late 19th century in northern Mexico, when local bands blended traditional Mexican folk music with the accordion sounds and polka music brought by German immigrants. What emerged were the lively sounds that continue to be heard at any family gathering, beer hall, or fiesta.

Los Chamacos combine all these genres with a pop sensibility and a dynamic stage presence. Though proud of their Texas roots, Los Chamacos now boasts of their international appeal, having performed in venues all across the United States and Mexico. They have made numerous appearances on popular television shows and even had the honor of performing for President Bill Clinton and First Lady Hillary Rodham Clinton in Corpus Christi, Texas.

Their accolades and awards also speak for themselves: numerous hits on the Billboard Records' Hot Latin Charts, 5 Grammy nominations, the Texas Talent Management Association Show Band of the Year, and the Tejano Music Awards Traditional Album of the Year.

Despite their success, the band has remained humble and appreciative of their loyal fans, having appeared in several public service announcements and numerous community events. More importantly, Los Chamacos and their music represent all the aspects that make the culture of South Texas so unique.

RECOGNIZING PHILLIP EARLEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Phillip Earley, of Chillicothe, MO. Phillip is an active student at Chillicothe High School by participating in many extracurricular activities. During his time at school, he has received many outstanding athletic and academic achievements.

Phillip has been actively serving his student body and teammates by participating in C–Club and football. For his excellence in football, he was selected for the All District First Team Offense and the All Conference Second Team Offense and Defense. He also received the honor of being selected by the Missouri Sportswriters to the Class 3 All State Football Team.

Not only has Phillip been honored with many awards for his dedication and service to his football team, but also has been honored for his academic excellence. This includes receiving the academic letter twice at his school.

Also, I would like to recognize the coaches that have inspired Phillip to achieve his best in athletics and academics. These notable coaches are Phil Willard, Jeff Staton, and Dave Mapel.

Madam Speaker, I proudly ask you to join me in recognizing Phillip Earley. His dedication and service to his school has been extremely important to the success of his team record and to his academic achievement. I commend his exemplary record for of all of his athletic and academic honors, and I am honored to represent him in the United States Congress.

RECOGNIZING THE 5TH GRADE STUDENTS OF PECAN CREEK ELEMENTARY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to recognize the superior community service and dedication of the 5th grade students from Pecan Creek Elementary School in Denton, Texas. These students volunteered many hours to illustrate a children's book, More Than Just a Mvule Tree, which raised money to plant trees in Uganda.

The students' teacher, Ms. Natalie Mead, helped with the project, which sold 600 copies of the 24-page first edition book. The sales of those books, along with sponsorships, filled the village of Wonkonge in Uganda with 170 Mvule trees.

Madam Speaker, it is with great honor that I stand here today to recognize these students and their teacher. The students of Pecan Creek Elementary School's 5th Grade class have shown commitment to their local and international community. I am honored to represent them in the 26th District of Texas.

A PROCLAMATION HONORING CASEY CLIFF FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Casey Cliff competed in England's largest youth soccer tournament; and

Whereas, Casey Cliff showed hard work and dedication to the sport of soccer; and

Whereas, Casey Cliff has broadened her abilities and skills in the sport of soccer; and

Whereas, Casey Cliff was a supportive team player; and

Whereas, Casey Cliff always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Casey Cliff on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

IN RECOGNITION OF COMMANDER PAMELA MELROY

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. WALSH of New York. Madam Speaker, I rise today on behalf of myself and Mr. KUHL of New York to recognize Pamela Melroy; Commander of the Space Shuttle *Discovery* Mission STS–120.

Ms. Melroy has become just the second female shuttle commander in NASA's history. Despite NASA being comprised of approximately 19 percent women, there are currently no other female pilot-astronauts within the agency, which makes it probable that Commander Melroy may also be the last woman to command a space shuttle before the program ends in 2010.

As a member of a military family, Melroy spent her childhood living in many towns, but considers Rochester, NY, her hometown. She graduated from Bishop Kearney High School in Rochester and earned her bachelor's degree in physics and astronomy from Wellesley College. Melroy continued her education and received her masters of science degree from Massachusetts Institute of Technology.

Commander Melroy served in the United States Air Force from 1983 until 2007. During her career in the Air Force, she flew combat missions in Iraq, and eventually graduated from the Air Force's exclusive test-pilot school. Over the span of her 24-year career, she logged 5,000 hours of flight time in 45 different aircrafts.

Pamela Melroy began her astronaut career in 1994 when she was selected as a candidate by NASA. Prior to her becoming Commander of Discovery, Melroy worked on a number of projects and took on a number of roles within NASA. She served on the Columbia Reconstruction Team, as deputy project manager for a crew survival investigation team, and as a pilot on two space shuttle missions.

Pamela Melroy became the second female space shuttle commander on October 23, 2007 when mission STS–120 launched. This delivered the Harmony module to the International Space Station in order to prepare the station for future missions. Melroy follows in the footsteps of fellow Upstate New York native Eileen Collins, who was the first female space shuttle commander.

Throughout her career Commander Melroy has served as a valuable co-worker and leader and is highly respected by those who work with her. Her contributions to her country as a member of the Air Force and as an astronaut are invaluable. Inspired by Apollo missions when she was younger, Melroy herself serves as an inspiration by showing how far women have come in the space program.

Representative KUHL and I thank Pamela Melroy for her dedication and service to her country as a member of the Air Force and as an astronaut and congratulate her on a successful career thus far. She has and will continue to be a true leader and an excellent role model for young people today.

A TRIBUTE TO MRS. MAGGIE BAKER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay to Mrs. Maggie Baker.

Mrs. Baker was born in Alabama and migrated to Brooklyn, NY, where she married Jessie Baker, Sr. She and her husband of 45 years are the proud parents of 5 sons, 1 daughter, and 20 grandchildren.

Mrs. Baker is most recognized for her years of service with the board of education until 2004. A dedicated member of New Canaan Baptist Church, Mrs. Baker has served as president of the usher board and as a Sunday school teacher for more than 31 years. Although she is actively involved in other community organizations, Mrs. Baker enjoys spending quality time with her family and traveling.

Madam Speaker, I would like to recognize the impressive achievements of Mrs. Maggie Baker for her commitment to the Brooklyn community.

Madam Speaker, I urge my colleagues to join me in paying tribute to a great individual of high morals, ethics, and integrity.

CELEBRATING THE 50TH ANNIVERSARY OF ST. CATHERINE OF ALEXANDRIA PARISH IN OAK LAWN, ILLINOIS

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor St. Catherine of Alexandria Catholic Parish as they celebrate 50 years of community, faith, and service. Throughout their history, the parishioners of St. Catherine's have served commendably as a pillar of the Oak Lawn community, and I am pleased to honor their 50th anniversary.

The story of St. Catherine of Alexandria Catholic Parish began in 1957, when the Roman Catholic population of the Ranch Manor District of Oak Lawn began looking for a new place to worship. They petitioned the Archdiocese of Chicago to establish a new church in their area, and on August 21, 1957, St. Catherine of Alexandria Parish was canonically erected.

While men in the parish built a chapel and an office, services were temporarily held at Brother Rice High School. Through hard work and dedication throughout the years, the parish has expanded to accommodate the large increase of worshippers. When the parish was dedicated on November 23, 1958, the parish facilities consisted of the church and an eight-room school for 367 families. Today, there are 12 additional classrooms, a convent, and a rectory to serve the 2200 families who worship there.

From their first pastor, Reverend John M. Kane, to their current pastor, Father Patrick Henry, the parishioners of St. Catherine's have enriched the lives of their fellow citizens by providing community outreach, a strong grade school, and an unwavering commitment to their faith. The members of St. Catherine's continue to develop their community, building gyms, kitchens, and meeting rooms to provide a safe environment for area children and a focal point for their community.

I rise today, Madam Speaker, to commend the hard work, dedication, and faith that have characterized the first 50 years of St. Catherine of Alexandria Catholic Parish. I am proud to have in the Third District such a strong example of the great contributions that Catholic parishes and schools make to this country. My prayers and best wishes are with the parishioners of St. Catherine's as they celebrate their 50th anniversary.

RECOGNIZING CLINT MACOUBRIE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize the outstanding achievement of Clint Macoubrie, and all of his numerous athletic and academic honors at Chillicothe High School in Chillicothe, MO.

Clint is actively involved in his school by participating in many extracurricular activities. He has played golf, basketball and football all throughout his sophomore, junior, and senior year, and has received many awards and honors for his exemplary skills and character. He has been given the KKWK Outstanding Athletic Achievement Award and has also been named to the KMZU Dream Team with the title of Class 3/4 Football Defensive Player of the Year. Clint also holds the school record for the most rushing touchdowns at Chillicothe High School.

Clint is as dedicated to his athletics as he is to his academics. He has excelled in his studies by receiving the Top 10% of Class Academic Excellence Award, the George Washington Carver Award for Excellent Academic Achievement, and the President's Education Award for Outstanding Academic Excellence. Not only is he an example and leader on the field, but also in the classroom.

Also, I want to recognize the great leadership of Clint's exemplary coaches Phil Willard, Jeff Staton, and Dave Mapel who took great lengths in assuring his outstanding athletic and academic performances.

Madam Speaker, I ask you to join me in congratulating the achievement of Clint Macoubrie for all his accomplishments in athletic and academic excellence. It is an honor to represent him in the United States Congress.

RECOGNIZING CARNEGIE HALL'S CULTURAL EXCHANGE PROGRAM

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mrs. MALONEY of New York. Madam Speaker, I rise today to bring attention to a very special occasion that will take place in New York's 14th Congressional District this week. Eight New York City high schools, including the Life Sciences Secondary School and Company High School for Theatre Art, will participate in a musical and cultural exchange event at New York City's world-renowned Carnegie Hall on December 5, 2007.

Carnegie Hall's cultural exchange program will bring together a select group of eight classrooms in New York City and an equal number in Istanbul, Turkey. Students in both countries have worked in their respective classrooms for the past ten weeks to learn about each other's nation and culture. On Wednesday, students and teachers will meet face to face via teleconferencing technology to share a real-time cultural exchange using music as the common language. American and Turkish teachers and students in the program will continue to communicate with one another on a dedicated internet space for the duration of the school year. Carnegie Hall has developed this unique exchange program in partnership with the U.S. Department of State, and I am pleased that this public-private partnership will produce a meaningful, enriching and lasting experience for students in New York City and Istanbul.

Music is a universal language through which improved understanding among our Nation's respective citizenry can be found. I commend Carnegie Hall, the U.S. Department of State, and the private sector sponsors of this program. Most importantly, I congratulate the young men and women participating in this program and add my encouragement for their continued pursuit of improved cultural understanding through music and the arts.

AN EXTRAORDINARY CAREER, AN EXTRAORDINARY CITIZEN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. HOYER. Madam Speaker, I stand today to recognize the career and contributions of a longtime friend and newspaperman in Maryland's Fifth Congressional District, John Rouse, the editor of the Bowie Blade News.

For 36 years, the citizens of the City of Bowie, Prince George's County, and the State of Maryland have benefited from John's skill as an editor, insight as a writer, and dedication to the community that he has served for so long.

Many in Bowie recognize John by his long association with the Editor's View column he writes for the paper. Through this column and other writings, John has earned distinction for his thoughtful, objective style of journalism that has helped drive the Bowie Blade-News to significant acclaim.

After serving in the Air Force during the Vietnam era, John joined the Bowie News as editor in 1971 and became the editor and general manager of the new Bowie-Blade News in 1978 when the Bowie News merged with the Bowie Blade.

Madam Speaker, under John's leadership, the Bowie-Blade News has earned numerous recognitions, among them the Newspaper of the Year award in 1999 from the SEQ Chapter of the Maryland-Delaware-District of Columbia Press Association. The paper has also won the Best in Show award for several investigative pieces over the years as well as awards for newspaper design.

John has earned several accolades of his own for his individual achievements in the news industry, including first place awards for his Editor's View column. He has been a longtime member of the Society of Professional Journalists (Sigma Delta Chi). John is also a lifetime member of both the Disabled American Veterans and the American Legion.

During John's 36 years in Bowie, he has remained resolute in his commitment to truth and fairness as guiding journalistic principles. John has served as an effective watchdog of the public interest in his community, and for that alone, he should be lauded.

Among John's most admirable qualities is his keen sense of humor. Although sometimes the target of that humor, I recognize that John is an equal opportunity satirist who adeptly uses the power of the writer's pen to make sound and insightful observations. And while John and I have sometimes fallen on different sides of a debate, we have grown to be friends over the years, and hold each other in high mutual respect and esteem.

After all, Madam Speaker, we have both witnessed the City of Bowie's evolution into the vibrant and diverse community that John is proud to call home, and I am proud to represent in Congress. All the while, John has maintained an innate ability to keep his finger firmly pressed on the pulse of the community, knowing better than most what makes Bowie such a great place to work and live.

