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House of Representatives

The House met at 10 a.m.

Bishop Earl J. Wright, Sr., Greater Miller Memorial Church of God in Christ, Warren, Michigan, offered the following prayer:

Almighty God, Who hath so lavishly blessed our land, keep us ever aware that the good things we enjoy come from Thee.

We recognize Thee as Lord of our Nation. We thank Thee for a beautiful and bountiful America, for its people of all classes, colors, and creeds.

We are grateful for workers in industry, for farmers, doctors, nurses, teachers, and ministers. We thank Thee for soldiers, sailors, and airmen, who guard and protect us day and night. We thank Thee for all forms and levels of government, local, State, and national, and most especially for this, our United States Congress. We now pray that Thou will give them courage and strength to provide honest government for our Nation, abundant provisions to meet our needs, love towards each other, and peace for one another.

Forgive us our sins and accept our gratitude through Jesus Christ our Lord. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WALBERG 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.

NOTICE

If the 110th Congress, 1st Session, adjourns sine die on or before December 21, 2007, a final issue of the *Congressional Record* for the 110th Congress, 1st Session, will be published on Friday, December 28, 2007, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 27. The final issue will be dated Friday, December 28, 2007, and will be delivered on Wednesday, January 2, 2008.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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By order of the Joint Committee on Printing.

ROBERT A. BRADY, *Chairman.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

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

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MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 365. An act to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 793. An act to provide for the expansion and improvement of traumatic brain injury programs.

WELCOMING BISHOP EARL J. WRIGHT, SR.

The SPEAKER. Without objection, the gentleman from Michigan (Mr. CONYERS) is recognized for 1 minute.

There was no objection.

Mr. CONYERS. Thank you, Madam Speaker.

It is with great pleasure that I introduce Bishop Earl J. Wright, Sr. as the guest chaplain for the day. The bishop is very well known in Detroit, and we have known each other since the 1950s, even before Coleman Young became the first African American mayor of our great city.

He has a number of responsibilities, but the one that I enjoy bringing to the membership's attention is that he is a founding and supporting pastor of Miller Memorial Church of God in Christ Number 2, located in Haiti. And, of course, we are honored to have his lovely and gracious wife, Dr. Robin L. Wright, who is the senior supervisor of the Church of God in Christ's Japanese Jurisdiction. In addition to being an evangelist, she is also a writer and a great help to the bishop.

We have known each other across the years, and I remember coming to him the first time I ran for Congress, and with the late Bishop Bailey, I was able to prevail in my very first election.

The bishop has shown himself as a true disciple of Christ, relying heavily on his favorite scripture, Romans 4:21: ''And being fully persuaded that, what he had promised, he was able also to perform.'' He exemplifies service to his fellow man, allowing his words to always bring grace to the hearer. He constantly speaks words of hope, spreading the good news to all. He practices evangelism that reflects Christ-like compassion to reach the world with the gospel.

Bishop Earl Wright, Sr. is a wonderful man of God, and I'm happy to know him and to welcome him to the floor of the House of Representatives today as guest chaplain.

ANNOUNCEMENT BY THE SPEAKER

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

DOD AUTHORIZATION CONFERENCE REPORT AND ITS SUPPORT OF OUR WARFIGHTERS

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

Mr. WALZ of Minnesota. Madam Speaker, today the House will consider one of the most important pieces of legislation that we have worked on this year: the Defense authorization conference report. It includes provisions to restore our Nation's military readiness as well as protecting our troops.

This critical bill restores our military readiness by authorizing $1 billion for the Strategic Readiness Fund that will require an in-depth status of our forces, especially our National Guard, and requires a plan to reconstitute that force.

This legislation offers assistance to our most precious and important resource: our warriors and their families who sacrifice so much. It provides a 3.5 percent pay increase for servicemembers and prohibits increased health care fees while improving the health care system. The bill addresses the growing needs of our troops that require care in traumatic brain injury, post-traumatic stress disorder, other mental health conditions, tuition assistance programs, and also authorizes a unique program that was started in my State of Minnesota called Beyond the Yellow Ribbon to reintegrate our forces back to civilian life.

Madam Speaker, I am proud that this Congress will pass legislation this week to provide our troops with the resources and health care benefits they deserve and protect our Nation's readiness.

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 73. That is 73 days since the start of the new fiscal year. Our veterans still do not have access to the increased funding provided in a bill that passed the House and Senate months ago and the President is waiting to sign.

This bill includes increased funding to improve access to medical services for all veterans, new initiatives for mental health and PTSD, increased funds for improved medical facilities, and increased funding to assist homeless veterans, to name a few.

The Democrats have refused to move the bill forward while our veterans have been operating on an extended shoestring budget since October 1, and 2 days from now the current budget will expire.

If the Democrats are acting in good faith and in the best interest of our Nation's veterans, why have they continued to delay this bill, and why do they now intend to use our veterans to pass an end-of-the-year omnibus spending package?

The veterans bill could be passed and sent to the President and signed today. I am calling on the Speaker to move the bill forward, and I call on all Americans to contact their Representatives to tell the Democratic leadership to send a clean veterans appropriations bill to the President now.

THE STUDENTS OF NORTHPORT HIGH SCHOOL: TEACHING US ABOUT INVESTING IN THE RIGHT PRIORITIES

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

Mr. ISRAEL. Madam Speaker, in the closing days of this session, we are going to debate our key priorities, whether we should invest more in researching illness and disease or whether we should cut funding.

I hope we will learn the lessons about the right priorities from a group of high school students in my congressional district at Northport High School. Two of their teachers, Mr. Pendergast and Mr. Deutsch, were afflicted by ALS, Lou Gehrig's disease. ALS strips people of their ability to speak, to swallow, to walk, and in many cases to breathe independently.

Now, these students could have ignored their plight. These students could have said we have other priorities. These students could have said it's not my problem, not our problem. Here's what they did: They raised over $400,000 on their own for ALS research and advocacy. They didn't just turn away from this problem; they became part of the solution. On January 16 they are going to gather at their Midwinter Night's Dream and raise even more money.

These students have become our teachers. I hope that we will learn their lessons about investing in the right priorities, about caring and showing compassion for those who need help. They have taught us a critical lesson, and I hope that we will listen carefully to the students of Northport High School.

FUNDING OUR TROOPS

(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, the Pentagon said last week that layoff notices for Army employees could start going out the middle of this month.

''Merry Christmas, here's your pink slip'' may sound like a harsh way to greet an employee this time of year, but that is what the Defense Department will be forced to do with civilian employees and contractors in the run-up to Christmas.

Because congressional leaders refuse to negotiate with the President to fund our troops in the field, the Department of Defense has been forced to cut spending in other areas in order to pay the bills for continued operations in Iraq and Afghanistan. Even as our troops have made major security gains in Iraq, the Democrat majority wishes to pull the plug by cutting the funding to support their mission.

I believe we're sending exactly the wrong message to the men and women who serve in our Armed Forces: not funding our troops. Each day that goes by without such a bill is a failure of the leadership of this dysfunctional Congress.

□ 1015

DEMOCRATIC ACCOMPLISHMENTS

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

Mr. COSTA. Madam Speaker, when the Democratic Congress was elected last November, we pledged to enact measures to protect and support our military troops and veterans. Since taking office, we have honored that promise by passing important legislation.

This year, the House has passed the largest increase for veterans health care in the history of the Veterans Administration, has made major improvements in equipment and training, including protecting the mine resistant ambush protected vehicles that reduce the strain on our servicemen and women and protect them in Iraq and Afghanistan.

Today, we continue that commitment by passing the Defense authorization conference report, which includes a much-needed 3.5 percent pay increase for our troops, improves military health care, and requires a report on the current state of readiness for our forces, which are stretched very thin.

Madam Speaker, this Congress has a proud record this year of supporting our troops and veterans. I hope all of our colleagues will join in continuing these efforts by supporting the Department of Defense authorization conference report.

On Veterans Day and Memorial Day, we honor those who have served and given their lives. This vote today honors those who serve us every day. I urge the President to sign this legislation once it has passed the Congress.

AMERICAN FAMILIES NEED REAL LEADERSHIP FROM CONGRESS, NOT MORE POLITICS

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

Mr. BOUSTANY. This week, the Democratic leadership will unveil a half-trillion-dollar spending bill because they are unable to complete their constitutional responsibility. This half-trillion-dollar spending bill follows a failed energy bill that did nothing to increase our domestic supply of energy and failure to come up with a new farm bill.

Families across America are paying higher energy costs, they're bearing the burden of higher costs of living, and they are paying more for their health care. We in Congress have a responsibility to them. Furthermore, the Treasury Department waits now to see if Democrats will tax millions of Americans with the AMT, with their so-called AMT fix.

The American people want results, not politics. Let's finish the farm bill to provide some stability to our food producers and an energy bill to address the uncertainty and fluctuating prices.

Finally, let's be diligent with Americans' hard-earned money with responsible spending. Let's put politics aside, let's get our work done, and let's give American families the results which they can be proud of.

U.S. MINT COMMEMORATIVE COINS

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

Mr. SNYDER. Madam Speaker, proclamations and commemorations are a wonderful part of the job that we are honored to have. Elevation of certain historic events so that they are remembered and respected, particularly by our young people, is so important.

No one in Arkansas is unaware of the significance of the desegregation of Little Rock Central High School in 1957. No one in America should be unaware of the courage of the Little Rock Nine. That courage is celebrated in one of the two commemorative coins that are part of the U.S. Mint collection this year.

Now, I come here this morning to let you know if you don't have your order in by December 14, which is the end of this week, you won't be able to order the coins from usmint.gov, or call 1–800–USA MINT. For you folks on the Hill, the Mint is having their annual Holiday Hill coin sale in Rayburn 2220, where you can buy this coin, and also the wonderful coin sponsored by the late Representative Jo Ann Davis honoring the 400th anniversary of Jamestown. Usmint.gov, and you, too, can send these as great holiday gifts.

CONGRESS, LET'S GET TO WORK

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

Mr. WALBERG. Madam Speaker, growing up, my mother taught me that two wrongs don't make a right. For months, Congress has failed to meet its budget deadlines, and now House leadership is trying to make up for the inefficiency with a massive pork-filled spending bill to fund our Federal Government. This is inside-the-beltway political gamesmanship.

Americans want change, and I came to Washington to fight the status quo. House leadership is essentially blackmailing the American people by saying it will only support our troops and veterans if its budget-busting, deficit-spending initiatives are funded. With high gas prices, rising health care costs and economic insecurity, the last thing Michigan families need is more out-of-control government spending. People back home in Michigan know higher spending equals higher taxes, which is the last thing our hardworking families need.

Let's get to work, give our troops fighting the war on terror the resources they need, support our veterans, and show true fiscal restraint with taxpayer dollars by keeping spending in check.

ENERGY INDEPENDENCE AND SECURITY ACT

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

Mr. SIRES. Madam Speaker, last week, congressional Republicans refused to join us in supporting energy legislation that will provide real relief to the American consumers. Instead, Republicans once again showed that they have no problems doing the bidding of both Big Oil and the utility companies.

For too long, Washington has dragged its feet, denying that there was actually an energy problem. This new Democratic Congress is taking our Nation in a new direction. Our energy security plan is about producing more clean and renewable sources of energy right here in the United States. Over the next 10 years, this bill will create 10 million new green jobs by investing in renewable energy, with tax incentives for solar, wind, biomass, and geothermal technology. This investment will not only be good for our economy, but it will also help reduce our dependence on foreign oil and will allow us to finally address global warming.

Madam Speaker, this House has acted. Now it's time for the Senate and the White House to acknowledge our energy problems and join us in supporting this important legislation.

EARMARKS

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

Mr. FLAKE. Madam Speaker, at some point this week, Congress is going to consider a massive omnibus spending bill that rolls the 11 remaining appropriation bills into one enormous bill.

I wish I could take the floor today and talk about what's in the floor bill, but I can't, because I have no idea. I'm far from alone. Save for a few Members of leadership, all of us are in the dark

about what could be in this massive bill that we're going to be voting on in just a matter of hours. With the likelihood of thousands and thousands of earmarks in the bill, our constituents deserve a process that, at the very least, Members have an opportunity to read the bill before we vote on it.

Now, the majority argues that such tactics are no more egregious than those that Republicans employed during our years in the majority. That may be true, but I would remind my colleagues that that's one of the reasons we find ourselves in the minority today. This institution deserves far better.

SUBPRIME MORTGAGE FORECLOSURE CRISIS

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to express concern about the ongoing subprime mortgage foreclosure crisis and the administration's ''plan'' to address the crisis.

The administration proposed a 5-year interest rate freeze, something that should have angered the investor community. I should know; before I came to Congress, I was an investment advisor. But the investor community was not upset. We ask, why? Well, the reason why is that the voluntary rate freeze will only apply to a small number of the subprime loans that are in danger of default and foreclosure. The Center for Responsible Lending estimates that the administration's plan will affect 7 percent of subprime borrowers.

This plan is based on the unrealistic belief that the subprime market failure will cure itself. Real leadership is needed to help homeowners and the United States economy. The President needs to show support for the House-passed legislation that provides additional options for borrowers in distress and strengthens the regulation of the mortgage lending practices.

MURDER IN THE NAME OF RELIGION—CANADA

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

Mr. POE. Madam Speaker, freedom of expression is under attack in our neighbors to the north, Canada. Yesterday, a 16-year-old girl was strangled to death by her father in Toronto, Canada. The reason for the homicide? The girl refused to wear the traditional Muslim head scarf, the hijab.

Her school friends said that she wanted to be more ''western,'' but her devout Muslim father wouldn't have it. But she would remove her scarf at school and change into western clothes. School officials said that she was an energetic and popular student, but she lived in fear of her father. Her father has been charged now with murder, and her older brother has been charged with accessory to the crime.

This is yet another example of religion gone wrong. In a society that values freedom and tolerance, this kind of behavior in the name of religion is unacceptable. Her father needs to be prosecuted and sent to prison. His actions are not acceptable in our culture. No one has the natural right to murder their children in the name of religion.

And that's just the way it is.

NATURALIZATION APPLICATION BACKLOG

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

Ms. SOLIS. Madam Speaker, today I rise to discuss the naturalization application backlog at the United States Citizenship and Immigration Services Agency, known as USCIS.

In July 2007, the Bush administration raised the naturalization fee application by 66 percent, from $400 to $675. The fee increase was meant to improve the process of these applications. Yet, recent reports state that the USCIS is months behind in scheduling, so they aren't even beginning to process these applications.

The Department of Homeland Security estimates it will take 16 to 18 months to process these applications that have been filed by June 1, 2007. These delays are going to hinder hundreds of thousands of people from exercising their vote to be a part of history, the Presidential elections that are coming up in November. How abysmal this is for us to give that information to so many people who are playing by the rules, who are waiting in line to become U.S. citizens. These are people from across the world waiting in line. We have to do something. I urge my colleagues to step up to the plate.

ALTERNATIVE MINIMUM TAX IS A LUMP OF COAL

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

Mrs. BACHMANN. Madam Speaker, 'tis the season to be jolly for Americans, unless, of course, you happen to be a tax planner or a taxpayer wondering if your finances are going to throw you into a sea of confusion when you file your tax return in April of 2008. Under the current tax filing mess, because the majority has failed to repeal the alternative minimum tax, the average tax increase for tens of millions of Americans will increase by over $2,000.

Children hope for candy or presents in their stocking and not a lump of coal. But since 1969, the alternative minimum tax has represented a lump of coal for millions of Americans. We should do right by the American people, Madam Speaker, and put an end to the alternative minimum tax once and for all. That's a Christmas present every American can use.

LET'S DO GOD'S WORK ON EARTH

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

Mr. COHEN. Madam Speaker, last night I voted with a great majority in this House and every one but one Republican on a resolution to recognize the benefits and honor of Christmas and the Christian religion. I read that resolution and agree that Christianity is a great religion, a lot to be learned from it, and the teachings of Jesus are wonderful.

I would ask my colleagues on the Republican side who voted for this, the Members of the Senate, and the President to remember those teachings and do God's work here on Earth: ''There but for the grace of God go I,'' and ''Do unto others as you would have them do unto you.''

The President is supposed to be vetoing the CHIP bill today which would give health care to children. That's not in the spirit of St. Nick or, I believe, in the tradition of the Christian religion or the Judeo-Christian religions. Nor is it in that same spirit that we would take away from people that need help with college education, with health care, and with research for diseases, and for responsible fiscal policies and for taking care of God's Earth.

I would ask that we not just pass resolutions in name, but in spirit, and we honor the great religions and do God's work on Earth.

MILITARY FAMILIES ARE TURNING AGAINST THE PRESIDENT'S WAR—IT'S TIME FOR A CHANGE

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

Ms. SHEA-PORTER. Madam Speaker, over the last 6 years, more than 1.6 million American troops have been deployed to either Iraq or Afghanistan to implement the Bush administration's military strategy. These troops and their families have really sacrificed, and now the majority of these families believe that the war in Iraq was not worth fighting.

The President won't listen to the generals. Perhaps he will listen to the military families. According to a new poll from the LA Times, nearly six out of 10 military families disapprove of the way the President is running the war in Iraq; 58 percent of military families, in general, think we should withdraw within a year, and 69 percent of those who have been in Iraq, their families would like to begin withdrawal within the year.

These findings come just days after the Pentagon announced a temporary tour of duty extension for all active

duty soldiers that will keep them deployed for 15 months rather than 12.

Madam Speaker, our troops and their families deserve much better than this. Let's ask the President to listen to the generals and listen to the military families.

□ 1030

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Ms. CASTOR. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 860 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 860

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany 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. All points of order against the conference report and against its consideration are waived.

SEC. 2. The House being in possession of the official papers, the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 3093 shall be, and they are hereby, discharged to the end that H.R. 3093 and its accompanying papers, be, and they are hereby, laid on the table.

The SPEAKER pro tempore (Ms. DEGETTE). The gentlewoman from Florida is recognized for 1 hour.

Ms. CASTOR. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend and colleague from Washington on the Rules Committee, Mr. HASTINGS. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

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

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

There was no objection.

Ms. CASTOR. I yield myself such time as I may consume.

Madam Speaker, House Resolution 860 provides for consideration of the conference report to accompany H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, under the standard conference report rule.

Madam Speaker, today the Congress will promote a stronger and safer America by approving the National Defense Authorization conference report and this rule. As a member of the House Armed Services Committee, which is chaired by the distinguished gentleman from Missouri (Mr. SKELTON), I am pleased to report that the committee has worked in a bipartisan manner to ensure that our brave men and women in uniform have the tools they need to keep America safe and strong.

Our military personnel and their families have sacrificed so much in past years and continue to do so. In recognition of their service, this Congress is proud to make important improvements in military pay and benefits. We have raised the pay of our brave men and women in uniform beyond the levels set originally by the President. And when our brave men and women in combat are injured in the line of duty, they deserve top quality medical care. The Walter Reed scandal drew back the curtain on some of the challenges that the military community faces when it comes to serving our brave men and women when they return from the battlefield. Unfortunately, the military health care system was not providing consistent, excellent care for our wounded soldiers. So, Madam Speaker, one of the highlights of this bill are our efforts to improve assistance to wounded warriors. These provisions have been worked on throughout the year in a bipartisan way to improve the health care for our wounded servicemembers because they deserve nothing but the best.

We move beyond the ''support our troops'' rhetoric and enact substantive improvements that will restore confidence in the quality of care that our brave men and women in uniform deserve when they return from the battlefield. This includes assistance to their very supportive families, because supporting our troops does not simply mean that you salute and send them off to war and then ask them to serve and sacrifice for our great country, but supporting our troops means that we continue to support them when they return home.

This bill improves the screening for traumatic brain injury and post-traumatic stress disorder. I am very proud to recognize the efforts of my hometown VA Medical Center, the James A. Haley Medical Center, which is home to one of the four polytrauma centers in the country where we have so many dedicated doctors, nurses and psychologists and folks in physical therapy. They are so dedicated to these brave men and women that come home with the worst injuries. But we have got to do more. And that is contained in this bill.

This bill also mandates that the Secretaries of Defense and Veterans Affairs establish a standard for rating servicemembers' disabilities that takes into consideration all of their medical conditions.

An important part of improving the health care and mental health care for our wounded warriors is tackling the bureaucracy that has blocked their access to health care. So we require expedited action, provide medical advocates, improve support services for families, elevate the care for traumatic brain injuries and aid the polytrauma centers in VA hospitals across the country that are serving the most critically wounded troops.

This bill also blocks an increase that was proposed by the White House to health insurance premiums for military families and troops under the TRICARE system. It is inexplicable how the White House could propose health insurance premium increases at a time when we are asking so much of our brave American men and women in uniform. So, proudly, the Congress, in a bipartisan way, blocks these health insurance premium increases.

Madam Speaker, we know that because of the multiyear, sometimes seemingly unending war in Iraq, that the readiness, the military readiness of our country has suffered over the years. Well, this bill restores the readiness of our Armed Forces, including equipment repair, so that our soldiers go to battle with the most up-to-date equipment available. In terms of readiness, we have authorized moneys for a new Strategic Readiness Fund and to address equipment deficiencies. We have all heard stories of soldiers, especially the folks in our National Guard and Reserves, who are having problems with equipment shortages and even receiving the necessary training that they need before heading off to war. In some cases, the National Guard has been unable to help in the traditional disaster response roles in their local communities due to this problem. Well, this bill tackles that so we can improve the readiness of the National Guard and Reserves so they can do their jobs safely, efficiently and effectively.

Madam Speaker, this bill also calls for greater accountability over the waste and fraud in Iraq that has been all too prevalent under this administration. This includes the troubles we have had with various contractors. As we see from the fallout of the Blackwater contracting debacles, there has been so much waste and fraud in contracting in Iraq and under this White House that we are not going to put up with it any longer. This bill substantially improves oversight of the multibillion-dollar and sometimes sole-source contracts that have been approved during this war in Iraq.

The Armed Services Committee, under Chairman SKELTON's leadership, also requires additional accountability measures for Afghanistan, including a new Inspector General for Afghanistan reconstruction, as we cannot sanction the waste and fraud that has accompanied the administration's Iraq reconstruction.

Madam Speaker, many believe that because of the White House's preoccupation in Iraq that that preoccupation has shortchanged the focus in Afghanistan where the Taliban allowed al Qaeda to flourish some years ago. And, after all, the ungoverned and dangerous tribal areas of Pakistan are just south of the Afghan border. Indeed,

just yesterday, listening to the Defense Secretary and the Chairman of the Joint Chiefs of Staff in the Armed Services Committee, it became apparent that we are not able to do as much as we would like to do in Afghanistan because of the resources that have been overwhelmingly devoted to Iraq. Well, in this bill, we direct more attention to operations in Afghanistan in addition to an Inspector General that will oversee reconstruction efforts. This bill contains a long-term plan to improve stability in Afghanistan.

Madam Speaker, many of the unsung heroes of our Armed Forces whose missions you never hear about are the brave men and women in America's special forces. I am very proud that the headquarters of Special Operations Command is located in my hometown of Tampa, Florida, at MacDill Air Force Base. This defense bill under Democratic leadership not only fully funds our special forces but goes beyond the Bush administration's budget request for these brave men and women, including a number of needs that were not proposed to be funded by the White House at all. Our commitment to special forces recognizes that we cannot rely overwhelmingly any longer on conventional forces in defense of our country. We have got to be smarter. We have got to be more strategic. And this bill authorizes the increases in special forces and also a new emphasis on more strategic action.

Oftentimes, to win a struggle, it is more strategic and smarter not to go in with guns blazing but instead to work with folks on the ground to prevent any terrorist inclinations from ever developing. This bill does that. We will invest additional resources to improve education and analytical intelligence surveillance. We harness the science and technology innovation in this great country by investing in information technology and other technologies to make sure that our troops on the ground have the best technology available across the globe.

Madam Speaker, this Defense authorization bill and this rule charts a new direction for true readiness, accountability and more strategic investments to protect our national security. It improves the health care needs for our wounded warriors and does a better job of helping our families work through the unending maze of benefits and paperwork that come from caring for an injured soldier.

I urge full, bipartisan support.

Madam Speaker, I reserve the balance of my time.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, this rule allows for the consideration of the conference report to accompany the National Defense Authorization Act for Fiscal Year 2008. This conference report is largely bipartisan, as it should be, and is an example of what Democrats and Republicans can accomplish when working together.

This conference report contains important authorizations for increases in force protection and retains provisions of the overdue Wounded Warrior Assistance Act. By passing these provisions, we will help provide the tools needed to protect our men and women currently deployed in the global war on terror. We will be setting up the improvements needed to ensure excellence in our military and veterans care system.

There are also provisions in this conference report that are important to those that I represent in central Washington.

This conference report authorizes $29 million for the Yakima Training Center. This funding will be used to increase the size of the Army's training space, allow for urban operation training, and support the digital systems used by today's Stryker forces. This new range is expected to be completed in August of 2009 and will provide critical training for our active duty and Reserve Army soldiers.

In addition, I am pleased that this conference report extends the operation of the Ombudsman for the Energy Employees Occupation Illness Compensation Program Act. The Ombudsman's office plays an important role in assisting workers at Hanford and other sites seeking illness compensation that they are due. I might add, Madam Speaker, this issue goes way back to the Second World War when we were involved, obviously, in atomic power. Hanford, which is in my district and a county adjacent to my district, played an important part of that and those workers that worked at those sites in many cases gave the ultimate sacrifice as our men and women overseas did, but in a kind of different setting. This compensation program, I think, is very important for those that worked at the Hanford site and other sites during the Second World War.

Madam Speaker, again, I would like to stress that this conference report was achieved in a bipartisan manner, and I hope to see more bipartisan conference reports brought to the floor as Congress wraps up its business in this first session of the 110th Congress.

As the first session of the 110th Congress comes to a close, I am disappointed that Democrat leaders are still intent on micromanaging the war on terror by blocking the funding requested for all our troops on the battlefield. At a time when both Democrats and Republicans are seeing recent progress in the war on terror, this approach, frankly, Madam Speaker, strikes me as unnecessary, divisive and dangerous.

If a supplemental spending bill is not signed into law soon, some Army civilian employees may get layoff notices before the Christmas holidays, and if this funding continues to be delayed, Department of Defense officials have reported that it could affect as many as 200,000 civilian employees and contractors.

Madam Speaker, I am also concerned that Democrat leaders continue to use delaying tactics to block a vote on a final bipartisan bill to fund veterans services.

□ 1045

This inaction is causing our veterans to lose critical funding each and every day. As I have done in the past, Madam Speaker, I will later be asking my colleagues to defeat the previous question in order to appoint conferees and quickly approve a veterans funding conference report that, again, has strong bipartisan support and which is long overdue.

With that, Madam Speaker, I reserve my time.

Ms. CASTOR. Madam Speaker, I am very pleased to yield 3 minutes to the distinguished chairman of the Armed Services Committee, the gentleman from Missouri, Mr. SKELTON, and congratulate him on his outstanding leadership in shepherding this bipartisan bill through the Congress.

Mr. SKELTON. Madam Speaker, I thank the gentlewoman for yielding to me.

Of course, I rise in support of the rule for this conference report, the National Defense Authorization Act. I will speak more at length on this issue later today after we have the privilege of passing the rule on this floor. But, I must say, Madam Speaker, that in my years of being here in the Congress, this is the most comprehensive, well thought-out and studied authorization bill that we have had. It's excellent for the troops, it's excellent for the families, and their health care. It makes great strides in the area of readiness.

I just feel like bragging on all the members of the House Armed Services Committee on both sides of the aisle. Of course, it couldn't be done without the crackerjack staff that we have, and we are just absolutely blessed with the dedicated staff that we have, Erin Conaton, who's the staff director. We owe all of the members of the staff our great appreciation.

This has been months of hard work. We have a proud tradition in the Armed Services Committee as being bipartisan. It helps with the problems of readiness, including equipment, training and people. It gives an across-the-board 3.5 percent pay raise, protects them from escalating fees for health care. It includes over 100 measures, large and small, for quality of life. We combined the best elements of the Wounded Warrior Act that was passed here in the House by 426–0, as well as a companion bill that passed the Senate.

We have many parts of this bill that are new, which will help us in the area of national security all the more. I

will, at length, discuss them when we take the bill up at a later moment today.

Madam Speaker, I rise in support of the rule on the conference report for H.R. 1585, the National Defense Authorization Act for fiscal year 2008. I will speak at more length about this bill later today.

This legislation represents the outcome of months of hard work by the House Armed Services Committee and our colleagues in the other body. It is a good bill and it is a bipartisan bill in the proud tradition of the Armed Services Committee. It is good for our troops and their families. It will help improve the readiness of our Armed Forces, who face dire problems with all elements of readiness including equipment, training, and people. And it will bring significant new oversight to the Department of Defense in areas where oversight is sorely needed.

Let me just mention a few high points.

H.R. 1585 includes a 3.5 percent across-the-board pay raise for the troops, protects them from escalating fees for health care, and includes well over 100 other measures, both large and small, to improve their quality of life. Just as important, it upholds the debt of honor the nation owes to its injured and fallen veterans, by combining the best elements of the Wounded Warrior Act which passed the House 426–0, and a companion bill which passed the Senate.

To address the readiness crisis, it establishes a new, high level board of military officers, the Defense Materiel Readiness Board, to grapple with the growing, dramatic shortfalls confronting the Armed Forces. The committee also made a special effort to authorize the most money possible for readiness accounts.

Critically, this bill will bring much needed oversight to the wars in Iraq and Afghanistan. It follows up on the bipartisan investigation of Iraqi Security Forces by the committee's reinstated Oversight & Investigations Subcommittee by increasing reporting relating to Iraqi Security Forces and requiring real accountability for weapons transferred to that nation. And it institutes, for the first time, regular progress reports to Congress on the war in Afghanistan, where our critical national interests remain deeply challenged by those who attacked us on September 11. The bill also creates a new Special Inspector General for Afghanistan Reconstruction.

Finally, this bill takes significant strides to ensure that the Department of Defense is able to posture itself to address new threats. The bill includes $17.6 billion for mine resistant ambush protected (MRAP) vehicles to protect our troops in Iraq and in future conflicts. It increases funding for shipbuilding by almost a billion dollars. The bill also adds 8 C–17s to help meet the demands for global power projection in today's world.

In closing, I ask my colleagues to support this rule and to support the conference report when we consider it later today.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 7 minutes to the gentleman from Georgia, Dr. GINGREY, who's a member of the Armed Services Committee and former member of the Rules Committee.

Mr. GINGREY. Madam Speaker, I rise in strong support of this rule and the conference report for Fiscal Year 2008 National Defense Authorization Act, and I would certainly like to commend Chairman SKELTON, Ranking Member HUNTER for standing strong throughout conference negotiations and representing us so well during these proceedings.

Madam Speaker, I think it proves, as my colleague from Washington just stated, Mr. HASTINGS, that we can, when we put our heads together and have that cooperative spirit, we can do things in a bipartisan manner, and I commend Chairman SKELTON and his excellent staff for making that happen. Certainly, I want to thank Subcommittee Chairman NEIL ABERCROMBIE, as well as Ranking Member JIM SAXTON, as well as all the conferees for the hard work in getting this legislation before the floor. The staff of the Armed Services Committee, as I say, deserves our thanks for their tireless efforts in support of our soldiers, sailors, airmen and marines who are bravely defending us both at home and abroad.

Madam Speaker, as we move toward adjournment, it's essential that we pass this legislation, which covers an extensive range of issues that are so vitally important to our Armed Services. From a 3.5 percent across-the-board pay raise to an additional $17.6 billion for MRAP vehicles, mine resistant ambush protected vehicles, this legislation addresses the most pressing needs of our troops during a most trying time for America. I am further pleased that the bill provides for an increase of 13,000 Army and 9,000 Marine personnel, active duty personnel, and at a time when our Guard and Reserve forces have been so heavily utilized, it appropriately includes Guard empowerment provisions.

Madam Speaker, although I do remain concerned about the overall underfunding of missile defense and the lack of full funding for our European missile defense site, I am thankful that the conferees significantly restored funds for certain critical missile defense programs. I am also proud, as my colleague from Washington State made note, that the Wounded Warrior legislation is included in this conference report, which will help our injured heroes as they face challenges encountered on their long road to recovery.

Additionally, the legislation authorizes $189.4 billion in supplemental funding to support current operations in the global war on terror, and it fittingly recognizes the dangers posed by a precipitous withdrawal from Iraq. By providing increased funding for force protection and for the repair and replacement of battle-worn equipment, this legislation authorizes the necessary supplemental funding to give our deployed soldiers the resources they need to continue taking the fight to the terrorists.

I am further very pleased with the work the committee has done this year to authorize funding of 20 F–22 Raptors, in line with the current multiyear contract. The F–22, Madam Speaker, is the world's most capable fighter, and these funds will go a long way towards providing stability for our forces and ensuring that America does maintain air dominance for the foreseeable future.

Madam Speaker, section 1257 of the conference report affirms the Western Hemisphere Institute for Security Cooperation, acronym WHINSEC, as an invaluable education and training facility which the Department of Defense should continue to utilize in order to promote security cooperation with Latin American countries. I proudly serve, along with my colleague on the House Armed Services Committee, Ms. SANCHEZ from California, we serve on the Board of Visitors for WHINSEC, and have for a number of years, Madam Speaker, and know how important that is, important for my colleagues to remember that WHINSEC may be the only medium we have to engage future military and political leaders of these Latin American countries. If we were not to engage with these nations in this way, the void created would be filled by countries with different values than our own regarding democracy and, yes, human rights, countries such as Venezuela and China, whose influence in the region is growing. Therefore, I am so proud that Congress stands behind WHINSEC.

Finally, Madam Speaker, I would like to take this opportunity to again recognize our fallen soldiers. A brave young man from my district who heroically gave his life for our country, Sergeant Paul Saylor from Bremen, Georgia, his remains were not able to be viewed for a final time upon being returned to his family 2 years ago.

Last year's authorization bill, H.R. 5122, included a provision which requires that all medical personnel be trained in remains preservation to ensure that these fallen heroes get the dignity and respect they deserve. This is the least that we can do for the families as they are grieving so much. I would like to thank my colleagues for following up on this measure by honoring my request for a report on this program in this year's bill, and I want to certainly take an opportunity to thank Paul's parents, Jamie and Patti Saylor, for their help in this regard.

Madam Speaker, there is much to be proud of in this bill. I again commend Chairman SKELTON and Ranking Member HUNTER for their efforts to keep this bill focused on the needs of the warfighter. In this spirit, I urge all my colleagues in these days ahead, let's abandon any defeatist rhetoric and any partisan bickering which only serves to demoralize our troops and, yes, to embolden the enemy. We must stand united in providing our troops every needed resource and send a strong message to these terrorists and our allies that the resolve of our great Nation is stronger than it has ever been.

Madam Speaker, I urge all Members to vote in favor of the rule and the conference report.

Ms. CASTOR. Madam Speaker, I yield 2 minutes to an outspoken advocate for our brave men and women in uniform, Mr. ALTMIRE from Pennsylvania.

Mr. ALTMIRE. Madam Speaker, I thank the gentlewoman from Florida, and I thank the chairman for his leadership, as well as Ranking Member HUNTER.

I wanted to talk specifically for a couple of minutes about two provisions that this bill includes that I introduced. One of them involves a bill, H.R. 1944, dealing with traumatic brain injury, which is the signature injury of the war in Afghanistan and Iraq.

What this legislation that we are voting on today says is that the Department of Veterans Affairs will treat traumatic brain injury and do screenings and treatments in a way that is much more put together than has been done in the past. It is going to create a national registry, it is going to create a long-term system for traumatic brain injury screening and treatment, and it is going to create a coordinated network throughout the Nation that is going to help our brave men and women that are affected by TBI.

Secondly, I also introduced an amendment during consideration of this bill dealing with family and medical leave. What this legislation does is allow family members of our brave men and women serving in the Guard and Reserve to use Family and Medical Leave Act time to see off, to see the deployment, or to see the members return when they come back, and to use that, importantly, to deal with economic issues and get the household economics in order.

This bill is going to dramatically impact people's lives, and I am proud to have played a very small part in it. But I do want to thank the chairman and the ranking member for their leadership.

Madam Speaker, I also thank the gentlewoman from Florida for allowing me the time to speak today.

Mr. HASTINGS of Washington. Madam Speaker, understanding that the gentlewoman is prepared to close, I yield myself the balance of my time.

Madam Speaker, I must ask once again my colleagues to vote ''no'' on the previous question so that I can amend the rule to allow the House to immediately act to go to conference with the Senate on H.R. 2642, the Military Construction and Veterans Affairs funding bill, and to appoint conferees.

Madam Speaker, I am disappointed that a final veterans funding bill is sitting waiting to be acted on and that the Democrat leaders have bent over backwards to prevent this Congress in this session from passing the final bill. Democrat leaders in the House have refused to name conferees, and instead have chosen to put partisanship and politics ahead of ensuring our veterans' needs are met. They have been stalling since September and have ignored the fact that the new spending bill began October 1 of this year, nearly over 2 months ago.

Since the beginning of the new spending year, our Nation's 8 million veterans have been waiting for their $37 billion in promised veterans benefits. Sadly, each day Democrat leaders choose not to act and move final funding forward, our Nation's veterans lose $18.5 million. Since the fiscal year began 73 days ago, our Nation's veterans are out $1.35 billion.

What is even more disappointing is that this bill has almost unanimous support, unanimous support, from Republicans and Democrats; yet we are not being allowed to pass it into law, and we are getting to the waning days of this session. Meanwhile, our Nation's veterans, who have sacrificed so much on behalf of our country, are left paying the price.

□ 1100

It is time, Madam Speaker, like in the underlying bill that this rule makes in order, to put partisanship and politics aside and work together to do what is in the best interest of our Nation's veterans. I see no better time than right now. By defeating the previous question, the House will send a strong message to our veterans that they have our commitment to provide them with the funding increase they need, deserve, and were promised.

Once Democrat leaders appoint conferees, the House can move forward and pass a stand-alone veterans funding bill, and it will pass with strong bipartisan support.

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

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

There was no objection.

Mr. HASTINGS of Washington. With that, Madam Speaker, I urge my colleagues to oppose the previous question, and I yield back the balance of my time.

Ms. CASTOR. Madam Speaker, I urge approval of the National Defense Authorization Act, H.R. 1585, and this rule. This bipartisan bill improves military readiness and demonstrates our commitment to our brave men and women in uniform, including a 3.5 percent pay raise for these brave folks, a commitment to the National Guard and our Reserves, and an expansion and great improvement in the health care provided to wounded warriors who return from the battlefield. The bill also increases oversight and restores accountability over the waste and fraud that has occurred in the war in Iraq.

Madam Speaker, this bill will make America safer and stronger. I urge a ''yes'' vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 860 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. The House disagrees to the Senate amendment to the bill. H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and agrees to the conference requested by the Senate thereon. The Speaker shall appoint conferees immediately, but may declare a recess under clause 12(a) of rule I for the purpose of consulting the Minority Leader prior to such appointment. The motion to instruct conferees otherwise in order pending the appointment of conferees instead shall be in order only at a time designated by the Speaker in the legislative schedule within two additional legislative days after adoption of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule

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

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

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

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

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

Mr. HASTINGS of Washington. 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.

PROVIDING FOR CONSIDERATION OF H.R. 4351, AMT RELIEF ACT OF 2007

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 861 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 861

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4351) to amend the Internal Revenue Code to provide individuals temporary relief from the alternative minimum tax, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 4351 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

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

GENERAL LEAVE

Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 861.

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

There was no objection.

Mr. CARDOZA. I yield myself such time as I may consume.

Madam Speaker, House Resolution 861 provides for consideration of H.R. 4351, the Alternative Minimum Tax Relief Act of 2007, under a closed rule. The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill except for clause 9 and clause 10 of rule XXI. Finally, the rule provides one motion to recommit with or without instructions.

Madam Speaker, the Democratic philosophy is simple: We believe in pay-as-you-go. In other words, we believe that you should live within your financial means. Every family that makes these choices around the kitchen table every month in order to live within its budget understands that simple fact of life. The Federal Government used to understand this, too. In fact, the Clinton administration and the Democratic Congress worked with Republicans on a bipartisan basis and turned decades of exploding budget deficits into 4 straight years of budget surpluses through the use of pay-as-you-go or PAYGO rules in this House.

The use of PAYGO through the 1990s and early 2000s helped lead us to the first Federal budget surpluses in over 30 years at that time, and we saw record economic growth during that period which resulted in the addition of 22 million American jobs. And in that time, America actually began to pay down the national debt to foreign nations. Despite the proven success of PAYGO, President Bush and the Republican Congress abandoned the PAYGO rules in the year 2002, allowing it to expire with no interest in reinstating it.

According to the Bush administration's own numbers, President Bush's policies are on track to increase the Federal debt by over $4 trillion by the year 2008.

It took, Madam Speaker, 41 Presidents combined to accumulate the total of $4 trillion in debt. This means that the debt America incurred over the first 200 plus years of our Nation will be doubled in only 8 years under the Bush administration.

Worse, Madam Speaker, about 80 cents of every dollar of new debt since the year 2001 has been financed by foreign investors, including foreign governments, especially China. This has resulted in 50 percent of our Nation's debt now being owned by the following countries: China, Japan, Saudi Arabia, and Iran.

At the start of the 110th Congress, Democrats provided real choices and a new direction for America. We made good on our commitment to PAYGO and did what 6 years of Republican Congresses before us refused to do: We restored PAYGO rules to make sure that we do not spend more money than we have.

Once again, the Democratic leadership brings to the floor H.R. 4351, the Alternative Minimum Tax Relief Act of 2007, that provides millions of middle-class families with tax cuts to help grow our economy without increasing our national debt. H.R. 4351 prevents 23 million families from being hit by the AMT, and it helps 12 million children by expanding their child tax credit.

The Republicans will surely say that this bill raises taxes, but that is far from the truth. Let me set the record straight right from the beginning. This bill closes tax loopholes that allows a privileged few on Wall Street to pay a lower tax rate on their income than other hardworking Americans, such as school teachers, police officers, firefighters, and our Nation's veterans. This bill stops hedge fund managers from making hundreds of millions of dollars by using offshore tax havens to avoid paying income tax while other middle-class families play by the rules and pay their fair share.

It also prevents multinational companies from shifting their income to offshore entities and from creating sham corporations in tax-friendly jurisdictions to avoid Federal taxation. We would all love not to have to pay our taxes. Why should we allow these big corporations to go offshore to avoid paying their fair share?