As a resident of Bowie, John has served with countless community organizations and played a pivotal role in the formation of the Bowie YMCA. For his work in the community, John has been honored by a number of civic groups, including the Dr. Martin Luther King, Jr. Commemorative Committee of Bowie, the Bowie Civic Affairs Committee, and the Maryland-National Capital Park and Planning Commission.

Madam Speaker, John's career is significant not only in years and accomplishments, but also for the impact he has had in the City of Bowie. For three and a half decades, he has dedicated himself to working for the interests of his fellow Bowie residents and the good of the community. In recognition of his retirement as editor of the Bowie Blade-News and a public life filled with distinction, I ask my colleagues to join with me in offering him our

congratulations and wishing him the very best in his retirement.

CONGRATULATING THE DENTON COUNTY CORRECTIONAL HEALTH TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate four members of the Denton County Correctional Health Team for being accredited ''Certified Correctional Health Providers'' by the National Commission on Correctional Health Care. The four health care providers are Medical Lt. John Kissinger, Medical Sgt. Shannon Sprabary, Standards and Quality Assurance Provider Dr. Randall Kesseler, and Juvenile Health Supervisor Caren Curtis.

The National Commission on Correctional Health Care certification is the highest level of certification for correctional health providers. This is a great honor as there are only 2,000 certified health care providers in all of the correctional facilities in the United States. The Health Department runs a full medical facility in the Denton County facility, and provides emergency, routine and chronic care for over 1,000 inmates.

The individual and team accomplishments of these members contribute greatly to the safety and security of all inmates of the facility. I am very proud of their dedication to their community and country. It is my honor to represent these men and women, and I wish them continued successes in the future. Their persistence and commitment should serve as an inspiration to us all.

A PROCLAMATION HONORING ALISHA HASTILOW FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Alisha Hastilow competed in England's largest youth soccer tournament; and

Whereas, Alisha Hastilow showed hard work and dedication to the sport of soccer; and

Whereas, Alisha Hastilow has broadened her abilities and skills in the sport of soccer; and

Whereas, Alisha Hastilow was a supportive team player; and

Whereas, Alisha Hastilow always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Alisha Hastilow on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

A TRIBUTE TO WILLIAM TURNER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute and honor the work and achievements of William Turner. William is the second child born to the union of William and Mary Turner of Tampa, Florida. William spent his childhood years in Tampa and later migrated to Philadelphia, Pennsylvania with his uncle Samuel Turner. He left Pennsylvania for New York where he studied at Pace University, Long Island University, Columbia University, New York University, Hofstra University and Brooklyn College.

William has been an entrepreneur in the Bedford-Stuyvesant Community for more than 45 years, primarily as President of Cross Boro Realty. He is also a licensed insurance broker, certified general appraiser and tax consultant. He has served on the Bedford-Stuyvesant Real Estate Board as president, chairman, vice-president, and secretary. He has also served as president of the Real Estate Non-Profit Housing Company, chairman of the Legal Defense Fund, chairman of the Journal Committee and elected to the honorary position of ambassador at large.

William has initiated and coordinated several programs, among them: The development of a strong educational program for members of the Bedford-Stuyvesant Real Estate Board which allows them to survive one of the worst housing crises in our Nation's history; assisted board members in winning 7 of 9 Housing and Urban Development area managers' contracts, and; presented testimony on redlining in the Bedford-Stuyvesant area to a legislative panel chaired by the Honorable Shirley Chisholm.

William is married to his lovely wife, Melanie Turner. He is the proud father of 3 daughters, Sheila, Joyce, and Karen; three granddaughters, Fallon, Melanie, Jazmine; and 1 grandson, Ronald Cartlidge III.

Madam Speaker, I would like to recognize the contributions of William Turner. He has been a pillar of the Bedford-Stuyvesant business community for years.

Madam Speaker, I urge my colleagues to join me in paying tribute to William Turner.

COMMENDING Q'S CREW FOR ITS COMMITMENT TO THE PEOPLE AND FAMILIES AFECTED BY MULTIPLE SCLEROSIS

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to commend the team members of Q's Crew, which was recently honored by the Greater North Jersey Chapter of the National MS Society for raising the most money as a rookie team during the annual MS walk this past April. They also received the Mission Possible Award for raising more than $20,000 in that endeavor.

Q's Crew gets its name from Gloria Marquis, who succumbed to MS just prior to the walk. Her son, Joe, and his then-fiancée, now-wife, Tatiana, jointly captained this team. Gloria lived with MS for many years. And, her family lived through it with her with courage and grace and dignity. In the end, Gloria regrettably was unable to make it to Joe and Tatiana's wedding in August; but her spirit was ever-present and she will surely be watching over this young couple's life together.

Tatiana also serves as my district director and I know firsthand of her extraordinary sense of public service. The energy and determination that Tatiana and Joe have demonstrated in raising funds for and awareness of multiple sclerosis and the example they have provided for other families living with MS are a tremendous contribution to the community in which they have grown up and now live as husband and wife.

I was proud to join Tatiana, Joe, and the rest of Q's Crew at the MS walk in April. And, I continue to be proud of all that they do to fight MS.

MOMENT OF SILENCE IN MEMORY OF FORMER REPRESENTATIVE HENRY HYDE OF ILLINOIS

SPEECH OF

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 2007

Mr. LIPINSKI. Mr. Speaker, I rise today to offer my deepest condolences on the loss of Congressman Henry Hyde. It is a great honor to have known him and served with Henry, a dedicated public servant whose devotion to his constituency, values, and country was rivaled by few.

Though I only shared a single term in the House of Representatives with Congressman Hyde, I felt privileged to serve with him in the Illinois congressional delegation. A man well-known for his eloquent speeches, Henry Hyde was a legend throughout Illinois and the entire country.

Throughout his 32-year tenure in the House of Representatives, Congressman Hyde proved to be an intellectual powerhouse, commanding respect for the strong arguments and stimulating debate that he brought to the House. A true statesman, Henry was known for his ability to bring opposing sides of a debate together to find a consensus for the good of the country.

In the House, Congressman Hyde was influential on matters of international importance, having chaired both the Committee on the Judiciary and the Committee on International Relations. I have particularly great respect for his eloquent voice on American foreign policy during the Cold War.

For his public service and great contributions to America throughout his career, not the least of which was his brave service in the Navy during World War II, Congressman Hyde was recently recognized with the Presidential Medal of Freedom. Awarded by the President and given only to those individuals who have made an especially meritorious contribution to the security or national interests of the United States, this is the Nation's highest civilian honor.

A man who always stayed true to his faith, Henry Hyde was unwavering in defending his values and beliefs with every word he spoke.

In the end, I will always admire Henry for his basic belief that the law exists to protect the weak from the strong, and his willingness to fight for this principle.

Mr. Speaker, I rise today not only to honor Henry Hyde, a great man, but to recognize the impact he has made on our country. America no doubt will feel the loss of this man who so deeply committed himself to his country. I count myself lucky that I had the opportunity to serve with him. My thoughts and prayers are with his wife and family.

HONORING THE 50TH ANNIVERSARY OF THE GREATER SPRINGFIELD CHAMBER OF COMMERCE

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. DAVIS of Virginia. Madam Speaker, I rise today to honor the Greater Springfield Chamber of Commerce as it celebrates its 50th anniversary.

Since its inception in 1957, the chamber has continued to play a key role in promoting economic prosperity in the greater Springfield region. Currently, the organization is composed of 280 businesses that are involved in a variety of local ventures, ranging from restaurants to government contracting. Drawing from a wealth of business knowledge and experience, member companies work in concert with local government officials and residents on behalf of the Springfield community.

The greater Springfield region is home to a vibrant economy where small and large businesses are forced to contend with a number of challenging economic issues. Recognizing these challenges, the chamber remains committed to aiding business as they navigate this dynamic economic landscape. President Stubbs has led a recent initiative to analyze the Base Realignment and Closure, BRAC, program and to assess its potential impact on local businesses. Another recent chamber study has focused on helping small businesses cope with the threat of pandemic flu.

Strong leadership and solid organization have contributed to the chamber's record of success. Under the guidance of current chamber president Vincent Stubbs and executive director Nancy-jo Manney, chamber membership and activities have continued to expand. Chamber executives and officers work alongside the organization's executive advisory council and the chamber board to identify areas of interest and chart the course of economic progress.

Madam Speaker, in closing, I would like to congratulate the Greater Springfield Chamber of Commerce on 50 years of success. They have become a strong organization committed to serving the interests of their members and their community. I call upon my colleagues to join me in applauding the chamber members' past accomplishments and in wishing them the best of luck in the many years to come.

CONGRATULATING MR. RICE M. TILLEY, JR.

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Mr. Rice M. Tilley, Jr., practicing attorney with Haynes and Boone, LLP, as the recipient of the 2007 ''Distinguished Citizens Award'' from the Longhorn Council, Boy Scouts of America.

Mr. Tilley practices law in the Northern District Court of Texas, as well as the U.S. Court of Appeals, Fifth Circuit. He has over 40 years of experience in the fields of taxation, estate planning, and business formation, among others.

Mr. Tilley is very active in his community and holds positions on the Fort Worth Chamber of Commerce, Leadership Fort Worth, and The University of North Texas' Board of Regents, as well as other organizations.

The leadership skills Mr. Tilley possesses are evident through not only his profession, but his charitable and community work as well.

I extend my sincere congratulations to Mr. Rice M. Tilley, Jr., on receiving this award, and I praise his dedication, commitment, and desire to help his community and country. I am honored to represent him in the 26th District of Texas.

A PROCLAMATION HONORING KARISSA HASTILOW FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Karissa Hastilow competed in England's largest youth soccer tournament; and

Whereas, Karissa Hastilow showed hard work and dedication to the sport of soccer; and

Whereas, Karissa Hastilow has broadened her abilities and skills in the sport of soccer; and

Whereas, Karissa Hastilow was a supportive team player; and

Whereas, Karissa Hastilow always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Karissa Hastilow on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

A TRIBUTE TO REVEREND RUSH GENEVA RICHBURG

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn resident, Rev. Rush Geneva Richburg. Reverend Richburg was born and raised in Summerton, SC, and is the 15th of 21 children. Her parents are the late Reverend Gussie Pearson and Mrs. Geneva Pearson.

Reverend Richburg, a member of the New Canaan Baptist for 18 years, was called to be an evangelist in 1990 and ordained as a reverend in 2004. She has served as president of the New Canaan's Christian Women's Fellowship; vice president of the Pastor's Aide Club Ministry; chaplain of the Sunday school department; and as a member of the block association.

Reverend Richburg was married to Frank Richburg, Sr., for 32 years prior to his death. Of that union, four children were born: Frank, Jr., Jeremiah, Theresa, and Harry. She also has 14 grandchildren.

Madam Speaker, I commend Rev. Rush Geneva Richburg for her contributions to her church and her community.

Madam Speaker, I urge my colleagues to join me in paying tribute to this wonderful woman.

IN REMEMBRANCE OF LATE CONGRESSMAN AUGUSTUS FREEMAN ''GUS'' HAWKINS

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Ms. ROYBAL-ALLARD. Madam Speaker, it is with a heavy heart that I rise to recognize the passing of our former colleague and my fellow Angeleno, Augustus Freeman Hawkins.

I had the privilege of meeting Congressman Hawkins on several occasions during the years he served with my father, Congressman Edward R. Roybal, and I was struck by his warmth, intelligence, courage, and his dedication to serving the people of his Los Angeles congressional district.

Known affectionately as ''Gus'' to his colleagues and friends, Congressman Hawkins served his Los Angeles-area community, the State of California and the Nation with distinction. Dedicating his life to public service, Congressman Hawkins served for 27 years in the California Assembly and 28 years in the U.S. House of Representatives.

His entry into Congress in 1962 could not have come at a more auspicious time. With the Civil Rights Movement already coming to the forefront of our Nation's consciousness, Congressman Hawkins became a powerful advocate for civil rights for all Americans. As the first African-American from the western United States to serve in the House of Representatives, he keenly understood the importance of the minority voice in American politics, and he worked to magnify this voice by becoming a founding member of the Congressional Black Caucus. The CBC's current success can be traced back to Congressman Hawkins' vision and commitment to the organization in its formative years.

His achievements during his nearly three-decade tenure as a legislator are too numerous to recount. He was chairman of the powerful House Education and Labor Committee and the House Administration Committee, and he used his role as chairman to champion critical civil rights measures that expanded opportunities for millions of Americans.

Most notably, he sponsored a section of the landmark Civil Rights Act of 1964 that established the Equal Employment Opportunity Commission. The EEOC has been a critical tool in efforts to enforce laws that prohibit discrimination based on race, religion, gender, national origin, age, or disability.