It seems only fair that if hardworking American middle-class families play by the rules and pay their fair share that the wealthy and huge multinational corporations that are gaming the system should pay their fair share as well.

Madam Speaker, this Congress has made great strides to get our fiscal house in order. If we want to continue down the path towards fiscal sanity, we must make sure that every piece of legislation that we consider, including this bill, fixing the AMT, complies with the PAYGO rules. The Blue Dogs and the House Democratic leadership are standing strong behind our commitment to fiscal responsibility through PAYGO. I would like to thank Speaker PELOSI, Leader HOYER and Chairman RANGEL for their unwavering commitment to sticking with the PAYGO rules. I would also like to reiterate to the other body that our leadership is committed to abiding by the PAYGO rules and not considering any AMT bill on the House floor that is not fully paid for.

Madam Speaker, the $9.1 trillion debt that our country has irresponsibly racked up, nearly half of which has happened in the last 6 years, must be paid back, and it will be paid back by our children and our grandchildren if not by us. We need to adhere to the old adage that we should provide a better

life for our children than the ones that we found ourselves. Quite simply, we should be investing in our children's future and not borrowing from it.

I strongly urge my colleagues on both sides of the aisle to make the right choice today, to stand by PAYGO today, to stand by PAYGO tomorrow, and support this commonsense legislation.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I want to thank my friend from California (Mr. CARDOZA) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, this rule provides for consideration of a tax bill that would raise taxes permanently to give 1 year's worth of tax relief. Let me repeat that, Madam Speaker. This rule provides for consideration of a tax bill that would raise taxes permanently to give 1 year's worth of tax relief.

The AMT was enacted in 1969 to prevent a small number of wealthy taxpayers from using, at that time, legitimate deductions and credits to avoid paying taxes altogether. Back then, the tax affected only 155 people, the super-rich. The AMT was never adjusted to match inflation. Therefore, the AMT is affecting more and more taxpayers today. Without fixing the AMT problem, millions of taxpayers will be hit by the AMT, costing the average taxpayer about $2,000.

When Republicans gained control of the Congress, we passed legislation to protect American taxpayers from the unintended consequences of the bracket creep of AMT. Unfortunately, this measure was vetoed by President Clinton. So here we are again today trying to temporarily protect taxpayers from the AMT.

The longer we wait to fix the AMT, the longer it will take for the IRS to make the necessary changes in the tax forms and to process tax returns under the changes in the law. That is for this tax year. As of right now, the Democrat majority's failure to pass an AMT fix will force the IRS to delay processing tax refunds until mid-March at the earliest. This is likely to delay returns for over 20 million taxpayers who currently would be subjected to the AMT but who, with the patch, would not have to pay the AMT. This comes out, Madam Speaker, to about a $75 billion interest-free loan to the Federal Government from the taxpayer and paid for by the taxpayer.

I support fixing the AMT trap, but it is a tax that was never intended to occur. It is going to affect millions of Americans. But the Democrat leaders in the House are making it nearly impossible to help these Americans. Let's just pass a bill to eliminate the tax. Stop using this tax relief bill to raise taxes by over $50 billion.

Just as disappointing as the tax increases included in the bill is tax relief that is not included in this bill, and I am talking about a particular loophole in the tax law. I am dismayed that an extension of the sales tax deduction is not in this bill, the sales tax deduction for those States that do not have a State income tax. It is a matter of fairness. The AMT fix is for 1 year. I think it is only a matter of fairness to extend the sales tax deduction for those States who don't have a State income tax for 1 year.

I attempted to offer an amendment in the Rules Committee last night, to allow me to offer an amendment to close this loophole or adjust this loophole on the floor today to extend the sales tax deduction again to those States that don't have State income taxes.

□ 1115

It was defeated unfortunately on a party-line vote of 2–8 with every Democrat voting to block allowing this amendment to be made in order, including two Members from Florida, which is one of the eight States affected by this legislation.

But there is another way, Madam Speaker, and the House will vote today on extending the sales tax deduction so it doesn't expire at the end of the year. If you are from Washington, Florida, Texas, Tennessee, Nevada, Wyoming, South Dakota and Alaska, join me in voting ''no'' on the previous question.

I will then amend the rule so we can vote to extend the deduction and modify this loophole that I was talking about and ensure that our constituents in States that do not have a State income tax are treated fairly.

Madam Speaker, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I would like to inquire how much time remains on either side.

The SPEAKER pro tempore. The gentleman from California has 22½ minutes remaining.

Mr. CARDOZA. Madam Speaker, at this time I would like to yield 2¼ minutes to Mr. COSTA from California, who has been a champion of the PAYGO rules and fiscal responsibility since the day he walked into these hallowed Halls.

Mr. COSTA. Madam Speaker, I thank the gentleman from California (Mr. CARDOZA) for yielding me this time to speak in support of this rule.

What we are really talking about this morning is do we choose the easy road of least resistance to provide tax relief with the alternative minimum tax or do we choose the more difficult road that requires fiscal discipline, that requires us to be honest with the American taxpayers as to how we are plotting our fiscal priorities for our Nation today, tomorrow and for future generations.

We are debating the Alternative Minimum Tax Relief Act of 2007. It is important tax relief for millions of Americans. I support this legislation as it stands now. It is actually the second time in recent months that the House will send a paid-for alternative minimum tax relief to the Senate. It is important that we do this.

According to Secretary Paulson and the Department of the Treasury, unless we fix the AMT, 25 million taxpayers will be subject to it in 2007. That is 21 million more Americans than in 2006.

However, it is important, I believe, and I think many of those in the Blue Dog Caucus feel as well, that we pay as we go, that we provide the PAYGO provision that has been in every measure that has passed this House since January of this year.

PAYGO was implemented by the Democratic Congress actually back in 1990. It was signed into law by the elder President George Bush, and it was part of the rules of the Congress for 11 years. It was a tool that we put in place to rein in deficits that the Federal Government had experienced since the early 1970s.

This Congress pledged to reenact that pledge to the American people, to bring our House back in fiscal order. We have kept that promise since January of this year. Every single bill that we have voted on has complied with the PAYGO rule.

It is important that we note that our current debt is $9 trillion. Enough is enough. Much of that debt is owed by foreign nations. We can pass today the Alternative Minimum Tax Act by not borrowing money from China because of this PAYGO provision. I want to thank the leadership of this House for sticking with PAYGO. I urge my colleagues to vote for this measure, the rule and the underlying bill.

Mr. HASTINGS of Washington. Madam Speaker, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I would like to thank my colleague from California for his eloquent comments and say I agree with him wholeheartedly.

Madam Speaker, at this time I would like to yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Committee on Ways and Means.

Mr. BLUMENAUER. Madam Speaker, I listen to my friend from Washington repeating the same lame line from the talking points of my Republican friends.

They knew this was coming. Yes, President Clinton vetoed a flawed tax measure back in the previous administration. What have they been doing for the last 6 years when they controlled everything?

They decided not to deal with the alternative minimum tax. They made a cynical decision to cut taxes for those who are the most fortunate in this country and be able to use this money in the budget calculations to be able to justify these massive tax reductions. They spent this money and they count on spending this money for years to come. It is in President Bush's budget.

We reject that cynical effort. We implored them time and time again when they were having their tax reductions to deal with the alternative minimum tax, this fiscal tsunami that is going to sweep away middle and upper middle-income Americans. They refused. They bet on the other side.

Now we are coming forward not with a tax increase but with a tax adjustment. The Federal Government will get the same amount of money; it is who are you going to benefit. We are going to save 23 million Americans from paying the alternative minimum tax, making some reasonable tax adjustments and not putting the cost of this patch on the credit card of our children.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself 2 minutes.

I appreciate my friend from Oregon making his remarks. I am glad he acknowledges that President Clinton vetoed the permanent tax relief from the AMT. Let me make my points, and then I will be happy to yield.

Ever since that time, I might point out to my colleague, there has been a 1-year fix. We know that issue is coming. We know that this issue is coming and it needs to be resolved. It hasn't been resolved, and we know that it won't be resolved by raising taxes on other people.

I know my friends on the other side of the aisle can say no, these are adjustments. If they are adjustments, I hope they will acknowledge with me that what I am trying to do on the previous question is to make an adjustment for those States, for the people in States that don't have a State sales tax, to make that adjustment so they can have fairness across the board of being able to deduct sales tax from their Federal income tax. I will be making that motion, Madam Speaker, on the previous question.

I am happy to yield to my friend.

Mr. BLUMENAUER. I thank the gentleman.

I appreciate we are sort of finalizing history here, and I appreciate your referring to that past.

But is it not true that for the last 6 years when you were in control, you made a decision to have other tax cuts that were financed in part by the assumption that we are going to collect this AMT?

Mr. HASTINGS of Washington. No. Reclaiming my time, the gentleman is not correct on that, because in all of the budgets that we put together, there was never a provision that said that this income was something that we would use.

That is, by the way, in your budget. You do it with a mechanism called the reserve fund which says you have to offset.

But I will say this, and I will talk about economic policy and tax policy. Because of the tax policies we have put in place with the tax cuts in 2001 and 2003, we have seen an extraordinarily strong economy in this country. I think that is pretty hard to refute, and so I just want to point that out to my friend.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members to address their remarks to the Chair.

Mr. CARDOZA. Madam Speaker, I yield 15 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. My good friend from Washington talked past the point. Those budgets assumed the alternative minimum tax. President Bush's budget assumes the alternative minimum tax. And I want to make clear that this is something that we are simply not going to do. We do not want to continue their practice of assuming this tax to be able to finance other priorities.

Mr. CARDOZA. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COOPER), a former co-chair of the Blue Dog Coalition and a great Member of this House who is committed to fiscal responsibility.

Mr. COOPER. Madam Speaker, there is no reason to make this debate more complicated than it is. It all revolves around a very simple but vitally important principle: whether the United States Government pays its bills. We think that it should. The principle is called PAYGO, pay-as-you-go. I am thankful that 31 Blue Dogs have signed a letter that said they will not vote for anything that means the free lunch mentality of the past. I am thankful that so many of our progressive friends across the caucus have similarly strong feelings. And I am thankful that our Democratic leadership has put in PAYGO, what Alan Greenspan said was the single most important domestic reform we can take.

Let's stand for fiscal responsibility in this House. America must pay its bills.

Mr. HASTINGS of Washington. Madam Speaker, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, at this time I would like to yield 2 minutes to the gentleman from Florida (Mr. BOYD), the Chair of the Blue Dog Coalition and someone for the last 11 years who has fought hard on this particular issue to bring fiscal sanity back to our country.

Mr. BOYD of Florida. Madam Speaker, I thank my friend, the gentleman from California (Mr. CARDOZA) for leading this debate.

Let's be very clear. I think it is well understood by the country, the fiscal recklessness of the period, the 6-year period from January 2001 to January 2007, a recklessness which included record spending levels at the same time revenues were being reduced to a level that created record deficits during that period of time which are going to have a serious negative effect on the future of this country, the economy, the kind of life that our children and grandchildren will see if we don't get under control this recklessness that has been demonstrated over the last 6 years since the 2000 Presidential election.

Madam Speaker, you have to fix those problems by, first of all, believing in some principles. And the principle that we believe in is if you are going to have a program, you ought to be able to pay for it. We all understand the serious consequences of the AMT and we want to fix it, but many of us believe if you are going to fix it, you are going to do it in a revenue-neutral way. That is the difference between this leadership and the previous 6 years' leadership, which says just damn the port, torpedoes, full steam ahead; tax cuts and increased spending, it doesn't make any difference, as long as everybody is happy at the moment. Our children and grandchildren are the ones who are going to pay that bill in the end.

And I want to thank Speaker NANCY PELOSI and the majority leader, STENY HOYER, for standing tall with us on this principle of PAYGO and this particular vote on the AMT as we send another AMT, paid-for AMT to the Senate. It is a very critical time in the future of this country and how we are going to handle our fiscal responsibility.

Again, I want to thank our leader, the gentleman from California (Mr. CARDOZA) and the Speaker of the House.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. SESSIONS), a member of the Rules Committee.

Mr. SESSIONS. Madam Speaker, I thank the gentleman from Pasco, Washington.

Madam Speaker, we are sitting here watching our good friends on the other side talk about all this great work that they have done, how fiscal responsibility is so important and all these problems with the country, and yet we are sitting here in the middle of December with 10 out of the 11 spending bills not even done because the Democrat majority is interested in spending record levels of money, more and more and more money and talking about tax increases, taxes that continue and keep going.

□ 1130

And yet they want to stand up and eat both sides of that cake and talk about fiscal responsibility and how NANCY PELOSI, as our Speaker, has done such a great job.

Well, Madam Speaker, I would like to encourage my friends to go home maybe on a weekend sometime and talk to people and find out how well we're doing. How well we're doing is not yet well understood by the American people because we're up here and can't even get our work done, and yet we're up here crowing, trying to take credit for all this great work that has been done, and none of it is passed, not even a negotiation with the President and the White House. No negotiation; bills that show up, 1,700 pages worth of

a bill last week that we were given 20 minutes before the Rules Committee went in.

We find out all sorts of earmarks, billions of dollars worth of earmarks, and then we have people that come down here and start crowing about fiscal responsibility. That's malarkey. That is ridiculous. We're trying to get our work done, and we're over here standing up acting like we've just won the race.

The American people know the difference. The Republican Party is here to say we're going to try and get our work done, and we're here to show up and to try and do that work. We're waiting for those other 10 out of the 11 bills to come to the floor. We're waiting to be able to see those bills so that we can know what's in the bills. And then one side stands up and talks about fiscal responsibility. Absolutely ridiculous.

Mr. CARDOZA. Madam Speaker, the gentleman who just spoke talks about malarkey. I would say that his side of the aisle should know about malarkey after they raised the Federal deficit over $4 trillion in the last 6 years.

I would now like to yield 1 minute to the gentlewoman from California (Ms. HARMAN), a member of the Blue Dog Coalition and an absolute fighter on behalf of fiscal responsibility in this House.

Ms. HARMAN. Madam Speaker, as the only grandmother Blue Dog, I rise in support of this rule and the underlying bill. I strongly support AMT relief for 55,000 taxpayers in my congressional district, and 23 million Americans nationwide. But there is a right way and a wrong way to do it. Simply providing relief to this generation while raising taxes on future generations is the wrong way.

Put another way, the $50 billion price tag for this AMT vote can either be paid for responsibly, or we can send the bill to our children and grandchildren.

In my seven terms in Congress, I have always supported fiscal responsibility and have made scores of votes that are faithful to that principle. Among them was a career-risking vote in 1993 for the Clinton budget; my vote in 1994 to cut $100 billion from Federal spending; my vote in 1997 for a balanced budget; my vote against the Bush tax package which provided unnecessary relief for the top tax brackets; and now these AMT votes.

Madam Speaker, I dedicate my vote today to my first grandchild, Lucy, and to her brother and cousin, who will be born early next year.

Mr. HASTINGS of Washington. Madam Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Washington has 21 minutes. The gentleman from California has 14½ minutes.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield as much time as he may consume to the distinguished ranking member of the Rules Committee, Mr. DREIER from California.

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

Mr. DREIER. Madam Speaker, I just don't get it. I just can't figure this thing out. Under the Democrats' logic, they're saying that we have to increase taxes to avoid a tax increase. We have to increase taxes to avoid a tax increase. That's what the fiscally responsible thing is for us to do.

Madam Speaker, last Saturday morning I had the privilege of riding in the Glendora Christmas parade. Glendora, California, beautiful, ''pride of the foothills'' they call this city. As I arrived, I happened to run into a guy called Marshall Mouw, who is a former city council member in that great city. He worked for the U.S. Postal Service for many years. The first thing he said when he looked at me is, what are you going to do to make sure that we're not victimized by the alternative minimum tax? And I told him, we have tried time and time again to do at least what's called a 1-year patch, a 1-year patch, which would ensure that 23 million Americans aren't going to be saddled with this unfair tax. And personally, I would like to flat out repeal completely the alternative minimum tax.

Now, let's remember what the alternative minimum tax is. Back in 1969, the Democratic Congress found that there were 155 Americans who were millionaires, and they weren't paying their fair share of taxes. They, of course, were doing things legally. They had all kinds of investments. They were creating jobs. But they weren't paying their fair share of taxes, so-called. And so the alternative minimum tax was put into place to go after those 155 Americans who many believed were cheating somehow and not paying their fair share.

What has happened? Well, due to bracket creep, we now see 23 million Americans. I would like to describe this, Madam Speaker, as unintended consequences. It's one of the things that we often don't think about in this institution when we try to pass sweeping legislation, well-intentioned but sweeping legislation. And that's one of the reasons that the framers of our Constitution, James Madison especially, wanted the process of law-making to be very, very hard; very, very difficult.

I see my friend, the distinguished chairman of the Committee on Appropriations here, Mr. OBEY, and I will say that it's very clear that Madison's vision, I guess, is working now, when you look at how hard it is for us to get our work done, how hard it is for us to get through this appropriations process. I'm very, very relieved that many of the things that this new majority would like to put through, which I believe in many ways undermine what the American people want, like putting into place a massive tax increase to avoid a tax increase, can't happen, and they're not going to happen.

As the distinguished ranking minority member of the Committee on Ways and Means, Mr. MCCRERY, said yesterday, all we need to do is take the last debate that we had on AMT, paste that thing in, and then we'll see exactly what happens.

We know that our colleagues on the other side of the Capitol are not going to accept this. And so what we need to do if we in fact are going to ensure that the American people are going to get that much needed relief from the alternative minimum tax, it's very important for us to do everything that we can to try and come to an agreement as quickly as possible. We know what that agreement is. We know what we're going to agree to. We're going to agree to what we've done in the past, a 1-year patch to ensure that these 23 million Americans don't get this massive tax increase.

Madam Speaker, as I listened to my colleague, I was just told by one of our staff members that they've been talking about how horrible the last 6 years have been, how awful the last 6 years have been. I would like to remind our colleagues of the fact that we got a report 2 weeks ago of the third quarter gross domestic product growth rate that we've had in this country. It's 4.9 percent. I would like to remind our colleagues who continue to wring their hands over the deficit, yes, I'd like to see the deficit lower, but as a percentage of our gross domestic product, the deficit today is $81 billion lower than had been projected in February of this year, putting it at $164 billion.

Now, people don't often think about the fact that the United States of America has a $13.3 trillion economy, clearly the strongest, most dynamic economy that the world has ever known.

Do we have problems? Of course we do. I mentioned at the outset one of the communities I represent in Southern California, the subprime issue is something with which we're trying to contend and to work through. If you look at the value of the currency, if you look at lots of other issues out there, we do have problems. But this notion of claiming that the last 6 years have been a living hell for all Americans is preposterous.

What we need to do is we need to make sure that we do everything that we possibly can to rein in wasteful Federal spending, make sure that we pursue opportunities to open up markets around the world for U.S. workers to be able to export into those markets, and we need to make sure that we continue cutting taxes so that we can see the kind of economic growth that we've been enjoying in the past. That's why it's silly for us to be sitting around wasting our time, wasting our time doing exactly what we did last week on this so-called alternative minimum tax when we know exactly what is going to happen here.

At the end of the day, we're going to have, Madam Speaker, a 1-year patch to ensure that 23 million Americans don't face a massive tax increase. Let's reject this crazy notion that we've got before us and move ahead with what we know can be agreed to in a bipartisan way.

Mr. CARDOZA. Madam Speaker, at this time I would like to yield 2 minutes to the gentleman from Wisconsin, the distinguished chairman of the Appropriations Committee, and an absolute champion on this issue, Mr. OBEY.

Mr. OBEY. Madam Speaker, I would just like to respond briefly to some of the assertions made a few minutes ago under which the Clinton administration was attacked for supposedly not correcting the alternative minimum tax problem.

I want to read from the administration's statement when the President vetoed the budget reconciliation bill, which contained the so-called AMT fix. The President pointed out at the time that in addition to supposedly dealing with the alternative minimum tax, that that bill would have cut Medicare by $270 billion, it would have cut Federal Medicaid payments to States by $163 billion, it would have virtually eliminated the direct student loan program, it would have provided huge tax cuts, over 47 percent of the benefits would have gone to the top 12 percent of earners in the country. I think that's enough said.

If you want to understand why the Clinton administration vetoed the bill, it was not because they were against an alternative minimum tax fix. In fact, the President specifically supported it in his comments. What he objected to was using the alternative minimum tax proposal as a Trojan horse to bring in huge gifts for the most well off people in this society paid for by huge funding cuts for those in our society who were the most vulnerable. The President didn't apologize for his action at the time, and we shouldn't, either. It was the right thing to do.

Mr. HASTINGS of Washington. I yield myself 2 minutes, Madam Speaker.

Madam Speaker, I have a great deal of respect for the previous speaker, the chairman of the Appropriations Committee. He has always been one that believes that this House ought to do their work, and he has worked extraordinarily hard to make sure that this House does their work on the appropriation process.

But I find it ironic that in the gentleman's remarks talking about what happened with a bill that President Clinton vetoed is because, at least the inference is there's a lot of extraneous stuff on that bill.

My goodness, how history repeats itself, because here we are in the closing days of the first session of this 110th Congress, and what are we contemplating? There are so many rumors around here about an omnibus bill. And we know what omnibus bills are. There are so many things that are stuck in there to extract votes, generally they come out after the fact, embarrasses the institution, and yet we seem to be going down exactly the same path.

I appreciate the gentleman for acknowledging that President Clinton did veto a permanent repeal of the AMT, which was simply the point that I made in the outset of my remarks.

But I would just say, Madam Speaker, it seems to me we're going, that there will be a speech maybe later on this week, probably next week, about everything put into one package. And maybe we should take my friend from Wisconsin's remarks and just repeat them again, because history does repeat itself.

With that, I will reserve my time.

Mr. CARDOZA. Madam Speaker, at this time I would like to inquire how much time either side has remaining.

The SPEAKER pro tempore. The gentleman from California has 12½ minutes. The gentleman from Washington has 13 minutes.

Mr. CARDOZA. Madam Speaker, at this time I would like to yield 1½ minutes to my friend, the gentlelady from Connecticut, Ms. ROSA DELAURO.

Ms. DELAURO. Madam Speaker, I rise today in strong support of the rule we are considering and the bill, the AMT relief bill.

Last month, this Congress stepped up. We passed responsible legislation providing millions of hardworking middle-class families with the tax cuts they need and they deserve. And we're back today, working once again to protect over 23 million middle-class families from the encroaching alternative minimum tax.

In my home State, Connecticut, failing to act on the AMT would mean new taxes on 358,842 households, including almost 67,000 in my district. This is must-pass legislation for our families and for our changing economy.

I commend Chairman RANGEL for leading the way for providing relief in a way that allows us to get our fiscal house in order by sticking to the PAYGO rules that this Congress adopted.

□ 1145

This legislation also includes a long overdue expansion of the child tax credit. Last year, because of the way the laws were written, 7 million children, most of them infants and toddlers, in working families across the country remained ineligible for even a partial credit.

This year we do better. We return to the original intent of the child tax credit. By lowering the earnings threshold to $8,500, we will capture additional millions of children who will be eligible for the tax credit, and the families of 10 million others will receive larger refunds.

With this bill, we have an opportunity to help these kids. I urge my colleagues to vote for this rule and to pass this legislation.

Mr. HASTINGS of Washington. Madam Speaker, I'm pleased to yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Madam Speaker, you know, we've had probably close to 1,100 votes this session. We've been here since January. In fact, January we had more work scheduled than I've seen in a long, long time because January is usually a light month. But we had all those votes, and here we are with just a few days left in this session and we haven't done a darn thing.

In my opinion, the accomplishments of this Congress under the Democrat leadership has been a big zero. The appropriation bills that the President wanted to sign and get through this process have not been given to him, and now you're going to come up with an omnibus spending bill right here at the end with a lot of pork in it that nobody knows what's in it, and you're going to present that to the American people as a job well done.

Well, it is not a job well done. That omnibus spending bill, if it has all that pork in it that we've heard of, the President's likely to veto, and then we're going to have to come back with a continuing resolution to get us through the end of the year into the middle of January.

So I'd just like to say to my colleagues, whom I respect a great deal, the promises that you made at the beginning of the year when you took charge of this House have not been met. We have not gotten anything done of substance, and we're going to leave here with an omnibus spending bill that may or may not be vetoed, and the American people are going to wonder what in the world's in that bill.

So I'd just like to say to my colleagues, I'd like to say a job well done, but I can't. It's been a total zero this year.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will again remind Members to address their comments to the Chair.

Mr. CARDOZA. Madam Speaker, I have the distinct honor to yield 1 minute to a member of the Rules Committee and a member of the Blue Dog Coalition, the gentleman from New York (Mr. ARCURI).

Mr. ARCURI. Madam Speaker, I thank my friend and colleague for yielding.

Madam Speaker, I stand today in strong support of this rule, a rule that supports a very important bill, a fix for the AMT, that does it in a way that is fiscally responsible, which is extremely important.

When I look at the things that this House has done this year, things like appropriating money so that student loans are increased, Pell Grants are increased so that our children who go to college leave college with less debt, less saddled for the future; when I think of the sacrifices that parents make so that they can help their children through college, so that when

their children finish college they're not saddled with debt; those are the kind of considerations that we need to take into consideration today in fixing the AMT so that we don't saddle our children with incredible debt in the future, that we fix the AMT and we do it in a responsible way.

So I am proud to support this rule.

Mr. HASTINGS of Washington. I reserve my time, Madam Speaker.

Mr. CARDOZA. Madam Speaker, I yield 2 minutes to the gentleman from Texas, a member of the Committee on Ways and Means and the Budget Committee, a distinguished member of this body, Mr. DOGGETT.

Mr. DOGGETT. Madam Speaker, I thank the gentleman.

Responsible, pay-as-you-go government is a significant part of the new direction to which this Congress committed our country last January. Now is hardly the time to abandon that important commitment.

For 7 years, spend-and-borrow Republicans have seldom met a problem in this country that they didn't address by borrowing more money and incurring more public debt. Now, when America faces a credit crunch, they say ''get more credit.'' They insist on borrowing even more money to finance another tax cut.

Admittedly, under Republican rule, the AMT, the Alternative Minimum Tax, turned into the ''Aggressive Middle-income Tax.'' Republicans were so busy treating the Federal Treasury like an ATM to finance tax cuts for the wealthy few that they largely forgot about the need to permanently fix the AMT affecting the middle class.

We need that permanent fix that President Bush continues to refuse to support, but correcting and reducing the AMT can be accomplished in a fiscally responsible manner. We Democrats understand that discipline is required for fiscal responsibility. You simply cannot make a mountain of debt disappear, say, the way they erased the CIA torture video.

This bill pays for the AMT fix in part by adopting most of the Abusive Tax Shelter Shutdown Act that I first authored in June of 1999, but which year after year House Republicans have blocked. Indeed, they blocked it even after Senate Republicans approved the measure.

Today, we can stop corporate tax dodgers from shifting the tax burden to middle-class families, ensuring both tax fairness and fiscal responsibility.

Mr. CARDOZA. Madam Speaker, how much time do we have available to us?

The SPEAKER pro tempore. The gentleman from California (Mr. CARDOZA) has 8 minutes remaining.

Mr. CARDOZA. Madam Speaker, I yield 1 minute to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Madam Speaker, I rise today in support of this rule and to support fixing the Alternative Minimum Tax.

In my southern Arizona district, over 40,000 families are going to be directly impacted if Congress and our President do not take action.

The AMT was never intended to impact middle-class families. That is why we must fix this tax and allow families instead to make decisions about investing into their futures.

This is a critical, critical priority. As a Blue Dog Member, I'm pleased that this bill also respects what Americans respect, what Arizonans respect, which is fiscal accountability. And that is why this bill is offset by closing a tax loophole.

Congress has to play by the same rules that our families in America play by, balancing budgets and being fiscally responsible. This is a priority that we're going to continue to push and push and push.

Today, we're standing strong for tax policies that help middle-class families, the backbone of America, and I urge Members to support the rule and support fixing the AMT.

Mr. CARDOZA. Madam Speaker, I yield 4 minutes to the gentleman from Tennessee, a member of the Ways and Means Committee, a founding member of the Blue Dog Coalition and absolute champion on the issue of fiscal responsibility and making sure that this House returns to fiscal sanity, Mr. TANNER.

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

Mr. TANNER. Madam Speaker, this rule embodies a fundamental principle of responsible stewardship of this country, and that is to live within our means and pay our bills.

There are some folks around here who apparently don't believe the laws of arithmetic apply past the steps of the Capitol or the front door of the White House. Well, they do. And there's some who've said deficits don't matter. Well, if that was true, we'd just borrow what we need to get along and forget about it, not have any Tax Code at all. Everybody knows that that is ludicrous.

What we have witnessed over the last 72 months is something that has not occurred in the history of this country since 1776, and that is the willful and knowing plunge into debt by our continued refusal to pay our bills.

When they say we can pass the AMT fix and we don't have to pay for it because it was never intended on these folks, and therefore, it doesn't exist, if I said that in Tennessee, they would say that fellow's been in Washington too long; we've got to get him home. That is absurd.

The arguments to justify borrowing more money right now for all future generations plus us, to me, are the worst of political rhetoric.

Somebody's going to pay this bill. We have asked the CBO, and they say if we don't pay for it, instead of $50 billion, with the interest carry, it will be $80 billion. And so it's not unlike a credit card, and we have a Nation's credit card here.

I think we are looking at warning signs all over the world. When people begin to talk about the dollar, when the dollar has fallen to where it is, to when people say maybe the euro is a better alternative for us right now than the dollar, these are warning signs that this country cannot and must not continue down this fiscal path.

All of us took an oath to uphold the Constitution against all enemies, foreign and domestic. I think there's financial vulnerability that has been created and in a way that has never been done before.

Go to the U.S. Treasury Web site. This administration and this Congress over the last 6 years, before last year when we started trying to pay the bills, borrowed more money from foreign sources than all 42 administrations before it put together. That's not a political argument; that was the numbers. And the more we do, the more the interest is. We have transferred over $700 billion in interest payments to people around the world. This year we have removed, basically from the tax base that we had in the summer of 2001, $131 billion, by CBO's calculations, every year.

When we don't pay the bills when we pass these measures, when we don't pay for them, what we are basically doing is enacting a tax on the American people in the form of interest payments that cannot be repealed. That is wrong. It is, I think, a violation of our oath of office to continue to argue that we can pass bills without paying for them.

I thank Mr. CARDOZA and the Rules Committee for bringing another bill here, and I hope our colleagues here in the House and the Senate will understand what we're trying to say.

Mr. HASTINGS of Washington. Mr. Speaker, I'm pleased to yield 3 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Mr. Speaker, you know, I find this whole debate rather perplexing. What the majority party is saying is that in order to leave people's taxes the same, in order to leave them where they are now, they have to raise taxes on somebody else. They have to pay for leaving your taxes alone by raising taxes on somebody else. Now, that's just warped logic. But let's just accept that warped logic for a minute and let's say that somehow leaving taxes alone required being paid for.

What about reducing spending to pay for it? Where in this rule is the ability to have an amendment to do that? What about reducing spending instead of raising taxes?

Now, later this week, we are likely to see a gigantic budget bill that will spend $50 billion more than last year. Where is the pay-for for that? Now, that's pretty clear. If you spend $50 billion, nearly $50 billion more than last year, that's a clear increase in spending for which you would think someone

would want to pay for it. But instead, here you're going to leave people's taxes alone, the same as last year, and somehow that's a tax cut that has to be paid for? The logic is so distorted here, and the rationale is so distorted.

Let's go ahead and spend all this extra money and not pay for it. You know that if you held the line on spending and didn't increase that spending this year and you looked at what that did over a 10-year period, you could almost pay for repealing the alternative minimum tax completely.

□ 1200

But, no, that is not what the majority party is doing. That is not what this rule talks about. That is not what this rule allows. This rule continues this distorted logic that says that spending more money is okay and doesn't have to be paid for but leaving people's taxes alone is not okay.

This rule and this proposal should both lose.

Mr. CARDOZA. Mr. Speaker, I would like to inquire from the gentleman from Washington if he has any remaining speakers.

Mr. HASTINGS of Washington. Mr. Speaker, I have no more requests for time and I am prepared to close if the gentleman from California is prepared to close.

Mr. CARDOZA. Mr. Speaker, I am the last speaker on my side and so I would like to yield to the gentleman from Washington.

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

Mr. Speaker, let's put this thing in perspective. This Democrat tax plan essentially allows the State sales tax deduction for those States that don't have a State income tax to expire.

Residents of States with no income tax deserve to be allowed to deduct their State sales tax from their Federal income tax bill. To me, Mr. Speaker, it's a matter of fairness, which is why the Republican Congress acted in 2004 to restore the State and local sales tax deduction. This law provided tax fairness to Washingtonians and those who live in other non-income tax States for the first time in nearly 20 years.

Now, this deduction, Mr. Speaker, expires in just days, at the end of this year. But this House will have the chance to vote today, Mr. Speaker, to extend the State sales tax deduction by joining me in voting ''no'' on the previous question. I will then amend the rule to allow an amendment to be offered on the underlying bill to extend the State and local sales tax deduction for 1 year, just for 1 year, as a matter of fairness.

To all the Members from Washington, Florida, Texas, Tennessee, Nevada, Wyoming, South Dakota and Alaska, vote ''no'' on the previous question so that we can give State sales tax deduction fairness for our constituents. This is a bipartisan issue, and we can achieve an extension today with a bipartisan vote against the previous question. Our constituents deserve fair treatment; so let's give this to them. The underlying bill that this rule makes in order is going to raise taxes by $50 billion. The very least we can do is to extend the sales tax deduction out of fairness.

Now, Mr. Speaker, let me be very clear because there has been a great deal of discussion on the floor today about PAYGO. I think PAYGO has a lot of merit. I happen to disagree as it relates to this particular tax plan in the underlying bill, but there has been a great deal of discussion about PAYGO. So let me make perfectly clear this previous question vote does not waive the PAYGO rule. If the previous question is defeated and my amendment is made in order, the PAYGO rule is not waived. If a Member then wants to raise, when the issue is on the floor, a point of order against that amendment, they are perfectly able to do that. So my amendment does not waive the PAYGO rule.

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

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

There was no objection.

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

Mr. CARDOZA. Mr. Speaker, the Republicans have said that this bill raises taxes, but that's far from the truth. Let me again, as I did in my opening, set the record straight. This bill closes tax loopholes that allow a privileged few on Wall Street to pay a lower tax rate on their income than the average hardworking American does on their income. That includes school teachers, police officers, firefighters, our Nation's veterans, and, frankly, even us privileged that are able to serve here as Members of Congress.

Mr. Speaker, the Republicans need to make a choice today. Are they going to stand with tax cheats and hedge fund managers, or are they going to stand with the 23 million hardworking Americans who will be affected by this policy?

Mr. Speaker, the House of Representatives is united in our commitment to fiscal discipline and ensuring that government lives within its means. The Democratic Congress pledged to exercise spending restraint and to stop shouldering our country's needs on the backs of our children and grandchildren. We strongly urge the other body, Democrats and Republicans, to have the courage and good sense to keep the promise they made to the American people to be good stewards of their taxpayer dollars. We can't pick and choose when we comply with PAYGO rules if we want to reverse the irresponsible fiscal policy of the Bush administration and the prior Republican Congresses.

By restoring budget discipline and getting back on the path to budget surpluses, we ensure America is economically strong and that we are not beholden to foreign nations such as China, Japan, Iran and Saudi Arabia whom we are borrowing this money from; that we are protecting our Social Security and Medicare programs; and that paying down the national debt is not a burden that we are going to put on the backs of our children and generations to come.

With this, Mr. Speaker, I urge a ''yes'' vote on the rule and a ''yes'' vote on the previous question.

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

AMENDMENTS TO H. RES. 861 OFFERED BY MR. HASTINGS OF WASHINGTON

(1) In section 1, insert ''and any amendment thereto'' after ''ordered on the bill''.

(2) In section 1. strike ''and (2) one motion to recommit'', and insert:

''(2) the amendment printed in section 3, if offered by Representative Hastings of Washington or his designee, which shall he in order without intervention of an point of order (except those arising under clause 10 of rule XXI) or demand for division of the question, shall he considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions''.

(3) At the end of the resolution, add the following:

SEC. 3. The amendment referred to in section 1 is as follows:

''At the end of the bill add the following new section:

SEC. . DEDUCTION FOR STATE AND LOCAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2008'' and inserting January 1, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply, to taxable years beginning after December 31, 2007.''

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated

the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

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

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 4299, TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

Mr. ARCURI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 862 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 862

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4299) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 4299 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

Mr. ARCURI. Mr. Speaker, for purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 862.

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

There was no objection.

Mr. ARCURI. Mr. Speaker, House Resolution 862 provides for consideration of H.R. 4299, the Terrorism Risk Insurance Program Reauthorization Act of 2007. The rule waives all points of order against consideration of H.R. 4299 except those arising under clause 9 and clause 10 of rule XXI. The rule provides 1 hour of general debate controlled by the chairman and ranking minority member of the Committee on Financial Services.

Mr. Speaker, I will make my remarks brief. We have debated the substance of this bill before, and the House passed a similar version in September with the support of 312 Members of this body. The measure we will consider today contains many needed revisions to the terrorism risk insurance program to ensure our national and economic security.

The terrorism risk insurance program was originally enacted as a short-term backstop for an insurance industry hard hit by the terrorist attacks that occurred on September 11 of 2001. In the years since, we have seen that the private insurance market is unable to cover the risk of both domestic and foreign acts of terrorism without assistance.

Experience has shown that there is a true need for government involvement in terrorism insurance. The exposure for private companies is just too great. In the wake of September 11, 2001, many companies opted to exclude terrorism risks from private insurance policies, leaving no coverage in the event of another attack. TRIA requires primary insurers to make terrorism insurance available to commercial clients that wish to purchase it while at the same time helping those insurers manage their exposure to risk of loss.

The legislation this rule provides for consideration of would extend TRIA for 7 more years. This is a shorter extension than the 15-year extension that the House originally passed but still far longer than the 2-year extension that was enacted in 2005. A 7-year extension will provide greater certainty and stability to the insurance and real estate markets than presently exists, and that is good for business.

The legislation would also make several other critical changes to the terrorism risk insurance program. It would change the definition of terrorism under TRIA to include domestic terrorism and reset the program trigger level, where the government backstop kicks in, to $50 million, where it was in 2006. It would expand the program to provide for group life insurance coverage; would decrease deductibles for terrorist attacks costing over $1 billion; and reduce the trigger level in the years following such an attack.

The TRIA bill which the House approved in September would have required insurers to include coverage for nuclear, biological, chemical, and radiological attacks in policies they offer. However, this provision has been removed from the bill because some insurers, particularly the smaller insurers, raised concerns regarding their ability to cover the additional risk when private reinsurance does not exist.

To address these concerns, the legislation will mandate a study by the Government Accountability Office on the availability and the affordability of private insurance coverage for nuclear, biological, chemical, and radiological attacks. This provision represents a commonsense first step in addressing the economic fallout of such an attack.

Mr. Speaker, this legislation is critical in protecting our national and economic security in the fight against terrorism. It will also help many of the small- and medium-sized insurance companies located in my congressional district provide coverage in this ever-changing 21st century.

I commend Financial Services Committee Chairman FRANK and Ranking Member BACHUS for their bipartisan effort to bring this vital, time-sensitive piece of legislation to the floor.

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

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

I rise in opposition to this rule, despite my long-term support for TRIA, because passing a bill that has already been pronounced dead on arrival in the Senate foolishly puts the reauthorization of this important program in jeopardy as its expiration date at the end of the year draws ever closer because

the Democrat House leadership has decided to continue to play political games on this issue.

By engaging in this game of what I call ''legislative chicken'' with the Senate, the House is setting itself up for potentially allowing this important program to expire, an outcome that I believe is bad for continued growth of the American economy and is an outcome that I strongly oppose.

But even if the Senate were somehow to miraculously pass this legislation, the Statement of Administration Policy regarding this legislation that was released by the Office of Management and Budget on Tuesday makes it clear that President Bush will veto this bill in its current form and that any extension of the TRIA program must be temporary and short term, include no program expansion and must increase private sector retentions.

□ 1215

At this time, I will submit a copy of the Statement of Administrative Policy for substantially similar legislation explaining the futility of today's legislative exercise in the CONGRESSIONAL RECORD.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, December 11, 2007.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2761—TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

The Administration believes that the Terrorism Risk Insurance Act (TRIA) should be phased out in favor of a private market for terrorism insurance. The most efficient, lowest-cost, and most innovative methods of providing terrorism risk insurance will come from the private sector. Therefore, the Administration has set forth three key elements for an acceptable extension of TRIA: (1) the Program should be temporary and short-term; (2) there should be no expansion of the Program; and (3) private sector retentions should be increased.

The Administration continues to believe that any TRIA reauthorization should satisfy these three key elements. However, the Administration will not oppose the version of H.R. 2761 passed by the Senate on November 16, 2007. The Administration strongly opposes any amendments that move the Senate-passed version of the bill away from the Administration's key elements. Accordingly, if H.R. 2761 were presented to the President in the form to be considered by the House, his senior advisors would recommend that he veto the bill.

Mr. Speaker, the Senate version of this legislation is not perfect. However, I do believe that on behalf of terrorism insurance policyholders, American workers and businesses, the health of our insurance marketplace and the continued growth of the American economy, it is important for the House to stop playing games with TRIA and to pass a bill that can advance through the Senate and be signed into law by President Bush.

Mr. Speaker, I encourage all of my colleagues to reject this exercise in legislative futility so that the Rules Committee can instead bring to the floor a rule that would provide for consideration of the Senate compromise bill that the House has already received.

It's time to stop playing games on this important issue and for the majority to finally grow up and lead to protect the American economy from the threat of terrorism.

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

Mr. ARCURI. Mr. Speaker, as a representative from New York, I can say that there is no nonsense about this. This is a critically important piece of legislation, something that is necessary not only for New York but for the entire country.

With that, Mr. Speaker, I would yield 6 minutes to the gentleman from New York, who has been a champion of this legislation, Mr. ACKERMAN.

Mr. ACKERMAN. Mr. Speaker, I thank the gentleman from New York.

I rise in strong support of this rule and the underlying legislation, H.R. 4299, which would extend the Terrorism Risk Insurance Act, or TRIA, for 7 years.

TRIA is a vital program that has made effective terrorism insurance coverage available across this Nation by creating a Federal backstop to share with the insurance industry the burdens of losses caused by catastrophic acts of terrorism upon our country.

The certainty and stability that TRIA has provided over the past 6 years has allowed large-scale developers to plan, to secure financing and insurance and, ultimately, to build the types of multimillion- or multibillion-dollar real estate development projects in our capitalistic system, projects that shape our cities and invigorate the American economy.

With TRIA set to expire at the end of the month, I am particularly grateful that our leadership and Chairman FRANK and our friends on the minority side are insisting that Congress renew this vital program before we run out of time and insurers are forced, in an act of self-preservation, to abandon our Nation's largest projects.

This rule will allow the House to consider legislation to reauthorize TRIA for the second time in 3 months. My colleagues may recall passing H.R. 2761, the Terrorism Risk Insurance Revision and Extension Act. H.R. 2761 was a triumph for bipartisanship, regular order, good-faith bargaining and effective government. It sought to extend TRIA for another 15 years, added group life insurance to the program, lowered the program trigger, provided for nuclear, biological, chemical and radiological, the so-called NBCR coverage.

And most importantly, Mr. Speaker, H.R. 2761 included the so-called ''reset mechanism,'' which, in the wake of a catastrophic terrorist attack, lowered the nationwide program trigger and decreased the deductibles for any insurer that paid out losses after an attack on our country. This provision was and is absolutely critical to meeting the demand for terrorism insurance across our Nation, and especially in our high-risk areas.

On September 19, the House overwhelmingly passed H.R. 2761 with a bipartisan vote of 312–110. And with the clock ticking toward the program's expiration date, we waited for the Senate to act. And we kept waiting and we kept waiting, and we waited some more. Then, once the House had adjourned for Thanksgiving, and only once the House had adjourned for Thanksgiving, the Senate quickly passed, by unanimous consent, a shell of a bill that simply extended the program to 7 years, stripping out the key provisions that were vital and put in there on a bipartisan House-passed bill.

We believed that we would have had the opportunity to negotiate on many of the issues in a conference with the Senate, but the Senate unacceptably and irresponsibly has refused again and again to conference with the House on the Senate bill, leaving us with few, but not zero, options.

Mr. Speaker, this rule will allow the House to consider a compromised bill that accepts the Senate's position on the extension period, as well as the Senate's opposition to protecting us with NBCR coverage. This compromised bill, however, does stand firm on the House's key priorities, the reset mechanism, group life insurance, and lower program triggers.

Passage of this rule will allow the House to reaffirm its equality in the legislative process and reject the Senate's take-it-or-leave-it attitude. I urge all of our colleagues to support the rule and the underlying legislation.

Mr. SESSIONS. Mr. Speaker, we urge the legislation to be passed, also. And that's why we're encouraging for the House to agree to the Senate version so we can get this done before the expiration at the end of the year.

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

Mr. ARCURI. Mr. Speaker, I yield 1 minute to my colleague from the Rules Committee, the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, I am here to say thank you to the good work of the committee, Republicans and Democrats, but also for making an adjustment in the bill that is going to make a real difference to small Vermont insurers.

This bill calls for a study instead of an imposition of an obligation for the NBCR. That's the right thing to do. Second, it lowers the trigger when the TRIA program will kick in from $100 million to $50 million. That is enormously helpful to cash-strapped companies that are on the small size.

So, I thank the chairman, I thank the members of the committee, Republican and Democrat, on behalf of small businesses and small insurance companies.

Mr. ARCURI. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from Massachusetts, the chairman of the Committee on Financial Services, Mr. FRANK.

Mr. FRANK of Massachusetts. Mr. Speaker, there are times when we will have arguments across the aisle. I don't think there is any need for us to engage in that now because our differences are across the building, not across the aisle.

Let me begin by saying to the gentleman from Texas, we agree, we will not let this program die. And as the gentleman from Texas knows, he has had to sit through this on the Rules Committee three times this year, twice this past week, because we did originally think about taking the bill the Senate had passed, amending it, and sending it back. I am disappointed to say that we heard from all points that if that happened, the Senate might be so unable to function as to kill the program.

The United States Senate has perfected something I call ''the strength of weakness.'' They labor to do anything whatsoever, and having done it, tell people that if we ask them to change one bit of it they will collapse in a heap. It's like the song from ''MacArthur Park,'' someone left the bill out in the rain, and they won't be able to remake it because they will never have the recipe again. That's what we keep hearing.

But, on the other hand, and here's where I do disagree with my friend from Texas, I know we've had some disagreements here about the role of preemptive strikes in foreign policy. Here our disagreement is on the role of preemptive surrender in interbranch negotiations.

I agree that if all else fails and the Senate does not act on this bill, we will have to acquiesce. I regret that. I think it would be much less good public policy than we could do if we had the normal legislative process. But I have spoken to the Senators from New York. They report to me that the Governor of New York and the mayor of New York, and New York is not the only entity covered by this, and indeed, some of these things, they're all universal. But people are concerned, and so we have reluctantly agreed not to endanger the chances of this if the Senate is unable to act.

On the other hand, and here's where I differ, I am unwilling at this point to let it end without the Senate once again being given a chance to function on several issues. The gentleman from Vermont just talked about the smaller companies. The reduction of the trigger from $100 to $50 million was done unanimously, I believe, or overwhelmingly, by our committee at the request of small insurance companies who wanted to be able to insure. The argument is, if they do not have the smaller trigger, many of them would not feel able to bid on insurance for these building projects. So, I think that's important.

We had the inclusion of group life insurance. I am afraid that in the Senate version, this is kind of the analog of the old neutron bomb. Remember the neutron bomb; it killed people and left the buildings standing. The Senate would have us have a provision that ensures buildings but ignores people. Well, people die in these terrorist attacks. We all remember that this Congress, in 2001 or 2002, passed a program that cost us billions of dollars to compensate those who lost their lives. Why should we not allow that to be done to the insurance system? That's another thing we would like to have in there.

And as part of the life insurance, as has been noted by a colleague, there is a provision that was not contested in our committee that would prevent discrimination against people who are traveling to places that some companies might think inappropriate to travel, particularly Israel. There is a provision in here that says you're not going to be penalized for, and this was brought to our attention by some of our colleagues from Florida. Now, all of those are in the bill we want to send back.

Also, a reset mechanism that, obviously it applies to New York where they've already had a terrorist attack, would apply nationally so that you don't get only one bite at the apple if the terrorists choose to strike again. And I think the major reason for doing TRIA is to neutralize the effect that murderous thugs who wish this country and its people ill can have on our policies. That's why we want terrorism insurance. This is part of national defense. This is to make it a government program as part of our defense against this activity.

But there are other parts of this where we have accepted this. Frankly, this looks like what a conference would look like if we were in a rational world where we could have a conference. We said 15 years, they said 7. We've accepted 7. By the way, I will say that in the prior Congress, we only had 2.

The reason for a longer term is that this is important if people are to be able to build in our large cities and other areas which are threatened by terrorism. Because you cannot get the building without a loan, you cannot get the loan without insurance, and a 2-year timeline is obviously too short for major building projects. We accepted that. We wanted protection against nuclear, biological, chemical, radiological attacks. No one thinks that's out of the picture. The Senate said no to it. We accepted that. So, we compromised with them.

And finally, a PAYGO issue arose at the last minute. We didn't do it well here, and the Senate did it well, and I congratulate them for that. It was good legislating. So we accept their term of 7 years. We accept their version of PAYGO. We accept their jettisoning of nuclear, biological, chemical and radiological. But we would like to include group life, and we would like to accommodate the smaller companies, and we would like to have the reset mechanism.

In the end, as I said, we understand we can't compel them, but we believe it is worth another try. Passing this bill will in no way jeopardize our ability in the end, if nothing else fails, to accept the 7 years that the Senate sent us.

But I appeal to the Members here out of an institutional concern. Let's understand that in the end, if the Senate refuses to do certain things, they may have an advantage. But let's not make it easy. Let's not continue a process by which Senators can avoid tough issues. Maybe some Senator will raise some of these issues. Maybe, I know it's ''maybe'' in a land of fantasy, the Senate would vote on some of them and Senators would have to decide if they wanted to say no, it's okay if you can't travel to Israel with your life insurance, it's okay if the smaller companies are kept out, it's okay to insure buildings but not people. Maybe it won't work, but no harm will be done.

I would also add this: In terms of the rule, nothing in the bill that we are proposing today is new except for the Senate PAYGO, and the Senate PAYGO, we all agree, I believe, is superior, given the need to do a PAYGO.

This is a bill that was voted on in subcommittee and in committee and came to the floor. It was amended in various ways. It was a bipartisan product. In the end, the vote was something like 300-plus to 100-plus when the bill passed here in the House; not unanimous, obviously, but with a lot of bipartisanship.

Everything in the bill today, with the exception of the Senate PAYGO, has already been through subcommittee and committee and the floor. But we are saying to the Senate there are important issues here, on group life, on the reset, on travel, on smaller companies. And we are simply, I hope, not ready to say to them we roll over and play dead without giving them another chance to address these issues.

□ 1230

Mr. SESSIONS. Mr. Speaker, I have great respect and admiration for the chairman of the committee, and I think that virtually everything the chairman said I agree with. I think the question is of timing. The fact of the matter is that the majority has chosen to not have a conference. They have chosen to negotiate among themselves, and they have chosen to wait until the last minute. With great respect to the gentleman, these are lots of arguments I could have been making or our chairman could have made just several years ago for a number of years.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I would only ask to amend one thing. It is not the majority. Here we wanted a conference, and in the Senate, it was both parties that refused. It was not the majority. Indeed, there was objection more from the minority side. So I would only differ with the notion that

it was somehow a majority decision. We asked for a conference, and we were told on a bipartisan basis over there they wouldn't give us one.

Mr. SESSIONS. Reclaiming my time, we are not negotiating with the Senate, we are negotiating with ourselves, and I believe that what we need to do is get it done.

Now, there are reasons why the gentleman has chosen to do what he has done. I really can't disagree with him. I really don't. From an institutional perspective, for making the bill better, I think every one of these are great arguments. I think my point would be similar to what we are trying to make on our side: Let's get our work done so the rest of the world and the rest of the marketplace can get their work done. It's pretty late. We are now moving on to the middle of December and this expires at the end of December. There are lots of paperwork issues, there are lots of legal issues, there are lots of contract issues. There are lots of things that need to be done, and it takes some period of time. We are doing the same thing with the AMT. We are trying to say, why don't we not rock the boat because what you are going to do is put in jeopardy the ability this next year for the IRS to even get their work done. So the wake-up call, the head snap is, today it's darn near the middle of December. I could have completely bought off on everything the chairman said, every single word, every single philosophy, everything he said if this were November 15. It is not. It is 1 month later. It is time that we get our work done so that the marketplace can get their work done so that investors can know that they are taken care of, so that we can have certainty in the marketplace and so that we know what we are going to pass. And that is the only disagreement.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman.

If it were up to me, obviously, we would have done this earlier. The only thing I can say is, and I appreciate the spirit of cooperation, I only regret that he cannot love me in December as he did in May.

Mr. SESSIONS. Retrieving my time, I would say to the gentleman that we believe we should not continue doing what the gentleman is doing. We should do what the agreement should be and get it done, because we believe that there are overriding considerations, Mr. Speaker, in the marketplace, with people who need an answer today to be able to get their work done. And waiting until the end, whatever that means, does not help the marketplace.

We are not the start-all and end-all of the world by being the United States Congress. There is a marketplace out there. There are people who need things done. New York City is a fine example of where the business community and those that own property need TRIA. Let's get the thing done. I would have agreed completely with what the gentleman said 1 month ago. It is now time. We are asking, please, let's get this thing done. Let's come to an agreement.

I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, there is probably, timing-wise, no greater, no more important piece of legislation for the protection of this country than this TRIA risk insurance program. It is very important that I just start my remarks by responding to some of the concerns that the gentleman raised.

First of all, in our Financial Services Committee, this is indeed a bipartisan product. Republicans and Democrats worked on this together. This is also a bicameral institution. It is important for the House to have its input. It is important for the Senate to have its input.

As a timing matter, it is critically important for us to make sure that we have incorporated into this legislation important issues that the Senate has left out. So what we have before us, Mr. Speaker, is simply a joint product. We asked for the conference. The conference was not permitted. So we have no other choice except to take what the Senate has offered, and we are accepting that. But there are some other important points of this legislation that need to be incorporated into this bill. And so this revised bill is not a repudiation of what the Senate has done. It is an acceptance of what the Senate has done. And it is also recognizing and acquiescing to some of the issues that they raised that we agreed with. The nuclear, biological, chemical and radiological we agreed with that we would not include.

So what do we have here? And I think it is important for the American people to know exactly this product that we have that we are putting forward at this point. This revised bill would extend TRIA for 7 years just as the Senate favors. Now, we in the House asked for a 15-year renewal for this. You talk about stability. You talk about making sure that we are responding. This is a heavy, heavy issue with the terrorist attack.

We also feel genuinely that if we are going to offer this insurance protection for property, for buildings, my Lord, the most valuable commodity that we lose in a terrorist attack is human life. Group life insurance should be included in this. We are just simply taking what the Senate has offered and again extending back and saying group life insurance must be offered in this bill. The reset mechanism and lowering of the trigger, the Senate wants $100 million. We say $50 million to increase the capacity by encouraging smaller insurers to provide coverage. This is very important as well. And as Chairman FRANK just mentioned, life insurance for foreign travel. Why shouldn't people who decide they want to go to a somewhat dangerous destination as Israel have that life insurance covered? So we are certainly adding the reset mechanism for significant terrorist attacks, over $1 billion, to lower the deductibles and triggers to rebuild market capacity and then gradually increase private sector obligations over time.

We took a lot of time, my colleague. I am on the Financial Services Committee. We have worked very hard. We had hearings on it. We heard from every factor of the community in the financial services, and this product that we offer reflected that. All we are simply saying is, timing is important. But why not allow the House, which has just as much right as the Senate, to perfect this important legislation? We are taking what they want, we have accepted some of the things that they felt were excesses, and we are simply adding these four major components back to the bill, reset mechanism, group life insurance, lowering the trigger and life insurance coverage for foreign travel.

Mr. SESSIONS. Mr. Speaker, will the gentleman yield?

Mr. SCOTT of Georgia. I yield to the gentleman from Texas.

Mr. SESSIONS. The question that I would have for the gentleman is, whom are you negotiating with in the Senate? You talked about these negotiations. Whom is the negotiation with?

Mr. SCOTT of Georgia. We are negotiating with whoever would present themselves to negotiate on the Senate side. But, unfortunately, that has not been successful.

Mr. ARCURI. I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I would just say on this, and I didn't want to make it in any way partisan, but what we have been told is that the senior Republican on the committee, the gentleman from Alabama, has said this is all he will accept. I have talked to the chairman of the committee, the Senator from Connecticut, I've talked to the Senator from New York, and they were ready to discuss it. But they said that given Senate rules, they could not get the Senator from Alabama to do anything else, and they didn't feel they could change that.

There were also concerns that even if we were to send back exactly the bill that he had wanted, another Senator might object, because that is a volatile place. But we did talk to the Senator from Connecticut, we talked to the Senator from New York. The Senator from Alabama, the ranking minority member, was the major opponent.

I would yield to my friend.

Mr. SESSIONS. I thank the gentleman. So we are going to keep playing ping pong?

Mr. FRANK. No, this is not ping pong. This is ping. We're keeping pong

over here. That is, we are going to send them and give them one more chance. But we are keeping their version over here if all else fails.

Mr. SCOTT of Georgia. In conclusion, I would just simply say that I urge that we support this rule. It is very important and timely.

Mr. SESSIONS. Mr. Speaker, I appreciate both the gentlemen from the Financial Services Committee offering their explanation about this process. I would once again remind my friends in this great body that there is a lot of work that needs to be done after this bill leaves both of these bodies, including a signature of the President of the United States. What we do does matter and is important. But it is time we get our work done to allow the people who really do matter, and that is the people who are in the marketplace to be able to buy the insurance, to make it available and to get it ready days from now. It is time to put aside our differences. It is time to enter the real negotiation, and that is either to have a real conference where we know where people are to get it done, or to find a way to cut a deal. And, instead, to come back to this body and to once again change the rechange of the change I think is a bad deal.

So we're going to vote ''no.'' We would like to get the deal done, but not to continue to deal.

You see, Mr. Speaker, in the world where I come from, it is results that matter, not just reworking the work to rework the work, just like what this body has gotten used to this year with 10 out of 11 spending bills not being done. I would remind the majority, you got a lot of work to do there, too, so that we can have the confidence of the American people that we can not only run the railroad on time, but we can make wise decisions.

I reserve the balance of my time.

Mr. ARCURI. Mr. Speaker, I would inquire from the gentleman from Texas if he has any additional speakers.

Mr. SESSIONS. I thank the gentleman, and responding to the gentleman, I have no additional speakers.

Mr. ARCURI. All of our speakers have spoken, so I would reserve the balance of my time and ask my colleague if he wishes to close.

Mr. SESSIONS. I thank the gentleman.

Mr. Speaker, the conversation that has taken place today is one that was important. The Republican Party does support and thinks what the gentleman is doing is of a worthy nature. The gentleman, Mr. FRANK, has, for a number of years, not only spoken about this issue but has worked hard for its resolution. We know that if we continue to work together on issues like this, we can get things done. But getting things done is also important, and we think that a bill should have been done, an agreement should have been reached before now and negotiations should have ended because it is now time to give to the President, it is now time to give to the marketplace.

But I also recognize that this is the 44th closed rule of this session, that somebody is not really interested in what we think. That's why we have 44 closed rules this year. So we come to the floor, once again, the Republican Party, saying, you can have it your way, we know you have the votes, 44th closed rule this year. But let's get our work done. Let's not have the American people waiting on the House of Representatives.

I know the Speaker of the House wants to do things in the way that she sees fit. But let's get our work done. The American people are waiting. They are waiting not just on AMT. They are not just waiting on this bill that we have today. They are waiting on, like the rest of the government, the other 10 out of the 11 spending bills. And I do think that the American people don't confuse a lot of work that is being done with progress. Progress is the end result where you get something done and then say, We're proud of our effort. All I have heard all today, notwithstanding the prior arguments, and these arguments, that everybody is trying to take credit for everything. We are far short of the runway. We are far short of the runway because what we do here must be done right, but must be finished and done so that the American people and the economy can move forward.

I know this is a closed rule. If it had been an open rule, and that is okay, we understand. If it had been an open rule, we would have said, let's get this thing done. Let's close it. I offered an amendment in the Rules Committee the other day that said, let's take the Senate language, let's decide we will just accept what they have done so that we can get it done in proper timing. On a party-line vote that was defeated. So there is a reason why the Speaker wants to continue this dialogue. There's a reason why the Speaker wants to wait and to hold this out. I don't understand it. But the Republican Party once again today is saying, we think we ought to get our work done. We think we should do what we said we were going to do, and we should then let the American public see what we have done and not hide things in secret.

□ 1245

Let's get this done, let's get TRIA done, let's get our AMT done, let's get the 10 out of 11 spending bills done, and let's show the American people we can do the work which we were sent here to do. That is the position of the Republican Party.

Mr. Speaker, we yield back the balance of our time.

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

Frankly, all we have heard lately, especially in the Rules Committee debate, is that this bill is not going to pass the Senate, this bill is going to get vetoed by the President, and therefore the House should follow what the Senate is going to do and the House should follow what the President suggests. That is not the reason 435 Members of this House were elected. We were elected to do what we think is best for this country, and not what the Senate thinks is best, and not what the President thinks is best, but what the House of Representatives thinks is best. That is what this bill is attempting to do, give what the House of Representatives thinks is best in this important piece of legislation.

Protecting the safety and security of America is, without question, a top priority of this institution. The horrific terrorist attacks of September 11, 2001, had a devastating effect on many people in this country. The attacks also had a devastating economic effect on the commercial insurance market. TRIA has been a success. Primary insurers are able to write policies and business owners are able to obtain coverage. Stability was restored to this vital market.

If we do not act now to extend TRIA, this program will expire at the end of the month and we will be back where we started after the September 11 attacks. We have debated this bill before and the House passed a similar version in September, with the support of 312 Members. I hope that the TRIA legislation we will consider here today will enjoy the same overwhelming bipartisan support. We must not allow the threat of future terrorist attacks to endanger or close valuable businesses because they cannot afford insurance. This is not an exercise in futility, as my colleague said in his opening, but rather an exercise in necessity.

Mr. Speaker, I urge a ''yes'' vote on the rule and on the previous question.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 862 will be followed by 5-minute votes on ordering the previous question on House Resolution 860; adoption of House Resolution 860, if ordered; ordering the previous question on House Resolution 861; and adoption of House Resolution 861, if ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 189, not voting 19, as follows:

[Roll No. 1145]

YEAS—223

Abercrombie	Baca	Berkley
Ackerman	Baird	Berman
Allen	Baldwin	Berry
Altmire	Barrow	Bishop (GA)
Andrews	Bean	Bishop (NY)
Arcuri	Becerra	Blumenauer

Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (NY)
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Carson
Cubin
Gutierrez
Hinojosa
Hooley
Hunter
Jindal
Johnson (IL)
Jones (OH)
Kind
Linder
Matheson
Miller, Gary
Musgrave
Neugebauer
Paul
Salazar
Scott (VA)
Tancredo

□ 1311

Mr. BROUN of Georgia, Mrs. BACHMANN, and Messrs. BILIRAKIS and BURGESS changed their vote from ''yea'' to ''nay.''

Ms. DEGETTE and Mr. RODRIGUEZ changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 860, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 14, as follows:

[Roll No. 1146]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—191

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

Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Carson
Cubin
Hooley
Hunter
Jindal
Johnson (IL)
Kind
Matheson
Miller, Gary
Neugebauer
Paul
Salazar
Scott (VA)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain.

□ 1319

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall Nos. 1145 and 1146, had I been present, I would have voted "nay."

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 860, the managers on the part of the House on H.R. 3093 are discharged and the bill is laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4351, AMT RELIEF ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 861, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 222, nays 193, not voting 16, as follows:

[Roll No. 1147]

YEAS—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—193

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Carson
Cubin
Hirono
Hooley
Hunter
Jindal
Kaptur
Kind
Matheson
Miller, Gary
Neugebauer
Paul
Salazar
Scott (VA)
Shuster
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain.

□ 1326

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 15, as follows:

[Roll No. 1148]

YEAS—225

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

Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—191

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Carson
Cubin
Culberson
Hooley
Hunter
Jindal
Kind
Matheson
Miller, Gary
Neugebauer
Paul
Radanovich
Salazar
Scott (VA)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1333

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

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

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

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

DEAR MADAM SPEAKER: I hereby tender my resignation from the House Permanent Select Committee on Intelligence effective at the close of business today.

Sincerely,

ALCEE L. HASTINGS,
Member of Congress.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mr. SKELTON. Mr. Speaker, pursuant to House Resolution 860, I call up the conference report on 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to rule XXII, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 6, 2007, Book II at page H14495.)

The SPEAKER pro tempore. The gentleman from Missouri (Mr. SKELTON) and the gentleman from New Jersey (Mr. SAXTON) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this conference report.

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

There was no objection.

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

I rise today in strong support of the conference report on H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008.

I must tell you, Mr. Speaker, that I'm so extremely proud of the members of the Armed Services Committee, of all of those who worked hard in and out of the Armed Services Committee to make this happen. And a special thanks to the fantastic staff that we have supporting us, Erin Conaton, Bob Simmons, who is the leader of those on the other side of the aisle regarding the staff, and everyone just pitched in so very, very well.

Mr. Speaker, this is a good bill. As a matter of fact, I think it's the best bill in decades that this Congress has put forward. It's good for our troops, good for our families, it will help improve readiness of our Armed Forces, and it will bring new significant oversight to the Department of Defense in areas where oversight was sorely needed in the past.

Let me begin by saying that the Armed Services Committee has remained committed to a tradition of bipartisanship, and we appreciate that, and we have all throughout the year.

Special thanks to our ranking member, the gentleman from California (Mr. HUNTER) and today to the gentleman from New Jersey (Mr. SAXTON) who's been such a great help through the years.

When the 110th Congress began, we laid out, from the Armed Services Committee, six strategic priorities, and we have met them in this legislation. The bill before us is the culmination of our efforts. It addresses strategic priorities in important ways. It includes a 3.5 percent across-the-board

pay raise, it protects the troops and their families from escalating health care fees, and includes well over 100 other measures, both large and small, regarding quality of life. It is especially important because it adopts the elements of the Wounded Warrior Act which passed this House earlier in the year 426–0. And I think that that, in and of itself, is a major victory for those in uniform.

It addresses readiness. It establishes a new, high level board of military officers, the Defense Materiel Readiness Board, to grapple with the growing shortfalls confronting the Armed Forces. The bill allocates $1 billion to a Strategic Readiness Fund.

The bill will bring much needed oversight to the wars in Iraq and Afghanistan. It does so by instituting new reporting requirements developed on a bipartisan basis.

The bill builds on the successful passage of H.R. 1, which fully implemented the recommendations of the 9/11 Commission. H.R. 1585 authorizes the funding required to carry forward that act by continuing, and this is important, and expanding the Department of Defense's cooperative threat reduction program and the Department of Energy's nuclear nonproliferation programs. Mr. Speaker, these programs address perhaps the single largest threat to the American homeland, the threat of nuclear terrorism and other weapons of mass destruction, and we address that very carefully in this bill.

We also include $17.6 billion for the mine resistant ambush vehicle, which is known as MRAP, to protect our troops in Iraq and in future conflicts. It does a great deal in the area of funding for our various ships, including production of two *Virginia*-class submarines per year by 2010, and adds eight C–17s to meet the needs of the demands of global power projection.

One of the most important elements of this bill, in addition to the money and the hardware, is a requirement that the Department of Defense perform a quadrennial review of its roles and missions. The first time this was addressed, and the last time it was addressed thoroughly, was back in 1948 at the behest of President Harry Truman and his then Secretary of Defense, James Forestal. The review we require in this bill causes a full examination as to whether the Department of Defense is truly developing the core competencies and capabilities to perform the missions assigned to it and whether those capabilities are being developed in the most joint and efficient way by the military services. Much has changed since 1948. Technology has changed and has blossomed and mushroomed, and that's why it's important that we update, by way of the Joint Chiefs of Staff and the Secretary of Defense, the Key West agreement that was met back in that year of 1948.

I am very, very pleased with this bill, Mr. Speaker. I think that history will say that this one was a comprehensive, if not the most comprehensive, Defense authorization bill that our Congress has passed in decades.

Mr. Speaker, I include in the RECORD, regarding the Key West agreement of 1948, a statement by Sam Rushie, who is the supervisory archivist of the Truman Library in Independence, Missouri.

On December 19, 1945—3 months after the end of the Second World War—President Truman recommended to Congress that the War and Navy Departments be unified in a new Department of National Defense. In his statement to Congress, Truman declared, ''One of the lessons which have most clearly come from the costly and dangerous experience of this war is that there must be unified direction of land, sea and air forces at home as well as in all other parts of the world where our Armed Forces are serving. ''We did not have that kind of direction when we were attacked four years ago—and we certainly paid a high price for not having it.''

On May 13, 1946, Truman met with Secretary of War Patterson and Secretary of the Navy Forrestal, and he urged that the Army and the Navy reach a compromise on the problem of unification.

The President's proposals were finally enacted on July 26, 1947, as the National Security Act, the main feature of which was the establishment of a unified Department of Defense. That same day, the President issued Executive Order 9877, an attempt to define the functions of the Army, the Navy, and the newly created Air Force within the unified National Military Establishment. However, bickering between the services continued, especially over issues that the Executive Order had failed to address specifically. Many of these issues concerned the functions of the Navy. The Army regarded the Navy's Marine Corps as a rival for control of combat operations on land; similarly, the Air Force viewed Naval Aviation as an infringement on its jurisdiction over air operations.

In an effort to resolve these conflicts, Secretary of Defense James Forrestal summoned the Joint Chiefs of Staff to a meeting at Key West, Florida in March 1948. Following suggestions made by Forrestal, the Joint Chiefs drafted a directive entitled ''Functions of the Armed Forces and the Joint Chiefs of Staff,'' popularly known as the ''Key West Agreement.'' Forrestal submitted this proposal to the President in late March. On April 21, 1948, the President issued Executive Order 9950, revoking his earlier executive order. This cleared the way for the Secretary of Defense to issue the new directive that same day.

With modifications, the Key West Agreement continues to govern responsibilities within the armed forces to this day. In contrast to the broad language of the earlier executive order, Forrestal's directive specified the primary and secondary responsibilities of each branch of the service. In a tenuous compromise, it was agreed that the Navy would not establish a strategic air component, but would be permitted to have aircraft carriers and use its aircraft against inland targets. (This was interpreted by the Navy as an endorsement of the projected new supercarrier, the USS *United States*.) The Air Force would retain primary responsibility for strategic air operations and air defense. At the same time, it was agreed that the Marine Corps would be preserved, but would be limited in size to four divisions, and would cooperate with the Army in planning amphibious operations.

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

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

Mr. Speaker, I want to begin by very, very sincerely thanking my good friend from Missouri, Chairman SKELTON, for the great leadership that he has provided in the months past in writing the original version and then shaping the bill and then using his steady hand to guide us through the conference, of course with the help of my good friend, Ranking Member DUNCAN HUNTER. Both of these leaders provided great direction for us, and I might say that the product of their work is here today. I agree with the chairman, that this is a very, very good bill, and I am very fortunate to be able to stand here today to say how important I think it is that we all support it.

□ 1345

Unfortunately, Ranking Member HUNTER could not be here today, but I know he is very proud of this conference report as well. I'd like to thank all of the subcommittee chairmen and their ranking members for their hard work and leadership. It is responsible for almost 1,500 pages that this bill contains. And the staff that helped make this a reality, obviously Members would not have been able to be here today if it were not for them either.

This is a good, bipartisan bill. Last Thursday, the House Armed Services Committee filed this conference report after an overwhelming majority of conferees signed the report. Seldom in my career here have I seen this kind of agreement among Members on the bill. Our subcommittee chairmen and their ranking members will provide a detailed summary of the bill, so I will only highlight a few key areas.

Most importantly, this bipartisan bill takes care of the brave men and women serving our country at home and abroad. It authorizes $506.9 billion in budgetary authority for the Department of Defense and the national security programs of the Department of Energy. Additionally, it supports current operations in Iraq, Afghanistan and elsewhere in the global war on terrorism by authorizing $189.4 billion in supplemental funding for operational costs, personnel expenses and procurement of new equipment for fiscal year 2008.

This amount provides for end-strength growth in both the Army and the Marine Corps, continuing initiatives started several years ago by the Armed Services Committee, by authorizing increases of 13,000 Army and 9,000 Marine Corps active duty personnel to sustain our required missions.

Additionally, this conference report authorizes a 3.5 percent pay increase, as the chairman remarked earlier. These pay raises for all members of the Armed Forces for 2008 are extremely important.

We talk a lot about quality of life and here we're doing something about it. Some of the initiatives in this legislation continue successful, practical programs such as the Commander's

Emergency Response Program, which is working well in battlefields in Iraq and Afghanistan. Other initiatives reinforce good legislation that the House has already passed, such as the Wounded Warrior legislation to address the challenges that face our recovering servicemembers and their families. Still others modify existing authorities or establish promising new programs and new policies.

Some of the new programs and policies include these:

Providing $17.6 billion for the mine resistant ambush protected vehicle, an armored vehicle which will save lives going forward; setting guidelines for all private security contractors operating in Iraq and Afghanistan and other areas where we have combat operations. And we know from recent news reports how important this provision is.

We also authorize eight additional C–17s to support the intratheater lift requirements and meet the airlift needs for the increased end strength in the Army and Marine Corps.

We added major acquisition reform initiatives, such as establishing new responsibilities for the Joint Requirements Oversight Council and mandating that new acquisition programs be aligned with the missions of the Department and the competency and capability of the service proposing the program.

And finally, we acted to elevate the chief of the National Guard bureau to a four-star general and adopted many of the recommendations of the Commission on National Guard and Reserve Corps.

Just as importantly, this legislation avoids contentious language, such as the hate crimes provision, which would have put our bill at risk of a Presidential veto. I want to acknowledge the leadership of Chairman IKE SKELTON, whose hard work in shepherding this vital legislation through the conference has guaranteed that our servicemen and women will get what they need, and they will get it when they need it.

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

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to my friend and colleague, the gentleman from Texas (Mr. ORTIZ), who is the chairman of the Subcommittee on Readiness.

Mr. ORTIZ. Mr. Speaker, I rise in support of this conference report on the National Defense Authorization Act for Fiscal Year 2008, and I want to thank Chairman SKELTON and Ranking Member HUNTER and the members of the full committee and the staff for doing a great job.

The bill before us begins to address our growing concerns about the readiness posture of our Armed Forces; yet the breadth and the scope of our readiness has been deeply damaged by virtue of operations and many years of ignoring this problem. Our troops and their equipment have been stretched by extended combat operations, and the strain is evident in declining readiness, shortfalls in training and difficulties in equipping our forces.

These problems have grown to immense proportions, and this bill is a significant step to reverse the decline and to rebuild our military. Included in the bill are some significant readiness policy initiatives and investments that will help restore the readiness posture of our military.

First, this bill establishes a Defense Readiness Production Board to identify critical readiness requirements and to mobilize the defense industrial base to speed up the production of military equipment. This board will bridge the gap between readiness needs and resources to help repair our worn-out equipment.

The bill also creates a $1 billion Strategic Readiness Fund to give the board and the Department of Defense the ability to rapidly attend to pressing readiness needs.

This bill begins to address other shortfalls in maintenance and training by providing $250 million for unfunded training requirements and an additional $150 million to restore aviation maintenance shortfalls.

And we're very concerned about the readiness of our National Guard. Our bill requires the Department of Defense to begin measuring the readiness of National Guard units to support emergencies in their home States, such as the recent tragic tornadoes in Kansas. These readiness reports will allow the Congress and each State's Governor to evaluate the needs of each State and address problems before a disaster occurs. To help restore the shortfalls, the bill includes a $1 billion investment in National Guard equipment.

We also include provisions that require plans and reports to Congress on reconstituting our prepositioned war stocks. We also authorized more than $21 billion for military construction, family housing and to implement base realignment and closure. These funds include money to support grow-the-force initiatives for the Army and Marine Corps and to provide facilities to accommodate new recruits and missions.

Other significant provisions include proposed changes to the National Security Personnel System, depot initiatives and numerous important policy initiatives by the Department of Defense.

This is a good bill, and I am pleased to have helped in some way in shaping this bill. It reflects our bipartisan desire to improve readiness and to provide for the men and women in uniform.

I ask my colleagues to support this bill.

Mr. SAXTON. Mr. Speaker, I yield 3 minutes to the gentleman from Chesapeake, Virginia (Mr. FORBES), the ranking member of the Readiness Subcommittee.

Mr. FORBES. Mr. Speaker, I thank the gentleman from New Jersey for yielding and for his leadership on the Armed Services Committee throughout the years.

I rise today in strong support of the conference agreement for the 2008 National Defense Authorization Act. I also want to take a moment to thank Chairman SKELTON and Mr. HUNTER for their leadership and hard work in getting us to this point.

This conference report is the culmination of 102 House Armed Services Committee hearings, a comparable number of informational briefings and untold hours of debate and discussion with our friends in the Senate. This bill reflects our strong and continued support for the brave men and women of the United States armed services, and I thank both of these gentlemen for moving forward a robust, bipartisan Defense authorization bill.

I also want to thank Mr. ORTIZ, my subcommittee chairman and good friend, for his outstanding leadership of the Readiness Subcommittee.

This conference report provides funding authorization and support for our military and civilian personnel serving in the global war on terrorism while at the same time seeking to reverse declining trends in readiness.

Major highlights include: It provides $18.4 billion for the Army and $8.6 billion for the Marine Corps to address equipment reset requirements. It provides $980 million for critical National Guard equipment. It authorizes $1 billion for the Strategic Readiness Fund. It establishes the Defense Materiel Readiness Board. It requires quarterly rating and reporting of National Guard readiness for homeland defense missions. It provides a 3.5 percent pay increase to our men and women in uniform. It increases the end strength in the Army and the Marine Corps to improve readiness and meet the threats of the 21st century. It authorizes $2.8 billion in military construction funding to support these end-strength increases. And it authorizes funding to examine the national security interagency process. As many of you know, this is an issue that is overdue for reform, and many of us are pleased to see this begin to be examined more closely.

Mr. Speaker, we are all very aware that our continued global presence and ongoing combat operations are taxing current readiness levels. We also know that all of the military services are facing aging equipment inventories and are in need of recapitalization and modernization funding. Striking the balance between sustaining readiness today and ensuring a healthy, ready force tomorrow is a vast and complex challenge. This conference report strikes a good balance between sustaining what we've got while ensuring a well-trained, all-volunteer force with modern equipment will be available in the future.

This conference report deserves your support.

Mr. SKELTON. Mr. Speaker, it gives me pleasure to yield 4 minutes to the

gentleman from Mississippi (Mr. TAYLOR), my friend who is the chairman of the Subcommittee on Seapower and Expeditionary Forces.

Mr. TAYLOR. Mr. Speaker, I want to begin by thanking our chairman, IKE SKELTON, for the phenomenal job he's done for looking out for the men and women in uniform this year.

I want to thank my ranking member, ROSCOE BARTLETT, for his incredible cooperation, and I want to thank all the members of the Seapower Subcommittee.

I also want to thank the other committee chairmen who, to a man or a woman, transferred funds from their jurisdiction to try to help in our efforts to rebuild America's fleet.

Of all the services, I think it is fair to say that the Bush administration has been the least favorable to the United States Navy. It has shrunk by about 50 ships on George Bush's watch. We're trying to turn that around.

With this year's bill, we're very proud of several things we've done. We've funded one Virginia class submarine and advanced funding for a second. We've funded one Littoral combat ship, one amphibious assault ship, a dry cargo vessel, a high speed vessel. We've completed funding for two Arleigh Burke destroyers, one amphibious assault ship, and we have started the full funding of an additional carrier.

We have long lead funding for three TAKE cargo ships, and Mr. Speaker, again with the great help of ROSCOE BARTLETT, we have in here language that says the next generation of warships, surface combatants, will be nuclear-powered to lessen our Nation's dependence on foreign oil.

I would encourage every American to read a great book on the New York Times best sellers list called ''Halseys Typhoon,'' and it talks about the Christmas typhoon that hit the fleet off of the Philippines in 1944, the needless loss of vessels. But the event that triggered the fleet's sailing into that typhoon was the need for the fleet to refuel their destroyers when the destroyers were caught low on fuel. The destroyers got caught in this storm. Three of them foundered needlessly, and had those vessels been nuclear-powered with a 30-year supply of fuel on board, that never would have happened.

To this day, we have only five oilers in the Pacific. Any clever, future foe of the United States, the first thing they're going to do is try to sink those oilers. And the Department of Defense strategy of wishful thinking that this isn't going to happen isn't good enough.

So because of future combat needs, things like rail guns, the growth in power, demand for things like electronics, and above all, to have the ships that guard our carriers to have the capacity to stay with the carriers for 30 years, as far as their fuel needs, we're very, very proud of that.

We're very happy that the Guard Empowerment Act will become law, and I want to thank my colleague TOM DAVIS for encouraging me to sponsor that, and I want to thank him for cosponsoring it. It will raise the chief of the National Guard bureau to four stars. It will see to it that either the commander or the deputy commander of the northern command will be either a Guardsman or Reservist.

And I can tell you, having worked with General Steven Blom in the aftermath of Hurricane Katrina, I cannot think of a finer human being to be the first person as a National Guardsman to wear four stars.

□ 1400

I want to thank the subcommittee for their work on the fielding of mine resistant ambush protected vehicles. A year ago right now, the administration had only asked for 400 of those vehicles. Because of the work of the subcommittee, because of the case that was made to the American people, there will now be 15,000 of them built, and it will from the day it's fielded save lives and save limbs. There are young people in Mississippi graveyards who would be alive today if we had fielded them sooner, but at least it's getting done now.

So, Mr. Chairman, thank you for the great work you've done. I want to thank my fellow subcommittee chairman. And above all, I want to encourage the House to support this very important measure.

Mr. SAXTON. Mr. Speaker, I yield 3½ minutes to the gentleman from Hagerstown, Maryland (Mr. BARTLETT), who is the ranking member of the Seapower Subcommittee.

Mr. BARTLETT of Maryland. Mr. Speaker, I rise in strong support of the National Defense Authorization Act for Fiscal Year 2008. As ranking member of the Subcommittee on Seapower and Expeditionary Forces, I would like to thank the gentleman from Mississippi (Mr. TAYLOR), chairman of our subcommittee, for his wisdom and profound concern for the safety of our servicemembers and the security of the United States.

Further, I would like to recognize our chairman, IKE SKELTON, and our ranking member, DUNCAN HUNTER, for their continued leadership and support. This bill contains farsighted provisions which I believe are critical to this Nation's future security, none of which would have been possible without the steadfast advocacy of these visionary leaders. Thank you.

I also want to recognize the superb staff without whom this bill would not be possible.

There are a handful of provisions in every annual defense policy bill that stand apart in terms of their impact. This conference report is no different. This year the Congress has clearly established that it is the policy of the United States to utilize nuclear propulsion for all future major naval combatants. It is a vital step to secure our Nation's national and energy security.

Nuclear propulsion for naval ships is the right thing to do from economic, combat effectiveness, homeland defense, and energy policy perspectives. Without congressional action, budgetary pressures would forever prevent the Navy from making this farsighted commitment to its future.

Studies have consistently shown that life-cycle and operational costs are lower for nuclear propulsion in large combat vessels, such as cruisers. The most recent naval study shows that the break-even cost for a nuclear fueled cruiser is $60 per barrel of oil. It's now about $90. What's more, the National Petroleum Council projects future shortfalls in the supply of oil clear through 2030.

Last spring, a DOD Office of Force Transformation and Resources commissioned report found that the risks associated with oil will make the U.S. military's ability to rapidly deploy on demand ''unsustainable in the long run.'' It said it is ''imperative'' that DOD ''apply new energy technologies that address alternative supply sources and efficient consumption across all aspects of military operations.''

Congress has responded. As recently as last year's Defense bill, Congress found that the Nation's dependence upon foreign oil is a threat to national security and that other energy sources must be seriously considered. It noted the advantages of nuclear power, such as virtually unlimited high-speed endurance, elimination of vulnerable refueling, and a reduction in the requirement for replenishment vessels and the need to protect those vessels. Congress directed the Secretary of the Navy to evaluate integrated power systems, fuel cells, and nuclear power as propulsion alternatives within the analysis of alternatives for future major surface combatants.