Reacting to rising inflation and unemployment in the 1970s, Congressman Hawkins introduced, along with Senator Hubert Humphrey, the Full Employment and Balanced Growth Act, better known as the Humphrey-Hawkins Act of 1978. This measure was signed into law by President Carter and proved to be a blueprint for debates on how Government should interact with private enterprise to bring about national growth and fiscal responsibility. And, true to his nature as a defender of civil rights, the Humphrey-Hawkins Act specifically prohibited discrimination based on race, religion, age, gender, or national origin.

On the home front, Congressman Hawkins served his district during a tumultuous time in Los Angeles' history. Gus had been in Congress only 3 years when the 1965 Watts riots occurred, ultimately claiming the lives of dozens of his constituents. He decried the abusive actions of the police, and he redoubled his efforts to secure funds to fight poverty in his district and underserved minority communities across the Nation.

Congressman Hawkins' forceful defense of Americans held back by discrimination and poverty made him both an effective advocate and a devoted mentor to young minority lawmakers. Indeed, many of my colleagues in the House have been touched and inspired by Gus Hawkins' advice and mentorship. I know that my father, who was his counterpart in the Congressional Hispanic Caucus, valued him as an ally and deeply respected and admired his leadership role as a civil rights advocate and promoter of equal opportunity for all.

Congressman Gus Hawkins will be remembered as an outstanding legislator, a trailblazer, as a trusted mentor, and as a friend. As a colleague, he will be remembered for the hard work, dedication, and dignity he always brought to his life, his work in public service, and to this people's House of Representatives.

I extend my condolences to his family and to the many people whose lives he touched.

CELEBRATING JAMAICA THROUGH THE LIFE AND TIMES OF NATIVE SON HERB McKENLEY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. RANGEL. Madam Speaker, I rise today to salute one of Jamaica's favorite sons, Herb McKenley—a world-class track star whose awe-inspiring athletic feats filled the streets of Jamaica with pride. Noted as one of the island's greatest athletes ever, McKenley brought home an Olympic gold medal in 1952 as part of the country's relay team. A man of limitless determination and impressive humility—once claiming that his running philosophy was to simply "run as fast as I can, as long as I can"—McKenley set a slew of world records and earned myriad accolades to his name. His recent passing marks the culmination of a life spent sprinting towards goal after goal, and reaching every one of them.

New York fans were treated to the sight of the 6-foot-1 dynamo whizzing down the indoor tracks at the old Madison Square Garden for the Millrose Games. He set the then-world record for a 440-yard sprint in 1947, finishing it in 46.3 seconds at a time when tracks were clay or dirt—not the artificial surfaces of today. His second world record was set a year later, when he ran 440 yards in 45.9 seconds. He nabbed a Silver Medal in the 1948 London Olympics and two more in the 1952 Olympics in Helsinki, missing the gold in all three to heartbreaking, photo finishes. The powerfully built man with an 8-foot stride is forever memorialized in Jamaica by the Herb McKenley Crescent, and not long before his passing, he was awarded its third highest honor, the Order of Merit.

His life's achievements read as one amorous letter to his native Jamaica. Born in the city of Clarendon on July 10, 1922, he sometimes skipped the bus after discovering that running got him places faster. One of those places was to college, when he became the first Jamaican sprinter to receive a college scholarship in the United States for the University of Illinois. After racking up his world-renowned honors, he coached Jamaica's national team for 20 years, between 1954 and 1973, and served as president of Jamaica's Amateur Athletic Association for 12. A celebration of his life is, ultimately, a celebration of Jamaica, and the permanent stamp it has left on the cultural, athletic, and historic narrative of the world.

It is in the spirit of great mourning but also of great pride that we commemorate his legacy. He has forever etched his story into the Jamaican consciousness, impressing upon us New York track fans the strength in being unapologetically persistent and passionate.

HONORING TIM MADDEN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. RADANOVICH. Madam Speaker, I rise to honor the achievements of Tim Madden and to commend him for his service to the Eastern Madera community. On Friday, November 30, 2007 the Oakhurst Area Chamber of Commerce recognized Mr. Madden for his continued dedication to not only its chamber, but to the North Fork Chamber of Commerce and Eastern Madera County.

Tim Madden is a 17-year resident of Eastern Madera County, his continued commitment to his community is evident by his service in a multitude of leadership positions throughout the area. Within the Oakhurst Area Chamber of Commerce, Mr. Madden's positions include past president, 2007; president 2006; president elect 2005; and member of the board of directors 2004. During his service with the chamber, the efforts of Mr. Madden enabled the chamber to authorize the inaugural trade mission to China, regain fiscal solvency, create a county-wide promotion system, promote local commerce and further downtown development and maintenance for the Oakhurst Business District.

Tim Madden also served as president of the North Fork Chamber of Commerce from 1998 to 2000, and as a member of the board of directors for 6 years. The list of community positions and appointments held by Mr. Madden continues, as does the esteem and gratitude of Eastern Madera County. Concerning the relationship Mr. Madden shares with his community, he remarked, "Our connection to each other extends far beyond our business relationships. We are much more like a very large extended family."

Madam Speaker, I stand today to honor Tim Madden and the respect his community has shown for his dedicated service. I invite my colleagues to join me in wishing Mr. Madden many years of continued success.

A PROCLAMATION HONORING MICHELLE BROWN FOR PLACING SECOND IN THE MANCHESTER UMBRO INTERNATIONAL CUP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SPACE. Madam Speaker:

Whereas, Michelle Brown competed in England's largest youth soccer tournament; and

Whereas, Michelle Brown showed hard work and dedication to the sport of soccer; and

Whereas, Michelle Brown has broadened her abilities and skills in the sport of soccer; and

Whereas, Michelle Brown was a supportive team player; and

Whereas, Michelle Brown always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Michelle Brown on placing second in the Manchester Umbro International Cup. We recognize the tremendous hard work and sportsmanship she has demonstrated.

A TRIBUTE TO PERRY PETTUS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madame Speaker, I rise today to pay tribute to Perry Pettus. He was elected in March of 2002 to the Village of Hempstead Board of Trustees. Mr. Pettus represents residents of the incorporated village.

Mr. Pettus immediately began exercising his leadership as he took on Hempstead landlords over poor conditions in apartment buildings. He utilized his negotiating skills to bring the two sides together to help resolve tenant issues. He has effectively used the media to bring issues to light, not only for exposure but also for problem solving.

As a successful local businessman, Mr. Pettus has brought effective business skills to his position. He has already built business/government partnerships which have benefited the community.

Mr. Pettus resurrected legislation requiring the village to contract a portion of its business with minority contractors and continues to fight for its passage. He has gotten legislation

passed that would lower speed limits in school zones, and proposed legislation to beautify the business district by removing unsightly security gates. Campaigning on quality of life issues, Mr. Pettus has worked to ensure that all of the residents of Hempstead can enjoy the quality of life they deserve.

Perry Pettus strongly believes in community policing and that an effective police force is there to serve and protect all of the village's residents. He recently provided scholarships to individuals from the community who were interested in taking the NCPD test. His efforts will help give the Hempstead Village Police Department a list of community-based candidates.

Perry Pettus and his wife Kennetha have five children.

Madam Speaker, I would also like to recognize the impressive achievement of Perry Pettus. He has received numerous awards and citations from organizations like the Hempstead NAACP, Hofstra University, 100 Black Men, the Central Nassau Club, the Black and Puerto Rican Caucus, and the Chamber of Commerce, Operation Get Ahead, and the Lutheran Church of the Good Shepherd.

Madam Speaker, I urge my colleagues to join me in paying tribute to this outstanding citizen and all the great things he stands for.

RECOGNIZING FORMER CHIEF OF STAFF JULIA E. HUDSON

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Ms. NORTON. Madam Speaker, I ask the House to recognize Julia Hudson, who served as my chief of staff for 8 years and has been a member of my staff throughout most of my own service in the Congress. On September 5, 2007, Julia left the House of Representatives to pursue a career in public relations, the field for which she prepared herself in graduate school. The loss to my office, to me personally, and to the people of the District of Columbia is immense. However, Julia has spent nearly her entire professional life in my office serving the people of this city with excellence and special dedication to her job and to me in pursuit of my work in the House. It is understandable that she would want to pursue her chosen profession.

Julia's career here in the House of Representatives demonstrates the opportunities for upward mobility that are available based on hard work and proven capability. Starting as a staff assistant, an entry level job, she was promoted to legislative correspondent and to a sub-committee staff position before leaving for a short time to work in the Clinton administration in 1999. Because of her great skill, initiative and hard work, I later asked her to return, and she continued to work her way up to become my chief of staff when political guru Donna Brazile resigned after 10 years with me to spearhead the Gore-Lieberman 2000 presidential bid.

In addition to her non-stop work leading "Team Norton," as Julia christened our staff, Julia, a native Washingtonian, has always performed outside public service here in her hometown. She is a member of the Links, Incorporated and serves as the chair of the Links' High Expectations Mentoring Program. The Links is an organization of accomplished, dedicated women who are active in their community here and nationwide. The Links members are activists, volunteers, mentors, role models and newsmakers who make the name "Links" mean not only a chain of friendship, but also of purposeful service. Over the years, I have watched Julia serve as a mentor and role model for the aspiring professionals who interned in our office. She set the perfect example for them to strive for the best and to take every opportunity from their internship to learn all that they could.

Julia's cordial relations with others in the Congress was an added asset to us in our work. She was always as agreeable and collegial as she was efficient and able. She is remembered for her friendships and for her professionalism, dedication, generosity, patience and her willingness to always "go that extra mile" in performing her chief of staff duties. She set a gold standard for staff. I ask my colleagues to join me in recognizing Julia Hudson for outstanding service to the House of Representatives and to the residents of the District of Columbia. Julia will remain a dear friend to us all and, of course, a life member of Team Norton.

RECOGNIZING THE RETIREMENT OF SUE LARRIMORE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. MILLER of Florida. Madam Speaker, it is an honor for me to rise today and recognize the retirement of Sue Larrimore, a great educator.

For three decades, Sue has dedicated her work toward helping students realize their full potential. Teaching elementary, middle, and junior high school students, she has touched the lives of countless individuals through different parts of the country. These students are our Nation's future, and I am confident that her influence upon their lives will steer them toward working toward the betterment of society.

Sue has worked tirelessly as an educator for over 25 years in my district in northwest Florida, and has served as the principal of Destin Elementary School for the last 5 years. During those 5 years, Destin Elementary received an "A" grade every year for providing an exceptional educational experience. With an undergraduate degree in early childhood education and a master's degree in educational leadership, there is no question that Sue knew what she wanted to do early on in her life, and her successes both at Destin Elementary as well as all the other schools at which she served are a testament to her achieving that goal.

Madam Speaker, Sue's leadership and effectiveness will be missed by past and current students as well as all others that work with her in the educational community. She is a model citizen who set out and achieved the goal of making our Nation and the world a better place, and I know many will look to her as a great educator for a long time to come.

REMEMBERING COACH ED KRIWIEL

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TIAHRT. Madam Speaker, on Monday, Kansas lost a coaching legend. Ed Kriwiel, who passed away in his sleep at the age of 81, coached for more than 50 years in the Wichita area football city league. Mr. Kriwiel was a phenomenal coach. During his head football coaching years he hailed 297 wins, 9 State titles and 8 city league championships. In addition, Mr. Kriwiel spent 2 years coaching at Wichita State University in the late 60s, including 1 year as head coach. He continued coaching high school golf until his passing.

Not only was he a superb athlete and coach, he was a father of nine children and a husband to his wife Mary of 53 years.

Mr. Kriwiel has influenced countless lives through the years—from players to coaches to his ever-growing fan base. I am thankful for all the joy and memories he brought into our lives. He will be greatly missed.

To the Kriwiel family: Thank you for sharing your husband and father with Kansans for so many years. May God bless you. My thoughts and prayers go out to you during this time.

INTRODUCTION OF THE PRO IP ACT OF 2007

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. CONYERS. Madam Speaker, today I am introducing the Prioritizing Resources and Organization for Intellectual Property ("PRO IP") Act of 2007, legislation that highlights the importance of intellectual property enforcement by making several changes to substantive civil and criminal laws; providing for more efficient and directed coordination efforts among the various agencies; and allocating more resources towards enforcement efforts. I am joined by Representatives BERMAN, SMITH, SCHIFF, FEENEY, ISSA, CHABOT, COHEN, KELLER, JACKSON-LEE and GOODLATTE.

The objectives and content of this legislation are supported by a broad range of interests. Many unions and guilds, such as the Teamsters, Directors Guild of America, SEIU, AFTRA, Unite Here, AFM, Laborers, OPEN, IATSE, and others, have sent letters in support of comprehensive IP enforcement legislation, in general, and more specifically, of many of the provisions contained in this bill. On the industry side, the Coalition Against Counterfeiting and Piracy, which represents 500 companies and trade associations, from the Motor Equipment Manufacturing Association and PHARMA to NBC Universal and Cleveland Golf, issued a June 2007 set of legislative objectives that are largely captured in this bill.