The Navy is conducting such an analysis for the next generation cruiser. However, in hearings this year, our subcommittee saw no evidence that the Department of Defense was seriously willing to consider making the investments required to enable that future. Quite simply, the conferees decided that we could waste no further time because these investments must begin to be made next year for the CG(X) next generation cruiser. Therefore, this conference report requires integrated nuclear propulsion for future major combatants.

This conference report reflects a fair and balanced treatment of the remaining issues facing the United States Navy and Marine Corps, and I respectfully ask full support for this very important bill.

Mr. TAYLOR. Mr. Speaker, I would like to ask unanimous consent to thank Captain Will Ebbs and Ms. Jenness Simler for the outstanding job they did in helping the Seapower Subcommittee this year and have them reflected in the RECORD.

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

There was no objection.

Mr. SKELTON. Mr. Speaker, first let me thank my friend from Mississippi for the historical reference back to 1944 regarding the fuel situation, and I think that the subcommittee is making a substantial contribution in requiring the nuclear ships that it does.

Mr. Speaker, I yield 3 minutes to my friend and colleague, the chairman of the Subcommittee on Oversight and Investigations, the gentleman from Arkansas, Dr. SNYDER.

Mr. SNYDER. Mr. Speaker, prayers and praise for our men and women in uniform do not fulfill our responsibilities to provide for the common defense. Every military family deserves the support of every American, and we act today in this Defense bill to provide that support.

No Defense bill is perfect. No Defense bill finishes the work. But this Congress comes together today in a bipartisan manner with a good bill.

Three quick points. First of all, I want to thank Mr. SKELTON and Mr. HUNTER for their leadership and the work that they have done on this year's Defense bill. I also want to acknowledge the presence of Mr. SAXTON, who has announced his retirement and is in his last term and is providing leadership today, as he often does, of this committee.

Second, I am very pleased to see the improvements in the GI Bill for our Reserve component members. It has been grossly unfair that some of our Reserve component members have not been able to get GI Bill benefits when they have left the service.

And, third, thanks to Mr. MCHUGH and Mrs. DAVIS and others, we have very good provisions in this bill, the so-called Wounded Warrior provisions, that will make life easier for those of our men and women in uniform who are hurt or become ill overseas.

Mr. SAXTON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I appreciate the gentleman's yielding.

Mr. Speaker, I rise in support of this conference report. It is one of the few examples of bipartisan work that has been produced so far in this Congress, and I think it is worthy of every Member's support.

I want to specifically mention some of the provisions within the jurisdiction of the Terrorism and Unconventional Warfare Subcommittee, which has been very ably led by the gentleman from Washington (Mr. SMITH), following in the tradition of the gentleman from New Jersey (Mr. SAXTON). Both of them ask tough questions, but they always put the interests of the country first.

The cutting edge of our battle against terrorists are the folks of the Special Operations Command, and this bill fully authorizes the requested funding for those assigned to our toughest missions. The bill also improves SOCOM's acquisition and contracting authority.

SOCOM is a unique entity set up specifically by Congress with unique authorities, including the ability to buy its own equipment. Now, that is resented by some, and this provision in this bill is intended to make that explicitly clear. But I think all of us on the subcommittee agree that if it is not made clear by this provision, then we will come back and do more next year.

This bill continues the authority to fund projects in our work with others. It is an important part of this war against terrorists to work with and through other forces, other individuals, and the funding authority that allows that to happen is continued here.

I especially want to express my appreciation to the subcommittee chairman, Mr. SMITH, that this subcommittee has again continued in Mr. SAXTON's work to develop a deep understanding of the ideology that drives radical Islamic terrorism and how best we can counter it. As much money, time, and effort has been put into that issue since 9/11/2001, I don't think we're to the bottom of it yet.

In addition, this portion of the bill provides more strategic direction and efficiency to our research and development efforts. For example, it adopts the Defense Science Board recommendation that requires Strategic Plan for Manufacturing Technology program to try to make sure that equipment goes from the laboratory to the field where the soldiers can use it in an efficient and effective way. And in IT, it makes acquisition more responsive to the pace of technological change. I believe we have a lot more work yet to go in that area, but we have also worked in that most unconventional of warfare areas, and that is through cyberwarfare where this country is being attacked every day by folks over the Internet. Our military and the rest of our government, I think, is just beginning to come to grips with the significance of that issue and how best to deal with it.

Mr. Speaker, this is not a perfect bill, but I think it is a good bill and it should be supported by all Members.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to my friend the gentleman from Washington (Mr. SMITH), who is also the chairman of the Subcommittee on Terrorism and Unconventional Threats and Capabilities.

Mr. SMITH of Washington. I thank the chairman for yielding.

Mr. Speaker, I want to begin by echoing the comments of my colleague from Texas (Mr. THORNBERRY) and also thanking him for his outstanding leadership on our subcommittee. It's been great to work in a bipartisan fashion with Mr. THORNBERRY; with Mr. SAXTON, the former chairman; and the other members of the committee. And I will not repeat all that Mr. THORNBERRY just said because I agree with it completely. The priorities that he laid out of our subcommittee, focusing on supporting the Special Operations Command in their lead in the fight against al Qaeda and terrorism; focusing on science, technology, and all the issues that he raised are exactly what we are trying to confront. I have enjoyed working with him on those issues and look forward to continuing to do so because, as he mentioned, we have certainly made progress but there is a lot more work to do. Our Special Operations Command needs all the support we can give it in its effort to fight al Qaeda, to understand that enemy and then use its forces to the best of its ability to combat it. And I think understanding those issues is enormously important. It has been a huge priority of our subcommittee.

I also want to thank the chairman of the full committee, Mr. SKELTON. It is a great honor to have worked with him during my 11 years in Congress and certainly a great honor to work with him as the Chair, and I think he has produced an outstanding bill, in particular the focus on the troops. I have traveled with the chairman before, and I know that this is always at the top of his priority list, how we are taking care of the troops and their families. This bill does that. It protects them, active duty, Guard and Reserve. It makes it a priority to make sure that we are meeting their needs, and I know that is primarily because of his leadership, and I thank him for that. I also thank the other subcommittees who were directly involved in that.

Lastly, I want to point out how important it is that this bill also recognizes the fight we are currently engaged in in Iraq and Afghanistan. It goes to the issues that are most important to those troops. Funding the MRAPs, trying to come up with ways to combat IEDs, making sure they have the body armor and the up-armored Humvees they need to confront those threats. It has been a huge priority of this committee, and particularly Mr. TAYLOR and Mr. ABERCROMBIE, to make sure that we fund our troops that are in the field right now with the priorities that they most need because they are the ones facing the most direct threat right now.

I have always been proud to be a member of this committee, and I'm very proud of the bill that we have created. I urge every Member in this body to support it. I think it's an excellent piece of legislation.

Mr. SAXTON. Mr. Speaker, I yield 4½ minutes to the gentleman from Rehoboth, Alabama (Mr. EVERETT), the ranking member of the Strategic Forces Subcommittee.

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

Mr. EVERETT. Mr. Speaker, I want to start by recognizing the gentleman from Missouri (Mr. SKELTON) and my great friend from California (Mr.

HUNTER) for their work on this bill. I also want to recognize the fact that the gentleman from Missouri, this is not his first bill but it's his first Defense bill as chairman of the committee, and I congratulate him.

I rise in support of this conference report to accompany the Fiscal Year 2008 National Defense Authorization Act.

The bill includes funds for European missile defense interceptors and radars and encourages the administration to seek a reprogramming request once agreements with host countries are reached.

The bill establishes policy to defend against Iranian ballistic missile threats and seeks greater missile defense cooperation with Israel. It also authorizes an increase of $65 million for the Aegis Ballistic Missile Defense. The bill authorizes GMD, THAAD, and KEI at the budget request, and airborne laser funding is increased to just $35 million below the budget request.

□ 1415

In the area of military space, the bill requires the Secretary of Defense and the Director of National Intelligence to develop a space protection strategy. The importance of space to the economy and to modern-day warfighting is often overlooked. In light of the Chinese antisatellite test last January and other threats to space, we must place a greater priority on the protection of our Nation's space capabilities.

Within the area of atomic energy defense activities, the bill reflects general bipartisan agreement, particularly in its authorization of the Reliable Replacement Warhead Program cost and design activities.

And finally, Mr. Speaker, I would be remiss if I didn't recognize the gentlelady from California, who chairs the Strategic Forces Subcommittee. She demonstrates skillful leadership in her first year as chairman, and I want to congratulate her. This bill would not be what it is without her leadership.

I also must recognize my fellow subcommittee chairmen, Members on both sides of the aisle, and their staffs. I think this subcommittee handles some of the most difficult policy decisions in the House Armed Services Committee, and I want to express my appreciation for their hard work in protecting our Nation's security.

At this time, Mr. Speaker, I would like to have a colloquy between myself and Chairman SKELTON.

Mr. Speaker, as you know, the government has eliminated the use of non-GSA-approved lock bar file cabinets and outdated mechanical locks for storage of classified information in accordance with national security policy. However, under current Federal regulations, contractors are not required to phase out this old equipment until 2012. This results in less robust security and more government spending to protect classified information handled by contractors.

Although the Department of Defense has taken measures to meet these requirements internally, it is evident that the defense contractor community is behind the implementation of the required locks and safes. The committee has taken an interest in this matter of securing classified information now for several years. Rather than wait another 5 years, I believe DOD should have a plan in place to ensure that contractors are in full compliance with the regulations.

Mr. SKELTON. Will the gentleman from Alabama yield, please?

Mr. EVERETT. I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman, and I do appreciate his concern on this issue. Protecting classified material of course is the utmost importance, and the standards for protecting this material should be consistent across government as well as industry. In that regard, I intend to work very closely with my friend, the gentleman from Alabama, on the issue, starting with the request of the Department of Defense to obtain their plans for meeting the 2012 deadline for phasing out containers used by defense contractors that have not been approved by the GSA.

Mr. EVERETT. Mr. Speaker, if the gentleman would yield further, I thank him for his commitment to work with me on the matter.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to my good friend, the gentlelady from California, who is also the chairwoman of the Subcommittee on Strategic Forces, Mrs. TAUSCHER.

Mrs. TAUSCHER. Mr. Speaker, I rise today in strong support of the conference report on H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008.

I want to thank Chairman SKELTON and Ranking Member HUNTER. I especially want to thank the Strategic Forces Subcommittee ranking member, Mr. EVERETT, the distinguished gentleman from Alabama. Many of the very fine initiatives that we produced in this bill were started by Mr. EVERETT when he was chairman, and I thank him for his cooperation and for his leadership.

I want to especially thank our excellent staff for all of their hard work for what is, I think, one of the finest Defense bills that we have been able to produce.

Mr. Speaker, as chairman of the Strategic Forces Subcommittee, I have worked with my colleagues over the course of this year to incorporate four priorities into the conference agreement before the House today.

First, this bill aims to foster and frame a crucial discussion about nuclear weapons by establishing a congressionally appointed bipartisan commission designed to reevaluate the United States' strategic posture. The commission will provide valuable recommendations to Congress regarding the proper mix of conventional and nuclear weapons needed to meet new and emerging threats.

Second, the bill takes a prudent step to slow key Department of Energy nuclear weapons initiatives, including the development of the Reliable Replacement Warhead. The conference agreement limits RRW activity in fiscal year 2008 to a design and cost study and reduces RRW funding by $38 million out of a total request of $119 million, more than a 30 percent reduction.

The conference agreement also rejects the proposal for a new plutonium pit production facility, or consolidated plutonium center, in the President's budget request. None of the $24.9 million proposed for the CPC is authorized.

Third, the bill funds ballistic missile defense systems that will protect the American people, our deployed troops and allies against real threats while shifting resources away from longer term, high-risk efforts. The bill authorizes $8.4 billion for ballistic missile defense programs of the Missile Defense Agency, a reduction of $450 million from the President's request.

The conference agreement reduces funding for the proposed European missile defense site by $85 million, and requires final approval by the Governments of Poland and the Czech Republic and an independent study on alternative missile defense options for Europe before construction may begin.

The conference agreement also charts a path forward to provide the President with options for a conventional prompt global strike, consolidating funds requested for the Conventional Trident Modification into a new, defense-wide research line for prompt global strike.

Finally, we are boosting funding for space capabilities that deliver near-term benefits to the warfighter and improves space situational awareness and survivability.

Mr. Speaker, this bill strikes a balance between near-term needs and long-term investment, and it creates the means to help bring our nuclear weapons policy into the 21st century.

I urge my colleagues' strong support on this legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will note that the gentleman from New Jersey has 10½ minutes remaining, the gentleman from Missouri has 9½ minutes.

Mr. SAXTON. Mr. Speaker, I yield 3 minutes to the gentleman from New York, the ranking member of the Military Personnel Subcommittee, Mr. MCHUGH.

Mr. MCHUGH. I thank the gentleman for yielding.

Mr. Speaker, I've said on occasions in the past in similar situations that it's always a source of great pride for those of us who have the honor and the opportunity to serve on the Personnel Subcommittee that when many Members come to the floor in support of both this and past authorization bills,

one of the things that they cite most often are those initiatives emanating out of the Personnel Subcommittee, and I think that's for a very good reason. Because all of us, certainly in this Congress, but particularly in the House Armed Services Committee, recognize that for all of the things that make this Nation great, particularly for all of those things that make our military the greatest that has ever walked the face of the Earth, the one irreplaceable component is those who wear the uniform and those who, of course, love and support them, their spouses, their children, their families. And in that regard, I want to add my words of thanks to, of course, the distinguished chairman, the gentleman from Missouri, our ranking member, Congressman HUNTER, but also to Dr. SNYDER, who started the year off as the chairman of the Personnel Subcommittee, who went on to other challenges and, fortunately for all of us, turned the reins over to the very able hands of the gentlelady from California (Mrs. Davis).

As in years past, Mr. Speaker, this bill is rich in provisions that recognize the value of our military men and women in service and the need to support them, and to enrich the quality of lives of both those individuals and, of course, their families. And I suspect you have heard today, and rightfully will continue to hear, Mr. Speaker, of all of those good things; 3.5 percent pay raise, one-half percent above what the President requested, and more importantly, over the past 9 years, the continuation of our effort to reduce that gap between civilian pay and military that started at 13.5 percent. And with this 3.5 percent, it will move it down to 3.4 percent. More needs to be done, but good progress.

It critically increases end strength, which is such an important component in the high pace of operations and personnel tempos. It increases the Army by 13,000, the Marine Corps by 9,000; again, work that needs to be continued, but a good step on such an important problem.

The report also contains important provisions of the bill that Dr. SNYDER and I had the honor of helping to initiate, that was later picked up by the committee and so many others to round it into a great provision to respond to the disgraceful conditions that we all learned about at Walter Reed and end the frustration that exists between the DOD and veterans retirement and disabilities systems. And it includes as well several recommendations from the President's Commission on Care of America's Returning Wounded Warriors, better known as the Dole-Shalala Commission.

From active to Reserve, this is a great bill and it deserves all of our support.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to my good friend and colleague from California, who is the chairwoman on the Subcommittee on Personnel, Mrs. DAVIS.

Mrs. DAVIS of California. I want to thank my distinguished chairman for his leadership.

Mr. Speaker, while the holiday season is a time of joy for most Americans, it can be a very difficult period for our servicemembers and their families. When I sit down with members of our all-volunteer force, whether it's in my district or in the mess halls in Iraq, I'm very aware of the stress military service can have on our servicemembers and, of course quite specifically, on all of their family members as well. The stress of being deployed over the holidays can only be more difficult.

Mr. Speaker, a vital component of our strong national defense is the ability to care for members of our force, as well as recruit and retain men and women to serve in the military. To quote the first Commander in Chief, ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their Nation.'' With this bill, current and future generations of servicemembers will know that their Nation cares for their sacrifice.

Mr. Speaker, why is this bill important to men and women in uniform? It provides a 3 percent across-the-board pay raise for our troops. The compensation we provide our servicemembers must remain competitive with the private sector.

We were also successful in making major improvements to the Reserve Montgomery GI Bill. For the first time there is a 10-year portability in benefits for Reservists so they can continue to receive educational assistance after they separate.

Additionally, this bill will help services recruit and retain desperately needed health care professionals by prohibiting any further conversion of military medical professionals to civilian positions.

Mr. Speaker, most importantly, the mental health needs of our troops continue to grow, and this bill includes a number of provisions that will improve access to quality care for members and their families. The creation of Centers of Excellence on TBI and PTSD is just one example.

This report also includes a number of the recommendations from the Dole-Shalala Commission, including an expansion of the Family and Medical Leave Act to cover family members of those on active duty so they can care for wounded servicemembers on extended leave for up to 26 workweeks. Family members will no longer have to choose between keeping their jobs and caring for a wounded loved one.

This bill addresses one of the concerns Members have heard from their constituent Reservists, early retirement. The bill would reduce the age at which a member of the Ready Reserve can draw retired pay below the age of 60 by 3 months for every aggregate 90 days of active duty performed under specified circumstances.

Mr. Speaker, there is so much more I wish we could do for our men and women who serve, but I feel that this bill represents the best efforts of this body to provide for our Nation's Armed Forces and their families.

I would like to thank my predecessor, Representative SNYDER, and ranking member, Representative MCHUGH, and the Personnel Subcommittee staff for all of their hard work on this conference report.

Mr. SAXTON. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota, a retired U.S. Marine Corps colonel, Mr. KLINE.

□ 1430

Mr. KLINE of Minnesota. I thank the gentleman for yielding.

Mr. Speaker, I rise today along with my colleagues in strong support of this legislation. At a time when our Nation is at war on multiple fronts, we must maintain a strong commitment to these brave men and women in uniform who stand in defense of our Nation. This legislation takes a responsible, forward-looking approach to the funding of our current operations and provides for the needs of our American heroes.

In addition to the things already mentioned by my colleagues, such as an increase in end strength and the very important pay raise, I am particularly pleased at the inclusion of two important legislative provisions that I introduced earlier this year, the Yellow Ribbon Reintegration Program and authorization for assignment incentive pay for National Guardsmen unfairly denied this benefit.

The Yellow Ribbon Reintegration Program nationalizes a program created by the Minnesota National Guard. Through experiences drawn from the deployments of smaller units to Iraq and Afghanistan, the Minnesota Guard developed a unique combat veteran reintegration program with a focus on supporting servicemembers and their families throughout the entire deployment cycle.

With this focus, the Minnesota Yellow Ribbon program has proven an effective means to prepare every combat veteran and their family for a safe, healthy and successful reintegration. This multifaceted program includes workshops and training events at 30-day, 60-day and 90-day intervals for servicemembers following their demobilization.

This bill also moves us toward fixing a major disparity among Minnesota National Guardsmen. Congress created assignment incentive pay to recognize the hardship of prolonged mobilization periods for Reservists and Guardsmen called up under partial mobilization authority. The military services, however, deploy Guardsmen and Reservists under other mobilization authorities.

Through no fault of their own, many Minnesota National Guardsmen who served in Bosnia and Kosovo were mobilized using different authorities. When these same soldiers, many of them senior non-commissioned officers, were asked to deploy with their fellow Guardsmen to Iraq in 2006, those who had served in Kosovo were given $1,000 a month in assignment incentive pay while those who had served in Bosnia were not. Clearly this is not fair. I am very pleased that this legislation recognizes that and rectifies this disparity.

Mr. Speaker, I would encourage all of my colleagues to join me today in voting for this important legislation that supports our troops.

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 1 minute to my friend and colleague the gentleman from New Jersey (Mr. ANDREWS), a particularly articulate and thoughtful member of the Armed Services Committee.

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

Mr. ANDREWS. I thank my friend for yielding, and I congratulate our Chairman SKELTON on his great job in getting this bill done and our ranking member, Mr. HUNTER.

People criticize the Congress, I think justifiably, because they think we don't get anything done and we can't ever agree with each other. Well, this bill shows that we can get things done and we can agree with each other. There are many strongly held opinions about the war in Iraq, pro and con. But I think there is unanimity. We should show the people who wear the uniform of this country our appreciation by raising their pay. And this bill does that 3.5 percent across the board. I think there is unanimity that when we send our young men and women into harm's way, they should have the best protection. And this bill puts $17.6 billion, the highest ever, into up-armored vehicles and protective gear for the troops in the field. I think there is unanimity that says that when someone is wounded in the service of this country, he or she should never be forgotten, ever, when they are in the VA health care system. So there is unanimity here for the Wounded Warrior Act.

This bill is well worth supporting because it shows the broad support in this Congress for the men and women who serve this country, and I urge a ''yes'' vote.

Mr. SAXTON. I yield 1 minute to my friend, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Thank you, Mr. Speaker.

I would like to thank Chairman SKELTON and Ranking Member HUNTER for their leadership in completing the conference report for FY08 National Defense Authorization Act.

On December 6, Chairman SKELTON announced that an agreement had been reached on the conference report stating that ''this bill supports the troops, restores readiness, and improves accountability.''

I would like to point out that this bill includes a key policy provision that directly supports our troops. This bill will amend the Service Members Civil Relief Act to protect the children and custody arrangements of servicemembers deployed in a contingency operation. This provision is important because it protects our deployed troops from courts that have been overturning established custody arrangements while a servicemember is serving our country in a contingency operation such as Iraq or Afghanistan.

Today, I urge my colleagues to vote in favor of this bill because it provides the child custody protection that our deployed troops deserve. Much is asked of our servicemembers, and mobilization can disrupt and strain relationships at home. This additional protection is needed to provide them peace of mind that the courts will not undertake judicial proceedings considering their established custody rights without them. This amendment protects them, and it protects their children.

Mrs. TAUSCHER. Mr. Speaker, I yield 1 minute to my friend and colleague the gentlewoman from Arizona (Ms. GIFFORDS), a member of the Armed Services Committee and a conferee on this bill from the Committee on Small Business.

Ms. GIFFORDS. Mr. Speaker, I rise today in strong support of the Fiscal Year 2008 National Defense Authorization Act. As a member of the Armed Services Committee, led by Chairman SKELTON, I am pleased to vote for a comprehensive bill that bolsters military readiness, supports our military families, and makes sure that we have strong national security.

In southern Arizona, I represent two major military installations and thousands of military personnel. Having visited with troops both at home and abroad, I am well aware of the challenges our men and women in uniform face. New recruits at Davis-Monthan Air Force Base and Fort Huachuca currently earn just $18,000 a year. Many of them have families. This bill recognizes their commitment and gives them a 3.5 percent pay increase.

Our military is facing a retention crisis. In this time of war, our armed services must have the best and brightest. We must retain those men and women by providing them the best training, equipment, and support possible. From southern Arizona to Afghanistan, we have to ensure that our men and women are ready to face any challenge.

I urge my colleagues on both sides of the aisle to support our troops and our national security by voting for this essential legislation.

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

I want to say a word on behalf of the Air Land Subcommittee. I want to first thank our great subcommittee chairman, Mr. ABERCROMBIE, the gentleman from Hawaii, for his outstanding work and for his great cooperation on our subcommittee.

The major highlights of the Air Land Subcommittee's portion of this bill provide aircraft providing multiyear procurement authority for the CH–47 helicopter program; ensures continued development of two options for the propulsion system for the Joint Strike Fighter; authorizes $2.3 billion for eight badly needed C–17 aircraft; and allows the Air Force to proceed with their request to divest 24 C–130E and 85 KC–135E aircraft. These retirements will greatly help the Air Force. The aircraft are grounded or are unable to be used in combat operations.

The land forces under our subcommittee benefited from several areas of upgraded armor: the mine resistant ambush protected MRAP vehicles; the up-armored Humvees; the body armor that we provide in the IED fragment armor kits are very important elements of the bill. We also authorized $3.4 billion for the Army's future combat systems.

Mr. Speaker, the Department of Defense continues to have acquisition directives that are rarely followed. This is not a good thing. Requirements for advancement through research and development to procurement, these provisions are routinely waived by the Department of Defense. It is hard to know if acquisition policies actually work if we rarely follow them.

Mr. Speaker, the conference report takes steps to address some of these issues, and I am encouraged by some of the things that I have recently seen and heard coming from the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics.

Mr. Speaker, this conference report supports our military men and women and provides them with the equipment they need while at the same time taking steps to redress acquisition concerns of Congress. This conference report certainly in this regard deserves all of our support.

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 1 minute to my friend and colleague the gentleman from Pennsylvania (Mr. CARNEY), a conferee on this bill from the Committee on Homeland Security.

Mr. CARNEY. Mr. Speaker, I do rise today in support of the 2008 Defense authorization bill, H.R. 1585. This bill addresses many of the problems facing our military, as we have seen today.

As we know, the bill has many strong provisions. I would like to take a moment to address one in particular, increasing education benefits to our National Guard and Reservists. The GI Bill has provided education to many of our Nation's fine and honorable men and women. Indeed, in my own family, I grew up knowing what a difference it could make. Unfortunately, the GI Bill has a provision which excludes our National Guard and Reservists from receiving their GI Bill benefits after they have left the military.

One of my first actions in Congress was to introduce bipartisan legislation

to give the National Guard and Reserve members up to 10 years to take advantage of their GI education benefits. This proposal is similar to the benefits extended to active duty members of the military.

Under current law, a Guardsman or Reservist loses their benefit when they decide to leave the service or shortly thereafter. The National Guard and Reserve are becoming indistinguishable from active duty now, and these men and women serve their country only to return to realize their education benefits are set to expire. This legislation fixes that, and I am proud to be a sponsor.

Mr. SAXTON. Mr. Speaker, may I inquire of the Chair as to how much time is remaining on each side.

The SPEAKER pro tempore (Mr. ROSS). The gentleman from New Jersey has 2½ minutes remaining and the gentlewoman from California has 3½ minutes remaining.

Mr. SAXTON. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Speaker, the authorization bill that is in front of us here today stands in some contrast to other pieces of work of this last year. It stands in contrast because it isn't dolled up with all kinds of partisan and very controversial kinds of things. It's a bill that is just quietly getting the job done.

I think the Members of the House, both Republican and Democrat, should be pleased with the quality of what has been put together. It does the job. It funds our troops. It lays out the proper kinds of equipment and spending priorities that are absolutely necessary for the defense of our country. I'm thankful that we were able to reject the hate crimes legislation that had no part on this bill, that was done also by this House for standing strong, and what was just the simple accomplishment of the job of funding Defense and providing for the defense of our country, so hats off to the staff, and hats off to the different people that were able to put this together.

Mrs. TAUSCHER. Mr. Speaker, I am very happy to yield 1 minute to my friend and colleague the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. Mr. Speaker, I thank Chairman SKELTON and Ranking Member HUNTER for bringing this good piece of legislation to the floor.

This bill, H.R. 1585, fulfills our basic duty in this Congress to provide for the national defense. There are several important pieces of this legislation that are particularly meaningful to me as a 24-year veteran of our Army National Guard. There is an amendment in here to address the issue of the Federal tuition assistance program that too many of our returning servicemembers are unable to use. It also includes an important provision that we worked on in the VA Committee on making sure the electronic medical records between DOD and VA truly do become seamless. Finally, there is a very important repeal of changes that were made to a 200-year-old piece of legislation, the Insurrection Act, that Mr. DAVIS from Virginia and I worked on with our Nation's Governors that will restore individual State control over their National Guard units.

These provisions are only a small part of this bill. There's a needed pay raise and expanded care and research into TBI for our returning warriors. This legislation is packed with provisions to make good on this Congress' promise that we will keep every single promise to our veterans and make them a priority.

Our most precious resource in our national defense are those servicemembers who are willing to risk everything to defend this Nation.

I urge my colleagues to support this.

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

Mrs. TAUSCHER. Mr. Speaker, I am happy to yield 1 minute to my friend and colleague the gentleman from Pennsylvania (Mr. ALTMIRE), a conferee on this bill from the Committee on Small Business.

Mr. ALTMIRE. Mr. Speaker, I want to highlight two specific provisions that are included in this landmark legislation that we are discussing today.

This bill contains legislation that I, along with Congressman TOM UDALL, offered as an amendment during initial House consideration of this bill. It will allow military families to use family and medical leave time to manage issues such as child care and financial planning that arise as a result of the deployment of an immediate family member.

This bill also contains the language from my bill, H.R. 1944, that requires the VA to operate a comprehensive program of long-term care for rehabilitation of traumatic brain injury, which has become the signature injury of the wars in Afghanistan and Iraq. It also creates and maintains a TBI veterans health registry.

These provisions will directly impact and improve the lives of our brave men and women in uniform and their families. I am proud that they have been included in this bill.

Mr. SAXTON. Mr. Speaker, may I inquire of the chairman as to how many additional speakers he has.

Mr. SKELTON. It appears we have no additional speakers except myself.

Mr. SAXTON. Thank you very much, Mr. Chairman.

Mr. Speaker, I yield myself the balance of my time. First let me, again, sincerely thank Chairman SKELTON for the great job that he has done here bringing us to the floor with this bill today.

Mr. Speaker, President Ronald Reagan used to say that all of the things that Congress does are important and all the programs that we fund are great programs and important programs. But then he would say, ''But none of that really matters much if we don't have a good system to protect the American people and our national security.'' I have kept that in mind ever since I was a freshman here, because that was when I heard him say that.

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I believe that this bill today carries on that same kind of tradition, because we work together as Republicans and Democrats, understanding that we have a finite amount of money and resources to put toward our national security, and therefore it's incumbent upon us to do it the best way we can.

We do face a multitude of threats to our way of life and our national security interests, and as legislators, we therefore must accept that it is our responsibility to ensure that our brave men and women in uniform have the best available tools at their disposal to combat those threats and protect those interests.

The provisions of this bill go a considerable way in demonstrating that kind of support. And so I urge all Members to support this bill, and I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, before I make my closing remarks, I would yield 1 minute to my friend from Iowa, a member of the Armed Services Committee, Mr. LOEBSACK.

Mr. LOEBSACK. Mr. Speaker, I would like to thank especially Chairman SKELTON for yielding 1 minute. I want to thank Chairman SKELTON and Ranking Member HUNTER for their bipartisan leadership on this bill. I am proud to work with them to restore the readiness of our military, support our deployed troops and their families, and increase the oversight of our ongoing presence in Iraq.

Our National Guard and active duty forces are stretched to the breaking point. This bill takes great strides to address this critical issue to ensure our Guard are properly trained and equipped to respond to threats both home and abroad. Moreover, this legislation includes an amendment that I offered with Representative CUMMINGS of Maryland which requires General Petraeus and Ambassador Crocker to report to Congress every three months on the status of military operations and political reconciliation in Iraq. Such oversight is crucial to our ability to find a new way forward in Iraq.

I urge my colleagues to support this vital legislation, and I thank Chairman SKELTON once again for allowing me to speak for 1 minute.

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

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 30 seconds.

Mr. SKELTON. Mr. Speaker, we have a good number of provisions that have not been fully discussed today, including contracting reform and acquisition reform. We did speak of roles and missions. But I wish to stress, Mr. Speaker, of the years I have had the privilege

of serving in this body, this has to be the best, most comprehensive, troop-friendly, family-friendly and readiness-friendly bill that we have ever had.

When it first came to the House before we had our conference, it had a very, very strong vote here, and, Mr. Speaker, I hope we have as strong a vote when we seek the final passage on this bill today.

Mr. OBERSTAR. Mr. Speaker, I commend the gentleman from Missouri, Mr. SKELTON, chairman of the Committee on Armed Services, for his leadership in bringing the Conference Report on H.R. 1585, the ''National Defense Authorization Act for Fiscal Year 2008,'' expeditiously to the House floor. This legislation includes critical program and funding authorizations for the men and women in our Nation's armed forces.

This Conference Report contains several provisions that fall under the jurisdiction of the Committee on Transportation and Infrastructure, including provisions that affect the Federal Aviation Administration, the United States Coast Guard, the Environmental Protection Agency, and the General Services Administration. I have no objection to the inclusion of most of these provisions.

I rise today in opposition to one provision in the final Conference Report that significantly affects the responsibility of the U.S. Army Corps of Engineers, ''Corps.'' Section 2875 rewards the city of Woonsocket, RI, for failing its statutory obligation to operate and maintain its local levee by shifting responsibility for this now-failing levee to the Federal government. Current law provides that operation and maintenance responsibility for flood control projects is a non-Federal responsibility. However, this section requires the Corps to conduct any repairs or rehabilitation of the existing structure, including its replacement.

This provision is bad policy, because it establishes the precedent that the Federal government will assume responsibility for failing flood control systems, which according to the Corps, may include an inventory of roughly 15,000 miles of levees and other flood control structures, nationwide.

This provision also creates the false impression that communities that sign contractual obligations with the United States, through the Corps, can have these contracts overturned by congressional action if the community can convince one Member of Congress that the community lacks sufficient resources to meet their operation and maintenance responsibilities.

The Corps is often called upon to construct flood control projects, in partnership with a non-Federal interest under a normal cost-sharing agreement. Once the project is completed, the responsibility for long-term operation and maintenance is transferred to the non-Federal interest. With the exception of the projects along the Mississippi River that are part of the Mississippi River and Tributaries project (MRT), the Corps is typically not responsible for operation and maintenance of flood control projects.

The Corps currently has responsibility for operation and maintenance of navigation projects. For these projects, the backlog for operation and maintenance of existing Federal responsibilities is roughly $4 billion annually, but appropriations for operation and maintenance have hovered around $2 billion. The result is that roughly 50 percent of vitally needed operation and maintenance responsibilities of the Corps are not being met, and are deferred to future appropriations. To shift additional operation and maintenance responsibilities to the Corps is unwise and is likely to impair the ability of the Corps to carry out its existing obligations for operation and maintenance.

During pre-conference negotiations, I proposed to provide the city of Woonsocket with some flexibility related to the cost of operation and maintenance of this project, but not a permanent blanket waiver of operation and maintenance.

I proposed two solutions, which I believe would have addressed the concerns of the city of Woonsocket. Unfortunately, the Senate was unwilling to compromise, and both proposals were rejected.

Both proposals would have authorized the Corps of Engineers to assume greater responsibility for the reconstruction of the failing levee system, but would have continued the long-term operation and maintenance responsibilities for the city of Woonsocket. I believe that both offers were made in the spirit of compromise without violating fundamental statutory and contractual responsibilities of the non-Federal sponsor. Both offers would have allowed the city of Woonsocket to start fresh with a structurally sound flood control system, provided that the city retained its obligation to operate and maintain the levee system.

I continue to believe that this shift of operation and maintenance responsibility is bad policy that will worsen the backlog of deferred operation and maintenance responsibility for the Corps and set a poor precedent of shifting responsibilities for other projects in the future.

I opposed a similar provision in last year's Defense Authorization bill that changed operation and maintenance responsibility from the local sponsor to the Federal government for another project in Rhode Island.

As chairman of the Committee on Transportation and Infrastructure, I will continue to explore the implications of these changes in operation and maintenance responsibilities in the formulation of the Water Resources Development Act of 2008.

Mr. UDALL of Colorado. Mr. Speaker, I rise in strong support of this conference report.

I applaud Chairman SKELTON for his leadership in guiding this conference report to the floor today. He and Ranking Member HUNTER have done a tremendous Job, and they have been ably supported by the expert staff of our committee.

I'm particularly grateful to Chairman SKELTON for working with me to include things important for Colorado, including: a provision to keep the cleanup of the Pueblo Chemical Depot on track and fully funded; a review of DOD's training requirements for helicopter operations in high-altitude conditions, a provision that will help the High-Altitude Army National Guard Training Site in my district to establish its need for additional training helicopters; language requiring the Army to make its case for expansion at the Pinon Canyon Maneuver Site; an agreement between the Air Force and the city of Pueblo about flight operations at the Pueblo airport; a report on opportunities for leveraging Defense Department funds with States' funds to prevent disruption in the event of electric grid or pipeline failures; and restrictions on the move of key NORAD functions from Cheyenne Mountain to Peterson Air Force Base until security implications and promised cost savings are analyzed.

I am also pleased that the final bill includes two amendments I offered in committee, including one to repeal a provision adopted last year that makes it easier for the president to federalize the National Guard for domestic law enforcement purposes during emergencies. By repealing this, my amendment restores the role of the Governors with regard to this subject. My other amendment extends for 5 years the Office of the Ombudsman that assists people claiming benefits under the Energy Employees Occupational Illness Compensation Program Act, EEOICPA, which is so important for affected workers from the Rocky Flats site in my district.

Mr. Speaker, this bill rightly focuses on our military's readiness needs.

After 5 years at war, both the active duty and reserve forces are stretched to their limits. The bill will provide what's needed to respond, including a substantial Strategic Readiness Fund, adding funds for National Guard equipment and training, requiring a plan for rebuilding our prepositioned stocks, and establishing a Defense Readiness Production Board to mobilize the industrial base to address equipment shortfalls.

It also provides important funds for the Base Realignment and Closure process, including additional funds to assist communities expected to absorb large numbers of personnel as a result of the BRAC decision. This funding is especially important to Colorado, given that Fort Carson in Colorado Springs will add 10,000 soldiers and will be home to 25,000 troops by 2009.

The bill provides substantial resources to improve protection of our troops, including additional funds for Mine Resistant Ambush Protected Vehicles, body armor, IED jammers, and up-armored Humvees for our troops in the field. Consistent with the Tauscher-Udall Army expansion bill in the last Congress, the bill enlarges the Army and Marine Corps to help ease the strain on our troops and provides for an increase in National Guard personnel. And it will provide for a 3.5 percent across-the-board pay raise for servicemembers, boost funding for the Defense Health Program, and prohibit increasing TRICARE and pharmacy user fee increases.

The bill incorporates provisions from the Wounded Warrior Assistance Act, which passed the House earlier this year and was driven by the revelations of mistreatment and mismanagement at Walter Reed Army Medical Center. These provisions establish new requirements to provide the people, training, and oversight needed to ensure high-quality care and efficient administrative processing at Walter Reed and throughout the active duty military services. The bill also establishes a Military Mental Health Initiative to coordinate all mental health research and development within the Defense Department, and establishes a Traumatic Brain Injury Initiative to allow emerging technologies and treatments to compete for funding.

Given the increased use of the National Guard and Reserves in recent years, the bill gives important new authorities to the National Guard to fulfill its expanded role, including authorizing a fourth star for the Chief of the National Guard Bureau, making the National Guard Bureau a joint activity of the Department of Defense, and requiring that at least

one deputy of Northern Command be a National Guard officer.

The final bill also addresses ongoing problems of contracting fraud by tightening controls on managing contracts and improving whistleblower protections, as well as improving accountability in contracting by requiring public justification of the use of procedures that prevent full and open competition.

I'm pleased that the conference report fully supports the goals of the Department of Energy nonproliferation programs and the Department of Defense Cooperative Threat Reduction program, consistent with the 9–11 Commission recommendations. The bill also slows development of a Reliable Replacement Warhead and establishes a bipartisan commission to evaluate U.S. strategic posture for the future, including the role that nuclear weapons should play in our national security strategy.

Mr. Speaker, the conference report we are considering today does an excellent job of balancing the need to sustain our current warfighting abilities with the need to prepare for the next threat to our national security. It is critical that we are able to meet the operational demands of today even as we continue to prepare our men and women in uniform to be the best trained and equipped force in the world.

This is a good bill, a carefully drafted and bipartisan bill, and I urge its passage.

Mr. LANTOS. Mr. Speaker, I rise in strong support of the conference agreement on H.R. 1585 and would like to thank my distinguished colleague, Chairman IKE SKELTON, for his hard work and leadership on this important legislation. I am grateful for his partnership on critical matters of national security.

The struggle against terrorism requires a global campaign centered on engagement with the Muslim world. It also requires us to strengthen our partners' capabilities to fight terror and to maintain our own military capabilities in this area.

I welcome the efforts by the Committee on Armed Services to adjust the Department of Defense's legal authorities to meet this challenge. To its credit, the Department recognizes that ''soft'' power makes the use of military force more effective by fostering stability among vulnerable populations. To that end, the Pentagon has sought a variety of foreign assistance-related authorities traditionally implemented by the State Department.

I particularly welcome the Defense Department's efforts to address shortcomings in our national security bureaucracy. In the arena of stability operations, I, more than anyone, am aware of the budget shortfalls confronting the State Department, and I am fully aware that the men and women in uniform do not at times receive the expanded support that they need during stabilization operations.

I am also pleased that the Defense authorization bill follows the lead of H.R. 885, the Lantos-Hobson ''International Nuclear Fuel for Peace and Nonproliferation Act, passed by the House in June, to designate $50 million to support the establishment of an international nuclear fuel bank, under multilateral control and direction, to remove any rational incentive for countries to build their own uranium enrichment plants—facilities that can make fuel for both civil power reactors and nuclear weapons. It also supports international efforts to build international pressure on Iran by addressing Tehran's claims that it must build a massive enrichment facility because there is no international assurance of supply of reactor fuel.

Notwithstanding these gains, there are a few aspects of this legislation which require continued vigilant oversight by the Foreign Affairs and Defense committees. First, we must ensure that the administration and the Congress work together to develop appropriate nonproliferation safeguards for implementation of the fuel bank. In particular, I look forward to working with the executive branch on criteria for access by foreign countries to any fuel bank established by the IAEA with materials or funds provided by the United States.

Second, to the extent that core functions of the State Department are being duplicated by the Department of Defense, both the Defense and Foreign Relations committees must ensure that the national instruments of soft power remain coherent, coordinated and sufficiently authorized and funded. In the words of Secretary Robert Gates:

> If we are to meet the myriad challenges around the world in the coming decades, this country must strengthen other important elements of national power both institutionally and financially, and create the capability to integrate and apply all of the elements of national power to problems and challenges abroad.

We must ensure that the State Department in particular is adequately resourced to maximize its role in the fight against terror. Our oversight must also ensure that assistance is carried out both by the Defense and State departments in a coordinated, unified fashion. In that spirit, I look forward to reviewing the report required by Section 1209 of this bill, which will require the Department of Defense to provide a global snapshot of the foreign assistance activities it currently undertakes.

I again applaud the work of my colleagues in producing a bill that is a tribute to our men and women in uniform and advances American security.

Mr. CUMMINGS. Mr. Speaker, I rise today in support of H.R. 1585, the National Defense Authorization Act, NDAA, for Fiscal Year 2008. This legislation is vital to preventing terrorism and suppressing potential rogue states by updating our defense systems, which will in turn protect the future of our Nation and our men and women at home.

The ill-advised war in Iraq has put historic strains on our armed services.

Our readiness is at an all-time low not witnessed since the 1970s. The Army National Guard is operating with only 56 percent of its overall equipment needs.

Therefore, Mr. Speaker, the funding and enactment of this bill is crucial. By authorizing $692.3 billion for defense and energy-defense related initiatives in 2008, this bill will strengthen our military. It will also honor our veterans with the efficient and cutting edge health care they more than deserve.

I am proud to say that an amendment that I introduced during the consideration of the NDAA before the House Committee on Armed Services makes certain that the voices of veterans are heard by vesting the Secretary of Veterans' Affairs with the power to appoint two members to the oversight board that will evaluate the current system and care provided to our veterans and active servicemembers.

Working diligently with the House Armed Services Committee, many of my recommendations to the NDAA bill regarding Operation Iraqi Freedom are included in the baseline text of this bill.

Namely, these recommendations address the need for proper oversight of the reconstruction efforts, putting an end to slanted no-bid contracts, along with the sharing and distribution of oil revenue resources to the Iraqi people so as to foster adequate reconstruction and facilitate national reconciliation.

Moreover, I am proud to have worked with my friend and colleague on the House Armed Services Committee, Congressman LOEBSACK, in the adoption of our joint amendment at full committee, which requires Secretary Gates, General Petraeus and Ambassador Crocker to provide perpetual reports to Congress on the status and implementation of the Joint Campaign Plan, JCP, and the Iraqi Government's efforts to implement political reform until the end of U.S. combat operations in Iraq.

As such this amendment ensures that Congress is supplied with (1) the information necessary to provide proper and constructive oversight of our progress in Iraq, (2) sheds light on the conditions faced by our troops on the ground, and (3) supplies Congress with the crucial information needed to determine a responsible and timely troop redeployment.

While violence has dropped in Iraq, there is a window of opportunity for the Iraqi Government to make serious strides to achieve political reform and in doing so strategically bring our troops home. Therefore, while we continue to urge this administration to shift policy in Iraq to one that is driven by multilateral and bilateral diplomatic initiatives, we must also ensure that our remaining troops in Iraq are supplied with the support that they need. This bill provides over $17.6 billion for Mine Resistant Ambush Protected vehicles and $8 billion to buy medium and heavy tactical trucks fast enough to replace battle losses and to meet National Guard requirements, which are currently at dangerously low levels.

Mr. Speaker, while we may be divided on the war in Iraq, we, must be united in guaranteeing that our brave men and women in uniform are well rested, well trained and well equipped—and that our veterans receive the services they deserve. We must also be united in ensuring that taxpayer dollars are spent as effectively and efficiently as possible. Therefore, I urge my colleagues to vote in favor of this critical defense bill.

Mr. KING of Iowa. Mr. Speaker, I oppose the provisions in this conference report, unilaterally added by the Senate, that provide immigration benefits to certain Iraqi refugees. As Ranking Member of the House ''Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law,'' these provisions should have been discussed in their proper place, the House Judiciary Committee. However, I along with Ranking Member SMITH, were basically excluded from negotiations. There is no bipartisan support for these provisions in the House Judiciary Committee.

This bill grants special immigrant visas each year for the next 5 years to 5,000 Iraqi nationals and their families. The State Department has estimated that for every Iraqi national granted a visa, they will bring over at least four family members. Therefore, the number of special immigrant visas granted under this bill will reach 25,000 per year, or 125,000 total after 5 years.

Mr. Speaker, 125,000 Iraqis that support the United States would be a tremendous asset to

Iraq and the United States in the Middle East. These Iraqis should remain in their home country to rebuild it and encourage the spread of liberty. If we remove every Iraqi that is supportive of the U.S. from Iraq, terrorists will have the upper hand. Iraq and the United States need these patriotic Iraqis to remain in Iraq and rebuild.

While I sympathize with the Iraqi nationals who have been victims of this War on Terror, conditions within the country are improving. I encourage the Iraqis to stay and fight for their homeland and freedom alongside American troops. That's how we win this War on Terror.

For these reasons I oppose the provisions in the Conference Report to H.R. 1585 that provide U.S. immigration benefits to certain Iraqi refugees, and I urge my colleagues to do the same. Vote ''no'' on the Rule.

Ms. WOOLSEY. Mr. Speaker, while I cannot support H.R. 1585, this legislation does contain the provisions of H.R. 3481, the ''Support for Injured Servicemembers Act,'' a bill that I introduced in the House and which amends the Family and Medical Leave Act to provide 6 months of leave for spouses, children, parents and other ''next of kin'' to care for injured service members. H.R. 3481 implements one of the recommendations of the President's Commission on Care for America's Returning Wounded Warriors, chaired by Secretary Shalala and Senator DOLE.

The Family and Medical Leave Act is intended to help individuals balance their family and work obligations. Ninety million working people are now eligible for unpaid job protected leave for up to 12 weeks a year. When the Act was passed in 1993, it was a giant step and is of great importance to working families.

Since a majority of military spouses work, they too must balance work and family. They work to put food on the table and support their families, just like the rest of us. But they face additional challenges because their lives are disrupted by multiple deployments, involving not only active service members but those in the National Guard and reserves as well.

The conflicts in Iraq and Afghanistan have resulted in over 30,000 casualties with many servicemembers being seriously wounded. These injured warriors need substantial support and care from their families, often for long periods of time, and some permanently.

The Workforce Protections Subcommittee, which I chair, held a hearing in September on H.R. 3481. We heard from several witnesses about the need for extended family and medical leave in these instances.

Unfortunately, this Administration has let down our returning service members and their families. Therefore, I introduced H.R. 3481, so no matter where we come down on the merits of these conflicts, we can help families who support loved ones who put their lives on the line in Iraq and Afghanistan. The provisions of H.R. 3481 will certainly help.

Mr. BERMAN. Mr. Speaker, I rise today in strong support of language in this conference report that includes several critical provisions to aid the resettlement of Iraqi refugees and internally displaced persons.

First, I offer my sincere thanks to Chairman SKELTON and Senator KENNEDY for working to include this language in the conference report before us today.

Since our invasion, well over 4 million Iraqis have fled their homes as a result of political instability, economic catastrophe, and ethnic and sectarian strife.

Unable to legally find employment in their host countries, living in substandard housing with inadequate medical and educational facilities, many refugees simply have no place to turn.

While neighboring countries have struggled to cope with the strain of hosting millions of these refugees, our track record on refugee resettlement has been nothing short of an embarrassment.

As the refugee crisis unfolded in Iraq and its neighboring countries in the aftermath of our invasion, the Departments of State and Homeland Security stood by while a backlog of refugees referred by the United Nations for resettlement languished in the slums of Amman and other cities in the region.

This legislation will help make up for the administration's inexcusably lethargic pace by setting out clear refugee processing priorities, mandating the centralization of Iraq refugee efforts in the State Department, requiring greater cooperation with those allies in the region who are hosting many of these refugees, and increasing congressional oversight of refugee assistance and resettlement programs.

In addition, the language which we have worked together in great bipartisan fashion to include in this conference report also strengthens the Special Immigrant Visa program, for Iraqis who have worked for our Government and military in Iraq.

Many of these Iraqis who served bravely besides our troops and diplomats need our immediate assistance. Singled out as collaborators, they have been targeted by death squads, militias, and al-Qaeda.

Clearly, we owe them more than just a debt of gratitude. We owe them a safe haven and a fresh start.

While this legislation represents an important step forward in our commitment to these refugees, it cannot be the last word on the matter.

I look forward to working with my colleagues in the future to help us live up to our commitments to these refugees.

Ms. BORDALLO. Mr. Speaker, I rise today in strong support of H.R. 1585, the National Defense Authorization Act for the Fiscal Year 2008. I urge my colleagues to pass the conference report because the bill improves the readiness of our men and women in uniform and takes necessary steps toward ensuring that our wounded warriors get the care they deserve. I want to applaud the leadership of Chairman IKE SKELTON for working closely with Members on both sides of the aisle and across the Capitol to ensure that the legislation before the House of Representatives today will truly help our servicemembers in the field.

I am especially pleased with section 374 of the bill, which provides for priority transportation on Department of Defense aircraft for military retirees residing in the United States territories who require specialty care that is not available in that territory. Specifically, a military retiree who requires specialty care and is under the age of 65 will be considered under category 4 priority instead of the current category 6 for space-available seats aboard Department of Defense aircraft. Section 374 also requires the Department of Defense to submit a report to Congress indicating how it will internally address the issue of improved TRICARE coverage in the territories. I worked with the Department of Defense over the past several years to address the specialty care travel dilemma but no satisfactory resolution ever emerged. The provision that I sponsored that is contained in this bill begins to address the concerns that have been raised by military retirees on Guam regarding their access to space-available seats on Department of Defense aircraft. This provision represents an improvement over the current situation but more work remains to strengthen TRICARE benefits for retirees in the territories. I thank the professional staff of the House Armed Services Committee who worked diligently with me and my staff to include this provision in the final version of the legislation.

The bill also includes language that allows the U.S. Army to remain as the program management executive for the joint cargo aircraft program. The provision requires several reports to be submitted to Congress before appropriated funds can be expended by the U.S. Army or the U.S. Air Force for procurement of additional aircraft. The joint cargo aircraft program is critical to replacing aging C–23 Sherpa aircraft that are operated by the Army National Guard. It is also critical so that certain Air National Guard units do not lose their flying missions. The joint cargo aircraft program provides critical intra-theater lift capabilities delivering supplies to servicemembers in the field. I thank my colleagues, Mr. COURTNEY of Connecticut and Mr. HAYES of North Carolina, for their support and leadership on this matter.

As I stated earlier, this piece of legislation helps to improve the readiness of our forces. In particular for Guam, the bill authorizes just over $290 million for military construction on our island. This funding will provide continued economic opportunities for businesses on Guam and begin to fund improvements to critical infrastructure that is needed before the realignment of military personnel begins. In particular, I requested a project be added to the bill to build a technical training facility at Northwest Field on Andersen Air Force Base. This project is a needed training facility for emerging missions at Andersen Air Force Base. As the 607th Training Flight ''Commando Warrior'' Unit moves from Osan Air Base, Korea they will need this facility to ensure optimal readiness for missions at Andersen Air Force Base.

Finally, I am encouraged to see portions of the National Guard Empowerment Act included within H.R. 1585. We will finally give the National Guard the recognition and tools that they need to continue operating as a dual-hatted force responding to crises at home and abroad. As a former lieutenant governor, I know first-hand, how brave, valiant and essential the National Guard is to the safety and security of our Nation. Elevating the Chief of the National Guard Bureau to a four-star general helps to give the Guard the priority in decisionmaking that it deserves. The provision making the National Guard Bureau become a joint activity within the Department of Defense is even more important. Now that the National Guard Bureau is a joint activity I hope that the Department of Defense will give very serious consideration to giving State Adjutants General joint credit for their service to the State or territory. The National Guard is truly a joint force and the work of their general officers should be recognized as such.

Mr. Speaker, I strongly urge my colleagues to adopt H.R. 1585.

Mr. BLUMENAUER. Mr. Speaker, for years I have spoken out and voted against wasteful Defense spending that often serves to make us less safe and takes money from more useful programs. I am concerned that there is still too much money in this legislation for unnecessary weapons systems and other outdated holdovers from the cold war and too little to deal with the challenges of today. However, I am pleased that this bill takes some steps in the direction of reform, and I hope that it provides a platform for further progress.

I support this bill because it includes provisions from the ''Responsibility to Iraqi Refugees Act,'' which I introduced in May and which were added in the Senate as an amendment by Senator KENNEDY. This bill will provide 5,000 special immigrant visas for each of the next 5 years to Iraqis at risk because they helped the United States, require the Secretary of State to establish refugee processing in Iraq and other countries in the region, and direct the Secretary of State to designate a special coordinator at the Embassy in Baghdad.

We need a wholesale change in attitude that puts the needs of Iraqis at the forefront of our Iraq policy, rather than using them as pawns in political games. It is ironic, to be generous, to hear President Bush repeatedly talk about the humanitarian crisis and massive out-flows that would follow what he called a ''precipitous'' withdrawal. This only illustrates the state of denial over the humanitarian crisis currently happening.

This is one area where our moral responsibility to these unfortunate people can be used to bring together those of disparate viewpoints in a cooperative effort that might serve as a template for how we solve greater problems associated with the war. One of the burdens of those who would be world leaders and the responsibility of those who make war is to deal with the consequences of their decisions. Innocent victims of war and civil strife are too often the invisible and forgotten casualties.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of this important legislation, and I commend my friend, Chairman IKE SKELTON for his leadership in crafting this bipartisan product.

I support this conference report because it focuses on the readiness crisis of the United States military and puts our men and women in uniform first and foremost. It will provide our soldiers in harm's way with the best gear and force protection possible. As a veteran of the U.S. Army and as the Representative for Fort Bragg, I support this bill that will provide our troops better health care, better pay, and the benefits they have earned.

America has the finest military in the world. Unfortunately, the current Administration's policies in Iraq have depleted our great military and put tremendous strain on our troops. Army readiness has dropped to unprecedented levels, and Army National Guard units have, on average, only 40 percent of the required equipment. And many stateside units are not fully equipped and would not be considered ready if called upon to respond during an emergency such as a hurricane.

This conference report helps restore our nation's military readiness by creating a $1 billion Strategic Readiness Fund to address equipment shortfalls, fully funding the Army's and Marine Corps' equipment reset requirements and authorizing $980 million to provide the National Guard and Reserve critically needed equipment.

This bill protects our troops in harm's way by authorizing $17.6 billion, an increase of $865 million, for additional MRAPs vehicle armor, $4.8 billion for anti-IED road-side bomb efforts, $3.3 billion for up-armored Humvees, $1.5 billion for add-on armor for other vehicles and $1.2 billion for body armor.

The measure supports our troops and their families, by giving the military a pay raise larger than requested by the President, prohibiting fee increases in TRICARE and the TRICARE pharmacy program, and strengthening benefits for the troops and their families, as promised in the GI Bill of Rights for the 21st Century.

It includes the Wounded Warrior Act, which responds to the Walter Reed Army Medical Center scandal by improving the care of injured soldiers returning from Iraq and Afghanistan—addressing many of the issues raised by the Dole-Shalala Commission and implementing several of its recommendations.

It improves accountability and cracks down on waste, fraud and abuse in contracting including requiring new steps to manage and oversee contracts in Iraq and Afghanistan and requiring detailed new regulations for private security contractors, such as Blackwater employees, mandating the appropriate use of force.

The bill also includes new bipartisan reporting requirements under which DOD will regularly brief Congress on the planning taking place to responsibly redeploy U.S. forces from Iraq. It incorporates the National Guard Empowerment Act, which gives the National Guard enhanced authorities to fulfill its expanded role in the Nation's defense, including authorizing a fourth star for the Chief of the National Guard Bureau, requiring at least one deputy of the Northern Command to be a National Guard Officer, and making the National Guard Bureau a joint activity of the DOD. And it requires the Pentagon to include in its quarterly readiness reports the state-by-state capability of the National Guard to achieve its homeland and civil support missions, such as disaster response. The bill increases end strength by authorizing 13,000 additional soldiers for the Army and 9,000 additional Marines in FY 2008.

Significantly, this legislation provides all service members a pay raise of 3.5 percent, which is 0.5 percent more than the President's budget request, and increases monthly hardship duty pay to a maximum of $1,500 (up from $150 per month), and provides special pays and bonuses.

The bill will also upgrade military health care for our troops, veterans and military retirees. It preserves health benefits by prohibiting fee increases in TRICARE and the TRICARE pharmacy services for military personnel and retirees. It prohibits cuts in military medical personnel and fully funds the Defense Health program facility maintenance, particularly at Walter Reed. It extends VA health insurance for service members who served in combat in the Persian Gulf War or future hostilities for five years instead of two years. And the conference report enhances benefits specifically for reservists.

I commend my North Carolina colleague Congressman DAVID PRICE for his work on contractor accountability, and I support the inclusion in this conference report of his legislation to crack down on waste, fraud and abuse in contracting.

Mr. Speaker, there are many more provisions of this important legislation worthy of support, and I urge my colleagues to join me in voting to pass it.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

The yeas and nays were ordered.

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

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO CORRECT THE ENROLLMENT OF THE BILL H.R. 1585

Mr. SKELTON. Mr. Speaker, I send to the desk a concurrent resolution (H. Con. Res. 269) and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 269

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 1585, the Clerk of the House of Representatives shall make the following corrections:

(1) In the table in section 2201(a)—

(A) strike ''Alaska'' in the State column and insert ''Alabama''; and

(B) in the item relating to Naval Station, Bremerton, Washington, strike ''$119,760,000'' in the amount column and insert ''$190,960,000''.

(2) In section 2204(b)—

(A) in paragraph (2), strike ''Hawaii'' and insert ''Hawaii)'';

(B) in paragraph (3), strike ''Guam'' and insert ''Guam)''; and

(C) add at the end the following new paragraph:

''(4) $71,200,000 (the balance of the amount authorized under section 2201(a) for a nuclear aircraft carrier maintenance pier at Naval Station Bremerton, Washington).''.

(3) In section 2703—

(A) insert ''(a) AUTHORIZATION OF APPROPRIATIONS.—'' before ''Funds'';

(B) in paragraph (4), strike ''$2,107,148,000'' and insert ''$2,241,062,000''; and

(C) add at the end the following new subsection:

''(b) GENERAL REDUCTION.—The amount otherwise authorized to be appropriated by subsection (a) is reduced by $133,914,000.''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to House Resolution 862, I call up the bill (H.R. 4299) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4299

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 ''Terrorism Risk Insurance Program Reauthorization 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. Definition of act of terrorism.
Sec. 3. Reauthorization of the program.
Sec. 4. Annual liability cap.
Sec. 5. Enhanced reports to Congress.
Sec. 6. Coverage of group life insurance.
Sec. 7. Large event reset.
Sec. 8. Availability of life insurance without regard to lawful foreign travel.
Sec. 9. Program trigger.
Sec. 10. Applicability.

SEC. 2. DEFINITION OF ACT OF TERRORISM.

Section 102(1)(A)(iv) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''acting on behalf of any foreign person or foreign interest''.

SEC. 3. REAUTHORIZATION OF THE PROGRAM.

(a) TERMINATION DATE.—Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''2007'' and inserting ''2014''.

(b) ADDITIONAL PROGRAM YEARS.—Section 102(11) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by adding at the end the following:

''(G) ADDITIONAL PROGRAM YEARS.—Except when used as provided in subparagraphs (B) through (F), the term 'Program Year' means, as the context requires, any of Program Year 1, Program Year 2, Program Year 3, Program Year 4, Program Year 5, or any of calendar years 2008 through 2014.''.

(c) CONFORMING AMENDMENTS.—The Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in section 102(7)(F)—

(A) by inserting ''and each Program Year thereafter'' before '', the value''; and

(B) by striking ''preceding Program Year 5'' and inserting ''preceding that Program Year'';

(2) in section 103(e)(1)(A), by inserting ''and each Program Year thereafter'' after ''Year 5'';

(3) in section 103(e)(1)(B)(ii), by inserting before the period at the end ''and any Program Year thereafter'';

(4) in section 103(e)(2)(A), by striking ''of Program Years 2 through 5'' and inserting ''Program Year thereafter'';

(5) in section 103(e)(3), by striking ''of Program Years 2 through 5,'' and inserting ''other Program Year''; and

(6) in section 103(e)(6)(E), by inserting ''and any Program Year thereafter'' after ''Year 5''.

SEC. 4. ANNUAL LIABILITY CAP.

(a) IN GENERAL.—Section 103(e)(2) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in subparagraph (A)—

(A) by striking ''(until such time as the Congress may act otherwise with respect to such losses)''; and

(B) in clause (ii), by striking ''that amount'' and inserting ''the amount of such losses''; and

(2) in subparagraph (B), by inserting before the period at the end '', except that, notwithstanding paragraph (1) or any other provision of Federal or State law, no insurer may be required to make any payment for insured losses in excess of its deductible under section 102(7) combined with its share of insured losses under paragraph (1)(A) of this subsection''.

(b) NOTICE TO CONGRESS.—Section 103(e)(3) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by adding at the end the following: ''The Secretary shall provide an initial notice to Congress not later than 15 days after the date of an act of terrorism, stating whether the Secretary estimates that aggregate insured losses will exceed $100,000,000,000.''; and

(2) by striking ''and the Congress shall'' and all that follows through the end of the paragraph and inserting a period.

(c) REGULATIONS FOR PRO RATA PAYMENTS; REPORT TO CONGRESS.—Section 103(e)(2)(B) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by striking ''For purposes'' and inserting the following:

''(i) IN GENERAL.—For purposes''; and

(2) by adding at the end the following:

''(ii) REGULATIONS.—Not later than 240 days after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Secretary shall issue final regulations for determining the pro rata share of insured losses under the Program when insured losses exceed $100,000,000,000, in accordance with clause (i).

''(iii) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Secretary shall provide a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing the process to be used by the Secretary for determining the allocation of pro rata payments for insured losses under the Program when such losses exceed $100,000,000,000.''.

(d) DISCLOSURE.—Section 103(b) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

''(3) in the case of any policy that is issued after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the insurer provides clear and conspicuous disclosure to the policyholder of the existence of the $100,000,000,000 cap under subsection (e)(2), at the time of offer, purchase, and renewal of the policy;''.

(e) SURCHARGES.—Section 103(e) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in paragraph (7)—

(A) in subparagraph (C), by inserting ''133 percent of'' before ''any mandatory recoupment''; and

(B) by adding at the end the following:

''(E) TIMING OF MANDATORY RECOUPMENT.—

''(i) IN GENERAL.—If the Secretary is required to collect terrorism loss risk-spreading premiums under subparagraph (C)—

''(I) for any act of terrorism that occurs on or before December 31, 2010, the Secretary shall collect all required premiums by September 30, 2012;

''(II) for any act of terrorism that occurs between January 1 and December 31, 2011, the Secretary shall collect 35 percent of any required premiums by September 30, 2012, and the remainder by September 30, 2017; and

''(III) for any act of terrorism that occurs on or after January 1, 2012, the Secretary shall collect all required premiums by September 30, 2017.

''(ii) REGULATIONS REQUIRED.—Not later than 180 days after the date of enactment of this subparagraph, the Secretary shall issue regulations describing the procedures to be used for collecting the required premiums in the time periods referred to in clause (i).

''(F) NOTICE OF ESTIMATED LOSSES.—Not later than 90 days after the date of an act of terrorism, the Secretary shall publish an estimate of aggregate insured losses, which shall be used as the basis for determining whether mandatory recoupment will be required under this paragraph. Such estimate shall be updated as appropriate, and at least annually.''; and

(2) in paragraph (8)—

(A) in subparagraph (C)—

(i) by striking ''(including any additional amount included in such premium'' and inserting ''collected''; and

(ii) by striking ''(D))'' and inserting ''(D)''; and

(B) in subparagraph (D)(ii), by inserting before the period at the end '', in accordance with the timing requirements of paragraph (7)(E)''.

SEC. 5. ENHANCED REPORTS TO CONGRESS.

(a) STUDY AND REPORT ON INSURANCE FOR NUCLEAR, BIOLOGICAL, CHEMICAL, AND RADIOLOGICAL TERRORIST EVENTS.—Section 108 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by adding at the end the following:

''(f) INSURANCE FOR NUCLEAR, BIOLOGICAL, CHEMICAL, AND RADIOLOGICAL TERRORIST EVENTS.—

''(1) STUDY.—The Comptroller General of the United States shall examine—

''(A) the availability and affordability of insurance coverage for losses caused by terrorist attacks involving nuclear, biological, chemical, or radiological materials;

''(B) the outlook for such coverage in the future; and

''(C) the capacity of private insurers and State workers compensation funds to manage risk associated with nuclear, biological, chemical, and radiological terrorist events.

''(2) REPORT.—Not later than 1 year after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing a detailed statement of the findings under paragraph (1), and recommendations for any legislative, regulatory, administrative, or other actions at the Federal, State, or local levels that the Comptroller General considers appropriate to expand the availability and affordability of insurance for nuclear, biological, chemical, or radiological terrorist events.''.

(b) STUDY AND REPORT ON AVAILABILITY AND AFFORDABILITY OF TERRORISM INSURANCE IN SPECIFIC MARKETS.—Section 108 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by adding at the end the following:

''(g) AVAILABILITY AND AFFORDABILITY OF TERRORISM INSURANCE IN SPECIFIC MARKETS.—

''(1) STUDY.—The Comptroller General of the United States shall conduct a study to determine whether there are specific markets in the United States where there are unique capacity constraints on the amount of terrorism risk insurance available.

''(2) ELEMENTS OF STUDY.—The study required by paragraph (1) shall contain—

''(A) an analysis of both insurance and reinsurance capacity in specific markets, including pricing and coverage limits in existing policies;

''(B) an assessment of the factors contributing to any capacity constraints that are identified; and

''(C) recommendations for addressing those capacity constraints.

''(3) REPORT.—Not later than 180 days after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Comptroller General shall submit a report on the study required by paragraph (1) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.''.

(c) ONGOING REPORTS.—Section 108(e) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in paragraph (1)—

(A) by inserting ''ongoing'' before ''analysis''; and

(B) by striking '', including'' and all that follows through the end of the paragraph, and inserting a period; and

(2) in paragraph (2)—

(A) by inserting ''and thereafter in 2010 and 2013,'' after ''2006,''; and

(B) by striking ''subsection (a)'' and inserting ''paragraph (1)''.

SEC. 6. COVERAGE OF GROUP LIFE INSURANCE.

(a) FINDINGS AND PURPOSE.—Section 101 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) by redesignating paragraph (6) as paragraph (8); and

(C) by inserting after paragraph (5) the following new paragraphs:

''(6) group life insurance companies are important financial institutions whose products make life insurance coverage affordable for millions of Americans and often serve as their only life insurance benefit;

''(7) the group life insurance industry, in the event of a severe act of terrorism, is vulnerable to insolvency because high concentrations of covered employees work in the same locations, because primary group life insurers do not exclude terrorism risks while most catastrophic reinsurance does exclude such risks, and because a large-scale loss of life would fall outside of actuarial expectations of death; and''; and

(2) in subsection (b)(1), by inserting ''and group life insurance'' after ''property and casualty insurance''.

(b) DEFINITIONS.—Section 102 of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note), as amended by the preceding provisions of this Act, is further amended—

(1) in paragraph (1)(B)(ii), by inserting ''and group life insurance'' before ''losses'';

(2) in paragraph (5), in the matter preceding subparagraph (A)—

(A) by inserting '', or group life insurance to the extent of the amount at risk,'' after ''property and casualty insurance'';

(B) by inserting a comma after ''insurer''; and

(C) by adding after and below subparagraph (B) the following:

''Such term shall not include any losses of an insurer resulting from coverage of any single certificate holder under any group life insurance coverages of the insurer to the extent such losses are not compensated under the Program by reason of section 103(e)(1)(D).'';

(3) in paragraph (6)—

(A) in subparagraph (A)(i), by inserting '', or group life insurance,'' after ''excess insurance''; and

(B) in subparagraph (B), by inserting ''or, in the case of group life insurance, that receives direct premiums,'' after ''insurance coverage,'';

(4) in paragraph (7)—

(A) in subparagraph (F)—

(i) by striking the first comma and inserting ''(i) with respect to property and casualty insurance,''; and

(ii) by inserting before the semicolon the following: ''(ii) with respect to group life insurance, the value of an insurer's amount at risk for a covered line of insurance over the calendar year immediately preceding such Program Year, multiplied by 0.0351 percent'';

(B) in subparagraph (G)—

(i) by inserting ''with respect to property and casualty insurance, and such portion of the amounts at risk with respect to group life insurance,'' after ''such portion of the direct earned premiums''; and

(ii) by inserting ''and amounts at risk'' after ''such direct earned premiums'';

(5) by redesignating paragraph (16) as paragraph (18); and

(6) by inserting after paragraph (15) the following new paragraphs:

''(16) GROUP LIFE INSURANCE.—The term 'group life insurance' means an insurance contract that provides life insurance coverage, including term life insurance coverage, universal life insurance coverage, variable universal life insurance coverage, and accidental death coverage, or a combination thereof, for a number of individuals under a single contract, on the basis of a group selection of risks, but does not include 'Corporate Owned Life Insurance' or 'Business Owned Life Insurance,' each as defined under the Internal Revenue Code of 1986, or any similar product, or group life reinsurance or retrocessional reinsurance.

''(17) AMOUNT AT RISK.—The term 'amount at risk' means face amount less statutory policy reserves for group life insurance issued by any insurer for insurance against losses occurring at the locations described in subparagraph (A) of paragraph (5).''.

(c) MANDATORY AVAILABILITY.—Section 103(c) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''During each Program Year'' and all that follows through ''property and casualty insurance'' in paragraph (2) and inserting the following:

''(1) AVAILABILITY OF COVERAGE FOR INSURED LOSSES.—During each Program Year, each entity that meets the definition of an insurer under section 102 shall make available, in all of its insurance policies for property and casualty insurance and in all of its insurance policies for group life insurance,''.

(d) FEDERAL SHARE OF COMPENSATION.—Section 103(e)(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by adding at the end the following new subparagraph:

''(D) LIMITATION ON COMPENSATION FOR GROUP LIFE INSURANCE.—Notwithstanding any other provision of this Act, the Federal share of compensation under the Program paid by the Secretary for insured losses of an insurer resulting from coverage of any single certificate holder under any group life insurance coverages of the insurer may not during any Program Year exceed $1,000,000.''.

(e) SEPARATE RETENTION POOL.—Section 103(e)(6)(E) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking clauses (i) and (ii) and inserting the following new clauses:

''(i) for property and casualty insurance, the lesser of—

''(I) $27,500,000,000; and

''(II) the aggregate amount, for all such insurance, of insured losses during such Program Year; and

''(ii) for group life insurance, the lesser of—

''(I) $5,000,000,000; and

''(II) the aggregate amount, for all such insurance, of insured losses during such Program Year.''.

(f) SEPARATE RECOUPMENT.—Section 103(e)(7) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note), as amended by the preceding provisions of this Act, is further amended—

(1) in subparagraph (A)—

(A) in clause (i), by inserting ''applicable'' before ''insurance''; and

(B) in clause (ii), by striking ''all insurers'' and inserting ''all applicable insurers (pursuant to subparagraph (G))'';

(2) in subparagraph (B)—

(A) in the heading, by inserting ''APPLICABLE'' before ''INSURANCE''; and

(B) by inserting ''applicable'' before ''insurance''; and

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

''(G) SEPARATE RECOUPMENT.—''The Secretary shall provide that—

''(i) any recoupment under this paragraph of amounts paid for Federal financial assistance for insured losses for property and casualty insurance shall be applied to property and casualty insurance policies; and

''(ii) any recoupment under this paragraph of amounts paid for Federal financial assistance for insured losses for group life insurance shall be applied to group life insurance policies.''.

(g) POLICY SURCHARGE FOR TERRORISM LOSS RISK-SPREADING PREMIUMS.—Section 103(e)(8) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''Any'' and inserting ''Subject to paragraph (7)(G), any'';

(B) in clause (i), by inserting ''and group life insurance policies'' after ''policies''; and

(C) by striking clause (iii) and inserting the following new clause:

''(iii) be based on—

''(I) a percentage of the premium amount charged for property and casualty insurance coverage under the policy; and

''(II) a percentage of the amount at risk for group life insurance coverage under the policy.''; and

(2) in subparagraph (C)—

(A) by inserting ''with respect to property and casualty insurance,'' after ''annual basis,''; and

(B) by inserting before the period at the end the following: ''and, with respect to group life insurance, the amount equal to 0.0053 percent of the amount at risk for covered lines under the policy''.

SEC. 7. LARGE EVENT RESET.

The Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

(1) in section 102(7)—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

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

''(H) notwithstanding subparagraph (F)(i), if aggregate industry insured losses resulting from a certified act of terrorism exceed $1,000,000,000, for any insurer that sustains insured losses resulting from such act of terrorism, the value of such insurer's direct earned premiums over the calendar year immediately preceding the Program Year, multiplied by a percentage, which—

''(i) for the Program Year consisting of calendar year 2008 shall be 5 percent; and

''(ii) for each Program Year thereafter, shall be 50 basis points greater than the percentage applicable to the preceding Program

Year, except that if an act of terrorism occurs during any such Program Year that results in aggregate industry insured losses exceeding $1,000,000,000, the percentage for the succeeding Program Year shall be 5 percent and the increase under this clause shall apply to Program Years thereafter;

except that for purposes of determining under this subparagraph whether aggregate industry insured losses exceed $1,000,000,000, the Secretary may combine insured losses resulting from two or more certified acts of terrorism occurring during such Program Year in the same geographic area (with such area determined by the Secretary), in which case such insurer shall be permitted to combine insured losses resulting from such acts of terrorism for purposes of satisfying its insurer deductible under this subparagraph; and except that the insurer deductible under this subparagraph shall apply only with respect to compensation of insured losses resulting from such certified act, or combined certified acts, and that for purposes of compensation of any other insured losses occurring in the same Program Year, the insurer deductible determined under subparagraph (F)(i) shall apply.''; and

(2) in section 103(e)(1)(B)—

(A) in clause (ii), by striking the period at the end and inserting a semicolon; and

(B) by adding after and below clause (ii) the following:

''except that if a certified act of terrorism occurs for which resulting aggregate industry insured losses exceed $1,000,000,000, the applicable amount for any subsequent certified act of terrorism shall be the amount specified in section 102(1)(B)(ii).''.

SEC. 8. AVAILABILITY OF LIFE INSURANCE WITHOUT REGARD TO LAWFUL FOREIGN TRAVEL.

Section 103(c) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

''(2) AVAILABILITY OF LIFE INSURANCE WITHOUT REGARD TO LAWFUL FOREIGN TRAVEL.—During each Program Year, each entity that meets the definition of an insurer under section 102 and any other entity that issues insurance contracts that provide life insurance coverage shall make available, in all of its life insurance policies issued after the date of the enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007 under which the insured person is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States, coverage that neither considers past, nor precludes future, lawful foreign travel by the person insured, and shall not decline such coverage based on past or future, lawful foreign travel by the person insured or charge a premium for such coverage that is excessive and not based on a good faith actuarial analysis, except that an insurer may decline or, upon inception or renewal of a policy, limit the amount of coverage provided under any life insurance policy based on plans to engage in future lawful foreign travel to occur within 12 months of such inception or renewal of the policy but only if, at time of application—

''(A) such declination is based on, or such limitation applies only with respect to, travel to a foreign destination—

''(i) for which the Director of the Centers for Disease Control and Prevention of the Department of Health and Human Services has issued a highest level alert or warning, including a recommendation against non-essential travel, due to a serious health-related condition;

''(ii) in which there is an ongoing military conflict involving the armed forces of a sovereign nation other than the foreign destination to which the insured person is traveling; or

''(iii)(I) that the insurer has specifically designated in the terms of the life insurance policy at the inception of the policy or at renewal, as applicable; and

''(II) with respect to which the insurer has made a good-faith determination that—

''(aa) a serious fraudulent situation exists which is ongoing; and

''(bb) the credibility of information by which the insurer can verify the death of the insured person is substantially compromised; and

''(B) in the case of any limitation of coverage, such limitation is specifically stated in the terms of the life insurance policy at the inception of the policy or at renewal, as applicable.''.

SEC. 9. PROGRAM TRIGGER.

Section 103(e)(1)(B)(ii) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking ''$100,000,000'' and inserting ''$50,000,000''.

SEC. 10. APPLICABILITY.

The amendments made by this Act shall apply beginning on January 1, 2008. The provisions of the Terrorism Risk Insurance Act of 2002, as in effect on the day before the date of the enactment of this Act, shall apply through the end of December 31, 2007.

The SPEAKER pro tempore (Mr. ISRAEL). Pursuant to House Resolution 862, the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Alabama (Mr. BACHUS) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the pending legislation.

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

There was no objection.

Mr. FRANK of Massachusetts. I yield myself such time as I may consume.

Mr. Speaker, the House passed a version of the terrorism risk insurance program by a large vote, 300-something to 100-something, earlier this year. It happened after a very open process at the subcommittee and committee level. We had a very good set of meetings. There were concerns raised. I think there was general agreement that terrorism insurance had to go forward, but there were some very legitimate debates about how to do it. Not all of them, obviously, have been resolved.

□ 1500

We had, unusual for our committee and I think maybe for other committees, a full markup in subcommittee followed by a full markup in committee. The bill that emerged was much closer to a consensus product, although obviously not unanimous. There were amendments offered by both sides. There were bipartisan compromises worked out. We came to the floor. It wasn't as open a process as I would have hoped, but it still represented, we thought, a fairly good piece of legislation, and, of course, it got well over 70 percent of the House Members voting for it. Then it went to the Senate and nothing happened for a very long time, and I regret that. We had hoped that we could continue this process and in fact have a conference. The Senate did not act.

Finally, the Senate acted and sent us a bill which was an extension of the current program, better in my view than the current program, not as comprehensive as the bill we passed. And we were told by the Senate, as we have been from time to time this year: This is all we can do. Take it or leave it. That seemed to me to be a problem and, now, not so much for substance as for institutional concerns. Members have asked, well, in the end we may just have to accept what the Senate sent us. That is possible, and we have preserved the option to do that.

Let me be very clear, Mr. Speaker. We are here dealing with a new bill that we introduced. The Senate bill still sits at the desk. It will be available if the Senate continues to refuse to act in any kind of a bicameral manner. But I am not ready to give up yet, Mr. Speaker, on some important issues, the most important of which is the institutional one. It is simply not in the spirit of the United States Constitution for one of the Houses to say, this is it, take it or leave it, especially when you contrast the way in which the two Houses acted. We had subcommittee and committee markup and debate on the floor. The Senate had one of their not very open processes. The bill emerged from some quiet conversations among the senior members of both parties and went to the floor, no amendments, no votes, here it is. As I said, I regret that. We may not be able to prevent it from happening in this instance. I do think it is important for us to send the message that we do not want to see this sort of procedure repeated.

So what we did was to in effect have a virtual conference. We looked at the Senate bill, we looked at our bill, and we came up with what I think might well have resulted had there been a conference. The bill we passed had a 15-year extension. The reason for a long extension is that we are talking here about building projects. We are talking about the need for terrorism risk insurance if we are to get large commercial buildings, or residential, but especially commercial buildings built in our big cities. You can't get those buildings obviously without bank loans and you can't get the bank loans without insurance. That is why the Chamber of Commerce scores this as an important bill, why the real estate industry, the cities, a whole range of business and urban interests tell us this is important. And you need to have some assurance of a timeframe in which to build. We thought 15 years. The Senate said 7 years. We didn't here come with a split-the-difference. We have accepted

the Senate's 7 years. We were told at the last minute that there was a PAYGO problem in a calculation by the Congressional Budget Office that I still do not understand, but we have no option but to abide by it. We came up with a PAYGO solution which was not a very good one. The Senate came up with, and I give them credit here, a much better PAYGO solution. They had more time to work on it, but they did it well. We have accepted the Senate PAYGO solution. So we accept that term of years, we accept that PAYGO solution.

We had also broadened this from simply being in case a building was destroyed to include group life insurance and protection against what sadly we cannot rule out, nuclear, biological, chemical, or radiological attacks. The Senate rejected both of those. We split the difference. We accepted their rejection of nuclear, biological, chemical and radiological attacks. We did feel that group life insurance should be in. I should say that including the group life provision is something that was called to our attention on a bipartisan basis from Members from Florida which says that you should not have your life insurance cancelled if you go to Israel. That is basically what we are talking about, or maybe some other areas where the insurance companies think there is a problem when there isn't one. And we checked, and the number of payoffs they have had to make of people who died going to Israel or other countries on their list is negligible, zero, from what we could tell. So we included a provision in our bill that was overwhelmingly supported by both sides, to say that there were rules; not that you couldn't deny someone life insurance if they were going to a hazardous area, but that you had to have a rational process by which you defined that.

We put group life back in. Members will remember that after the 2001 mass murders of so many innocent Americans by vicious thugs, we adopted a very expensive program to compensate people. A better way to do that would be to have this group life insurance as part of the terrorism risk insurance.

And at the request of smaller insurance companies, we lowered the trigger from $100 million to $50 million per incident, because small insurance companies said to us: We would like to be able to insure some of these buildings. Our colleagues from some of the smaller States brought this to our attention. But if it is $100 million that you have to absorb before this kicks in, we can't do it; we can do it at $50 million.

So we accept the Senate version on 7 years versus our 15. We accept their version of PAYGO. We accept their rejection of nuclear, biological, chemical, and radiological weapons. We do ask that group life insurance be kept in with the travel provision I mentioned, and that the trigger go from $100 million to $50 million.

Finally, there is the reset provision, which says that if you have once been attacked and you have to deal with it, should that same area be attacked again, the clock starts again. That is, you would not be in a position where, having been attacked once by these vicious murderers, you would be unable to get full insurance if they did it a second time.

Those are the differences. As I said, we have no guarantee that the Senate will do this or pay even serious attention. We have retained a vehicle in case they don't. But I don't want, and I said this earlier, we are not debating preemptive strikes here. We are debating preemptive surrender. I don't want to have a situation where the United States Senate passes legislation, sends it to us and says, You may not even think about changing things.

We are prepared to compromise. But I think inclusion of group life and that travel protection is important. We think that the smaller insurance companies had a legitimate concern. We think the reset provision is legitimate.

We are asking the Senate again to consider them. We can't compel that. But I think it would be a mistake for us to set the precedent that, when they confront us with these ultimata, that we simply cave in.

Let me repeat, because I got it right now. I was quoting before the lyric from ''MacArthur Park.'' What the Senate tells us is, Look, we were able to do this, but we can't do it again. You just have to accept it as it is. And the theme song apparently is, if people will remember; I will say it because I sing something awful.

''Someone left the cake out in the rain.

I don't think that I can take it

'Cause it took so long to bake it

And I'll never have the recipe again.''

If someone in the Senate tells us, we left the bill out in the rain, or at least they are telling us that if we were to try to get them to change it, it would be leaving the bill out in the rain, and they couldn't remake it because they don't have the recipe.

Mr. Speaker, I think it's time to send the Senate back to their recipe books and ask them to keep track. I understand in the end we may not be able to change things, but I do not want this House simply at this point to say, Okay, you gave us an ultimatum, we accept it.

I would hope, and we are going to be here obviously next week, that the small life insurance companies, people interested in the ability to travel to Israel and others would then at least go to Senators and say, Can't we at least even have a vote on this? Can't you even consider this?