This legislation is an important and necessary step in the fight to maintain our competitive edge in a global marketplace. By providing additional resources for enforcement of intellectual property, we ensure that innovation and creativity will continue to prosper in our society.

The need for this legislation is clear. Counterfeiting and piracy costs the global economy between $500 and $600 billion a year in lost sales. That's around 5 to 7 percent of global trade. It costs the United States between $200 and $250 billion a year in lost sales, including 750,000 jobs.

And it's not just about money. Counterfeiting and piracy can place human lives at risk. As counterfeiting proliferates in sectors such as pharmaceuticals, aircraft, and auto parts, the harm can be a matter of life and death. For example, the World Health Organization estimates that the prevalence of counterfeit pharmaceuticals ranges from less than 1 percent in developed countries to over 30 percent in developing countries, and over 50 percent of counterfeit pharmaceuticals are obtained from illicit websites. The Center for Medicine in the Public Interest estimates that counterfeit drug commerce will grow 13 percent annually through 2010, nearly twice the rate of legitimate pharmaceuticals. As we read stories about people being harmed by counterfeit toothpaste, toys, or drugs, we see the real effects of these practices on American lives.

This legislation attempts to address these intellectual property offenses in a broad and encompassing manner. It does not take only one approach toward bolstering our intellectual property laws but rather tackles the challenges in several ways. First, Titles I and II strengthen the substantive civil and criminal laws relating to copyright and trademark infringement. For example, the legislation address several issues related to registration of a copyright and the manner in which damages are calculated for certain claims of infringement, as well as tackling some of the problems that occur at our Nation's borders and harmonizing the various forfeiture laws for the different intellectual property offenses.

Second, Title III of the legislation establishes the Office of the United States Intellectual Property Enforcement Representative, USIPER, in the Executive Office of the President, to handle nationwide and international coordination of intellectual property enforcement efforts. This legislation provides that the USIPER, together with an interagency Intellectual Property Advisory Committee, composed of every federal agency with expertise in either Intellectual Property protection or enforcement, will generate a joint strategic plan to marshal the disparate resources and expertise of United States enforcement efforts and coordinate and consolidate these efforts.

Third, Title IV provides for the appointment of intellectual property attachés to work with foreign countries in their efforts to combat counterfeiting and piracy. The attachés will be responsible for coordinating training and technical assistance programs within the host country.

Finally, Title V of the legislation raises the level of intellectual property enforcement coordination within the Department of Justice by placing the functions of the existing Computer Crime and Intellectual Property Section related to enforcement of intellectual property laws and trade secrets under the auspices of a new Intellectual Property Division, and also transfers the International Intellectual Property Enforcement Coordinators to this new Division. This section of the bill also provides for additional law enforcement resources, including local law enforcement grants and additional CHIPS and dedicated FBI personnel, and requires DOJ to provide an annual report of its efforts in intellectual property enforcement. Finally, the bill promotes transparency in the prosecutorial process by directing the DOJ to review and consider modifying their standards for accepting or declining prosecution of the intellectual property laws, including procedures for advising complainants and victims of intellectual property crimes.

If the United States is to maintain its position in the increasingly competitive global economy, we must fulfill our obligation to American intellectual property rights holders and ensure that their inventions, creations, writings, and discoveries are not stolen without effective recourse. This comprehensive piece of legislation goes a long way toward protecting that creativity and ingenuity that is vital to the U.S. economy.

A TRIBUTE TO MARTY MARKOWITZ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Brooklyn Borough Hall President Marty Markowitz. No one works harder for the 2.5 million plus residents of Brooklyn than Marty. He has been the chief advocate for the Borough's economic, social, and cultural interests while initiating and promoting efforts to improve the quality of life for Brooklynites.

Marty was born and raised in Crown Heights, graduating from Wingate High School in 1962. He received his B.A. in political science after attending night school at Brooklyn College from 1962 to 1970.

Marty began his career in public service in 1971, at the age of 26, by organizing the Flatbush Tenants Council, which grew into Brooklyn Housing and Family Services, the largest tenants' advocacy organization in New York State. He is also widely known for creating 2 of New York City's largest and longest-running free concert series: the Seaside Summer Concert Series in Coney Island, and the Martin Luther King Jr. Concert Series also in Flatbush.

Marty was elected to the New York State Senate in 1979, where he served 11 consecutive terms representing Central Brooklyn. However, he always dreamed of serving all of Brooklyn, a goal he achieved as the first Borough President elected in the new millennium. He was elected to a second term in 2005.

Marty set an ambitious agenda as Borough President. Marty's agenda focused on the core issues of housing, neighborhood preservation, and community his more than three decades in public service.

Marty saw a chance to fulfill his campaign promise of returning a national sports team to Brooklyn for the first time since the Dodgers left for Los Angeles in 1957 when the New Jersey Nets were put up for sale in 2002. He has actively supported moving the team from New Jersey to a new downtown arena at Atlantic Yards. The team hopes to play its first game in Brooklyn in the fall of 2009.

Marty has also assisted in creating jobs for Brooklynites. He oversaw a historic community benefits agreement for Atlantic Yards, guaranteeing that the majority of the new jobs generated by the project would go to those Brooklynites who needed them most, including residents of nearby public housing. He has been a tireless advocate for bringing the cruise-ship industry to Brooklyn, and in April 2006 the Queen Mary II will begin docking in Red Hook, followed by the Crown Princess in June, creating new jobs and introducing thousands of visitors to this great borough.

Madam Speaker, I would like to recognize the impressive achievements of our Borough President Marty Markowitz for his commitment to the residents of Brooklyn, New York.

Madam Speaker, I urge my colleagues to join me in paying tribute to this business savvy man who loves Brooklyn so very much.

UNETHICAL IMPRISONMENT OF PABLO PACHECO AVILA

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. SIRES. Madam Speaker, I rise today to bring attention to the continued injustice facing a Cuban prisoner of conscience, Pablo Pacheco Avila. In March of 2003, Cuban authorities led a crackdown on dissident movements. One of their victims was independent political journalist, Pablo Pacheco. Under Law 88, persons found guilty of destabilizing the Cuban regime by supporting the policy of the United States can be sentenced to many years in prison. Pablo Pacheco was sentenced to 20 years in prison under Cuban Law 88. By simply expressing political opinions and exercising the right to free speech, Pablo Pacheco and over 70 other people were arrested.

Pablo Pacheco began his prison sentence in Prison de Aguice in Colon, but has since been transferred several times. During this time, the prisoner's health has been declining, as Pablo suffers from renal ectopia of his right kidney. In a country renowned for its medical care, it appears difficult for Pablo to receive the attention he needs. He continues to suffer from severe pain. His medical conditions have been exacerbated by the harassment he has experienced in the Cuban prison system. While in prison, Pablo Pacheco has continued his fight to expose the failings of the Cuban regime, resulting in further punishments.

I urge the Cuban regime to end this unethical imprisonment of Pablo Pacheco Avila. His status as a prisoner of conscience and his declining health urgently call for his immediate release.

RECOGNIZING 200 YEARS OF RESEARCH, SERVICE, AND STEWARDSHIP BY NOAA AND ITS PREDECESSOR AGENCIES

SPEECH OF

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H. Con. Res. 147) recognizing 200 years of research, service to the

people of the United States, and stewardship of the marine environment by the National Oceanic and Atmospheric Administration and its predecessor agencies, and for other purposes:

Mr. ORTIZ. Mr. Speaker, I rise to honor the National Oceanic and Atmospheric Administration, NOAA, for their 200 years of dedicated research and service to the United States.

NOAA and its predecessors conducted some of the earliest oceanographic research and have continued to serve the United States for commerce, defense, and environmental purposes. NOAA is a leader for scientific research and environmental monitoring and protection, providing an outstanding example to the international community.

NOAA continues that storied legacy in the 21st century with and oceanographic monitoring, the protection of our natural resources, its stewardship of the marine environment, and as our first line of warning for storms and hurricanes.

NOAA programs have provided invaluable service to commerce and defense, serving throughout the country's history in war and peacetime; more than 100 million maps and charts for U.S. and Allied Forces.

Their programs promote safe and efficient commerce/transportation and work toward the advancement of a global environmental observation system. Programs also include missions for the conservation of marine resources, coastal management, and protection from storms and other hazards—especially Gulf Coast hurricanes.

NOAA's National Weather Service/Weather Forecast Offices at the Corpus Christi International Airport and the Brownsville/South Padre Island International Airport provide weather and flood warnings, daily forecasts, and meteorological and hydrologic data for the South Texas Gulf Coast area.

NOAA's National Marine Fisheries Service/Seafood Inspection Program in Brownsville offers a voluntary inspection program for fishery products on a fee-for-service basis, as well as other services to local fishermen and fish processors.

NOAA's National Ocean Service operates seven tide stations in Texas to monitor sea level trends, provide real-time data for storm surge warning, including South Texas locations in Corpus Christi and Port Isabel.

This week I will greet NOAA researchers in my district who are seeking a new location for a weather research center. I look forward to welcoming these distinguished researchers and discussing their needs for the future weather research center.

HONORING HOLLY AND HENRY WENDT

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Ms. WOOLSEY. Madam Speaker, I rise today with my colleague Representative THOMPSON to congratulate Holly and Henry Wendt, who are being honored by Healthcare Foundation Northern Sonoma County with the first annual Wetzel Community Leadership Award. They are being recognized for their contributions to life in Sonoma County and their philanthropic leadership on behalf of numerous local causes and organizations.

Henry and Holly have been fixtures in Sonoma County for many years, where until recently they owned the highly regarded Quivira Vineyards. Mr. Wendt, formerly the CEO of SmithKline Beecham, spent four decades working in the pharmaceutical and health care industry, and he remains active on the boards of several major corporations.

Together, the Wendts have given greatly to the community in Sonoma County, particularly in the fields of education and health care. They offered their substantial resources to Healdsburg High School to renovate and expand the Holly and Henry Wendt Library. Mr. Wendt serves on the advisory board of the Pediatric Dental Initiative, and the Wendts' involvement has helped speed the development of the Redwood Empire Surgery Center. This facility will bring the highest quality dental care to youngsters in coastal northern California.

Mr. Wendt has given generously with his time and deep knowledge of healthcare to facilitate the work of Healthcare Foundation Northern Sonoma County. His substantial leadership gift helped ensure that the Healdsburg District Hospital campaign was successful and the hospital remains an outstanding health care provider. Further, he has been instrumental in the success of the Community Foundation Sonoma County. Having served multiple terms as chairman of the board, he provided superb guidance and experience to help the foundation expand its resources and reach, and he remains a member of the leadership board.

Madam Speaker and colleagues, at this time it is appropriate that we congratulate Holly and Henry Wendt, who are receiving the Wetzel Community Leadership Award. The Wendts have been dynamic and generous figures in Sonoma County, and the wisdom and guidance they bring to philanthropic endeavors has been a boon to the community.

HONORING HOLLY AND HENRY WENDT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today with my colleague Representative WOOLSEY to congratulate Holly and Henry Wendt, who are being honored by Healthcare Foundation Northern Sonoma County with the first annual Wetzel Community Leadership Award. They are being recognized for their contributions to life in Sonoma County and their philanthropic leadership on behalf of numerous local causes and organizations.

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Together, the Wendts have given greatly to the community in Sonoma County, particularly in the fields of education and health care. They offered their substantial resources to Healdsburg High School to renovate and expand the Holly and Henry Wendt Library. In addition, their work with the Pediatric Dental Initiative, for which Mr. Wendt serves on the advisory board, has progressed the work of the soon to be opened Redwood Empire Surgery Center. This facility will bring the highest quality dental care to youngsters in coastal northern California.

Mr. Wendt has given generously with his time and deep knowledge of health care to facilitate the work of Healthcare Foundation Northern Sonoma County. His substantial leadership gift helped ensure that the Healdsburg District Hospital campaign was successful and the hospital remains an outstanding health care provider. Further, he has been instrumental in the success of the Community Foundation Sonoma County. Having served multiple terms as chairman of the board, he provided superb guidance and experience to help the foundation expand its resources and reach, and he remains a member of the leadership board.

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A TRIBUTE TO JAMES P. FREELAND

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute and honor James P. Freeland. James was born January 7, 1940, in Durham, NC, to Willie and Annie Freeland. The youngest of six children, at age 11 he was selected as one of the Red Feather Poster Kids for the United Way Campaign representing the John Avery Boys Club for the city of Durham. He graduated high school in 1958 and was later employed by a local supermarket for 7 years as the assistant butcher.

James joined the U.S. Air Force in January 1962. He received an honorable discharge in 1966 and 3 years later moved to Brooklyn, New York, in May 1969. In February 1970, James obtained employment with the New York Telephone Company where he worked as a service technician and assistant manager. In September 1999, he retired from Verizon Communications after 29 years of dedicated service.

James joined New Canaan Baptist Church, the same year he married Gennie Chennault. In 1980, their daughter Jamelia was born. He is a member of the mass choir and the North Carolina Club. James also serves as the Men's Day chairman and president of the Building Fund Committee. In addition, he sings with the male choir and is a member of the trustee board, the Missionary Disciples Outreach Ministry and donates his time as a Sunday school teacher.

Madam Speaker, I would like to recognize James P. Freeland for his huge heart and generous spirit. He is a man who has a great sense of humor and who is always willing to lend a helping hand.

Madam Speaker, I urge my colleagues to join me in paying tribute to James P. Freeland.

A TRIBUTE TO KIM WILLIAMS CLARK

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Kim Williams Clark, an accomplished attorney, educator, and community leader.

Kim Williams Clark earned her B.S. in criminal justice from John Jay College, and earned her law degree from Rutgers University at Camden with the distinguished honor of receiving a Dean's list award. Daughter to community advocate Bessie L. Williams and former worker with Board of Education Jesse E. Williams, Kim currently serves as dean of the Office of Institutional Advancement at the Brooklyn campus of Long Island University. In this capacity, she builds corporate and foundation support, and creates new partnerships geared toward increasing funding for university projects, student centered initiatives, and external outreach.

Prior to her work with Long Island University, Kim Williams Clark served as associate dean of the Center for Continuing Education and Professional Development at Georgetown University. In addition, she also served as special advisor to the provost, director of institutional advancement and paralegal studies at the Brooklyn campus of Long Island University. During her career, she has organized resources and built alliances with government agencies and generated millions of dollars to support youth programming and urban community development. Coupled with this, she has maintained a law office in the New York City's financial district with a concentration in family and non-profit law, where she dedicates much of her time to representing indigent persons.

In addition to her professional endeavors, Kim is a member of numerous boards and councils including, the Carver Bank Scholarship Board, Greater New York and District of Columbia Chapters of the Links, Inc., and Coney Island and Crown Heights Neighborhood Advisory Board(s). Her many accomplishments have not gone unnoticed for Kim Williams Clark received the Trailblazer Award from New York State Senator Velmanette Montgomery of the 18th District. In December 2007, New Canaan Baptist Church and Congressman EDOLPHUS TOWNS will present her with the Community Service Award.

Madam Speaker, I would like to recognize the impressive achievements of Kim Williams Clark for her commitment to the Brooklyn community.

Madam Speaker, I urge my colleagues to join me in paying tribute to a great individual of high morals, ethics, and integrity.

TRIBUTE TO MR. WILLIAM DONALD SCHAEFER

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. VAN HOLLEN. Madam Speaker, it is my pleasure to recognize a true Maryland legend, Mr. William Donald Schaefer, on the occasion of his 86th birthday.

Mr. Schaefer was born in Baltimore, a city upon which he would come to have a lasting impact, on November 21, 1921. Following service in the U.S. Army during WWII, Mr. Schaefer returned to Maryland to work in law and eventually enter politics.

Over the course of 50 years, Mr. Schaefer would serve several years on the Baltimore City Council, four terms as Baltimore mayor, two terms as Maryland governor, and two terms as State Comptroller. He has left an indelible mark on Maryland and its people from his 50 years of public service.

He has become famous for his colorful personality, but his tireless efforts and dedication to public service have never wavered. He has acquired friends and admirers from both sides of the aisle because of this commitment.

His famous mantra as Baltimore mayor, "Do It Now," reflects his ability to get things done. The redeveloped and rejuvenated Baltimore, which so many of us today enjoy, is largely a result of his efforts during that time. Today, there are few Marylanders who can say that they haven't been positively affected by his leadership.

On a personal note, I had the great privilege of working for Governor Schaefer. His "do it now" philosophy provided a very valuable lesson for all of us in public office. He wanted to make sure that Maryland government addressed the needs of every Maryland resident regardless of their circumstances. He has always been one with little patience for pomp and circumstance.

On behalf of the residents of Maryland's Eighth Congressional District, I am proud to offer my best wishes to Mr. Schaefer.

HONORING LOIS CORBA

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. KILDEE. Madam Speaker, I rise today to honor Lois Corba as she celebrates her birthday. A party will be held in her honor on December 29th in Frankenmuth, MI.

Lois was born in Tecumseh, MI, one of nine children. The family moved to Flint and after her father purchased a farm, the family moved to West Branch. She attended St. Joseph Catholic School in West Branch and graduated the salutatorian from the high school in 1951. After graduation she returned to Flint and worked for an insurance agency for 7 years. She married Paul Corba in 1957. The couple had 7 children, Michelle, Paul Michael, Jon, Marsha, Bernadette, Angela and David. Paul passed away in 1987.

Continuing to work, Lois spent 17 years working as a secretary with the AC Spark Plug Division of General Motors. She retired from this position in 1992. After two years Lois decided to return to the workforce and became the assistant to the director of the Frankenmuth Historical Association. From there she took her current position as the receptionist with Independence Village in Frankenmuth. She is active with the Widow's Group in Frankenmuth and Blessed Trinity Catholic Church.

Madam Speaker, I ask the House of Representatives to join me in congratulating Lois Corba as she celebrates her birthday and I wish her many, many more.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. CONYERS. Madam Speaker, yesterday, I mistakenly voted against H. Res. 37, providing for the concurrence by the House in the Senate amendment to H.R. 710, with amendments. In fact, I support this critical legislation, which would make paired kidney donation legal and allow organizations like the United Network for Organ Sharing to track eligibility for paired donation.

I voted for passage of the original bill, H.R. 710, The Charlie Norwood Living Organ Donation Act, on March 7, 2007.

INTRODUCING A RESOLUTION TO COMMEMORATE THE 60TH ANNIVERSARY OF THE EVERGLADES NATIONAL PARK

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. HASTINGS of Florida. Madam Speaker, I am pleased to rise today to introduce significant bipartisan legislation with my colleague and fellow co-chair of the Everglades Caucus, Representative MARIO DIAZ-BALART to commemorate the 60th anniversary of Everglades National Park.

For years, Representative DIAZ-BALART and I have been working together to preserve and restore the Everglades, and I am pleased to be introducing this resolution with him.

Sixty years ago tomorrow, President Harry S. Truman dedicated Everglades National Park. Today, this vast subtropical wilderness in the United States is habitat to many endangered species as well as an international center for business, agriculture, and tourism.

Everglades National Park has been designated an International Biosphere Reserve, a World Heritage Site, and a Wetland of International Importance in recognition of its significance to all the people of the world.

Over time, however, management and development activities have destroyed our nations' majestic wetlands. Today the River of Grass is only half of its original size.

Sadly, the ecosystem's tree islands and mangroves have been largely destroyed and its estuaries have become barren.

In response to threats to this pristine ecosystem, in 2000, Congress passed an ambitious restoration plan called the Comprehensive Everglades Restoration Plan (CERP). In

doing so, we commit the Federal government to become an equal partner with the State of Florida to restore the Everglades and protect the River of Grass.

Regrettably, since the passage of this legislation, restoration efforts in Congress have been mired. For 7 years under Republican rule, Congress failed to afford Everglades revitalization efforts the priority they deserved and failed to properly fund restoration programs.

As a result of Congress' delays in authorizing financing and developmental pressures in South Florida, the costs of repairing the Everglades have drastically soared.

Today we have a new Congress with new priorities. This Democratic Congress has worked relentlessly—in a bipartisan fashion—to keep the Federal government's end of the bargain and restore its commitment to the River of Grass.

Just last month, Congress overrode a President Bush veto and passed the Water Resources Development Act of 2007, authorizing $1.8 billion in Everglades restoration funding, including funding the two long awaited and critical projects: the Indian River Lagoon and the Picayune Strand.

As we pause to celebrate the anniversary of the Everglades National Park tomorrow, we enhance our vigilant efforts to restore and conserve the Park to the pristine ecosystem it once was.

As Marjory Stoneman Douglas wrote in The Everglades: River of Grass, "There is a balance in man also, one which has set against his greed and his inertia and his foolishness. . . . Perhaps even in this last hour, in a new relation of usefulness and beauty, the vast magnificent, subtle and unique region of the Everglades may not be utterly lost."

Today, I rise to ensure that these majestic wetlands will forever be remembered, preserved and protected for all future generations of Americans to enjoy.

HONORING THE LIFE OF RICHARD ''DICK'' BOWERS, FORMER ASSOCIATE DEAN, PROFESSOR AND DIRECTOR OF DEVELOPMENT IN THE COLLEGE OF BUSINESS AND FORMER ATHLETIC DIRECTOR AT THE UNIVERSITY OF SOUTH FLORIDA

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Ms. CASTOR. Madam Speaker, I rise today to herald the life and philanthropic contributions of Richard "Dick" Bowers, and to express our gratitude for his achievements at the University of South Florida as well as in all of Florida.

Bowers, a native of Tennessee, served in the United States Army and retired with the rank of captain. He received his bachelor's and master's degrees from the University of Tennessee and his doctorate in education from Vanderbilt-Peabody College. Bowers taught at various institutions ranging from King College in Bristol, TN, to the University of Rangoon, in Burma, on a Fulbright scholarship.

In 1963, Bowers moved to the Tampa area, where he assumed the University of South Florida's first ever athletics director position. During his tenure, Bowers oversaw the creation of the university's baseball field, golf course, and SunDome basketball arena. He was honored in 1982 for his Outstanding Contribution to the Sunbelt Conference, which he helped form. After 17 years, Bowers moved from the athletic director position and became involved in the University of South Florida's college of business, where he was associate dean, professor, and director of development.

Bowers was also very influential in the Tampa Bay area through his philanthropic work. He served as president of the Gold Shield Foundation for 18 years, which raises money for families of fallen police officers and firefighters. In addition, Bowers took leadership roles in numerous other community organizations including the United Way, the National Youth Sports Program, the Tampa Chapter National Football Foundation, the Hall of Fame Bowl Selection Committee, the Northside Bank Board, the Florida State Department of Education Task Force in Physical Education, the American Heart Association, the American Cancer Society, the Tampa Sports Club, and the Hispanic Business Institute.

We honor the life of Richard "Dick" Bowers for his outstanding contribution to our wonderful Tampa Bay community, the University of South Florida and the entire State of Florida. Dick Bowers' life serves as an inspiration to all who knew him and his contributions and achievements will impact the lives of all Floridians in the future.

TRIBUTE TO THE NATIONAL ANTHEM PROJECT

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to recognize The National Anthem Project a 3-year national education campaign, led by our Nation's music educators, to raise awareness of the importance of music programs in our Nation's schools.

The National Anthem Project was launched by the National Association for Music Education in 2005, in response to a survey conducted by Harris Interactive. The Harris Poll showed that two out of three Americans did not know the words to "The Star-Spangled Banner." The National Association for Music Education believes that this lack of knowledge, concerning the words and history of our national anthem, is a direct reflection of the quality of music education in our Nation's schools.

Music programs are considered an important part of a well-rounded education. Research shows that music programs help students perform better in math and science. Music education also provides students with a greater appreciation of America's musical heritage and history, as most Americans learn the national anthem and other patriotic songs at school.

The goal of the National Anthem Project was to "restore America's voice," by re-teaching Americans to sing "The Star-Spangled Banner" and by spotlighting the important role of music programs in our Nation's schools. The 3-year project began on March 10, 2005, with a kick-off celebration on Capital Hill. The kick-off was followed by a nationwide Road Show tour in 2006 and hundreds of additional project-inspired events. The National Anthem Project came to a close in June of 2007, with a 3-day Grand Finale on the grounds of the Washington Monument. The Finale featured over 5,000 participants, including celebrities, Drum Corps International, music teachers, and students from all across the United States, who gathered together to celebrate the achievements of the National Anthem Project and, of course, to sing the national anthem.

The National Anthem Project has been a great success. Not only has the project succeeded in re-teaching the words and history of our national anthem, but it has also inspired people all over the country to have a greater appreciation of America's musical heritage and the importance of music education in our Nation's schools. The National Anthem Project has garnered significant news coverage from thousands of news outlets across the country, including Fox News, CNN, and Good Morning America. The success of The National Anthem Project has even received the attention of the Senate, which passed a Resolution in July of 2007 in support of the project's goals and ideals. It is my pleasure to share with you today the achievements of the National Anthem Project.

MOMENT OF SILENCE IN MEMORY OF FORMER REPRESENTATIVE HENRY HYDE OF ILLINOIS

SPEECH OF

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 2007

Mr. EHLERS. Mr. Speaker, I rise to pay my respects to our departed colleague, Representative Henry Hyde. I am saddened by the death of this exceptionally fine and honorable man, who so ably served not only the best interests of his constituents but, indeed, the entire nation for over 30 years in this House. Henry Hyde will be remembered in many different ways—as a skilled attorney who respected and defended the rule of law; as a stout champion of the rights of the unborn; and as a distinguished statesman who promoted peaceful and just international relations and agreements.