And that is why I ask that today we send this bill back over. We retain a vehicle if the Senate remains impervious, but I think it's worth a try.

I reserve the balance of my time.

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

Members of the body, first let me address the practicalities of where we are. I am going to talk about the policies in a few minutes after others have had an opportunity to speak, but let's just talk about where we are.

The chairman has talked about the Senate this, the House this. But the truth is that the present legislation expires December 31. That is in 19 days. Businesses across the country are trying to arrange their insurance coverages for next year, and they have no certainty as to whether or how much there will be a Federal safety net in place. Nineteen days.

Even if Congress were to act today, there is hardly time enough for insurance companies to develop new policy forms, to obtain approval from 50 State regulators, to get them in the marketplace for review by the brokers, and to finish negotiating coverage with their policyholders. There is just not time.

Now, it can be the Senate problem. The House passed a bill earlier this year. That is all true, but that doesn't change the facts. Nineteen days. Nineteen days. Each additional day that we fail to get a bill on the President's desk means less ability in the marketplace to adjust and to respond to the new mandates in this program, or the Senate program, particularly the mandates on domestic terrorism. Policies are going to have to be rewritten. And both the House and the Senate bill does that, so it doesn't really matter which bill ultimately passes.

Mr. Speaker, I share Chairman FRANK's frustration with the Senate. He described this ping pong, back and forth. A House-Senate conference would have been nice to work out our differences, although in a minute I will say why I personally believe the Senate bill is more in keeping with our original intention. The chairman of the full committee and I were two of the authors of the original legislation. And it says in that legislation it was intended as a very temporary Federal backstop until the private market could fill in, and I will talk about that and why I support the Senate bill later.

But as a practical matter, whether I supported the Senate or the House bill, there is only one bill that is going to pass. I think the chairman knows that, I know that, Members of this body know that. That's the Senate bill.

The administration has indicated they are going to veto anything but the Senate bill. If we pass this bill, they will veto it. The Senate has agreed unanimously to their bill. They came together unanimously. I regret we weren't able to do that. But it was, at that time, a 15-year permanent bill. So we didn't come together. But we have got to put this behind us and adopt legislation that has a realistic possibility of becoming law, and to do it right now. We need to do that on the alternate minimum tax. It is staring us in the face.

I don't think the American people, the taxpayers, I don't think the accounting industry care whether or not the Senate did this to the House or the

House did this to the Senate. On terrorist insurance, I don't think the insurance companies, the developers, the policyholders, I am not sure they care about all the internal fights between this body and that body. They are caught in the middle, and you do have a bill available. It's a Senate bill that will go to the President to be signed and take away this uncertainty.

The Senate has made it clear that they are not going to pass the legislation that the chairman is offering. It is not me; that is the Senate. The White House has issued a Statement of Administrative Policy indicating that if presented with the bill we are going to vote on today, the President will veto it. That's with less. The Senate is not going to take it up, so it won't ever get to the President. So that is just theoretical because the Senate said they are not going to pass it. And we have got 3 weeks left before the program expires.

Now, some of our Members think that the private market, that the TRIA 5 years after 9/11, a 3-year bill and a 2-year extension, that TRIA has served its purpose. And in a few minutes I am going to talk about the Treasury and that they believe that it has fulfilled its purpose and from now on it just retards the private market.

But we can vote this bill down, we can bring up the Senate bill, and we can put a bipartisan TRIA extension on the President's desk. We can do it this week. The time for further deliberation or argument has passed. Time has run out on us.

With all due respect to the chairman of the House Financial Services Committee, I recommend we vote down this legislation, we bring up the Senate legislation, we do it in a motion to recommit, we do it in a unanimous consent, we do it in a suspension. We move it, we pass it over to the Senate, and we end the uncertainty.

If it is such a vital program that many Members think it is, why don't we need it in place? Why would we wait until a week or two or even after it expires to reauthorize it?

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

Mr. FRANK of Massachusetts. Mr. Speaker, first of all, there is no chance of waiting until after it expires. I don't know why the gentleman would have said that. He knows there is zero chance of that.

Now, I agree it has waited too long. But I would have been more impressed with the urgency if I had had people joining us in trying to get the Senate to act. We passed the bill months ago. We would have liked to have seen an act. But I didn't hear all this passion trying to force the Senate to act, and it was partly the minority in the Senate that was blocking it, that is, block the ability to have a conference.

□ 1515

Here is the point. I think telling the life insurance companies that they should not be restricting people's ability to travel unfairly is important. We think group life is important. We think that not allowing your community to be disadvantaged if it has been attacked once is important. And we may not be able to accomplish them this year, but we think it is important not simply to cave in and say those aren't even worth fighting for.

We are going to send a message, I hope, by voting for those principles because we pass the bill this year, and we may have to accept a minimal position, but we will be back here in a month or two and we hope to renew some of these things.

So I just reject the notion that the Senate can achieve this by waiting and waiting and waiting and then saying, Oh, well, there isn't enough time. There is not enough time because they held it up. No one can seriously argue that having seen this delay of many months, and again I didn't hear all this passion trying to make the Senate act for all of those months, nobody can argue that another day or two is going to make a difference. And that's what we're talking about.

So I reiterate, there is no chance of this expiring. Everybody knows that. We have preserved our ability at any point simply to accept this bill. The question is do we give up now or do we send them the message that the ability to travel to Israel, the concern for the small insurance companies being able to insure commercial properties and the concern for group life and not just property, that those are important issues.

We can take that vote today and send that message. And if we have to, we will accommodate reality. But we will have sent that message, and it gives us a basis upon which to act next year.

I yield now 6 minutes to the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Speaker, it has been almost a year since the Committee on Financial Services began the process of reauthorizing the terrorism risk insurance program. It has been 9 months since our committee held a field hearing in New York at which we heard experts, insurers, developers and reinsurers testify about the private market for terrorism insurance which has not grown enough since 9/11 to sufficiently meet the demand in many of our Nation's so-called high-risk areas.

It has been over 4 months since we held a subcommittee and a full committee markup and almost 3 months since the House overwhelmingly approved H.R. 2761, a strong reauthorization that would have extended TRIA for 15 years, provided group life insurance as well as nuclear, chemical, biological and radiological coverage, and significantly lowered the program's trigger level.

Most importantly of all, and after constructive negotiations and compromise with the minority, the House bill included a reset mechanism to address increased capacity shortages following major terrorist attacks such as those that may occur anywhere in our country.

And yet despite a proactive bipartisan effort in the House spearheaded by Chairman FRANK and Ranking Member BACHUS, we find ourselves in the 11th hour with TRIA set to expire at the end of the month, and we are faced with a weak Senate bill that was deliberately sent to us only after we had recessed for Thanksgiving, effectively stalling the negotiation process between the two Chambers.

The Senate bill, a 7-year reauthorization that only amends the TRIA program by eliminating the distinction between foreign and domestic acts of terrorism simply does not provide developers, insurers, and reinsurers with enough of the stability they need in our free-market economy to plan, finance, insure and build our Nation's major development projects.

Mr. Speaker, for TRIA to be truly effective in addressing the shortages in the terrorism insurance market, we must recognize that the market is dynamic. The terrorism insurance market behaves much differently in the wake of a terrorist attack than it does before an attack. The reset contained in this compromise bill is identical to the reset provision that was included in the House-passed TRIA extension in September, on which I and Mr. BAKER of the minority came to a mutually acceptable agreement. Under those terms, which are in this compromise bill, in the event of a terrorist attack with losses of a billion dollars or greater, the deductibles for any insurance company that pays out losses due to the event immediately lower to 5 percent while the nationwide trigger for any insurer for future events drops to $5 million.

Mr. BAKER and I also reached agreement on my proposal to enable the Secretary of the Treasury to aggregate the total losses of two or more attacks that occur in the same geographic area in the same year so if the total insured losses of those events are over a billion dollars, the reset mechanism would be triggered. The inclusion of this language is absolutely vital to every high-risk area across the country, and many of us consider this to be the most essential, must-be-included aspect of the legislation.

My colleagues may recall that the TRIA extension passed by the House in September was subject to PAYGO concerns because the CBO had assessed its cost at roughly $10 billion over 10 years. With this CBO score, some of our friends on the other side of the aisle argued that even though no funds would have been appropriated unless the country was attacked, our bill would have been too much of a burden on the American taxpayer. Not knowing who else to bill for an attack on America, I disagreed with that view and with the CBO scoring; but I, too, am committed to a fiscally responsible bill.

I am pleased to say that my fiscally conservative friends on both sides of the aisle can now vote for this bill without any hesitation thanks to the inclusion of language from the Senate bill, and more significantly, because the reset language, this compromise legislation has been assessed to a positive CBO score of $200 million. Let me say that again. This compromise bill that we are debating today will result in a net gain of $200 million. Legislation that protects developers and the insurance industry from terrorist attacks and provides taxpayers with a return on their dime is something that I believe we should all support.

Mr. Speaker, the next terrorist attack against the United States, like the one on 9/11, is going to damage more than just buildings. We must acknowledge that the structural losses associated with a terrorist incident will be accompanied by the loss of human life. The legislation before the House today recognizes this fact and includes group life insurance coverage because this Congress is concerned not only with the value of buildings but the people inside of them as well.

Our bill lowers the program trigger in the Senate bill from $100 million to $50 million. Our lower trigger would prevent smaller insurance companies from being priced out of the terrorism insurance market. And, with a greater supply of insurance, we can expect a higher degree of stability for large-scale developers all over America.

Mr. Speaker, in the absence of a formal conference which most of us in this body would have preferred, we have taken it upon ourselves to consider this legislation in which we have compromised with the Senate on many of their issues but hold firm on those provisions that we believe must be included in TRIA: the reset mechanism, group life coverage, and lower triggers.

I urge all of our colleagues to support this important compromise legislation and, as the clock strikes 11:59, to place the burden of responsibility back on the broad shoulders of the United States Senate.

Mr. BACHUS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding.

I am reminded of a quote from late President Reagan, and perhaps I can paraphrase: The closest thing to eternal life on Earth is a Federal program.

Indeed, we have had speaker after speaker come before in this debate to tell us how TRIA was going to be a temporary program. And I see the able gentlelady from New York, the chairwoman of our Financial Institutions Subcommittee. I wasn't here in this body when TRIA was originally passed, but I took the time to review the record of the debate. At that time she said, ''We are simply working to keep our economy on track with a short-term program that addresses the new terrorist threat.''

The gentleman from Pennsylvania, the chairman of our Capital Markets Subcommittee said, ''We wisely design the TRIA Act as a temporary backstop to get our Nation through a period of economic uncertainty until the private sector can develop models.''

And if you look at the RECORD, Mr. Speaker, of those who proposed TRIA in the first place, all said it would be a temporary program. Perhaps temporary is in the eye of the beholder. What started out as a 3-year program has since become a 5-year program. The House attempted to extend it 15 years. I think we are now looking at a 7-year extension. I believe for all intents and purposes, we are looking at giving birth de facto to a new Federal permanent insurance program to go along with the scores of others, few of which are financially sound.

So again, what was meant to be temporary, and I hope had I been in this body at that time I would have voted for it. I was here for the vote on the first extension, and I supported that extension. I believe there was, indeed, a great calamity in this marketplace. I believe that people in the marketplace needed time to react, to plan, to model. But again, is this something that is going to go on in perpetuity?

The question again is begged, and that is, Who can do a better job in the reinsurance market, the Federal Government or private industry? I have no doubt that private industry would love to have the subsidies that are represented by TRIA. Any time the government is going to hand out something free or at a subsidized rate versus the market rate, who wouldn't accept it? Such a deal. I certainly understand that they might be favoring this.

Now, I haven't heard in this debate, but in previous iterations of the debate I have heard many come and talk about the great tragedy of 9/11, and I want to let it be known again, we are talking about terrorism reinsurance. It does nothing to prevent terrorism in the first place. We are talking about coming in after the fact and providing this Federal backstop, which many of us don't believe is any longer necessary, putting the taxpayer on the hook at a time when markets could develop.

I would take the argument more serious if more people on the other side of the aisle would vote to strengthen, for example, the FISA legislation. Unfortunately, many of them are voting to make it even more difficult for our Federal Government to listen in on the conversations of known terrorists. Most of the Democrats, most of my colleagues on the other side of the aisle, Mr. Speaker, in May voted against the Hoekstra amendment to the Intelligence Authorization Act which would have eliminated that section of the bill requiring the Director of National Intelligence to use resources, and I paraphrase him, to study bugs and bunnies instead of suspected terrorists. They have supported expanding the legal rights of terrorist detainees, holding up passage of the 9/11 Commission Recommendation Implementation bill to give union bargaining advantages to TSA screeners, and the list goes on and on.

So if we want to talk about terrorism, let's talk about what we can do to prevent it in the first place as opposed to what we can do to subsidize large insurance companies after the fact.

Another point I would like to make, and everybody is certainly entitled to their own opinion, and I have looked very carefully at the President's working group position on this, and they have observed what I have observed, and that is the availability and affordability of terrorism risk insurance has improved since the initial terrorist attacks. And despite increases in risk retentions under TRIA, insurers have allocated additional capacity to terrorism risk. Prices have declined. Take-up rates have increased.

I simply don't buy into the argument, Mr. Speaker, that we have a market failure here that somehow, some way the market can't create this particular insurance product.

□ 1530

I mean, how are we ever going to know, once again, if we're going to hand out something free or at a subsidized rate, as opposed to people having to buy it at the market rate?

And let me quote from the President's working group: ''The presence of subsidized Federal reinsurance through TRIA appears to negatively affect the emergence of private reinsurance capacity because it dilutes demand for private sector reinsurance.''

Now, some have said, well, again, that terrorism is a very unique risk. Well, of course it is. But our reinsurance industry has faced these challenges in the past. At one point they had to figure out how to model for the risk of loss of electronic data. At one time in our history they had to figure out how to model for airline crashes.

Many say that we will never have major construction in the United States unless we have a government, Federal reinsurance backstop for acts of terrorism. I simply don't observe that in real life.

And how, Mr. Speaker, during the Cold War, when thousands of nuclear weapons were poised, aimed at our Nation, how did construction take place during that time in our history? Yet there are those who will maintain that somehow it cannot take place today.

Again, I'm not saying that reinsurance is not an important aspect of our market. It is. But I disagree with those on the other side of the aisle who say that even after 5 years that the market is simply incapable of creating a product that those who wish it can pay for at an affordable rate.

Another point I would make is that even if this were a valuable program to the Nation, what are we going to do to

pay for it, and what are the long-term implications?

Again, as I mentioned earlier, Uncle Sam does not have a particularly stellar track record when it comes to running insurance programs.

Social Security, according to the latest report of the trustees of the Social Security and Medicare trust funds, owes $6.8 trillion, trillion with a T, more in benefits than it's receiving in taxes, and has a long-term deficit of almost $9 trillion, not a particularly good track record there.

The Pension Benefit Guaranty Corporation is currently running a deficit of $18.1 billion, with an additional off-balance sheet liability of $73.3 billion.

The National Flood Insurance Program has a shortfall of $1.3 billion a year over the long term and, according to the Congressional Budget Office, its current financial situation is unsustainable.

Medicaid, $317 billion a year. The National Governors Association says, ''The growth of a program that is unsustainable in its current form.''

The Federal crop insurance program requires Federal subsidies. The list goes on and on and on and on. As history is my guide, Mr. Speaker, forgive me if I don't share the enthusiasm and optimism of those on the other side of the aisle who say that somehow this is not going to prove painful for future taxpaying generations. I believe it will be.

I believe the private market can handle this. I think they will handle this if we give them the opportunity. I do not think the private insurance companies need this huge subsidy.

And when, Mr. Speaker, are we finally going to do something about the long-term financial implications of entitlement spending in these insurance programs?

Now, something's got to give. The Comptroller General has said that we're on the verge of being the first generation in America's history to leave the next generation with a lower standard of living because of out-of-control spending. Instead, we add burden on top of burden on top of burden.

Because of all those reasons, Mr. Speaker, I oppose this legislation, I oppose this report and would urge the House to oppose it as well.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY), a representative from the city who is Chair of the Financial Institution Subcommittee and has been very active on this issue.

Mrs. MALONEY of New York. I thank the gentleman for his extraordinary leadership and for yielding.

I would like to respond to some of the comments of my good friend on the other side of the aisle and to remind my colleagues that New York, and he mentioned it several times in his statement, was attacked not as a city, and our State was not attacked as a State. This was a national attack against our country, at our Pentagon, a symbol of our military strength, and New York, one of the symbols of our economic strength. And after that attack, this body was united and determined, and I thank all of my colleagues for your aid and support.

But the most important act by this body to get New York moving again and our other economic centers was voting for TRIA, the anti-terrorism risk insurance plan.

My good friend stated that construction can go forward without it. After 9/11 you could not even build a hot dog stand. Nothing moved until we got the anti-terrorism risk insurance in place.

I am told by the businesses in New York and other large cities in our country that they cannot get insurance now. They get insurance up to the date that TRIA expires, and they are not given insurance unless there is agreement or a condition that TRIA will continue.

He argued that TRIA was not homeland security. I will say very strongly that part of our homeland security is our economic security, and a very important part of our economic security is having a Federal support system for terrorism risk insurance.

The TRIA bill was a top priority of the Financial Services Committee. It was one of the first bills reported out, and I thank Chairman FRANK for his continued support for a long-term TRIA, including a reset provision to increase the availability of terrorism insurance for areas that have been targets of terror acts like my city of New York.

The reset language in this bill, though, treats equally everyone across this country. We are including in this bill absolutely everything that was in the Senate-passed bill. The only change is we come from the 15 years down to the 7 years of the Senate. But the other key provisions that were dropped, we are putting back in, such as the lower trigger level so that more insurers can be part of this program. This is very important. Group life insurance. Life insurance for fairness for travelers, and the very important reset mechanism for the anti-terrorism risk insurance.

We need this bill and we need it promptly to avoid interruptions in coverage and the disruptions that that will cause in our economy.

I would say that TRIA has created jobs and helped America's economy grow despite the continuing terrorist threat. I thank the chairman and this body on both sides for supporting it.

I appreciate the opportunity to speak in support of this bill.

I would like to thank Chairman FRANK for his continued strong support for a long term renewal of TRIA including the reset provisions to increase the availability of terrorism insurance for areas that have been targets of terror attacks like my city of New York.

I appreciate the chairman's insistence on having the House debate and vote on a bill that includes four key provisions from the original House-passed bill.

Most important of these, in my view, is the reset provision. To encourage companies to write insurance in an area that has been a target of terrorism, after a significant terrorist attack, that is, an attack causing over $1 billion in damages, the bill would lower both the deductible and the trigger for terrorism insurance policies in the targeted area, to rebuild market capacity and then gradually increase private sector obligations over time.

This reset mechanism applies equally for everyone across the country. For example, the lower deductible would apply to all the insurers that were affected by the significant terrorist attack, regardless of where the attack occurred.

Also, the bill lowers the ''trigger'' level—the size of an attack at which the Federal Government would provide aid to insurers—back to the $50 million in the original House bill. The TRIA extension enacted in 2005 set the limit at $50 million in 2006 and $100 million in 2007. The Senate bill provides a trigger of $100 million. A lower trigger will allow more insurers to participate in the program and thereby increase the availability of terrorism insurance, and will also address a serious concern of the small insurers who fear they will be driven out of business by terrorist attacks that cause less than $100 million in insured losses that would not trigger the protection provided by TRIA.

The bill includes the provision from the House bill putting group life insurance in TRIA. TRIA should cover not only buildings but also the people who work in them. Group life carriers face insolvency if a terrorist event affects a large group of people. It is important to the economic security of America's workers and their families that group life carriers remain solvent and capable of paying claims after a terrorist attack.

Finally, like the original House bill, the bill prohibits life insurance companies from denying or reducing coverage to an individual based on their foreign travel.

It is critical that these provisions be included in the bill we send back to the Senate. We need to send a strong message that these provision are important, and that this body will not be cowed by the White House's foolish threat to veto this legislation.

I could not more strongly disagree with the White House when they insist the program should be short term and temporary. That will exacerbate market disarray and harm our economy—exactly what the terrorists want.

The administration's continued opposition to this bill is another example of the stubborn wrongheadedness for which this White House has become renowned.

On a bipartisan basis, business leaders, law enforcement, and the American people strongly support a long term TRIA bill that protects our economy and our security.

Recognizing the significant benefits that TRIA has for our entire economy, the US Chamber of Commerce said, and I quote:

The Terrorism Risk Insurance Act has promoted long-term availability of terrorism risk insurance for catastrophic terror events and has provided a standard of stability for financial markets and recovery after such an attack. [TRIA] has created jobs and helped America's economy grow despite the continuing terrorist threats against the United

States. . . . It is essential that Congress not allow this vital law to expire.

There are few issues so important to our Nation's economy as a stable long term federal support system for terrorism risk insurance.

We need a new TRIA bill and we need it promptly, to avoid interruptions in coverage and the disruptions that will cause.

We all fervently hope there will be no more terrorist attacks on our soil. But we must recognize that insuring against that dreadful contingency is a fundamental part of making our country safer. It is a part of homeland security that we cannot afford to ignore. I urge my colleagues to support this bill.

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

Mr. Speaker, the Terrorism Risk Insurance Act, TRIA, provides a free Federal backstop to private insurers to protect them against acts of terrorism in the United States so they can have insurance. It was enacted, as all of us recall, right after 9/11 for 3 years as a very temporary measure. It was intended to give the insurance industry developers a 3-year period of transition to a private market, allow them to stabilize, to price terrorism insurance, and the third goal was to rebuild capacity.

Now, in 2005, Republicans agreed. We came together bipartisanly and extended it for 2 years. However, that same year, the Treasury did a study on TRIA, and here's what they said. They said, by 2005, 2 years ago, the program had achieved all its purposes. The insurance market had stabilized. They were pricing terrorism insurance, and they were rebuilding capacity.

I will submit for the RECORD the Treasury Department study that they found had achieved all its goals. Now, let me read from the Treasury study of 2 years ago: ''The availability and affordability of terrorism risk insurance has improved since the terrorist attacks of September 11. Despite increases in risk retentions under TRIA, insurers have allocated additional capacity to terrorism risk, prices have declined, and take-up (purchase) rates have increased.'' But we extended it.

And then we passed the legislation that the chairman has talked about today, and it went over to the Senate. And the Senate, unanimously, passed a TRIA bill. One hundred Republicans and Democrats came together and passed that legislation, and the President said he would sign it.

Now, there are things about this bill that some of my colleagues on this side support. The gentlelady from Florida has a provision that I think would be beneficial. But it deals with group life. I'm sure she's going to talk about that provision in a minute.

But let me say this. The Senate has said they're not going to include group life. So why put a provision in about group life when the Senate has already said they're not going to include group life?

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. The gentleman said why put the provision in if the Senate said it's not going to talk about group life? Because I don't think that we should have a de facto amendment to the House rules that puts the Senate in charge of what we can discuss.

Mr. BACHUS. Well, as I said a few minutes ago to the chairman, with all respect to the chairman, we have 19 days. We've talked about the importance, particularly on that side of the aisle, and many Members on our side, the importance, if we are going to have a bill, let's have a bill. If the program is important, let's have the program. Let's not let it expire.

If terrorist risk insurance will shut down New York, if in the absence of this bill you can't build a hotdog stand in New York, why would we let a bill expire that will, quote, shut down the economy of New York? We have an alternative. The alternative is to pass a bill that passed unanimously in the Senate.

EXECUTIVE SUMMARY

The Terrorism Risk Insurance Extension Act of 2005 requires the President's Working Group on Financial Markets (PWG) to perform an analysis regarding the long-term availability and affordability of insurance for terrorism risk, including group life coverage; and coverage for chemical, nuclear, biological, and radiological events; and to submit a report of its findings to Congress by September 30, 2006.

In conducting this analysis, the PWG was assisted by staff of the member agencies who reviewed academic and industry studies on terrorism risk insurance, and sought additional information and consultation through a Request for Comment published in the Federal Register. Staff also met with insurance regulators, policyholder groups, insurers, reinsurers, modelers, and other governmental agencies to gather further information.

The key findings of the PWG's analysis are set forth below. The findings are presented under three main areas: the general availability and affordability of terrorism risk insurance; coverage for group life insurance; and coverage for chemical, nuclear, biological, and radiological events. Further detail on each finding is provided in the body of the report.

KEY FINDINGS

Long-Term Overall Availability and Affordability of Terrorism Risk Insurance

The availability and affordability of terrorism risk insurance have improved since the terrorist attacks of September 11, 2001. Despite increases in risk retentions under TRIA, insurers have allocated additional capacity to terrorism risk, prices have declined, and take-up (purchase) rates have increased. The take-up rate—or the percentage of companies buying terrorism coverage—has reportedly increased from 27 percent in 2003 to 58 percent in 2005, while the cost of coverage has generally fallen to roughly 3 to 5 percent of total property insurance costs. These improvements have transpired in a marketplace that has had access to a Federal backstop that has gradually contracted through the life of the temporary TRIA Program. Insurers' retention of risk has steadily increased under the TRIA Program: deductibles have increased from 7 percent of direct earned premium in 2003 to 17.5 percent in 2006, and other changes made to TRIA in 2005 have also increased insurer retentions. The general trend observed in the market has been that as insurer retentions have increased under TRIA and policyholder surpluses have risen, prices for terrorism risk have fallen and take-up rates have increased.

The improvement in the terrorism risk insurance market is due to several important factors, including better risk measurement and management, improved modeling of terrorism risk, greater reinsurance capacity, and a recovery in the financial health of property and casualty insurers. State regulation does not appear to have had a significant impact on capacity, and a significant number of policyholders are still not purchasing terrorism coverage. How these factors continue to evolve will importantly affect further developments in the long-term availability and price of terrorism risk insurance.

Insurers have made great strides in measuring and managing their risk accumulations. The amount of capital an individual insurance company is willing to allocate to a particular risk in a given location depends on its understanding of its maximum loss under different scenarios. Since September 11, insurers have made greater use of sophisticated models that allow them to identify and manage concentrations of risk in order to avoid accumulating too much risk in any given location. This improvement in risk accumulation management has allowed insurers to better diversify and control their terrorism risk exposures, which has enhanced their ability to underwrite terrorism risk.

A significant effort has been made by the insurance industry in modeling the potential frequency and severity of terrorist attacks, which helps insurers to assess their potential loss exposures. An understanding of the potential frequency and severity of terrorist attacks is important for insurers to properly evaluate their risk exposures. Improvements in probability modeling of terrorist attacks have likely had a positive impact on insurers' willingness to provide coverage for terrorism risk following the re-evaluation of terrorism risk that took place after September 11. However, unlike other catastrophic exposures (e.g., natural disasters) where there are more refined methods of modeling frequency, modeling terrorism risk frequency relies largely on analysis of terrorist behavior. Given the uncertainty of terrorism in general and, in particular, the uncertainty associated with these modeling efforts, insurers appear to have limited confidence in these models for evaluating their risk exposures.

The quantity of terrorism risk reinsurance capacity has increased since the period following September 11. Reinsurance for terrorism risk all but vanished after September 11 as reinsurers withdrew from the market. The market has since improved and reinsurers have gradually allocated more capital to terrorism risk. The key determinants in the capital allocation decisions of reinsurers include pricing, which is influenced largely by demand, loss experience, underwriting performance, and probability of loss for a given risk at a given location. These determinants also factor into the willingness of other capital providers (e.g., through catastrophe bonds or other mechanisms) to allocate capital to terrorism risk. The presence of subsidized Federal reinsurance through TRIA appears to negatively affect the emergence of private reinsurance capacity because it dilutes demand for private sector reinsurance.

The financial health and capacity of insurers has recovered since September 11. There

has been improvement in the financial health of the insurance industry, which plays a role in how much capacity an insurer is willing to expose to terrorism risk. Since September 11, policyholder surpluses in the property and casualty industry have risen, as the industry has remained profitable (even with the 2005 hurricane season losses) and has benefited from increased rates of return on assets. As a result, insurers have more available capital to allocate, and they apparently have chosen to allocate additional capacity to terrorism risk as demonstrated by the increased provision of terrorism risk insurance coverage over the past few years.

States require that some types of terrorism risk insurance be provided and otherwise regulate aspects of the terrorism risk insurance market. However, it is unclear whether these requirements have reduced capacity significantly. State laws and regulations govern various aspects of the insurance marketplace (e.g., mandating certain types of coverage, approving forms and rates, and monitoring financial solvency), and the provision of terrorism risk insurance falls within this general structure. In terms of pricing, although states regulate commercial insurance rates to various degrees (to a larger extent with workers' compensation insurance), commercial terrorism risk insurance for large property risks may be exempt from state price regulation or not subject to state price regulation (or other state mandates) when purchased from non-admitted surplus lines insurers. In addition, some insurers do not even charge for the terrorism coverage that is included in their policies. In lines of insurance with the greatest amount of price regulation and coverage mandates (such as workers' compensation insurance), insurers have generally remained in the market, even as their TRIA retentions have increased, despite not having the flexibility to fully price for terrorism risk. Therefore, while state regulations have the potential to significantly interfere with the operation of the insurance markets, it does not appear that such restrictions have had a significant impact in the market for terrorism risk insurance in the post-TRIA environment.

While take-up rates have increased as prices have fallen, a significant number of policyholders are still not purchasing coverage. The willingness of consumers to pay for terrorism risk insurance is a determinant of how much capital insurers will allocate. It is unclear why approximately 40 percent of all policyholders do not purchase coverage, although the Treasury's 2005 study and others have found that the primary reasons were price and assessment of their individual risk to terrorist attack. Individual perceptions of low risk are likely related to the lack of a successful terrorist attack within the U.S. since 2001, and perhaps to some degree an expectation that Federal aid might be available if a significant attack occurs.

Further improvements in insurers' ability to model and manage terrorism risk will likely contribute to the long-term development of the terrorism risk insurance market. However, the high level of uncertainty currently associated with predicting the frequency of terrorist attacks, along with what appears to be a general unwillingness of some insurance policyholders to purchase insurance coverage, makes any prediction of the potential degree of long-term development of the terrorism risk insurance market somewhat difficult. The post-September 11 terrorism insurance market has developed in the presence of a Federal backstop (albeit a progressively less generous one over time), which creates inherent difficulties in evaluating the long-term development of the terrorism risk insurance market.

Group Life Insurance

Coverage for terrorism risk insurance in group life insurance policies has remained generally available and prices have declined, even though group life insurance is not part of TRIA. Given these market signals, there is no reason to expect negative developments in the group life insurance market. Group life insurance is generally sold to employers as part of employee benefit packages along with other benefits, such as medical, dental, vision, and disability. In some cases group life insurers partner with other providers of employee benefit services. The group life insurance market is highly competitive and insurers appear to be unwilling in the face of such competition to raise prices (states do not regulate group life insurance rates), or to decline to provide terrorism coverage. Even though group life insurance has not had access to the Federal backstop under TRIA, private market forces (high competitiveness and extreme price sensitivity) have ensured the continued availability and affordability of group life insurance to employers and their participating employees.

As in the market for property and casualty reinsurance, there have also been improvements in the availability of catastrophic life reinsurance, and there is the potential for continued market development. Just as with the property and casualty reinsurance, catastrophic life reinsurance all but disappeared after September 11, even though by most industry metrics, September 11 was not a catastrophe in terms of either individual or group life insurance losses. Still, the lack or limited availability of catastrophic life reinsurance following September 11 had no disruptive effect on the availability and affordability of group life insurance to consumers largely due to competitive market forces. Since then, some catastrophic life reinsurance has again become available in the marketplace, albeit at higher cost when compared to pre-September 11 pricing. Today, group life insurers are deciding whether to purchase reinsurance, or to forgo and retain most of the risk—a decision that has not had any impact on the availability and cost of group life insurance to consumers.

Similar to the situation with property and casualty insurers, group life insurers have developed an increased ability to measure and manage their accumulation of terrorism exposure through the use of modeling, and there appears to be potential for additional improvements. While group life insurers face aggregation exposure (the risk of multiple losses from a terrorist-related mass casualty event due to concentrations of insured lives), they are capable of managing this risk to some degree by managing risk accumulations. Property and casualty insurers have made great strides in modeling techniques, but it is unclear to what extent group life insurers have made use of these tools. The highly competitive environment in the group life market, the general wider dispersion of overall life insurance risks (for companies that sell both group and individual life), and some institutional arrangements regarding how policies are sold, may all influence how group life insurers view their need and ability to manage accumulation risk.

Chemical, Nuclear, Biological and Radiological (''CNBR'') Coverage

Historically, insurance coverage for losses associated with chemical, nuclear, biological, and radiological risks has generally not been widely available unless it was mandated. Insurers generally did not provide CNBR coverage even before September 11, and for the most part they do not provide such terrorism coverage even with a Federal backstop in place. Given the general reluctance of insurance companies to provide coverage for these types of risks, there may be little potential for future market development. The factors determining the availability and affordability of CNBR coverage in the marketplace have more to do with the nature, scale, and uncertainty of the damage and losses from CNBR events—however caused—and less to do with terrorism specifically. What coverage exists today is mostly tied to state mandates, most prominently workers' compensation insurance, as well as some aspects of fire insurance through the Standard Fire Policy. In addition, a Federal mandate requires some nuclear coverage for reactor operators and some specialty coverage exists. There is virtually no CNBR reinsurance available, and the modeling issues both for exposure and probability become even more complicated for CNBR.

Some insurance consumers have expressed an interest in purchasing CNBR coverage, but due to limited capacity and relatively high prices, many have decided to forgo such purchases. Policyholder expectations regarding their own potential terrorism exposure and likelihood of post-disaster Federal aid are probably higher for CNBR risks than for relatively smaller-scale conventional terrorist attacks. The 2005 Treasury study found that the number of policyholders that purchased CNBR terrorism coverage was relatively small (except in the case of workers' compensation insurance where coverage is mandated). Among the main reasons for not purchasing CNBR terrorism coverage were that policyholders believed either that they were not at risk or that the premiums were too high. Most commercial policyholders remain generally uninsured (except where coverage is mandated, such as with workers' compensation). Some consumers may equate CNBR coverage with other coverages that are not generally available (e.g., war risk).

Finally, there may be an even greater market expectation that the Federal government would respond post-loss to a CNBR event through Federal disaster aid than would be the case for a smaller-scale conventional terrorist attack.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 30 seconds.

The gentleman has raised a red herring. There is no chance of it expiring, and the fact that he would talk about a nonexistent threat of expiration seems to me to be an indication that there's nothing substantive to talk about.

In the end, we would retain the vehicle to pass this bill. But we will not give up talking about issues prematurely, and that's why we will not allow the Senate's unanimous consent agreement, very hastily done, to shut off debate here. But there is no chance of this expiring and the gentleman from Alabama knows that.

I yield now 3 minutes to the gentleman from Georgia (Mr. SCOTT), a member of the committee.

Mr. SCOTT of Georgia. Mr. Speaker, it baffles me when, on this floor, we, who are Members of the House of Representatives, so quickly, so easily want to abdicate our responsibilities to the Senate. No wonder the Senate does what it does.

Well, Mr. Speaker, we're not going to abdicate our responsibilities to the Senate. The Founders of this Constitution and this country dedicated two

Houses, one, the Senate, that runs every 6 years, and they made a distinct decision to have the Members of the House of Representatives run every other year because the power of the House closest to the people is that House that the people look to to be most responsive to the day-to-day delicacies of their needs. This is what we're doing here. And the day-to-day delicacies says we've got to pass the most significant, the most meaningful terrorism risk insurance program possible. There's no greater threat we face.

My colleagues on the other side have said, well, why can't the private sector do this? The private sector has come to us. We don't know how catastrophic these events may be. But one thing is for certain, Mr. Speaker, we must not allow the terrorists to shut down and destroy our economy. And unless we have this backstop, the insurers have said they cannot rebuild.

Not only that, the insurers have come to us, who we've got to listen to, to say we need this backstop so that the economy will be stable. Perhaps we may not need to use it. Let us hope and let us pray that we will not have to.

□ 1545

But, Mr. Speaker, an ounce of prevention is worth a pound of cure, and we must prepare for the storm before the hurricane is raging.

This is not a giveaway program. This is not a subsidy program. This is an insurance program, insurance that we hope and we pray that we will not need. But if we do, it is the House of Representatives who are responding to say, We need to insure life, not just property. You ask the American people. Property you can get again and again. Buildings you can rebuild. But a life, a life is gone like that and must be insured.

This is the House of Representatives speaking, and I urge passage of this bill.

Mr. BACHUS. Mr. Speaker, we have 19 days till this program expires. Now, if, as you have said, this is such an essential program, we need to pass a bill today. The industry needed 6 months. They've only got 19 days. Policies have to be written. We can continue to talk about not letting the Senate run over the House. We can continue to say we're going to stand up for our version of the bill, but ask yourself this question: How could 100 Senators, both Republicans and Democrats, come up with a unanimous bill, which many of us in this bill support, and the President said he will take it up and sign it, why are we here today delaying the extension of what many of you have argued on the floor today is a very important bill?

I'm going to say it again. Even if Congress were to act today, there's not enough time for insurance companies to develop new policy forms. There's not enough time for 50 State regulators to approve those forms. There's not time to get the finished product to the marketplace. There's not time to negotiate with policyholders.

So this idea that we don't have to pass it today, no, we don't have to pass it today. No, we don't have to pass it tomorrow. We should have passed it 6 months ago. We did. The Senate passed a different version, and we are arguing at the end of this session, 19 days before this program expires, as to differences between the Senate and the House version.

And quite frankly, as I have said, the Senate version, which is the version the Treasury Department urged on the House, the version the President has said he will sign, the insurance industry's happy with. It extends the TRIA program. Why are we here delaying? As I said, we're delaying this. We're putting this program at jeopardy. We're postponing a decision on AMT. The IRS is not going to have time to react to that, and here we are as if we have all the time in the world.

The American people are not interested in differences between the House and the Senate bill. I believe the American people, you know, if a bill can pass unanimously out of the Senate, which it did, and the President take it up, why does this House continue to debate long after the time to act and pass legislation? It should have happened 6 months ago. It can happen today. It should happen today.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I would just say the gentleman from Alabama appears to have the Senate's preference for conflict avoidance confused with genuine consensus.

There weren't 100 votes for that. They didn't have a roll call vote. They're barely able to act, and so a couple of Members worked out a deal and the rest of them waved it good-bye. But the notion that that comes with some great significance clearly misunderstands what's happening, and it certainly shouldn't keep us from legislating.

Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. SIRES).

Mr. SIRES. Mr. Speaker, I rise today in support of H.R. 4299, the revised terrorist insurance act reauthorization. We've heard a lot today about how important this legislation is for New York, but it's also just as important for my home State of New Jersey, the region and this Nation.

I have said before on this floor that I represent the two most dangerous miles in this country. I represent the tunnels, the Lincoln and the Holland Tunnels. I represent the ports, and I also represent the region which also has the largest repository of fuel on the east coast of this country. I represent part of Newark and Jersey City, which are both considered high threat areas. I know firsthand what it is like to have a district that deals with the threat of terrorism every day. That is why it's so important for my district, my State and the entire Nation that we extend TRIA in a way that ensures stabilization for all businesses across this country, as well as those in high-risk areas.

Last year, New York City created some 50,000 jobs. It is thought that in the next 10 years New York City could possibly create another 500,000 jobs. That is one of the reasons New Jersey and New York are talking about a new tunnel to bring people to fill some of those jobs, and they need this stability to know that these businesses can come into this city so those people can fill those jobs. And that's the engine not just for New York City or New Jersey but for the region and this country, quite frankly.

And I want to thank, at this time, Chairman FRANK for his hard work on trying to form a compromise on this bill while holding true to important aspects of the TRIA legislation already passed by this House. It is important that any TRIA reauthorization legislation include reasonable trigger levels, group life insurance and a reset mechanism.

I urge my colleagues to support this bill, and I just want to end by saying I came to this Congress not to follow in lockstep with the Senate. I came in to represent my district, not knowing that I would have to bow to the Senate.

This is important legislation today, and I urge my colleagues to support this legislation.

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

It's all come down to this. We can continue to debate the Senate, we can continue to try to change this bill, or we can pass a bill, send it to the President, which extends this vitally important program as so many speakers on the majority side have said. Let's be honest with ourselves. We know that this bill should have passed 6 months ago. We know it probably should have passed 9 months ago. We know that it will not pass in time for new coverage to be written January 1. We know that.

So here we are, arguing differences with the Senate, but I think the first thing we ought to acknowledge is the Senate unanimously passed this bill. Now, the chairman says that two people got together, agreed on everything and the other 98 waved good-bye. Well, let me say this. We, the majority of this body, almost all the Members on your side, if not all, and a good number of the Members on our side have said we need to extend this program and we needed to do it 6 months ago. It's time for us to pass the Senate language, send this bill to the President. You know, there comes a time when if what the Senate did is wave this bill good-bye, it's time for us to wave this bill good-bye.

We have engaged in a debate. The Senate has been unfair to us. Quite frankly, policyholders don't care whether the Senate's unfair to the

House. They don't care whether the House didn't get its way and the Senate did. The bill the Senate passed, I'm not supporting it because it's not only the only thing available today, although it is. Let me again read to you what the statement of the administration is.

The administration continues to believe that any TRIA reauthorization should satisfy these three key elements: The program should be temporary and short-term, there should be no expansion of the program, and private sector retention should be increased. That was the original policies and the original bill we passed. However, the administration will not oppose the version of H.R. 2761 passed by the Senate on November 16, but the administration strongly opposes any amendments to the Senate-passed version of the bill away from the administration's key elements.

And the only thing underlined in this statement to us is, accordingly, if H.R. 2761 passes, that's the bill before us, if it's presented to the President to be considered, his senior advisers will recommend him veto the bill. A very important program.

It's already too late for insurance companies and policyholders to adopt the provisions as of January 1. State regulators don't have time to print the forms. It's time for us to pass the bill. It's time for us to say, Okay, we didn't settle all our differences with the Senate, and we can do that. And, quite frankly, I am very happy that it is the Senate bill we'll be passing, because the Senate bill is very, very close to what we Republicans some year ago proposed. And we've gone through a year.

Provisions, the House has not gotten its way on certain provisions. It's time to act. It's past time to act, and we're going to have that opportunity today. We're going to have the opportunity to extend what you say is a vital program, what some of us say, well, actually we're not getting what we want because we believe that this program continues to be a free Federal backstop for private insurers and developers, and that's okay.