As I remember the life and service of Henry Hyde, one personal experience stands out in my mind. In 1984, I was involved in a closely contested race for an open Michigan State Senate seat. A prominent pro-life organization endorsed my opponent, based not on my record or his, but on unrelated reasons. This was done despite my own consistent pro-life voting record and ardent pro-life policy stance. The pro-life endorsement carried considerable weight in the district and was a noteworthy point in the campaign. Henry Hyde found out about this development, and he was outraged. He traveled up from Illinois to campaign for me, to correct what he considered a grave injustice. Of course, given the passage of the "Hyde amendment" to prevent federal funds from being used for abortions—remarkably, passed during his first term in Congress in 1974—Henry Hyde was a hero in the pro-life

movement. His public endorsement of my campaign was a significant factor in my close victory.

Mr. Speaker, I consider it an honor to have known and worked closely with Henry Hyde. I know many of us feel the same way. I hope we will uphold his legacy of defending the rule of law, promoting just international relations, and protecting the sanctity of all life.

TRIBUTE TO FRANK B. SOLLARS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. BERRY. Madam Speaker, I rise today to pay tribute to an honorable lifelong farmer, fine American and dear friend who made significant contributions to the agricultural community for our nation.

Frank Sollars was born in 1921 in Concord Township, Ohio to Walter Eugene and Mabel Blanche Bowers Sollars and graduated from Washington High School in 1939.

Although he was a farmer by profession, Frank was also a leader in agricultural cooperatives, the insurance business and agricultural financing. As an International Cooperative Alliance Central Committee member, Frank hosted delegations from Russia, Poland, Hungary, Czechoslovakia, China, Japan, and Taiwan on the farm. Frank served as president of the Ohio Farm Bureau Federation, the Ohio Federation of Soil and Water Conservation Districts and the Ohio Agricultural Marketing Association. He served as a board member of the American Farm Bureau Federation, the American Agricultural Marketing Association and served on the Board of Governors of the National Agricultural Hall of Fame. He was a board member on the first Soil Conservation Service Board in Fayette County for ten years and was chairman for five years.

Frank held numerous leadership roles in the finance industry including Chairman of the Board of Nationwide Insurance, Chairman of the Board of the National Cooperative Business Association, a director of the Ohio Chamber of Commerce, a member of the Ohio Consumers council and a director of the Fifth Third Bank of Columbus. He served on the Federal Reserve Bank Advisory Committee and was instrumental in establishing the National Cooperative Bank in Washington, D.C. where he served as Board Chairman from 1980–1998 after being appointed by Presidents Carter, Reagan and Bush.

Commonly referred to as the ''Founding Father of the National Cooperative Banks,'' Frank was awarded the Stanley W. Dreyer Spirit of Cooperation Award in 2006 for his commitment and dedication to banking. In recognition of Frank as an international cooperative mentor, The Frank B. Sollars Fund for International Cooperation was established in 1998.

Locally, Frank was a member of the Fayette County Farm Bureau, Fayette County Agronomy Committee and Agronomy Club, and the Concord Township Farm Bureau Advisory Council. He served as board member of the American Red Cross of Greater Columbus representing Fayette County and was a trustee of the Southern State Community College Foundation. Frank served on the board as chairman of the Fayette County Bank and Sollars Brothers Corporation.

Frank received numerous honors throughout his life including being inducted into the Ohio Agricultural Hall of Fame, Fayette Agricultural Hall of Fame, National Cooperative Business Association Hall of Fame and the Ohio Soil and Water Conservation Hall of Fame. He received the Distinguished Service Award from the Ohio Farm Bureau and was named the Outstanding Young Farmer by the Ohio Jaycees in 1956.

Although Frank has been recognized for numerous honors, he always believed his family was his greatest accomplishment. Frank gave many years of his life to improve and promote the agricultural industry he loved, because he truly believed it was his duty to serve his family and his country. He was a member of the Grace United Methodist Church.

A devout public servant, Frank was a man of honor and compassion. On behalf of the Congress, I extend sympathies to his family and gratitude for all he did to improve agriculture for our nation. His service and friendship will be missed by all.

TRIBUTE TO THE UNITED REPUBLIC OF TANZANIA

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. RYAN of Wisconsin. Madam Speaker, I rise to mark the 46th anniversary of independence for the United Republic of Tanzania, and to congratulate the leaders and citizens of that great Nation for all that they have achieved.

It's impossible to talk about Tanzania's history and development without remembering the Nation's founder and first president, Julius Nyerere. Mwalimu, or ''Teacher,'' as he was affectionately known, was a great man among African leaders of his time. He dedicated his life to building a sense of national identity and unity. He wanted his countrymen to think of themselves as Tanzanians first and foremost, and not to set themselves apart because of their religion or ethnicity. Nearly a half century later, it is clear that his dream is alive and well.

We should also commend Tanzania's president, Jakaya Kikwete, for all of his efforts to carry on the good work of Mwalimu and other Tanzanian leaders. From his leadership of Tanzania's National Testing Campaign for HIV/AIDS to his calls for greater transparency in government and an end to corruption, President Kikwete has tirelessly dedicated himself to a brighter future for his country and his people.

As Tanzania enters its 47th year of independence on December 9, 2007, let us celebrate Tanzania's legacy of peace and stability, thank Tanzania for its close friendship with the United States, and pledge ourselves to work closely with President Kikwete and his people as they move boldly into the future.

COMMENDING TRIANGLE STUDENTS FOR PARTICIPATING IN DARFURFAST

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. PRICE of North Carolina. Madam Speaker, I rise to commend the students, friends and family members from the Carolina Friends School community in Durham, North Carolina who are making a simple, but powerful, statement today to raise awareness of a topic that compels the attention of this body—the plight of Sudanese citizens driven to camps for refugees and internally displaced persons, or IDPs, by the horrible genocide occurring in Darfur.

The Carolina Friends School community members, along with others from across the country and around the world, have given up one luxury item today—something like a restaurant dinner, a movie, or a cup of coffee—and will donate the money they would have spent to the Genocide Intervention Network's Civilian Protection program.

Individually, these are small sacrifices, but collectively, these donations will make a tremendous difference. IDP camp residents are under tremendous threats, despite the relative protection the camps offer. Residents must venture from the camps to obtain simple items, such as the firewood needed to cook food. But camp residents have routinely been attacked, raped, or killed by Janjaweed militia members and others when they leave the confines of the camps.

Just three dollars—the price of a cup of coffee in many places—can fund protection by UN-African Union peacekeepers for firewood gathering patrols for one camp resident over the course of an entire year. Just one cup of coffee can make a life-saving difference.

Beyond simply generating donations, the activism of these concerned citizens sends a powerful message, a cry for help in confronting a horrible tragedy. As their simple actions demonstrate, hundreds of thousands of Darfuris are dying for items we often take for granted. While the DarfurFast volunteers are asked to give up a luxury item for one day, many Darfuris go without food for days at a time. Thousands of camp residents have died from malnutrition, from preventable disease, and from lack of access to clean water. These victims are just as much casualties of the genocide as are the Darfuris killed by marauding militias.

I applaud these students and community members for their message, and I urge my colleagues to listen to it closely. Let us ask ourselves, what could we, here in Congress, give up for Darfur? Would we be willing to give up one day of spending in Iraq—worth about $200 million—to save lives in Darfur? Would we forego even a few tax cuts for the wealthy? What are we willing to sacrifice to stop the genocide and save the lives of millions of innocent civilians threatened every day by savage militias and a heartless regime in Khartoum that refuses to stop them?

Madam Speaker, once again, let me commend these students and community members—and the individuals around the world participating in DarfurFast—for their activism. I hope we will all heed their call.

PERSONAL EXPLANATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. NUNES. Madam Speaker, on the legislative day of Tuesday, December 4, 2007, I was unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 1123—"nay"; rollcall 1124—"yes"; rollcall 1125—"yes"; rollcall 1126—"yes."

RECOGNIZING THE 35TH ANNIVERSARY OF FLINT ODYSSEY HOUSE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. KILDEE. Madam Speaker, I rise today to recognize the achievements of Flint Odyssey House. On December 6th Flint Odyssey House will be holding an open house to celebrate the 35th anniversary of the Odyssey Institute.

Dr. Judianne Densen-Gerber began her career in substance abuse treatment in 1966 working with 17 heroin addicts. She quickly realized that for successful rehabilitation, the root causes of addiction had to be addressed. She developed a model of treatment that tackled the traumatic experiences in an addict's life and its impact on a person's well-being and self-image. The treatment methodology consists of five stages: Orientation, Cocoon Phase, Incubator Phase, Self-Awareness and Reformation Phase, and Butterfly Post-Treatment. From her treatment model, the Odyssey Institute was born and now operates in communities around the world.

Started in 1979 by Ronald Sahara Brown, Flint Odyssey House was a satellite program of the Detroit Rubicon Odyssey House. When the Detroit program was forced to close its doors, Ronald Brown kept the Flint Odyssey House open. He had $300 in food stamps and the determination to make the program a success. As a former addict and a graduate of the program, Ronald knew firsthand how beneficial the Odyssey House concept of treatment could be to a recovering substance abuser. He invited clients of the closed Detroit Rubicon Odyssey House to join him in the Flint program. With a skeleton crew, he operated the program on a shoestring. His perseverance paid off, and the Michigan Department of Social Services and the Genesee County Commission on Substance Abuse started to provide financial assistance. From that first adult treatment center, the program has grown to provide a wide range of services.

Ronald Brown has expanded Flint Odyssey House to meet the needs of the community. The treatment facility was located in a drug- and crime-infested neighborhood, and Ronald took to the streets, reclaiming and renovating the crack houses in the area. Starting the Treat the Streets Program, Flint Odyssey House reclaimed the area and earned Ronald Sahara Brown the title of Chief of Odyssey Village. Flint Odyssey House has moved from being a substance abuse treatment agency to a human development agency and is a model for programs throughout the United States. It operates many programs, and treats hundreds of persons, including pregnant addicts and mothers with children. Accredited through the Commission on Accreditation of Rehabilitation Facilities, Flint Odyssey House has expanded and now operates a program in Saginaw Michigan.

In 1993, Flint Odyssey House received the Martin Luther King, Jr. Award from the Michigan Department of Public Health and the Clayton R. Stroup Award. In 1996 Ronald Sahara Brown was the recipient of the Robert Wood Johnson Community Health Leadership Award. Ronald used the $100,000 stipend that came with this award to purchase and operate an old-age home in the neighborhood that was about to close. This kept the residents from being evicted and provided one more service to the community.

Madam Speaker, I ask the House of Representatives to rise with and applaud the work of Ronald Sahara Brown, the staff, volunteers and the clients of Flint Odyssey House. Their courage and determination to bring out the potential in every human being is a brilliant example of the power in each and every one of us to effect change in our world. May they continue to provide service and compassion for many, many more years.

TRIBUTE TO MR. SANFORD HELLER

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. VAN HOLLEN. Madam Speaker, it is with great pleasure that I congratulate my constituent, Mr. Sanford Heller of Rockville, Maryland, as he prepares to celebrate his 100th birthday. Mr. Heller was born on December 27, 1907 in The Bronx, New York and lived in New York City until he has 95. He owned his own home, mortgage free, for more than 50 years.

Mr. Heller has dedicated his life to public service and took part in events that shaped our nation. During the 1930s, he processed the arrival of new immigrants at Ellis Island. He served in the U.S. Navy during World War II. After his military service, he held positions in Federal, State, and city government.

To this day, Mr. Heller keeps himself busy. He reads the New York Times cover to cover, has traveled to over 35 countries, and can still fit into the same tuxedo he bought during the Great Depression. He is in excellent health, takes no medication, and walks every day.

Mr. Heller, a mandolin player, also enjoys entertaining for friends, family, and fellow residents of the Ring House, where he now resides. He was married to Ethel Heller for over 64 years until her death at age 92 in 2005. He has two children, five grandchildren, and ten great grandchildren. I join with Mr. Heller's family and friends in wishing him a most joyous birthday. He has my warmest congratulations and best wishes.

RECOGNIZING NANCY CHANDLER AS AN OUTSTANDING ADVOCATE FOR CHILDREN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2007

Mr. POE. Madam Speaker, It has been said that "child abuse casts a shadow the length of a lifetime." Nancy Chandler has dedicated her life to changing this. For over 25 years, Nancy has advocated for children and improved their futures.

After receiving her Masters in Social Work from the University of Georgia, Nancy was the founding Executive Director of the Memphis Child Advocacy Center. This Center helps "victims become children again."

Since April 1994, Nancy Chandler has served as the Executive Director of the National Children's Alliance (NCA), a not-for-profit membership organization that represents more than 700 Children's Advocacy Centers. For 13 years, Nancy has led and managed NCA's finances, and developed resources, training, programs, communications, and membership services. Nancy also led and inspired a staff of dedicated advocates. As Executive Director of NCA, Nancy educated and motivated advocates at over 400 conferences and workshops across the United States.

Throughout her remarkable career in children's advocacy, Nancy was a member of Leadership Memphis and a founding board member of the National Network of Children's Advocacy Centers. She also served on the National Advisory Committee for Darkness to Light, a primary prevention program aimed at reducing the incidence and consequence of child sexual abuse, and as Senior Warden of The Church of the Epiphany in Washington, DC. Nancy has proven herself as an experienced leader and a compassionate advocate for children.

And that's just the way it is.

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 Thursday, December 6, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 11

10 a.m.

Appropriations

To hold hearings to examine the President's proposed budget request for fiscal year 2008 for the supplemental request for the wars in Iraq and Afghanistan.

SD–106

Finance

To hold hearings to examine S. 1673, to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens, to establish an agricultural export promotion program with respect to Cuba.

SD–215

Health, Education, Labor, and Pensions

To hold hearings to examine the global challenge of HIV/AIDS, tuberculosis, and malaria.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine e-government 2.0, focusing on improving innovation, collaboration, and access.

SD–342

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold joint hearings with the Committee on Energy and Natural Resources Subcommittee on Energy to examine the role of speculation in recent crude oil prices.

SH–216

Judiciary

Terrorism, Technology and Homeland Security Subcommittee

To hold hearings to examine the legal rights of Guantanamo detainees, focusing on what they are, should they be changed, and is there an end in sight.

SD–226

2 p.m.

Judiciary

Antitrust, Competition Policy and Consumer Rights Subcommittee

To hold hearings to examine the Sunshine in Litigation Act, focusing on whether court secrecy undermines public health and safety.

SD–226

2:30 p.m.

Energy and Natural Resources

To hold hearings to examine S. 2156, to authorize and facilitate the improvement of water management by the Bureau of Reclamation, to require the Secretary of the Interior and the Secretary of Energy to increase the acquisition and analysis of water resources for irrigation, hydroelectric power, municipal, and environmental uses.

SD–366

DECEMBER 12

9:30 a.m.

Judiciary

To hold hearings to examine S. 1782, to amend chapter 1 of title 9 of United States Code with respect to arbitration.

SD–226

10 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 579, to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer, an original bill entitled ''Substance Abuse and Mental Health Services Administration'', and any pending nominations.

SD–430

Homeland Security and Governmental Affairs

Business meeting to consider the nominations of Jeffrey William Runge, of North Carolina, to be Assistant Secretary for Health Affairs and Chief Medical Officer, and Harvey E. Johnson, Jr., of Virginia, to be Deputy Administrator and Chief Operating Officer, Federal Emergency Management Agency, both of the Department of Homeland Security.

SD–342

Rules and Administration

To hold hearings to examine a recently released Government Accountability Office report, focusing on funding challenges and facilities maintenance at the Smithsonian Institution.

SR–301

Commerce, Science, and Transportation

Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee

To hold an oversight hearing to examine the Federal Motor Carrier Safety Administration, focusing on truck driver hours-of-service (HOS) rules and truck safety.

SR–253

10:30 a.m.

Aging

To hold hearings to examine reverse mortgages, focusing on polishing not tarnishing the golden years.

SD–628

DECEMBER 13

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine ways to reform the Mining Law of 1872.

SD–366

10 a.m.

Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission (FCC).

SR–253

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine forest restoration and hazardous fuels reduction efforts in the forests of Oregon and Washington.

SD–366

DECEMBER 19

10 a.m.

Judiciary

Business meeting to consider the nomination of Mark R. Filip, of Illinois, to be Deputy Attorney General, Department of Justice.

SD–226

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S14749–S14805

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 2408–2418, and S. Res. 388–389. **Pages S14786–87**

Measures Reported:

S. 704, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, with an amendment in the nature of a substitute. (S. Rept. No. 110–234)

S. 1178, to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft, with amendments. (S. Rept. No. 110–235)

S. 1780, to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent. (S. Rept. No. 110–236)

S. 1858, to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, with an amendment in the nature of a substitute.

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, with an amendment in the nature of a substitute.

Page S14786

Measures Considered:

Temporary Tax Relief Act: Senate continued consideration of the motion to proceed to consideration of H.R. 3996, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions.

Pages S14773–74

Subsequently, the motion to proceed was withdrawn. **Page S14774**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:30 a.m., on Thursday, December 6, 2007; that there be 1 hour of debate prior to a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill and the time be equally divided between the two Leaders, or their designees; provided further, that the 20 minutes immediately prior to the cloture vote be divided 10 minutes each for the Leaders, with the Majority Leader controlling the final 10 minutes, and that Senate then vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Pages S14803–04**

Farm Bill Extension Act: Senate resumed consideration of H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, taking action on the following amendments proposed thereto:

Pending:

Harkin Amendment No. 3500, in the nature of a substitute. **Pages S14774–77**

Reid (for Dorgan/Grassley) Amendment No. 3508 (to Amendment No. 3500), to strengthen payment limitations and direct the savings to increased funding for certain programs. **Pages S14774–77**

Reid Amendment No. 3509 (to Amendment No. 3508), to change the enactment date. **Page S14774**

Reid Amendment No. 3510 (to the language proposed to be stricken by Amendment No. 3500), to change the enactment date. **Page S14774**

Reid Amendment No. 3511 (to Amendment No. 3510), to change the enactment date. **Page S14774**

Motion to commit the bill to the Committee on Agriculture, Nutrition, and Forestry, with instructions to report back forthwith, with Reid Amendment No. 3512. **Page S14774**

Reid Amendment No. 3512 (to the instructions of the motion to commit to the Committee on Agriculture, Nutrition, and Forestry, with instructions), to change the enactment date. **Page S14774**

Reid Amendment No. 3513 (to the instructions of the motion to recommit), to change the enactment date. **Page S14774**

Reid Amendment No. 3514 (to Amendment No. 3513), to change the enactment date. **Page S14774**

A motion was entered to close further debate on Harkin Amendment No. 3500 (listed above), and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, December 7, 2007. **Page S14774**

Nominations Received: Senate received the following nominations:

Mark R. Filip, of Illinois, to be Deputy Attorney General.

1 Army nomination in the rank of general.

Page S14805

Messages from the House: **Pages S14783–84**

Measures Referred: **Page S14784**

Measures Read the First Time: **Page S14785**

Executive Communications: **Pages S14785–86**

Additional Cosponsors: **Pages S14787–88**

Statements on Introduced Bills/Resolutions: **Pages S14788–S14802**

Additional Statements: **Pages S14781–83**

Amendments Submitted: **Page S14802**

Notices of Intent: **Pages S14802–03**

Authorities for Committees to Meet: **Page S14803**

Privileges of the Floor: **Page S14803**

Adjournment: Senate convened at 12 noon and adjourned at 6:13 p.m., until 10:30 a.m. on Thursday, December 6, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S14803–04.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following:

S. 2191, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, with an amendment in the nature of a substitute; and

The nominations of John S. Bresland, of New Jersey, to be Chairperson, and Charles Russell Horner Shearer, of Delaware, both to be Members of the Chemical Safety and Hazard Investigation Board, and William H. Graves, of Tennessee, Susan Richardson Williams, of Tennessee, and Thomas C. Gilliland, of Georgia, all to be Members of the Board of Directors of the Tennessee Valley Authority.

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

Committee on the Judiciary: Committee concluded a hearing to examine reauthorization of the Juvenile Justice and Delinquency Prevention Act (Public Law 93–415), focusing on protecting children and communities, after receiving testimony from J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, Department of Justice; Shay Bilchik, Georgetown University Public Policy Institute Center for Juvenile Justice Reform, Washington, D.C.; Deirdre Wilson Garton, Governor's Juvenile Justice Commission, Madison, Wisconsin; Anne Marie Ambrose, Pennsylvania Department of Public Welfare, Child Welfare and Juvenile Justice Services, Office of Children, Youth, and Families, Harrisburg; and Richard Miranda, Tucson Police Department, Tucson, Arizona.

FORECLOSURE CRISIS

Committee on the Judiciary: Committee concluded a hearing to examine the foreclosure crisis, focusing on helping families save their homes, including S. 2136, to address the treatment of primary mortgages in bankruptcy, after receiving testimony from Jacqueline P. Cox, Judge, United States Bankruptcy Court for the Northern District of Illinois; Thomas B. Bennett, Judge, United States Bankruptcy Court for the Northern District of Alabama; Mark M. Zandi, Moody's Economy.com, Inc., West Chester, Pennsylvania; Joseph R. Mason, Drexel University LeBow College of Business, and Henry J. Sommer, National Association of Consumer Bankruptcy Attorneys, both of Philadelphia, Pennsylvania; Mark S. Scarberry, American Bankruptcy Institute, Washington, D.C.; and Nettie McGee, Chicago, Illinois.

NOMINATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nomination of James B. Peake, of the District of Columbia, to be Secretary of Veterans Affairs, after the nominee, who was introduced by Senator Inouye and former Senator Bob Dole, testified and answered questions in his own behalf.

HEALTH AND WELFARE NEEDS OF ELDERLY REFUGEES

Special Committee on Aging: Committee concluded a hearing to examine the elderly who have been displaced by war, poverty, and persecution abroad, after receiving testimony from Kelly Ryan, Deputy Assistant Secretary of State for the Bureau of Population, Refugees, and Migration; Brent Orrell, Acting Director, Office of Refugee Resettlement (ORR), Administration for Children and Families, Department

of Health and Human Services; Michael Gabaudan, Regional Representative for the United States of America and the Caribbean, Office of the United Nations High Commissioner for Refugees; C. Richard Parkins, Episcopal Migration Ministries (EMM), on behalf of the Refugee Council USA, and Khammany Mathavongsy, Southeast Asia Resource Action Center California Projects, both of Washington, D.C.; Maria Teverovsky, Hebrew Immigrant Aid Society (HIAS), New York, New York; and Salahuddin Ansary, Lutheran Community Services Northwest (LCSNW), Portland Oregon.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 4278–4298; and 2 resolutions, H. Res. 844–845, were introduced. **Pages H14249–50**

Additional Cosponsors: **Pages H14250–51**

Reports Filed: Reports were filed today as follows:

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. Rept. 110–472, Pt. 1);

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. Rept. 110–472, Pt. 2);

H. Res. 836, granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives to the Committee on Education and Labor for purposes of its investigation into the deaths of 9 individuals that occurred at the Crandall Canyon Mine near Huntington, Utah (H. Rept. 110–473); and

H. Res. 846, providing for the consideration of the Senate amendments to the bill (H.R. 6) an Act to move the United States toward greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers from price gouging, to increase the energy efficiency of products, buildings, and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, and for other purposes (H. Rept. 110–474). **Pages H14248–49**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H14159, S14224**

National Defense Authorization Act for Fiscal Year 2008—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe military personnel strengths for such fiscal year. **Page H14163**

Agreed to the Tauscher motion to close portions of the conference by a yea-and-nay vote of 405 yeas to 6 nays, Roll No. 1127. **Pages H14169–70**

Agreed to the Hunter motion to instruct conferees by a yea-and-nay vote of 328 yeas to 83 nays, Roll No. 1128. **Pages H14163–69, S14170–71**

Later, the Chair appointed the following Members of the House to the conference committee on the bill: from the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Skelton, Spratt, Ortiz, Taylor, Abercrombie, Reyes, Snyder, Smith (WA), Loretta Sanchez (CA), McIntyre, Tauscher, Brady (PA), Andrews, Davis (CA), Larsen (WA), Cooper, Marshall, Bordallo, Udall (CO), Hunter, Saxton, McHugh, Everett, Bartlett (MD), McKeon, Thornberry, Jones (NC), Hayes, Akin, Forbes, Wilson (SC), Turner, Kline (MN), and Drake. **Page H14182**

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Representatives Boswell, Patrick J. Murphy (PA), and Hoekstra. **Page H14182**

From the Committee on Education and Labor, for consideration of secs. 561, 562, 675, 953, and 3118 of the House bill, and secs. 561, 562, 564, 565, and 3137 of the Senate amendment, and modifications committed to conference: Representatives George Miller (CA), Courtney, and Walberg. **Page H14182**

From the Committee on Energy and Commerce, for consideration of secs. 311–313 and 1082 of Senate amendment, and modifications committed to conference: Representatives Dingell, Wynn, and Barton (TX). **Page H14182**

From the Committee on Foreign Affairs, for consideration of secs. 831, 833, 1022, 1201, 1203, 1204, 1206–1208, 1221, 1222, 1231, 1241, 1242, Title XIII, and sec. 3117 of the House bill, and secs. 871, 934, 1011, 1201–1203, 1205, 1211, 1212, 1214, 1215, 1217, 1219, 1232, Title XIII, secs.