We want development, just like you do. We don't believe, as the Treasury does, many of us, that the program has served its purpose and it is actually impeding the private market, but we don't have to get there. We have compromised our beliefs and are willing to vote for a 7-year extension. The Senate unanimously came together and compromised their various differences and voted unanimously for a version the President has said he will sign.

The only thing that remains is on this side, the House side, that some in the majority have not gotten their way on certain provisions. And listen, I'm all for advocating a House position, but we've done that, and in the interests of the American people, in the interests of getting legislation, in the interests of closure, let's vote for the Senate version.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. FRANK of Massachusetts. How much time remains?

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. FRANK) has 3½ minutes remaining.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank Chairman FRANK for your hard work on the legislation, and with all due respect to the gentleman from Alabama, I can appreciate what you are saying about the Senate and our negotiations with them, but the Congress of the United States is not a unicameral institution.

□ 1600

The Founding Fathers created two Chambers, two bodies, and the opinions of this body are just as important as the opinions of the other body. And sending a strong message about the reset provisions and about the group life provisions for the policyholders that you say don't care about those provisions is why we have a bicameral Congress.

The other issue that I want to raise is that the life insurance fairness provision in this legislation, which you have strongly supported consistently, can stand on its own. It is not dependent upon group life being included in this legislation overall and it has no ties to that provision.

In the 109th Congress, we passed a bipartisan version of TRIA that included a provision that says that individuals will not be denied life insurance coverage based solely on where they might lawfully travel, and that is included in this provision again. Too often life insurance companies deny the applications of people who express the intent to travel internationally. That's particularly true when people say that they plan to travel to Israel because Israel and 26 other countries appear on the State Department's travel warning list. The life insurance industry is using the State Department's travel warning list as an underwriting tool. It was never intended to be an underwriting tool. Countries don't make that list based on an actuarial analysis. There are political and diplomatic considerations for those appearing on that list. Travel fairness language will protect consumers from unfair life insurance discrimination on the basis of past or future lawful travel, and this provision allows the insurers to price for risk according to an actuarial analysis. It's also fair to the insurance companies because it allows for denial based on war, serious health conditions in the country the person is traveling to, or fraud.

The freedom to travel is a right that we cherish, and no American should have to choose between their children's financial security and having the right to travel freely. And that is what we are forcing Americans to do if we don't pass this travel fairness language as a part of the reauthorization of TRIA. If we allow insurance companies to deny coverage based on the notion of where a person might travel, we are giving in to the terrorists who wish to change our way of life.

Life insurance companies have been using the State Department warning list as an underwriting tool. It was never meant to be utilized that way. I urge the Members to support the House-passed version of TRIA.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. CROWLEY).

The SPEAKER pro tempore (Mr. ISRAEL). The gentleman from New York is recognized for 1 minute.

Mr. CROWLEY. I thank my friend and colleague from Massachusetts.

I had a wonderful speech I was prepared to read to you today, but, quite frankly, I'm outraged by the discussion that has taken place here.

There is the discussion of 19 days left to get this legislation passed as though a gun is put to our heads that either we pass the Senate bill or this does not get extended. That's hogwash. That's not the way in which we should make legislation. The notion that 100 Senators came to the floor and passed this bill is hogwash. They hot-lined this bill. It went to the floor without debate. The only debate that has taken place on this issue has taken place here on the floor of the House of Representatives.

Chairman FRANK in cooperation with the ranking member on the minority have worked diligently to get a qualified bill to this floor, that New York wants, that our country wants and deserves. We should not allow a hole in the middle of Manhattan to lie as a monument to Osama bin Laden, because that's what we're doing by not allowing for a reset provision in this legislation. This is not about New York City. That provision is the Osama bin Laden protection provision.

We should pass the House version of this bill and reject the Senate bill. Pass the House version. I would also note that not one Republican Member from New York State has been to the floor to defend your position on this issue.

During negotiations on providing appropriations for Fiscal Year 2008, the Republicans have opposed providing the emergency service workers who are sick from the pollution they were exposed to at Ground Zero with the care they need.

And today, many are expected to oppose this legislation, which would enable New York City to rebuild at Ground Zero.

But I hope that does not happen.

Because Americans believe that those who served on the frontlines at Ground Zero, and are sick due to their service, should be cared for.

Because Americans believe that New York City must be rebuilt—stronger, prouder and better protected.

Because Americans believe that in doing so we will send a message to al-qaeda that we won't back down.

And that's what today's legislation is about—letting every terrorist organization know that you cannot break us. And if you try, we will only grow stronger.

Let us take note, it was Chairman FRANK's work on the terrorism risk insurance act that has moved the Bush Administration from an absolute position of opposition to being supportive of extending this program for 7 years.

He successfully moved a bi-partisan bill earlier this year, in light of many Republicans ready to acquiesce to the President to kill this terrorism Insurance program.

I welcome the new positions of the White House and many Republicans in this chamber today to finally support a real terrorism insurance bill, it is a welcome change.

Now, let's talk some basic facts.

We all know the Government will step in if there is another large scale attack like 9–11 on our country again.

What TRIA does is actually put the private insurance markets on the hook to pay part of the damages, meaning TRIA is a cost savings to the taxpayer and ensure that the insurance industry does what it is suppose to do—insure.

TRIA saves taxpayers money.

Now onto a specific provision of to day's bill that I want to highlight.

Part of today's bill includes a provision to honor those who were killed on 9–11, and protect the memories of others who, God forbid, may be killed in future attacks on our soil.

This new language, language that was included in the House-passed TRIA bill, creates a re-assurance to insurers and developers to rebuild on previously hit sites.

This is important because we all know al-Qaeda returns to the scene of their crime; they hit the Twin Towers in 1993, and they returned in 2001. And knowing their mentality, they will try to return again.

Those that ignore that, ignore history and fact.

The impacted site in Lower Manhattan cannot continue to be a hole in the ground, or a sick tribute or trophy to Osama bin Laden—wherever he may be.

Rather, we need to rebuild there, letting the terrorists know they can knock us down, but we will always pick ourselves up stronger.

We need to pass this bill and get the Senate working on a strong compromise bill to ensure a real TRIA, one that won't let Osama bin Laden continue to use the pictures at Ground Zero as a recruiting tool against our soldiers in Afghanistan or for attacks against Americans in this country or anywhere in the world.

We have seen the White House veto threat against this bill as it is "expanding" the terrorism insurance program.

Rebuilding at previously hit sites is not expanding the terrorism insurance program—it is the reason for the terrorism insurance program.

If you are serious about supporting TRIA, vote for this bill and ensure Osama bin Laden and his evil partners view September 11, 2001 as the worst day in their lives, not the best.

Mr. TERRY. Mr Speaker, I rise today in support of H.R. 4299, the Terrorism Risk Insurance Program Reauthorization Act of 2007. This legislation revises and extends the Terrorism Risk Insurance program established under the Terrorism Risk Insurance Act of 2002 (TRIA). TRIA has been a cornerstone of our Nation's comprehensive response to the events of September 11, 2001, providing a vital and necessary backstop for our insurance industry and its policyholders.

I am pleased that H.R. 4299 does not reduce TRIA's complete coverage for nuclear, chemical, biological, and radiological events. It should be noted that workers' compensation insurers are uniquely obligated by state law to provide coverage for these events to their policyholders; for them, especially, it is critical that TRIA provide a backstop for these events as well as for conventional acts of terrorism.

It is important that TRIA serve the industry and its policyholders equally. Over the course of TRIA's life, the "trigger level," or threshold of losses insurers must suffer from an act of terrorism before TRIA can kick in, has been raised from $5 million to $100 million. For small- and medium-sized insurers—the majority of the industry—a trigger level of $100 million is too high. As a result, I support the provision which has survived in the House version in H.R. 4299 which returns the trigger level to the 2006 level of $50 million.

While I support H.R. 4299, it is important to note a significant omission which also affects our small- and medium-sized insurers and their policyholders. The deductible insurers' must pay under TRIA is potentially cost-prohibitive for these companies. Additionally, this deductible is calculated based on the amount of an insurer's direct earned premium over the previous year. Insurers' deductibles under TRIA should be tied to their capital, not the amount of their liabilities. As a result, I encourage the House to reexamine TRIA in the future to address this issue.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 862, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BACHUS

Mr. BACHUS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BACHUS. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bachus moves to recommit the bill, H.R. 4299, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Strike sections 6 through 10.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama is recognized for 5 minutes in support of his motion.

Mr. BACHUS. Mr. Speaker, the chairman of the Financial Services Committee, whom I have great respect for, indicated several times that we are here today because of the Senate's inaction and intransigence. Now, I'm not going to argue that point. The Senate, what they didn't do is they didn't take action on our bill, but what they did do is they came together and they unanimously passed legislation, and that legislation is very close to what House Republicans advocated from day one. They did take action. They passed legislation. The President said he'll sign it. It's legislation that Treasury said is consistent with the original declarations of the TRIA bill.

I share the chairman's frustration on the predicament we find ourselves in. I wish the Senate had been willing to engage in a conference to allow Members the opportunity to work out their differences on the extension of this program. However, I will tell the chairman this: The House Republicans, many of us on that conference committee, would have voted to adopt the Senate language. So the Senate bill, in my opinion, had we conferenced, we would have still passed the Senate bill.

Now, the chairman has expressed his frustration with the Senate that they are holding a gun to our head. I'm not going to characterize it in that regard. Whether it is or isn't, I wish it wasn't so. But the clock has run out on this Congress and the opportunity to get anything done on TRIA has, as a practical matter, gone by. But if it is so important, and most Members of this body believe it is, it's important to pass legislation today, and that's the Senate legislation.

The motion to recommit removes additions in the bill offered by the majority and returns the TRIA language to that passed by the Senate last month by unanimous consent. The Senate bill reflects a bipartisan compromise with the administration. It extends the TRIA program for 7 years, the same amount of time that we advocated in a bipartisan bill in the House. We didn't get a bipartisan bill in the House. It wasn't a bad bill. It wasn't a bad bill. But that bill when it passed and the bill today, the bill that was just offered, is not going to become law.

The Senate bill includes coverage for domestic terrorism. Many in this body felt like it ought to include that. It imposes a liability cap for the marketplace. That's good. I think it's a responsible, measured approach to extending a vital program, as many have characterized it. Not all on this side agree. But the majority on this side will come together, the majority of the minority, and pass what you say is a vital program and we'll do it today. The administration has said they will veto the House bill. Both sides of the aisle and the Senate have indicated that the Senate is unwilling to consider it. We have a gripe against the Senate, but let's take that up with the Senate. A large number of Members in the House may continue to oppose the Senate bill. You have an opportunity to vote on it in just a minute.

The only TRIA extension that can get enacted is the Senate compromise. Many say I wish it wasn't so. It is. The only responsible course for this House to take is to accept the Senate bill and move on. My motion is the Senate compromise.

We have 19 days until TRIA expires. Let me say it again. That's not a practical time left for the industry to comply with legislation. In a reasoned society, a deliberative body would never pass a bill and ask the American people to adopt all that in 5 days.

Mr. Speaker, we cannot risk TRIA's expiration. We need to get the job done now. A vote for this motion to recommit is a vote to promote economic vitality in this country.

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I want to begin with the schizophrenic attitude towards the Senate. The gentleman said a number of times that the Senate passed this unanimously. Yes, by avoiding conference, by making a deal.

But he also continually said, correctly, that this bill was passed way too late. Why are we here now? The answer as to why we're here now, Mr. Speaker, it's the Senate that he was so admiring of. Yes, the Senate passed it without a vote, on November 16. We passed the bill on September 19. The House passed the bill with 3½ months left to go in the year. The Senate passed the bill less than a month ago. The Senate passed the bill, by the way, a different bill than ours, after we had adjourned for the recess.

So the Senate, whom he extols for having managed to put everything under the rug and make one of their deals where nobody gets fingerprinted for anything, they sent us this bill, and the earliest we could have passed it was last week. So all this rhetoric about 6 months, et cetera, well, that's, Mr. Speaker, his friends in the Senate who caused that problem. If they had worked with us, we would have had several months.

Now, we are going to pass a bill. We understand that. And we may well be able to pass only the Senate bill early next week. We have preserved our ability to do that. There is no chance of this expiring. The question is this: Should we acquiesce in a procedure by which the United States Senate waits until after we have adjourned for the Thanksgiving recess and sends us a bill and says, this is it, take it or leave it, or do we say, no, we don't like that and we're going to at least try to make you vote on things.

Now, I know the gentleman from Alabama likes the Senate version apparently where you just have unanimity so-called. I prefer democracy. I prefer letting things get voted on. Maybe the Senate won't vote, but let's at least give them one more option. It may take us another 3 or 4 days. So the notion that we are somehow delaying this for 3 or 4 days, no. We waited from our bill in September to theirs in November. Two months later they passed it. Three days or 4 days isn't going to make any difference and we'll get the bill through.

Here's what we want to do. We want to say that the point that the gentlewoman from Florida made that you should not arbitrarily cancel people's life insurance because they're traveling to a country that's on the State Department watch list, whether it's the nation of Israel or others that Americans want to travel to. Yes, if you can show that there's danger there, you can cut off their insurance. But don't say that we're just going to give up on that. Maybe we can't do it this year. Let's take the motion to recommit, then, because we're going to pass this bill soon, anyway, and we may have to pass the Senate version. Let's have a referendum on the freedom to travel provision. Let's have a referendum on whether or not we include group life or say that we insure buildings in this country but not life. Let's have a referendum on whether smaller insurance companies should be able to participate. Under our bill they can. Under the Senate bill they can't. And let's have that reset mechanism that the gentleman from Queens, New York, talked about so eloquently, which says we're going to rebuild and any place that's hit, we will rebuild them again.

Let me say, we have a referendum on those issues. We may not be able to win this year, but I want to be able, as chairman of the committee, to go back early next year and say to our friends in the Senate, okay, your rope-a-dope tactics may have worked, but they didn't work on the merits.

□ 1615

And we want to go back at you on small insurance companies and on group life and on the question of freedom to travel, and we want to bring it up again.

And the last point, when we're talking about why is this being done now, it's supposed to be temporary? I never thought it would be temporary. Here's the point: If you go through the private market, it is paid for by the insured, ultimately. I do not think that those people who are choosing to do business in areas that may be singled out by the terrorists ought to have to pay the higher cost of insuring themselves for that. Against fire, against theft, against liability for someone falling down, sure, that's their responsibility. But defending ourselves against terrorism is not a market matter; it's a matter of national security. And the whole country ought to come together in a unified way and say you may not threaten New York or Chicago or Atlanta or Miami, or any other part of America, or Los Angeles, as they threatened the airport. You may not threaten us and make us pay more. You cannot make it more expensive to do business in one part of this country than another. We will come together as one Nation in this program and say, yes, you are responsible for insuring yourself against various dangers. But for insuring yourself against murderous thugs seeking to do harm to this country, this country will come together as one in a national program and rebut that, and we will not allow them to intrude.

Now, again, it may be that in the end the best we can get is the Senate bill. But at this point, I urge the Members not to vote down, in principle, a reset mechanism that says, okay, you only get hit once and then you're gone, or the freedom to travel, or group life, or smaller companies.

I hope the motion to recommit is defeated and that we let the Senate know that we will continue to engage in democracy in this part of the Capitol.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 4299, if ordered, and adoption of the conference report to accompany H.R. 1585.

The vote was taken by electronic device, and there were—yeas 173, nays 246, not voting 12, as follows:

[Roll No. 1149]

YEAS—173

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Boyda (KS)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg

Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Turner
Upton
Walberg
Walden (OR)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—246

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Reynolds
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Carson
Cubin
Hooley
Hunter
Jindal
Kind
Matheson
Miller, Gary
Neugebauer
Paul
Spratt
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1638

Messrs. SAXTON, DENT, RUSH, GERLACH, LINCOLN DAVIS of Tennessee and Ms. SOLIS changed their vote from ''yea'' to ''nay.''

Messrs. SULLIVAN, CAMP of Michigan, LATHAM, WICKER and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. FERGUSON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 303, noes 116, not voting 12, as follows:

[Roll No. 1150]

AYES—303

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Stark
Stupak
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
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—116

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berry
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boustany
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Castle
Chabot
Cole (OK)
Conaway
Costello
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Granger
Hastings (WA)
Heller
Hensarling
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Lucas
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCrery
McKeon
McMorris Rodgers
Mica
Miller (FL)
Musgrave
Myrick
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Porter
Price (GA)
Radanovich
Rehberg
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Walden (OR)

Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Young (AK)

NOT VOTING—12

Carson
Cubin
Gohmert
Hooley
Hunter
Jindal
Matheson
Miller, Gary
Neugebauer
Paul
Spratt
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1647

Mr. MARCHANT changed his vote from ''aye'' to ''no.''

Mr. GOODLATTE changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. The unfinished business is on agreeing to the conference report on the bill (H.R. 1585), on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 370, nays 49, not voting 12, as follows:

[Roll No. 1151]

YEAS—370

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
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)
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
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clay
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
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 (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Ortiz
Pascrell
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
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
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—49

Baldwin
Capuano
Clarke
Cleaver
Conyers
Davis (IL)
DeFazio
Doggett
Duncan
Ellison
Fattah
Filner
Frank (MA)
Goode
Grijalva
Gutierrez
Hinchey
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kucinich
Lee
Lewis (GA)
Markey
McDermott
McGovern
Meeks (NY)
Michaud
Miller, George
Moore (WI)
Olver
Pallone
Pastor
Payne
Petri
Schakowsky
Sensenbrenner
Serrano
Stark
Tierney
Towns
Velázquez
Waters
Watson
Welch (VT)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Carson
Cubin
Hooley
Hunter
Jindal
Marshall
Matheson
Miller, Gary
Neugebauer
Paul
Spratt
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1655

Messrs. DAVIS of Illinois, FATTAH, GEORGE MILLER of California and DEFAZIO changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARSHALL. Mr. Speaker, on rollcall No. 1151, H.R. 1585, The National Defense Authorization Act for Fiscal Year 2008, In inadvertently failed to record my vote. But for this oversight, I would have voted ''yea.''

MESSAGE FROM THE PRESIDENT

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

AMT RELIEF ACT OF 2007

Mr. RANGEL. Mr. Speaker, pursuant to House Resolution 861, I call up the bill (H.R. 4351) to amend the Internal Revenue Code of 1986 to provide individuals temporary relief from the alternative minimum tax, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4351

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''AMT Relief Act of 2007''.

(b) REFERENCE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title, etc.

TITLE I—INDIVIDUAL TAX RELIEF

Sec. 101. Extension of alternative minimum tax relief for nonrefundable personal credits.

Sec. 102. Extension of increased alternative minimum tax exemption amount.

Sec. 103. Increase of AMT refundable credit amount for individuals with long-term unused credits for prior year minimum tax liability, etc.

Sec. 104. Refundable child credit.

TITLE II—REVENUE PROVISIONS

Subtitle A—Nonqualified Deferred Compensation From Certain Tax Indifferent Parties

Sec. 201. Nonqualified deferred compensation from certain tax indifferent parties.

Subtitle B—Codification of Economic Substance Doctrine

Sec. 211. Codification of economic substance doctrine.

Sec. 212. Penalties for underpayments.

Subtitle C—Other Provisions

Sec. 221. Delay in application of worldwide allocation of interest.

Sec. 222. Modification of penalty for failure to file partnership returns.

Sec. 223. Penalty for failure to file S corporation returns.

Sec. 224. Increase in minimum penalty on failure to file a return of tax.

Sec. 225. Time for payment of corporate estimated taxes.

TITLE I—INDIVIDUAL TAX RELIEF

SEC. 101. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) (relating to special rule for taxable years 2000 through 2006) is amended—

(1) by striking ''or 2006'' and inserting ''2006, or 2007'', and

(2) by striking ''2006'' in the heading thereof and inserting ''2007''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 102. EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) (relating to exemption amount) is amended—

(1) by striking ''($62,550 in the case of taxable years beginning in 2006)'' in subparagraph (A) and inserting ''($66,250 in the case of taxable years beginning in 2007)'', and

(2) by striking ''($42,500 in the case of taxable years beginning in 2006)'' in subparagraph (B) and inserting ''($44,350 in the case of taxable years beginning in 2007)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 103. INCREASE OF AMT REFUNDABLE CREDIT AMOUNT FOR INDIVIDUALS WITH LONG-TERM UNUSED CREDITS FOR PRIOR YEAR MINIMUM TAX LIABILITY, ETC.

(a) IN GENERAL.—Paragraph (2) of section 53(e) is amended to read as follows:

''(2) AMT REFUNDABLE CREDIT AMOUNT.—For purposes of paragraph (1), the term 'AMT refundable credit amount' means, with respect to any taxable year, the amount (not in excess of the long-term unused minimum tax credit for such taxable year) equal to the greater of—

''(A) 50 percent of the long-term unused minimum tax credit for such taxable year, or

''(B) the amount (if any) of the AMT refundable credit amount determined under this paragraph for the taxpayer's preceding taxable year.''.

(b) TREATMENT OF CERTAIN UNDERPAYMENTS, INTEREST, AND PENALTIES ATTRIBUTABLE TO THE TREATMENT OF INCENTIVE STOCK OPTIONS.—Section 53 is amended by adding at the end the following new subsection:

''(f) TREATMENT OF CERTAIN UNDERPAYMENTS, INTEREST, AND PENALTIES ATTRIBUTABLE TO THE TREATMENT OF INCENTIVE STOCK OPTIONS.—

''(1) ABATEMENT.—Any underpayment of tax outstanding on the date of the enactment of this subsection which is attributable to the application of section 56(b)(3) for any taxable year ending before January 1, 2007 (and any interest or penalty with respect to such underpayment which is outstanding on such date of enactment), is hereby abated. No credit shall be allowed under this section with respect to any amount abated under this paragraph.

''(2) INCREASE IN CREDIT FOR CERTAIN INTEREST AND PENALTIES ALREADY PAID.—Any interest or penalty paid before the date of the enactment of this subsection which would (but for such payment) have been abated under paragraph (1) shall be treated for purposes of this section as an amount of adjusted net minimum tax imposed for the taxable year of the underpayment to which such interest or penalty relates.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2006.

(2) ABATEMENT.—Section 53(f)(1) of the Internal Revenue Code of 1986, as added by subsection (b), shall take effect on the date of the enactment of this Act.

SEC. 104. REFUNDABLE CHILD CREDIT.

(a) MODIFICATION OF THRESHOLD AMOUNT.—Clause (i) of section 24(d)(1)(B) is amended by inserting ''($8,500 in the case of taxable years beginning in 2008)'' after ''$10,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2007.

TITLE II—REVENUE PROVISIONS

Subtitle A—Nonqualified Deferred Compensation From Certain Tax Indifferent Parties

SEC. 201. NONQUALIFIED DEFERRED COMPENSATION FROM CERTAIN TAX INDIFFERENT PARTIES.

(a) IN GENERAL.—Subpart B of part II of subchapter E of chapter 1 (relating to taxable year for which items of gross income included) is amended by inserting after section 457 the following new section:

''SEC. 457A. NONQUALIFIED DEFERRED COMPENSATION FROM CERTAIN TAX INDIFFERENT PARTIES.

''(a) IN GENERAL.—Any compensation which is deferred under a nonqualified deferred compensation plan of a nonqualified entity shall be taken into account for purposes of this chapter when there is no substantial risk of forfeiture of the rights to such compensation.

''(b) NONQUALIFIED ENTITY.—For purposes of this section, the term 'nonqualified entity' means—

''(1) any foreign corporation unless substantially all of its income is—

''(A) effectively connected with the conduct of a trade or business in the United States, or

''(B) subject to a comprehensive foreign income tax, and

''(2) any partnership unless substantially all of its income is allocated to persons other than—

''(A) foreign persons with respect to whom such income is not subject to a comprehensive foreign income tax, and

''(B) organizations which are exempt from tax under this title.

''(c) ASCERTAINABILITY OF AMOUNTS OF COMPENSATION.—

''(1) IN GENERAL.—If the amount of any compensation is not ascertainable at the time that such compensation is otherwise to be taken into account under subsection (a)—

''(A) such amount shall be so taken into account when ascertainable, and

''(B) the tax imposed under this chapter for the taxable year in which such compensation is taken into account under subparagraph (A) shall be increased by the sum of—

''(i) the amount of interest determined under paragraph (2), and

''(ii) an amount equal to 20 percent of the amount of such compensation.

''(2) INTEREST.—For purposes of paragraph (1)(B)(i), the interest determined under this paragraph for any taxable year is the amount of interest at the underpayment rate under section 6621 plus 1 percentage point on the underpayments that would have occurred had the deferred compensation been includible in gross income for the taxable year in which first deferred or, if later, the first taxable year in which such deferred compensation is not subject to a substantial risk of forfeiture.

''(d) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) SUBSTANTIAL RISK OF FORFEITURE.—

''(A) IN GENERAL.—The rights of a person to compensation shall be treated as subject to a substantial risk of forfeiture only if such person's rights to such compensation are conditioned upon the future performance of substantial services by any individual.

''(B) EXCEPTION FOR COMPENSATION BASED ON GAIN RECOGNIZED ON AN INVESTMENT ASSET.—

''(i) IN GENERAL.—To the extent provided in regulations prescribed by the Secretary, if compensation is determined solely by reference to the amount of gain recognized on the disposition of an investment asset, such compensation shall be treated as subject to a substantial risk of forfeiture until the date of such disposition.

''(ii) INVESTMENT ASSET.—For purposes of clause (i), the term 'investment asset' means any single asset (other than an investment fund or similar entity)—

''(I) acquired directly by an investment fund or similar entity,

''(II) with respect to which such entity does not (nor does any person related to such entity) participate in the active management of such asset (or if such asset is an interest in an entity, in the active management of the activities of such entity), and

''(III) substantially all of any gain on the disposition of which (other than such deferred compensation) is allocated to investors in such entity.

''(iii) COORDINATION WITH SPECIAL RULE FOR SHORT-TERM DEFERRALS OF COMPENSATION.—Paragraph (3)(B) shall not apply to any compensation to which clause (i) applies.

''(2) COMPREHENSIVE FOREIGN INCOME TAX.—The term 'comprehensive foreign income tax' means, with respect to any foreign person, the income tax of a foreign country if—

''(A) such person is eligible for the benefits of a comprehensive income tax treaty between such foreign country and the United States, or

''(B) such person demonstrates to the satisfaction of the Secretary that such foreign country has a comprehensive income tax.

Such term shall not include any tax unless such tax includes rules for the deductibility of deferred compensation which are similar to the rules of this title.

''(3) NONQUALIFIED DEFERRED COMPENSATION PLAN.—

''(A) IN GENERAL.—The term 'nonqualified deferred compensation plan' has the meaning given such term under section 409A(d), except that such term shall include any plan that provides a right to compensation based on the appreciation in value of a specified number of equity units of the service recipient.

''(B) EXCEPTION FOR SHORT-TERM DEFERRALS.—Compensation shall not be treated as deferred for purposes of this section if the service provider receives payment of such compensation not later than 12 months after

the end of the taxable year of the service recipient during which the right to the payment of such compensation is no longer subject to a substantial risk of forfeiture.

''(4) EXCEPTION FOR CERTAIN COMPENSATION WITH RESPECT TO EFFECTIVELY CONNECTED INCOME.—In the case a foreign corporation with income which is taxable under section 882, this section shall not apply to compensation which, had such compensation had been paid in cash on the date that such compensation ceased to be subject to a substantial risk of forfeiture, would have been deductible by such foreign corporation against such income.

''(5) APPLICATION OF RULES.—Rules similar to the rules of paragraphs (5) and (6) of section 409A(d) shall apply.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations disregarding a substantial risk of forfeiture in cases where necessary to carry out the purposes of this section.''.

(b) CONFORMING AMENDMENT.—Section 26(b)(2) is amended by striking ''and'' at the end of subparagraph (S), by striking the period at the end of subparagraph (T) and inserting '', and'', and by adding at the end the following new subparagraph:

''(U) section 457A(c)(1)(B) (relating to ascertainability of amounts of compensation).''.

(c) CLERICAL AMENDMENT.—The table of sections of subpart B of part II of subchapter E of chapter 1 is amended by inserting after the item relating to section 457 the following new item:

''Sec. 457A. Nonqualified deferred compensation from certain tax indifferent parties.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to amounts deferred which are attributable to services performed after December 31, 2007.

(2) APPLICATION TO EXISTING DEFERRALS.—In the case of any amount deferred to which the amendments made by this section do not apply solely by reason of the fact that the amount is attributable to services performed before January 1, 2008, to the extent such amount is not includible in gross income in a taxable year beginning before 2017, such amounts shall be includible in gross income in the later of—

(A) the last taxable year beginning before 2017, or

(B) the taxable year in which there is no substantial risk of forfeiture of the rights to such compensation (determined in the same manner as determined for purposes of section 457A of the Internal Revenue Code of 1986, as added by this section).

(3) ACCELERATED PAYMENTS.—No later than 60 days after the date of the enactment of this Act, the Secretary shall issue guidance providing a limited period of time during which a nonqualified deferred compensation arrangement attributable to services performed on or before December 31, 2007, may, without violating the requirements of section 409A(a) of the Internal Revenue Code of 1986, be amended to conform the date of distribution to the date the amounts are required to be included in income.

(4) CERTAIN BACK-TO-BACK ARRANGEMENTS.—If the taxpayer is also a service recipient and maintains one or more nonqualified deferred compensation arrangements for its service providers under which any amount is attributable to services performed on or before December 31, 2007, the guidance issued under paragraph (3) shall permit such arrangements to be amended to conform the dates of distribution under such arrangement to the date amounts are required to be included in the income of such taxpayer under this subsection.

(5) ACCELERATED PAYMENT NOT TREATED AS MATERIAL MODIFICATION.—Any amendment to a nonqualified deferred compensation arrangement made pursuant to paragraph (3) or (4) shall not be treated as a material modification of the arrangement for purposes of section 409A of the Internal Revenue Code of 1986.

Subtitle B—Codification of Economic Substance Doctrine

SEC. 211. CODIFICATION OF ECONOMIC SUBSTANCE DOCTRINE.

(a) IN GENERAL.—Section 7701 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) CLARIFICATION OF ECONOMIC SUBSTANCE DOCTRINE.—

''(1) APPLICATION OF DOCTRINE.—In the case of any transaction to which the economic substance doctrine is relevant, such transaction shall be treated as having economic substance only if—

''(A) the transaction changes in a meaningful way (apart from Federal income tax effects) the taxpayer's economic position, and

''(B) the taxpayer has a substantial purpose (apart from Federal income tax effects) for entering into such transaction.

''(2) SPECIAL RULE WHERE TAXPAYER RELIES ON PROFIT POTENTIAL.—

''(A) IN GENERAL.—The potential for profit of a transaction shall be taken into account in determining whether the requirements of subparagraphs (A) and (B) of paragraph (1) are met with respect to the transaction only if the present value of the reasonably expected pre-tax profit from the transaction is substantial in relation to the present value of the expected net tax benefits that would be allowed if the transaction were respected.

''(B) TREATMENT OF FEES AND FOREIGN TAXES.—Fees and other transaction expenses and foreign taxes shall be taken into account as expenses in determining pre-tax profit under subparagraph (A).

''(3) STATE AND LOCAL TAX BENEFITS.—For purposes of paragraph (1), any State or local income tax effect which is related to a Federal income tax effect shall be treated in the same manner as a Federal income tax effect.

''(4) FINANCIAL ACCOUNTING BENEFITS.—For purposes of paragraph (1)(B), achieving a financial accounting benefit shall not be taken into account as a purpose for entering into a transaction if such transaction results in a Federal income tax benefit.

''(5) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

''(A) ECONOMIC SUBSTANCE DOCTRINE.—The term 'economic substance doctrine' means the common law doctrine under which tax benefits under subtitle A with respect to a transaction are not allowable if the transaction does not have economic substance or lacks a business purpose.

''(B) EXCEPTION FOR PERSONAL TRANSACTIONS OF INDIVIDUALS.—In the case of an individual, paragraph (1) shall apply only to transactions entered into in connection with a trade or business or an activity engaged in for the production of income.

''(C) OTHER COMMON LAW DOCTRINES NOT AFFECTED.—Except as specifically provided in this subsection, the provisions of this subsection shall not be construed as altering or supplanting any other rule of law, and the requirements of this subsection shall be construed as being in addition to any such other rule of law.

''(D) DETERMINATION OF APPLICATION OF DOCTRINE NOT AFFECTED.—The determination of whether the economic substance doctrine is relevant to a transaction shall be made in the same manner as if this subsection had never been enacted.

''(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection. Such regulations may include exemptions from the application of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions entered into after the date of the enactment of this Act.

SEC. 212. PENALTIES FOR UNDERPAYMENTS.

(a) PENALTY FOR UNDERPAYMENTS ATTRIBUTABLE TO TRANSACTIONS LACKING ECONOMIC SUBSTANCE.—

(1) IN GENERAL.—Subsection (b) of section 6662 is amended by inserting after paragraph (5) the following new paragraph:

''(6) Any disallowance of claimed tax benefits by reason of a transaction lacking economic substance (within the meaning of section 7701(p)) or failing to meet the requirements of any similar rule of law.''.

(2) INCREASED PENALTY FOR NONDISCLOSED TRANSACTIONS.—Section 6662 is amended by adding at the end the following new subsection:

''(i) INCREASE IN PENALTY IN CASE OF NONDISCLOSED NONECONOMIC SUBSTANCE TRANSACTIONS.—

''(1) IN GENERAL.—To the extent that a portion of the underpayment to which this section applies is attributable to one or more nondisclosed noneconomic substance transactions, subsection (a) shall be applied with respect to such portion by substituting '40 percent' for '20 percent'.

''(2) NONDISCLOSED NONECONOMIC SUBSTANCE TRANSACTIONS.—For purposes of this subsection, the term 'nondisclosed noneconomic substance transaction' means any portion of a transaction described in subsection (b)(6) with respect to which the relevant facts affecting the tax treatment are not adequately disclosed in the return nor in a statement attached to the return.

''(3) SPECIAL RULE FOR AMENDED RETURNS.—Except as provided in regulations, in no event shall any amendment or supplement to a return of tax be taken into account for purposes of this subsection if the amendment or supplement is filed after the earlier of the date the taxpayer is first contacted by the Secretary regarding the examination of the return or such other date as is specified by the Secretary.''.

(3) CONFORMING AMENDMENT.—Subparagraph (B) of section 6662A(e)(2) is amended—

(A) by striking ''section 6662(h)'' and inserting ''subsection (h) or (i) of section 6662'', and

(B) by striking ''GROSS VALUATION MISSTATEMENT PENALTY'' in the heading and inserting ''CERTAIN INCREASED UNDERPAYMENT PENALTIES''.

(b) REASONABLE CAUSE EXCEPTION NOT APPLICABLE TO NONECONOMIC SUBSTANCE TRANSACTIONS, TAX SHELTERS, AND CERTAIN LARGE CORPORATIONS.—Subsection (c) of section 6664 is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively,

(2) by striking ''paragraph (2)'' in paragraph (4), as so redesignated, and inserting ''paragraph (3)'', and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) EXCEPTION FOR NONECONOMIC SUBSTANCE TRANSACTIONS, TAX SHELTERS, AND CERTAIN LARGE CORPORATIONS.—Paragraph (1) shall not apply—

''(A) to any portion of an underpayment which is attributable to one or more tax shelters (as defined in section 6662(d)(2)(C)) or transactions described in section 6662(b)(6), and

''(B) to any taxpayer if such taxpayer is a specified large corporation (as defined in section 6662(d)(2)(D)(ii)).''.

(c) APPLICATION OF PENALTY FOR ERRONEOUS CLAIM FOR REFUND OR CREDIT TO NONECONOMIC SUBSTANCE TRANSACTIONS.—Section 6676 is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection:

''(c) NONECONOMIC SUBSTANCE TRANSACTIONS TREATED AS LACKING REASONABLE BASIS.—For purposes of this section, any excessive amount which is attributable to any transaction described in section 6662(b)(6) shall not be treated as having a reasonable basis.''.

(d) SPECIAL UNDERSTATEMENT REDUCTION RULE FOR CERTAIN LARGE CORPORATIONS.—

(1) IN GENERAL.—Paragraph (2) of section 6662(d) is amended by adding at the end the following new subparagraph:

''(D) SPECIAL REDUCTION RULE FOR CERTAIN LARGE CORPORATIONS.—

''(i) IN GENERAL.—In the case of any specified large corporation—

''(I) subparagraph (B) shall not apply, and

''(II) the amount of the understatement under subparagraph (A) shall be reduced by that portion of the understatement which is attributable to any item with respect to which the taxpayer has a reasonable belief that the tax treatment of such item by the taxpayer is more likely than not the proper tax treatment of such item.

''(ii) SPECIFIED LARGE CORPORATION.—

''(I) IN GENERAL.—For purposes of this subparagraph, the term 'specified large corporation' means any corporation with gross receipts in excess of $100,000,000 for the taxable year involved.

''(II) AGGREGATION RULE.—All persons treated as a single employer under section 52(a) shall be treated as one person for purposes of subclause (I).''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 6662(d)(2) is amended by striking ''Subparagraph (B)'' and inserting ''Subparagraphs (B) and (D)(i)(II)''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Subtitle C—Other Provisions

SEC. 221. DELAY IN APPLICATION OF WORLDWIDE ALLOCATION OF INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) are each amended by striking ''December 31, 2008'' and inserting ''December 31, 2017''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

SEC. 222. MODIFICATION OF PENALTY FOR FAILURE TO FILE PARTNERSHIP RETURNS.

(a) EXTENSION OF TIME LIMITATION.—Subsection (a) of section 6698 (relating to general rule) is amended by striking ''5 months'' and inserting ''12 months''.

(b) INCREASE IN PENALTY AMOUNT.—Paragraph (1) of section 6698(b) is amended by striking ''$50'' and inserting ''$100''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after the date of the enactment of this Act.

SEC. 223. PENALTY FOR FAILURE TO FILE S CORPORATION RETURNS.

(a) IN GENERAL.—Part I of subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end the following new section:

''SEC. 6699A. FAILURE TO FILE S CORPORATION RETURN.

''(a) GENERAL RULE.—In addition to the penalty imposed by section 7203 (relating to willful failure to file return, supply information, or pay tax), if any S corporation required to file a return under section 6037 for any taxable year—

''(1) fails to file such return at the time prescribed therefor (determined with regard to any extension of time for filing), or

''(2) files a return which fails to show the information required under section 6037,

such S corporation shall be liable for a penalty determined under subsection (b) for each month (or fraction thereof) during which such failure continues (but not to exceed 12 months), unless it is shown that such failure is due to reasonable cause.

''(b) AMOUNT PER MONTH.—For purposes of subsection (a), the amount determined under this subsection for any month is the product of—

''(1) $100, multiplied by

''(2) the number of persons who were shareholders in the S corporation during any part of the taxable year.

''(c) ASSESSMENT OF PENALTY.—The penalty imposed by subsection (a) shall be assessed against the S corporation.

''(d) DEFICIENCY PROCEDURES NOT TO APPLY.—Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, gift, and certain excise taxes) shall not apply in respect of the assessment or collection of any penalty imposed by subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by adding at the end the following new item:

''Sec. 6699A. Failure to file S corporation return.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after the date of the enactment of this Act.

SEC. 224. INCREASE IN MINIMUM PENALTY ON FAILURE TO FILE A RETURN OF TAX.

(a) IN GENERAL.—Subsection (a) of section 6651 is amended by striking ''$100'' in the last sentence and inserting ''$150''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns the due date for the filing of which (including extensions) is after December 31, 2007.

SEC. 225. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 52.5 percentage points.

The SPEAKER pro tempore. Pursuant to House Resolution 861, the gentleman from New York (Mr. RANGEL) and the gentleman from Louisiana (Mr. MCCRERY) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. RANGEL. Mr. Speaker, after my speaking, I ask unanimous consent that the balance of my time be controlled by the gentleman from Massachusetts (Mr. NEAL), and that he be allowed to assign it to speakers on behalf of the bill.

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

There was no objection.

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

I am so proud to have the opportunity to say once again that fulfilling our constitutional responsibility, the Ways and Means Committee has reported out a bill to provide relief to upward of some 25 million people from being hit by a $50 billion tax increase, which it was never thought could happen to these people.

□ 1700

By the same token, almost separate and apart from this, we have an opportunity to close a very unfair provision that we find in our Tax Code, that certainly no one has come to me to defend, which prevents a handful of people from having unlimited funds being shipped overseas under deferred compensation and escaping liability. It is just plain wrong if we were talking about this by itself. But we are not doing that. We are talking about bringing something together that I don't see how anyone can be opposed.

So let's talk about the things that we all agree on. Nobody, Republican or Democrat, liberal or conservative, believes that these taxpayers should be hit by a tax that we didn't intend.

Two, no one has the guts to defend the offshore deferred compensation. You may have some feelings about it because of a couple of friends, but we know it's indecent and immoral.

So what is the problem? We raise the money and we hope that, through this and others, we will be able to pay for the loss of revenue that is enacted by the patch. That is the $50 billion. I wish that I could yield all of our time to the Republicans to explain once again, as eloquent as my dear friend Mr. MCCRERY is, as to why this is not borrowing.

Mr. DREIER yesterday in the Rules Committee says it's not borrowing because we never intended for this to happen. Well, if it works for you guys, I'm going to try it when I get home with my creditors and say, hey, it wasn't meant for me to be broke and so it's not borrowing; just ignore it.

But it doesn't work that way on pencil and paper. Either you have got to cut programs by $50 billion, raise the revenue by $50 billion, or mumble for $50 billion. Enough of the mumbling. Can't we unite on this, and at least let them know in the Senate that the House of Representatives is the House of the People, that we believe in what we're doing? And let's remember this; that we know the President, when he is closing things that he wants to be closed on to raise revenue, it's not a tax increase. He and Secretary Paulson call it, what, a loophole closing. That's all we're trying to do in paying for this.

And so, remember, the President won't be with you in November, but I will be, trying to help all of us to understand that we did the best we could for the Congress and for the country. So we are giving the other body another opportunity. Hopefully this time they will not be irresponsible but they will join with us in doing two things: Reform the system for a provision that only benefits a handful of people at the expense of the United States Treasurer; and, two, prevent this burden from falling on 25 million innocent, hardworking American people.

At this time I would like to yield the balance of my time to Chairman RICHARD NEAL.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts will control the balance of the time.

There was no objection.

Mr. NEAL of Massachusetts. Mr. Speaker, I yield myself such time as I might consume.