1511, 1512, 1532, 1533, 1539–1542, 1571, 1574–1576, 1579, 3134, and 3139 of the Senate amendment, and modifications committed to conference: Representatives Lantos, Ackerman, and Ros-Lehtinen. **Page H14182**

From the Committee on Homeland Security, for consideration of sec. 1076 of the Senate amendment, and modifications committed to conference: Representatives Thompson (MS), Carney, and Daniel E. Lungren (CA). **Page H14182**

From the Committee on the Judiciary, for consideration of secs. 582, 672, 673, and 850 of the House bill, and secs. 824, 1023, 1024, 1078, 1087, 1571–1574, 1576, 1577, 1579, and Title LII of the Senate amendment, and modifications committed to conference: Representatives Conyers, Berman, and Smith (TX). **Page H14182**

From the Committee on Oversight and Government Reform, for consideration of secs. 325, 326, 328–330, 604, 653, 674, 801, 802, 814, 815, 821–824, 1101–1112, 1221, 1231, and 1451 of the House bill, and secs. 366–370, 603, 684, 821, 823, 842, 845, 846, 871, 902, 937, 1064, 1069, 1074, 1093, 1101–1106, 1108, 1540, 1542, and 2851 of the Senate amendment, and modifications committed to conference: Representatives Waxman, Towns, and Davis (VA). **Pages H14182–83**

From the Committee on Science and Technology, for consideration of secs. 846, 1085, and 1088 of the Senate amendment, and modifications committed to conference: Representatives Gordon (TN), Giffords, and Ehlers. **Page H14183**

From the Committee on Small Business, for consideration of secs. 828, 1085, 1088, 4001, 4002, 4101–4103, 4201–4203, and 4301–4305 of the Senate amendment, and modifications committed to conference: Representatives Velázquez, Altmire, and Chabot. **Page H14183**

From the Committee on Transportation and Infrastructure, for consideration of secs. 523 and 1048 of the House bill, and secs. 311–313, 353, 1070, 2853, 2855, 2863, 5101, 5202, and 5208 of the Senate amendment, and modifications committed to conference: Representatives Oberstar, Costello, and Graves. **Page H14183**

From the Committee on Veterans' Affairs, for consideration of secs. 525, 1421, 1433, and 1453 of the House bill, and secs. 701, 710, 1084, 1611, 1612, 1621, 1626, 1634, 1641, 1654, 1662, and 1702–1712 of the Senate amendment, and modifications committed to conference: Representatives Filner, Michaud, and Buyer. **Page H14183**

From the Committee on Ways and Means, for consideration of sec. 536 of the Senate amendment, and modifications committed to conference: Representatives Rangel, Stark, and Camp (MI). **Page H14183**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, December 4th:

Recognizing 200 years of research, service to the people of the United States, and stewardship of the marine environment by the National Oceanic and Atmospheric Administration and its predecessor agencies: H. Con. Res. 147, to recognize 200 years of research, service to the people of the United States, and stewardship of the marine environment by the National Oceanic and Atmospheric Administration and its predecessor agencies, by a 2/3 yea-and-nay vote of 414 yeas with none voting "nay", Roll No. 1129 and **Page H14171**

North Bay Water Reuse Program Act of 2007: H.R. 236, amended, to authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration, by a 2/3 yea-and-nay vote of 358 yeas to 55 nays, Roll No. 1130. **Page H14172**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Including all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions: H.R. 3526, amended, to include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions; **Pages H14172–74**

Preserving and Expanding Minority Depository Institutions Act: H.R. 4043, amended, to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to preserve and expand minority depository institutions; **Pages H14174–76**

Section 202 Supportive Housing for the Elderly Act of 2007: H.R. 2930, amended, to amend section 202 of the Housing Act of 1959 to improve the program under such section for supportive housing for the elderly; **Pages H14176–80**

Commending the National Renewable Energy Laboratory for its work of promoting energy efficiency for 30 years: H. Con. Res. 251, to commend the National Renewable Energy Laboratory for its work of promoting energy efficiency for 30 years; **Pages H14183–84**

Amending the Higher Education Act of 1965 to make technical corrections: S. 2371, amended, to

amend the Higher Education Act of 1965 to make technical corrections; **Pages H14184–85**

Protecting Our Children Comes First Act of 2007: H.R. 2517, amended, to amend the Missing Children Assistance Act to authorize appropriations, by a ⅔ yea-and-nay vote of 408 yeas to 3 nays, Roll No. 1132; **Pages H14185–90, S14225–26**

Securing Adolescents From Exploitation—Online Act of 2007: H.R. 3791, amended, to modernize and expand the reporting requirements relating to child pornography and to expand cooperation in combating child pornography, by a ⅔ yea-and-nay vote of 409 yeas to 2 nays, Roll No. 1131; **Pages H14190–93, S14224–25**

Managing Arson Through Criminal History (MATCH) Act of 2007: H.R. 1759, amended, to establish guidelines and incentives for States to establish arsonist registries and to require the Attorney General to establish a national arsonist registry and notification program; **Pages H14193–98**

Expressing the sense of the House of Representatives that the hanging of nooses is a horrible act when used for the purpose of intimidation: H. Res. 826, to express the sense of the House of Representatives that the hanging of nooses is a horrible act when used for the purpose of intimidation and which under certain circumstances can be a criminal act that should be thoroughly investigated by Federal law enforcement authorities and that any criminal violations should be vigorously prosecuted; **Pages H14198–S14203**

Genocide Accountability Act of 2007: S. 888, to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances—clearing the measure for the President; **Pages H14203–07**

U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007: H.R. 3690, amended, to provide for the transfer of the Library of Congress police to the United States Capitol Police; **Pages H14207–11**

Providing for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution: S. J. Res. 8, to provide for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution—clearing the measure for the President; **Pages H14211–12**

Recognizing the 100th anniversary year of the founding of the Port of Los Angeles: H. Res. 822, amended, to recognize the 100th anniversary year of the founding of the Port of Los Angeles, by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 1133; and **Pages H14212–17, S14226**

Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 23, 2008: H.R. 4252, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 23, 2008. **Pages H14223–24**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Securities Law Technical Corrections Act of 2007: H.R. 3505, amended, to make various technical and clerical amendments to the Federal securities laws and **Pages H14180–82**

Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007: H.R. 4253, to improve and expand small business assistance programs for veterans of the armed forces and military reservists. **Pages H14218–23**

Privileged Resolution: The House agreed to H. Res. 836, granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives to the Committee on Education and Labor for purposes of its investigation into the deaths of 9 individuals that occurred at the Crandall Canyon Mine near Huntington, Utah. **Pages H14226–27**

Recess: The House recessed at 8:30 p.m. and reconvened at 11:52 p.m. **Page H14246**

Senate Message: Message received from the Senate today appears on page H14159.

Senate Referrals: S. 1327 and S. 863 were referred to the Committee on the Judiciary. **Page H14246**

Quorum Calls—Votes: Seven yea-and-nay votes developed during the proceedings of today and appear on pages H14170, H14170–71, H14171, H14172, H14224–25, H14225, and H14226. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:53 p.m.

Committee Meetings

PROVINCIAL RECONSTRUCTION TEAMS

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on Provincial Reconstruction Teams—Historical and Current Perspectives on Doctrine and Strategy. Testimony was

heard from BG Eric Olson, USA (Ret.), former Commander, Combined/Joint Task Force-76, former Director, National Coordination Team; and public witnesses.

U.S. ECONOMY AND THE FEDERAL BUDGET

Committee on the Budget: Held a hearing on the State of the U.S. Economy and Implications for the Federal Budget. Testimony was heard from Peter Orszag, Director, CBO; and public witnesses.

COMMITTEE RESOLUTION—PROVIDING FOR TAKING DEPOSITIONS

Committee on Education and Labor: Approved a motion adopting, as amended, a resolution to add a Rule 24 to the Rules of the Committee to Provide a Process for Taking Depositions.

OVERSIGHT—FCC: MEDIA OWNERSHIP

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled ''Oversight of the Federal Communications Commission: Media Ownership.'' Testimony was heard from the following officials of the FCC: Kevin J. Martin, Chairman; Michael J. Copps, Jonathan S. Adelstein, Deborah Taylor Tate and Robert M. McDowell, all Commissioners; and public witnesses.

LOW INCOME VETERANS' HOUSING

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled ''Affordable Housing Needs of America's Low Income Veterans.'' Testimony was heard from Mark Johnston, Deputy Assistant Secretary, Special Needs, Department of Housing and Urban Development; Peter H. Dougherty, Director, Homeless Veterans Programs, Department of Veterans Affairs; David Wood, Director, Financial Markets and Community Investment, GAO; and public witnesses.

MIDDLE EAST PEACE PROCESS—AFTER ANNAPOLIS

Committee on Foreign Affairs: Held a hearing on After Annapolis: Next Steps in the Middle East Peace Process. Testimony was heard from public witnesses.

REBUILDING FISHERIES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife and Oceans held an oversight hearing entitled ''Rebuilding Overfished Fisheries Under the Magnuson-Stevens Fishery Management Act.'' Testimony was heard from Representatives Frank of Massachusetts, Jones of North Carolina; and Bishop of New York; and public witnesses.

EXECUTIVE COMPENSATION CONSULTANTS

Committee on Oversight and Government Reform: Held a hearing on Executive Pay and the Role of Compensation Consultants. Testimony was heard from Meredith Miller, Assistant Treasurer, Policy, Office of Treasurer, Connecticut; and public witnesses.

PROVIDING FOR TAKING DEPOSITIONS—CRANDALL CANYON MINE INVESTIGATION

Committee on Rules: Ordered reported H. Res. 836, Granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives to the Committee on Education and Labor for purposes of its investigation into the deaths of 9 individuals that occurred at the Crandall Canyon Mine near Huntington, Utah. Testimony was heard from Chairman George Miller of California; Representative McKeon; and T.J. Halstead, Legislative Attorney, American Law Division, CRS, Library of Congress.

CREATING LONG-TERM ENERGY ALTERNATIVES FOR THE NATION ACT OF 2007

Committee on Rules: Granted, by a vote of 9 to 3, a rule which makes in order a motion by the Majority Leader to concur in the Senate amendments with the House amendments printed in the Rules Committee report. The rule waives all points of order against the motion except clause 10 of rule XXI. The rule provides that the Senate amendments and the motion shall be considered as read. The rule provides 1 hour of debate on the motion equally divided and controlled by the Majority Leader and the Minority Leader. The rule further provides that the Chair may postpone further consideration of the motion to a time designated by the Speaker. Testimony was heard by Representatives Blumenauer and Barton of Texas.

BRIEFING—IRAN

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Iran. The Committee was briefed by departmental witnesses.

Joint Meetings

INTELLIGENCE AUTHORIZATION ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2082, to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government,

the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 6, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings to examine the report of the Commission on Army Acquisition and Program Management in Expeditionary Operations entitled ''Urgent Reform Required: Army Expeditionary Contracting'', 2:30 p.m., SR–222.

Committee on Foreign Relations: Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection, to hold hearings to examine the United States foreign assistance to Pakistan, 2:30 p.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 344, to permit the televising of Supreme Court proceedings, S. 1638, to adjust the salaries of Federal justices and judges, S. 1829, to reauthorize programs under the Missing Children's Assistance Act, S. 431, to require convicted sex offenders to register online identifiers, S. 352, to provide for media coverage of Federal court proceedings, S. 2344, to create a competitive grant program to provide for age-appropriate Internet education for children, S. 2402, to provide for the substitution of the United States in certain civil actions, and the nominations of Ronald Jay Tenpas, of Maryland, to be an Assistant Attorney General, Gregory A. Brower, to be United States Attorney for the District of Nevada, Diane J. Humetewa, to be United States Attorney for the District of Arizona, and Edmund A. Booth, Jr., to be United States Attorney for the Southern District of Georgia, 10 a.m., SD–226.

House

Committee on Financial Services, hearing entitled ''Accelerating Loan Modifications, Improving Foreclosure Prevention and Enhancing Enforcement,'' 10 a.m., 2128 Rayburn.

Committee on House Administration, Subcommittee on Elections, oversight hearing on the Use of Robocalls in Federal Campaigns, 11 a.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on H.R. 3396, Sales Tax Fairness and Simplification Act, 10 a.m., 2237 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Promoting Inmate Rehabilitation and Successful Release Planning, 11 a.m., 2141 Rayburn.

Committee on Small Business, hearing to review legislation to improve the Regulatory Flexibility Act, 10 a.m., 2360 Rayburn.

Permanent Select Committee on Intelligence, Subcommittee on Intelligence Community Management, hearing on DNI's 500-Day Plan, 9:30 a.m., 2212 Rayburn.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Colombia, 2 p.m., H–405 Capitol.

Next Meeting of the SENATE

10:30 a.m., Thursday, December 6

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to proceed to consideration of H.R. 3996, Temporary Tax Relief Act, and after a period of debate, vote on the motion to invoke cloture thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, December 6

House Chamber

Program for Thursday: To be announced.

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