I rise in support of the AMT Relief Act of 2007. We are here again in an effort to protect 23 million American taxpayers from higher taxes on April 15. Almost 19 million of those taxpayers have never paid AMT before, and some indeed have not even heard of AMT. With this bill, we can ensure that it stays that way.

My district alone will see an increase from 7,300 families hit by AMT to 67,000 people hit by AMT. We have individuals across this country, including Maggie Rauh from my district who is a CPA and who testified that her family income is at $75,000. She takes the standard deduction. They have three children. She is going to pay AMT. That family trip to Disneyland next year is on hold.

Joel Campbell of Loudoun County, Virginia told the committee that his family had to choose between saving more for retirement or paying for college. Higher taxes because of AMT are forcing middle- and upper middle-income families to make these difficult choices.

So we all agree that AMT should not be affecting these working families, but we cannot agree on how to do it. And that is the point: Everybody agrees that it has got to be fixed. The Republicans propose to borrow $50 billion; we intend to proceed with paying for this issue. When I hear the argument that we should forget about it because it was never intended to hit middle-income people, as Mr. RANGEL noted, I would like to try that on my creditors.

The Republicans believe that we should not offset this tax increase for middle-income people. Indeed, the President's budgets for the last few years have all counted on this revenue, and he projects next year precisely the same thing.

We made a pledge earlier this year to the American taxpayer that we would do no harm to the Federal budget. So if we lower tax revenues, we have to make up for that loss and not add to the deficit. That PAYGO pledge is difficult and painful, but most sensible.

The bill that we bring before the House today is a smaller package than before. The expiring provisions and the carried interest revenue raisers are gone. In the face of opposition to our offsets, we cannot retain this package because of the expiring tax provisions. It is my hope that we can turn to these provisions again in the near future and perhaps, if necessary, make them retroactive, indeed.

This bill provides that offshore hedge fund managers not enjoy unlimited deferral from any taxation on their compensation. We have all seen the news reports of these hedge fund people deferring hundreds of millions of dollars in compensation offshore because of a tax loophole. This bill closes that loophole, and it gives tax relief to 23 million families.

The bill also provides that a corporate tax shelter abuser be subject to new rules requiring economic substance in transactions. Let me interpret. It has to be for real. By cracking down on tax shelter abusers, we are able to provide tax relief to the families of 13 million children in minimum wage households who get little or no refundable child tax credits.

The bill is simple. The bill is straightforward. Despite some opposition, we are going to persevere in our path to responsible tax cuts. Ecclesiastes teaches us that the race is not always to the swift nor the battle to the strong. That does not affect our conviction here that we intend to persevere on the right path. We stand by our pledge to the American taxpayer and hope to convince others to join our battle today.

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

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

Mr. Speaker, I rise in strong opposition to the bill before us today, just as I did the last time this bill was on the floor. It is not exactly the same, but basically it is a bill that would patch, so to speak, the AMT, and then increase other taxes to the same amount as the baseline says the patch costs.

Let me make one thing clear. Republicans are for patching the AMT, a 1-year patch on the AMT. We are for, in other words, freezing the AMT in place just as it is today or just as it was for the last tax year. Where we differ with the majority, at least so far, is over the question of whether we need to, quote, pay for the patch by raising other taxes. We have had this debate before on this floor. We know where this debate is headed.

The President's budget, by the way, includes a 1-year patch on the AMT without a pay-for. So that should be made clear to everyone, and that is what we have been proposing for quite some time. That is what the Senate passed by a rather large vote very recently. In fact, 88–5 I believe was the vote that the Senate passed a 1-year patch without tax increases. I applaud that action of the Senate. It does what the chairman of the Ways and Means Committee and I as the ranking member of the Ways and Means Committee, and the chairman and ranking member of the Senate Finance Committee wrote in a letter to the President several weeks ago saying that we promised to pass a 1-year patch on the AMT in a manner that the President would sign. The Senate bill represents that promise. This President has said he will sign that bill. The President has said he won't sign the bill that is before us today. In fact, the distinguished majority leader of the Senate is so intent on not paying for the AMT that he is refusing to send the bill to the House right now so as not to give the majority here another opportunity to load it up with doomed tax increases. Yet our friends on the majority are once again pulling on their helmets and fastening their chin straps, ready to run into the brick wall of using tax hikes to prevent other tax increases. The whole thing would be comical if the implications were not so serious.

In recent weeks, the Treasury Secretary, the Acting Commissioner of the IRS, and the chairman of the IRS oversight board have all written to Congress to urge prompt action on the AMT and warned that continued delay on the patch will result in delayed refunds, confusion, and higher costs to the Treasury. In a recent letter, Secretary Paulson cautioned that ''enactment of a patch in mid to late December could delay issuance of approximately $75 billion in refunds to taxpayers who are likely to file their returns before March 31, 2008. Millions of taxpayers filing returns after that date may also have their refunds delayed.'' Well, here we are now in mid-December and, unfortunately, the majority in the House continues to play a dangerous game of chicken with the American taxpayer and the clock is winding down.

When the House debated H.R. 3996 last month, Republicans argued against applying PAYGO to the AMT patch. We pointed out that if Congress has to increase taxes to prevent a tax increase, then the majority's baseline has baked in trillions of dollars of tax increases over the next decade as the 2001 and 2003 tax cuts reach their current expiration dates at the end of 2010.

The majority's logic seems to go like this: To prevent a tax increase, we must enact a tax increase. Either way it's a tax increase, unless you do as we're suggesting, which is to prevent the tax increase by just patching and freezing the AMT in place as we did last year and the year before.

The House Democrats' version of PAYGO forces Congress to decide whether we will let those tax increases take place or replace them with other tax hikes. But no matter how Congress chooses to raise taxes, if we follow that, we will face the largest tax increase in American history both in nominal and real terms. Moreover, in many ways PAYGO has shown itself to be a farce.

In January, when the new majority instituted PAYGO, the Congressional Budget Office estimated that revenues in fiscal year 2007 would total $2.542 trillion. Actual revenues for 2007 turned out to be $26 billion higher than that. Does the majority plan to return these excess receipts to the taxpayer? No. It's just soaked up by more spending.

Similarly, in January of 2007, the CBO estimated that revenues in fiscal

year 2008 would be $2.72 trillion but recently revised that figure upwards by just over $50 billion, almost exactly the same amount that this ''AMT'' costs. Does the majority plan to return this money to the taxpayers, or maybe even credit that against the higher revenues envisioned by the baseline? No. How about crediting it to the AMT patch? No. They are going to pay for it all over again.

□ 1715

As Monday's Wall Street Journal editorial points out, ''PAYGO has been nothing but a confidence game from the very start. PAYGO doesn't apply to domestic discretionary spending. It doesn't restrain spending increases under current law in entitlements like Medicare and Medicaid. Its main goals are to make tax cutting all but impossible while letting Democrats pretend to favor fiscal discipline. The 2003 tax cuts expire in 2010 and PAYGO will make them all but impossible to extend.''

The President and the Senate have made clear that they do not intend to raise taxes to prevent a tax increase. The bill we are considering today only further delays final resolution of this issue, increasing cost to the treasury and increasing confusion for taxpayers and the IRS. I urge defeat of this bill.

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

Mr. NEAL of Massachusetts. Mr. Speaker, let me clarify what the gentleman just said. He came the same day that I did. He is one of the better Members to serve here, and I personally and professionally am going to miss him.

Let me clear up what he just said. He said let's borrow the money to pay for this issue. We are saying let's pay the bill now.

Mr. Speaker, with that, I would like to introduce the Speaker of the House of Representatives for a long 1 minute.

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman, Mr. NEAL, chairman of the subcommittee for yielding and also for his great leadership on issues that regard strengthening the middle class and growing the middle class in our country.

I also want to associate myself with the remarks of Mr. NEAL when he extended his compliments to Mr. MCCRERY. He is a wonderful Member of Congress, and I am sorry to hear of his announced retirement. He will be missed here.

I listened attentively to Mr. MCCRERY's comments and want to speak to them because I think they pose the question that this House has to decide upon this evening very clearly. Mr. RANGEL and Mr. NEAL have given us the opportunity here tonight to send a clear message to the American people that the leverage in this country has changed to the middle class now instead of protecting the assets of the top 1 percent in our country.

Mr. MCCRERY says to give a tax cut, to prevent a tax increase we are going to increase taxes. Hello? He said, Hello? Hello, Mr. MCCRERY; yes, we are going to give tax relief to 23 million Americans, 23 million Americans, and approximately 5,000 to 10,000 Americans will be paying the tab. And they will be paying the tab because this legislation closes a loophole. We are closing a loophole.

These hedge fund CEOs who have taken their profits offshore to avoid taxes, this is called tax evasion, and this loophole closes that. So yes, tax relief for 23 million families, 10,000 or fewer people paying the price.

What is the alternative? As Mr. NEAL mentioned, to borrow. Happily, my colleagues, for those of you who may not know, I got my seventh grandchild this weekend. And as it is with grandchildren, you always think of the world in which they will live and what we are doing, the fiscal soundness, in the country in which they will live.

So what we are saying to this newborn baby, we have a choice here tonight. We can either close the loophole of tax evasion for the wealthiest people in America in order to give tax relief to 23 million families in America, 5,000 to 10,000 get an increase, 23 million get tax relief, or we can say to the little baby and all little babies born across America and all their children, you are going to pay the tab because this money will be borrowed, probably from a foreign government, possibly from China, $50 billion. Fifty billion dollars. Put that on your tab, little baby, because you are going to be paying that price for a long time.

So it is either the American taxpayer, future generations, suffering if we go the Republican route, or it will be fairness, fairness, a new principle in tax policy in our country. The choice is clear. We choose tax relief for 23 million families with 10,000 or fewer people paying the tab. The wealthiest people, producing billions of dollars, billions of dollars once their loopholes are closed in order to foot the bill or passing this on to our children.

I wonder if our colleagues would be willing, when we talk about AMT, the alternative minimum tax and paying for it, or any other issue when we try to pay for it, if they would be interested when they suggest that we not pay for it, if they would be willing in the same vote to vote to increase the debt ceiling, because that is exactly what you are proposing. Let us not pay for this. Let us increase the national debt in order to give comfort to people who are evading their taxes by going offshore to the tune of billions of dollars.

So I think what the Ways and Means Committee has done is masterful. It is a mystery to me why it isn't bipartisan, and I hope that the bright light that we can shine on it tonight of fairness will encourage the Senate to support this legislation.

Not to pay for the AMT middle-class tax relief is really a hoax on the American people. I know that in the course of the debate my colleagues will make that clear. I thank you.

We have had many proud days in this Congress, when we passed SCHIP, the health insurance for 10 million American children, when we passed many pieces of legislation that related to our children, their health and education and the economic security of their families, the environment in which they live, a world at peace in which they can survive, but none of them has been as proud a day for me as when the Democrats stood tall for the middle class giving them tax relief, having it paid for so that those little children do not have to inherit the debt.

Once again, let's make this the children's Congress and vote for this important legislation.

Mr. MCCRERY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from California (Mr. HERGER), the ranking member of the Trade Subcommittee of the Ways and Means Committee.

Mr. HERGER. Mr. Speaker, this bill is the wrong policy for tax-paying families. PAYGO budgeting has put Congress in a straitjacket even on this temporary fix to the alternative minimum tax which was never intended to ensnare 23 million middle-income workers.

In reality, PAYGO fails to rein in out-of-control spending and results in permanent tax increases making tax relief next to impossible.

The other body agrees, going so far as to call this nonoffset AMT patch the ''Tax Increase Prevention Act.'' Insisting on PAYGO brings us down the path of massive tax increases over the next decade. We need to stop this PAYGO charade and pass AMT relief without burdensome new taxes on the American people.

Mr. NEAL of Massachusetts. Mr. Speaker, there are only two ways to respond: Either you borrow the money or you ask people who are hiding money in offshore accounts to pay for it, and that is what we are doing. People who are hiding money in island communities are being asked to give tax relief to 23 million people.

And with that, I yield to the gentleman from Michigan (Mr. LEVIN), the chairman of the Trade Subcommittee of Ways and Means.

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

Mr. LEVIN. Mr. Speaker, I have been listening, as I hope everybody has, and I think the comments from the minority are the height of fiscal irresponsibility and fiscal irrationality. Both.

You simply say because it was unintended. But no, in 2002 and 2001 when you passed the tax bill, you knew that the AMT was going to take away some of the effect. You knew that. You've known all along that this was coming down the track. And essentially what you said was borrow, borrow, borrow.

And now you are carrying that to a ridiculous extreme by saying don't act

and pay for it by closing a loophole that gives people in our country who try to escape taxation by going overseas, don't act. That's irrational as well as irresponsible.

So what we are saying to the Senate is we are giving you another chance. It has been blocked in the Senate by the Republican minority and by the President of the United States. We have to act on the AMT. You have to act at long last responsibly, and so do Senate Republicans and so does the President of the United States of America.

Vote for this bill.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. CAMP), the ranking member of the Health Subcommittee of the Ways and Means Committee.

Mr. CAMP of Michigan. Mr. Speaker, the bill we are debating today appears to be an exercise in futility. Not only has the President said he will veto it, but it has virtually no chance of passing the Senate. So why has a bill been brought to the floor that virtually is going nowhere?

Instead of this bill, the House should be voting on the bill the Senate passed last week. I wouldn't call it Senate blockage. It passed 88–5. The Senate prevents 23 million Americans from being hit by the onerous alternative minimum tax and does it without permanently increasing taxes. The bill before us includes $50 billion in tax increases. That is $50 billion in taxes the American public was never intended to pay and should never pay.

Last May when the Republicans were in the majority, we passed legislation to prevent the AMT from hitting middle-income taxpayers. We finished our work early and responsibly so the IRS had time to reprogram its computers and print accurate tax forms which prevented unnecessary confusion for taxpayers.

But here we are in December and the Democrats still have not finished their work on the temporary AMT patch. Unfortunately, because of their inaction, millions of taxpayer refunds will be delayed for months. Unfortunately, because of their actions here today, those refunds will be further delayed.

The IRS has warned the majority party that failure to act will result in $75 billion in refunds being delayed for taxpayers who file their returns before March 31 of next year. Millions more will be delayed to taxpayers filing after that date. Rather than take up the Senate bill which the President has signaled his intent to sign, the majority party in the House is wasting time by bringing up a bill that includes unacceptable tax increases. People are already paying high enough taxes. They are already paying enough in taxes. I urge my colleagues to vote against H.R. 4351.

Mr. NEAL of Massachusetts. Mr. Speaker, we cannot predicate our actions in the House of Representatives on the basis of what the President might or might not do. Article I of the Constitution mentions Congress as the first branch of government for good reason, to keep a check on the executive, not vice versa.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, today Americans believe that our Nation's leaders have forgotten the middle class. They believe that Big Business gets whatever it wants any time it wants it in Washington, DC, and they feel that way because what they see is that the top Americans in income have seen their incomes skyrocket. Meanwhile, most Americans have seen their wages stagnate for the last 5 years.

Americans have watched as 3 million manufacturing jobs have left this country, and today, outsourcing to China and India threaten millions more. We see pensions and health insurance becoming too expensive for too many Americans to afford. We have seen the costs double for those pensions and that health insurance over the last 5 years, and we have seen gasoline prices triple.

□ 1730

What we need is an economy that works for everyone and makes America stronger. So what we propose in this bill is to show the American people that we do hear them.

This bill is responsive. It provides tax relief to 23 million middle-class families, and it helps 12 million children by expanding the child tax credit. And this bill is responsible because, rather than just borrow the money to provide the tax relief, we pay for it up front. And the Speaker already said it. We're giving it to tens of millions of people, the tax relief, and only asking thousands to pay for that.

This is responsible because we will not add to the already big $9 trillion debt. We won't add to the fact that today alone, $2 billion will have been spent by this country in deficit spending. Each and every American in this country, including the child that is born today, begins a birth tax now of a $29,000 bill because of the size of the debt.

We want to do this responsibly. This is a different day in this Congress. We told America we would change direction, because we want to be responsible and help all Americans, but be responsible and pay for what we do.

Mr. MCCRERY. Mr. Speaker, at this time I yield 3 minutes to the distinguished gentleman from Wisconsin, a member of the Ways and Means Committee, Mr. RYAN.

Mr. RYAN of Wisconsin. Let me put this in context. Mr. Speaker, the distinguished Speaker of the House came to the floor and said, we're providing tax relief for people. No, we're not. This isn't tax relief. What this bill attempts to do is prevent a tax increase, so nobody is seeing their taxes lowered under this bill. That's point number one.

But point number two is this is a new precedent that is being established here. What is this new precedent? This tax, the alternative minimum tax, is a mistake. It was never intended to be. Everybody acknowledges that. It was designed to get 155 really rich people in 1969, to make them pay taxes. It was never designed to tax 23 million people in the middle class this year. So we agree in Congress this shouldn't exist. Let's get rid of it. In all preceding Congresses we've said, let's not get new people caught up into this trap, and just be done with it.

The new precedent that is occurring here today is, the majority says, while we may not like this tax itself, we want that money. We may not like this way of taxing it, but we sure want this money coming into the Federal Government. And that's the new precedent that is occurring today which is an endorsement of this tax increase, a endorsement in acceptance, a wanting of this new and higher tax revenue.

What does that do? That brings us to a whole new size of government. What we have had in the last 40 years is the Federal Government has taxed the U.S. economy at 18.3 percent. That's the 40-year average. That's how much Washington takes out of the U.S. economy.

With this tax in place, with this new alternative minimum tax, that takes us up to an unprecedented level of government spending and taxing to 24 percent. What the majority is doing is putting us on this path of ever higher levels of taxation, even higher than during World War II. Why are they doing this? To spend more money.

There is a difference in philosophy here, Mr. Speaker. There's a basic philosophical difference. My good friend, who's a good man from Massachusetts will say, well, they're just borrowing to do this. We say, let's address entitlements. Let's focus on spending and keep taxes low.

They say, we don't want this tax but we want this money so we're going to raise some other permanent tax to get it into the government.

Here's the difference. Our priority is the taxpayer comes first, government second. Their priority is government comes first, the taxpayer is second. The government's in the front of the line. The taxpayer gets stuck with the tab.

We're saying the American families are taxed enough. They're paying enough in taxes. Because, you know what, we've got to watch it. We've got to make sure that we're competitive in the 21st century. We've got to make sure that we can keep jobs in America. And if we put ourselves on this path of unprecedented levels of taxation, we will lose our greatness in this century. We will sever that legacy of giving the next generation a higher standard of living, and we will be unable to compete with the likes of China and India

if we buy into this notion of ever higher taxes. That's why we should oppose this bill.

Mr. NEAL of Massachusetts. Mr. Speaker, what my friend, Mr. RYAN, just said, he's really a good guy here. He simply said that our priority was a bit confused. Our priority is clear. Cut taxes for 23 million Americans and close an offshore account.

With that, I would like to yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. After having run the national debt up sky high, these Republicans clamor for another loan. ''Just give us another $50 billion for one more tax cut.'' And we Democrats are saying ''No, your debt addiction must stop today. You're way over your credit limit.''

The Republican borrow-and-spend approach that we've had for the last 7 years may be easy politics, but it's mighty hard on an economy where the dollar keeps falling so that it's worth even less today than a Canadian looney.

In this bill, one way that we stop this Republican credit card borrowing spree is by adopting much of the Abusive Tax Shelter Shutdown Act, which I first introduced in June 1999. It combats tax shelters by denying a deduction for transactions that lack what is called ''economic substance.'' What that means is no more tax evasion by corporations that rely on what one professor described as ''deals done by very smart people that, absent tax considerations, would be very stupid.'' And it is very stupid to allow them to continue doing that.

When the corporate tax dodgers are made to pay their fair share, as this bill does today, everybody else who plays by the rules can pay less. And that's what this bill does. We stop corporate tax evasion; we stop corporate tax dodgers from shifting the tax burden to middle-class families, ensuring today both tax fairness and fiscal responsibility.

Mr. MCCRERY. Mr. Speaker, may I inquire as to the time remaining for each side.

The SPEAKER pro tempore. The gentleman from Louisiana has 17 minutes remaining. The gentleman from Massachusetts has 14 minutes remaining.

Mr. MCCRERY. Mr. Speaker, at this time I would yield 3 minutes to the distinguished gentleman from Texas (Mr. BRADY), a member of the Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, it's sort of hard to listen to lectures about fiscal responsibility. For years Democrats have claimed that it is time to pay for this war; it's fiscally irresponsible not to pay for this war; it ought to be part of the budget. Have they paid for the war? No, not a dime.

For years they said it's irresponsible to raise the debt limit; it's all your fault; we cannot raise the debt limit. What did they do the first 2 months of this session? Raise the public debt limit.

For years they've said we need to pay for all our spending, pay for all our taxes. So what have they done?

I have a list of 27 different pay-fors that have been used multiple times already in this session. It's like using your home as collateral 27 different times. In the real world we call that fraud.

It's unfortunate we are here today. I honestly don't believe when Democrats created this tax in the 1960s that they intended ever to cover this many middle-class Americans. But it has happened. Republicans, to their credit, had killed the AMT in 1999, but President Clinton unfortunately vetoed it. Today it has gotten bigger and badder and worse than ever. It is appropriate that we move to both freeze and then to repeal the alternative minimum tax. But there are real serious problems with this bill.

Paying for a temporary tax of 1 year with a permanent tax is just, again, fiscally irresponsible. It is like taking a loan out to pay for a cheeseburger.

This bill ignores the need to continue tax relief for States that have State and local sales tax deductions, for college tuition tax credits, for research and development tax credits, even for teachers who take classroom supplies and pay for them out of their pockets, we're not addressing their needs. And those all expire at the end of this year.

Finally, I think it is a mistake to raise taxes in order to prevent a tax increase. What we ought to be doing is we ought to be sitting down together, Republicans and Democrats, figuring out a way to thoughtfully and carefully trim this budget, this big, fat, bloated, obese budget up here so we don't increase taxes. Before Washington asks families to tighten their belt, we ought to sit down and tighten our belt first.

This is a bad bill, a fiscally irresponsible bill, and I urge opposition.

Mr. NEAL of Massachusetts. Mr. Speaker, I need to quickly correct the record. In 1969 when the alternative minimum tax was put in place, it was not a Democratic scheme. The vote was 389–2 in this House of Representatives.

With that, I would like to yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. NEAL, I want to thank you and Chairman RANGEL for your leadership on this extremely important bill.

There are several points I would like to make. First of all, my good friends, my Republicans on the other side of the aisle, it must be clear. There's no question about it. What the Republicans want to do is borrow the money to pay for this tax from China, from Japan, and have our children and grandchildren pay for it. But they don't want to just stop there. They also want to protect those wealthy 1 percent who are using tax loopholes to hide their money away from taxation in offshore accounts. That is what our Republican colleagues want to do.

We, on the Democratic side, want to look at this in the responsible way, as the American people expect. We have to provide tax relief for 23 million American families. How to do that is most assuredly to pay for it. And we're doing it by closing these offshore loopholes.

Mr. MCCRERY. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Virginia, a respected member of the Ways and Means Committee, Mr. CANTOR.

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

Mr. CANTOR. Mr. Speaker, just as she did this evening, on November 9 of this year, Speaker PELOSI stood on the floor of this House and told the American people that the middle class was long overdue for tax relief. She said that an AMT bill had to be about tax fairness, fiscal responsibility and keeping America competitive.

Yet, once again, Mr. Speaker, the current attempt at patching the AMT rings hollow. As the ranking member indicated, we know where this debate is going; and, frankly, we know where this bill is going: nowhere. This attempt, just as others that have failed, illustrates to me the disconnect between this majority in this House and the American people. In fact, it echoes what's been going on in this House over the last several weeks, if not months. Here we are a week and a half before Christmas and we've not finished the work that the American people sent us here to do.

But, in fact, it is the disconnect between the majority leadership and middle-class American families that troubles me most. If you look at what's going on out there, families are worried about the flagging economy which has fueled alarming levels of anxiety. In spite of a weak dollar, skyrocketing gas prices, falling home values, and other mounting concerns, the Democrat majority in this House refuses to accept the reality of a $2,000 plus tax hike facing millions of middle-class families.

Let's get to work. Let's realize that this bill isn't going anywhere.

The House majority refuses to cut taxes or sustain expiring growth, pro-growth tax cuts without first raising other taxes. Their dogged adherence to this policy as it applies to AMT puts them at odds with the American people.

The overwhelmingly bipartisan Senate bill, as has been said, rightly abandoned the misguided idea of raising taxes to cut taxes just so Washington can spend more. In this tax fight the stakes for everyday families are high, and the potential consequences are severe.

Mr. Speaker, just 4 weeks ago Speaker PELOSI stood here and promised the middle class tax fairness and fiscal responsibility. In light of this attempt, I wonder why we can't just come together, stop the political games, and

support real tax relief for 23 million American families.

Mr. NEAL of Massachusetts. Mr. Speaker, without this bill passing, there are 74,000 people in Mr. CANTOR's district that will pay alternative minimum tax next year.

With that, I would like to yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, today we're debating legislation that will provide middle-class families with tax relief from the AMT tax, 23 million taxpayers. We'll pass this legislation, offering AMT relief to middle-class families without increasing the Federal deficit.

My good friend from Wisconsin said earlier that this sets a new precedent. Yes, it does. We're going to be paying for this tax relief. That is precedent setting. To do otherwise would be an abdication of our responsibilities, both as legislators, and as stewards of our Nation's finances.

This administration has presided over 7 years of fiscal mismanagement. Spending has skyrocketed. Entitlements have expanded. Taxes have been cut without any regard to the bottom line.

□ 1745

As a result, our budgets haven't balanced, our surpluses turned into deficits, our national debt exploded, and our borrowing from other countries more than doubled.

If there was ever a time when fiscal discipline was necessary, it's today.

From day one, this Democratic majority has pledged our commitment to budget enforcement. One of our first acts as a new majority was to implement PAYGO rules. The position of this House and this majority has not changed. Congress must pay as we go, and we pay for this tax relief today by closing loopholes which allows tax avoidance for wealthy folks who move their money offshore, and we take what we gain from closing that loophole and in turn we pay for middle-class tax relief. Twenty-three million people will be hit with a tax increase if we don't pass this.

This legislation provides responsible tax relief. It does not increase the deficit and it deserves our vote.

Mr. MCCRERY. Mr. Speaker, several of the speakers on the majority side have said that this bill provides tax relief for 23 million middle-class taxpayers. That is simply not correct, at least not in the common sense of that term.

If you ask somebody on the street, a taxpayer, if you pay the same amount in taxes this year as you paid last year, is that tax relief? No. They're paying the same in taxes. That's all this bill does. Doesn't give them any relief. If you ask that person on the street, if you pay more in taxes this year than you paid last year, is that a tax increase? Yes. We're trying to prevent 23 million taxpayers from getting a tax increase. We're not giving them tax relief. We're preventing a tax increase.

So why on Earth, to prevent that tax increase, should we increase taxes on somebody else? It just doesn't make sense, Mr. Speaker.

Mr. Speaker, at this time, to further elucidate that point and others, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding, and he makes a very important point. As hard as I look at this bill, I can't find any tax relief in it. People who somehow think that by preventing a massive tax increase on the American people, that that's tantamount to relief, they need to talk to the schoolteacher in Mesquite, Texas. They need to talk to the rancher in Murchison, Texas.

Again, if you make the same amount of money next year that you made last year and you're paying the same amount of taxes, where's the tax relief?

This bill is misnamed. The AMT is misnamed. It ought to be called the alternative massive tax increase because it's a massive tax increase on the American people of $55.7 billion. The only thing that's alternative about it is who has the great honor and pleasure of paying for this tax.

Now, I've heard many speakers on the other side of the aisle come and say, well, we pay for it. Well, that will certainly come as a great relief to the teachers and the ranchers and the small business people of the 5th District of Texas to know that you're not going to increase their taxes because somehow you've paid for it.

You haven't paid for anything. You've put a massive tax increase on the American people, and in this particular case, you are putting it on investment. You're putting it on small businesses. You're putting it on the capital of capitalism, and you are threatening the paychecks of the American people.

Now, I've heard many people come here to the floor and say, well, we have to be fiscally responsible; this needs to be revenue neutral. Well, I agree with my friends on the other side of the aisle. It does need to be revenue neutral. It ought to be revenue neutral to the taxpayer, not the Federal Government. That's the revenue neutrality that we should attempt to achieve here.

I heard my friend, the gentleman from Massachusetts, say, well, we have to pay this or there's going to be this tax increase. Well, there's another alternative. There's several alternatives. One's the Taxpayer Choice Act, which would get rid of the AMT once and for all.

There's a clear choice before us. Who's going to get the $55.7 billion, Federal Government bureaucrats or American families? We vote for the American family.

Mr. NEAL of Massachusetts. Mr. Speaker, one of the reasons I like Mr. MCCRERY is because I think he's one of the smartest guys that serves here in this institution, and let me just say this.

I agree with what he said. If you stop 23 million people from getting a tax increase, that is tax relief. There are 33,000 people tonight in Mr. HENSARLING's district that are going to pay alternative minimum tax if we don't pass this legislation.

Mr. Speaker, with that, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding.

This has been a very curious discussion, and statements made have no relation whatsoever to either reality or to history.

We just heard the pay-for in this bill described as a massive tax increase that will affect teachers in Texas. This bill goes after hedge fund managers, parking income in Bermuda bank accounts, exploiting tax loopholes and not paying what they owe.

The alternative is to do what the minority is suggesting, and that is just to borrow the money, borrow the money and let the kids worry about how they're going to pay it back in their day. Well, at least we have agreement we need to address the alternative minimum tax, but let me tell you why we're worried about borrowing the money.

Since President Bush took office, the gross national debt has increased nearly $3.5 trillion. At that rate of borrowing, do you know something? We will borrow an additional $57 million in the course of this debate. It is truly astounding the red ink that they've run this country into, and all we hear from them today is more borrowing, please.

You know, they had a chance during their tenure here to fix the alternative minimum tax. They say we shouldn't have to pay for it because it was never intended to act this way. Well, they had 7 years to fix this alternative minimum tax, and instead, you know what they did? They counted the revenue that was projected to come in on the alternative minimum tax to justify those tax cuts, those budget-busting tax cuts passed in 2001 and 2003 that have put us in this deficit ditch that we find ourselves in.

It's time for fiscal responsibility. Pass this bill. Pay for AMT relief.

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

Mr. Speaker, some of the Members of the majority who seem to be so sincere about not borrowing any more money are the same people that are voting for appropriations bills that exceed what we spent last year plus inflation. So they don't seem to be worried about borrowing more money to spend on goodness knows what. And they're not suggesting yet that we just wipe out all the deficit and thereby prevent any more borrowing by raising taxes totally to do away with the deficit. So we're just talking about a degree of

adding to the debt, little here, little there. If we do it by spending, it's okay. If we let a tax increase take place to get the deficit down, that's okay.

Well, I think that pretty well defines one of the differences between the two parties in this House. We don't want to increase taxes to balance the budget. We'd rather reduce spending. We'd rather hold the line on spending, nondefense discretionary at least and nonhomeland security discretionary. We don't want to solve the deficit by increasing taxes; whereas, the majority is content to raise spending to increase the debt, and then the only way they want to address the debt is to increase taxes.

That's a pretty clear demarcation, Mr. Speaker, of the philosophies of the two parties, and it's become quite apparent as this year has progressed.

Fortunately, the majority, which was then the minority, voted with us the last time we had a freestanding AMT patch, with no pay-for. The now-majority who was there then voted overwhelming with us to do exactly what we're suggesting we now do and what the other body has already passed.

Mr. Speaker, that's the clear resolution of this problem. I beg the majority, let's don't delay this anymore. Don't cost the taxpayers anymore. Don't make the IRS send another set of forms to the printer. Don't delay the refunds of millions, maybe as many as 50 million taxpayers. That wouldn't be right for our inaction.

So let's get this off the floor. I don't have any more speakers. Let's vote, get this done, and then we can get on to really solving the problem.

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

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for clarifying the issue of why we should borrow the money. With that, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I understand after what the gentleman just said that he would like to stop debate and move on because, with all due respect, that's turning it on its head.

He's right. When they were in charge, they did offer up a fix that President Clinton mercifully vetoed because if it had been in place in 1999, their proposal would have required almost $800 billion more in deficit spending. But when they were entirely in charge for the last 6 years, they ignored this all together. In fact, they have used every dime that was projected by CBO to fuel their massive spending increases.

Go back and look at the record. Your record for increased spending has been far above the rate of inflation, far above the Clinton administration. It embarrassed your fiscal conservatives. Even Mr. RYAN on the Budget Committee kind of gets embarrassed about your performance for the last 6 years.

That's why you have increased in the Bush——

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will address his remarks to the Chair. The gentleman may proceed.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the admonition.

That's why we've had a $3.4 billion increase in the national debt in the first six years of the Bush administration as opposed to a surplus, budget surplus from the Clinton administration, which I think the majority leader will be talking about.

This is not a tax increase. The Federal Government will collect exactly the same taxation over the next 10 years under our proposal as under the Bush budget proposal right now. The difference is they're spending 23 million taxpayers' alternative minimum tax for the next 10 years. That's how they deal with the budget. We stop that.

Mr. MCCRERY. Mr. Speaker, I appreciate the gentleman from Oregon bringing up the fact that President Clinton vetoed the repeal of the AMT back in 1999 when we were in the majority. We did indeed repeal the AMT, only to have that vetoed by President Clinton.

However, the gentleman went on to say that for the last few years we did nothing and accepted all the revenues. That's simply not the case. We put a patch on the AMT every year, just like we're proposing to do this year. The President's budget does not assume the revenues from the AMT increase in this fiscal year. His budget proposes a 1-year patch with no pay-for.

Mr. BLUMENAUER. Mr. Speaker, will the gentleman yield?

Mr. MCCRERY. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Doesn't the Bush administration budget assume the CBO numbers that include the alternative minimum tax for the next 10 years?

Mr. MCCRERY. Not for the year 2007, which is the object of the legislation before us.

Reclaiming my time, yes, this legislation deals with tax year 2007. If we do nothing, the AMT goes into effect for tax year 2007. The President's budget says for tax year 2007 there should be a patch, a freeze on the AMT so that it doesn't affect additional taxpayers, and he does not call for the revenues in his budget.

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

Mr. NEAL of Massachusetts. Mr. Speaker, might I inquire as to how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. NEAL) has 6¼ minutes remaining. The gentleman from Louisiana (Mr. MCCRERY) has 4½ minutes remaining.

□ 1800

Mr. NEAL of Massachusetts. With that, I would like to yield 2 minutes to the gentleman from New Jersey, who has been a longtime advocate of repealing the AMT, Mr. PASCRELL.

Mr. PASCRELL. Mr. Speaker, I'm glad we had that last exchange because that's the heart of the issue. It's disingenuous. It's almost bordering on hypocritical because from 2008 to 2017 the administration, the same administration that got us into this mess, assumes the revenue that we will be accepting from AMT every year. This is disingenuous. Tell the American people what the whole story is, not just half the story.

What we want to do, Democrats, we want to prevent millions of working families, 100,000 in my own district, from seeing their taxes increase substantially. We're talking $3,000, $4,000. We're not talking chicken feed here. It pays for the lost revenue by stopping hedge fund managers and corporate CEOs from escaping income taxes by using offshore tax havens.

I can only conclude from what I have heard this evening that the minority wants to protect tax evaders. That's what you want to do. Tell the American people straight up what you want to do. You don't want to protect the fireman, the police officer, the doctor, the lawyer. You want to protect that small group of people, you heard the Speaker talk about it, 5,000 to 10,000 people. That's what this protection scheme of yours is all about.

Most Americans think what we're trying to do is fair and decent and reasonable because it is. But in the warped reality of Washington, there are Members of Congress who believe otherwise. There are actually Members who would rather see working families bear the burden of tax hikes than even a minor adjustment in the Tax Code to ensure that the richest among us pay their fair share. This is what this is all about. Fairness. You kicked the can down the street further. It's our children and our grandchildren that will have the burden.

Speak up tonight in one voice. You have an opportunity. The barometer is not Wall Street; it's Main Street.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISRAEL). Members are reminded to address their remarks to the Chair.

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

The gentleman on the Ways and Means Committee who just spoke claimed that I was being disingenuous. I'm sorry if my remarks were interpreted as being disingenuous. I don't mean to be. I was simply trying to stick to the substance of the legislation before us, which deals with the AMT as it applies to tax year 2007. And with respect to that tax year, the President's budget simply does not, as has been suggested by some Members on the other side, assume revenues from an increase in the AMT. It simply doesn't.

Now, the gentleman is correct, and I would love to debate this at the appropriate time, but the gentleman from

New Jersey is certainly correct that from 2008 to 2017, the President's budget does, indeed, assume revenues from an increase in the AMT. However, the President's budget also assumes making permanent the tax cuts of 2001 and 2003. So you have to weigh all that together, and when you do, you get a fairly level percent of GDP, around 18.5 percent of GDP, coming into the government in the form of revenues. Under the majority's PAYGO rules, if continued to be applied, and I hope they're not, we would see revenues as a percent of GDP rise by 2017 to 20.1 percent of GDP. So there's a big difference between the PAYGO rules of the majority and what the President has proposed.

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

Mr. NEAL of Massachusetts. Mr. Speaker, I would like at this time to yield 1 minute to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I rise today in strong support of the AMT Relief Act, a bill that's going to provide tax relief to millions of middle-income Americans.

If this legislation is not passed, more than 128,000 Nevada taxpayers will see their taxes increase by the AMT. This includes more than 30,000 people in my district who were never intended to pay this tax, and they elected me to make sure that they don't.

Now, I believe the alternative minimum tax should be eliminated, but until it is, this bill provides the necessary temporary solution to protect 23 million Americans who would be hit cruelly by an increase in the AMT in 2007.

This bill also ensures that more working parents will be able to benefit from a refundable child tax credit. Currently, some of the families who would benefit the most from the $1,000 refundable credit actually make too little to qualify. This bill lowers the income barrier, allowing all eligible families earning more than $8,500 to benefit.

It's also important to note that the tax relief in this bill is fully paid for and will not add a single dollar to the national debt. That's fiscal responsibility.

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

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to yield 1 minute to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. I want to thank Chairman NEAL for his leadership on this issue and for his dedication to tax relief for middle-income Americans.

Why are we again talking about the AMT? We are here because Republicans have made it clear that they prefer political expediency over fiscal responsibility. They have decided that it is fine to pile debt onto the shoulders of future generations. They say so what if we add $50 billion next year to our national debt? So what if we add $1 trillion to our national debt over 10 years?

My Republican colleagues have said there is no need to pay for AMT relief because this tax was never intended to hit these people. Did they forget that in 2001 the Republican Congress knew that the first round of Bush tax cuts for the wealthy would be paid partly by pushing 24 million middle-income American taxpayers into the AMT in 2007? Did they forget that for the past 6 years their budgets anticipated tax revenues from these middle-income taxpayers to mask their failed fiscal policies of the last 6 years?

No, they didn't forget. They just didn't want to act responsibly. We will not act so recklessly. We will provide tax relief and we will pay for it.

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

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to recognize the gentleman from New York (Mr. CROWLEY) for 1 minute.

Mr. CROWLEY. Mr. Speaker, there are a few key numbers to remember today: 25 million, the number of American families who will be hit by the AMT this year without any action; $2,000, the minimum increase in income taxes for those 25 million Americans hit by the AMT; $9 trillion, our national debt today; $30,000, the share of the national debt by every man, woman, and child in America due to the reckless fiscal policies of President Bush; $0, the cost of this Democratic tax cut to the American public as Democrats are weaning this country off credit card-onomics; four, the number of votes so far this year on legislation to fix the AMT in 2007; zero, the number of votes Republicans in the House have taken to provide tax relief to those 25 million Americans.

The game is up. The American people are watching. Either we are going to stand together today to provide 25 million middle-class Americans a tax cut while not adding to the share of the deficit owned by our children and grandchildren, or we can stick with the failed policy of the past and continue to stall and do nothing.

The choice is easy. America can no longer live off credit card-onomics. We need to manage our House like we expect our constituents to manage their homes. Support this bill. It is tax relief without tax recklessness.

Mr. NEAL of Massachusetts. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from New York (Mrs. MALONEY).

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

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of this legislation, which will provide relief to over 100,000 of my constituents.

This week, the House will once again restate our commitment to fiscal responsibility and pass legislation to provide millions of middle-class families with tax cuts to grow our economy without increasing the national debt.

The AMT Relief Act contains must-pass provisions that will provide $50 billion in immediate tax relief for working families by preventing 23 million middle class families from paying higher taxes this April.

Without this legislation, these 23 million families will be subjected to the alternative minimum tax, including almost 111,000 of my constituents.

When the AMT was enacted, it was meant to ensure the wealthiest among us paid their fair share of a tax that was never designed to hit the pocketbooks of middle-class families.

While this is only a temporary fix, I want to be clear that I hope we can move forward in the near future to provide a long-term solution to this problem.

I am proud that Chairman RANGEL and Speaker PELOSI have brought this fix to the floor today while still adhering to the pay-as-you-go promise this Democratic controlled Congress has promised the American people.

Their leadership have truly brought our country in a new direction.

On the other hand, President Bush has threatened to veto and Senate Republicans voted against the earlier House-passed AMT bill because it adhered to our pay-as-you-go promise.

The stubborn fiscal irresponsibility of President Bush and Senate Republicans has delayed getting middle-class tax relief approved in a timely fashion and resulted in the Senate passing AMT relief legislation that is not paid for—passing debt instead of prosperity onto our children and grandchildren.

We are trying every possible alternative to adhere to pay-as-you-go budget rules—reversing the years of failed Republican policies that have mortgaged our grandchildren's future with additional foreign-owned debt—giving the Senate one more chance to do the right thing.

While fixing the AMT is of outmost importance, we cannot afford to mortgage our children's and grandchildren's future to pay for this tax relief.

Our country is currently burdened with over $9 trillion of national debt, with each American's share at nearly $30,000.

We simply cannot afford to keep adding to this.

Mr. Speaker, the Democrats in Congress are providing common sense tax relief for middle-class American families, and we are doing it in a fiscally responsible way.

I urge this bill's adoption.

Mr. NEAL of Massachusetts. I would like to call upon at this time the majority leader of the House of Representatives, my friend, Mr. HOYER, to close the debate on our side.

Mr. HOYER. I thank my friend from Massachusetts (Mr. NEAL).

I want to say at the outset that I am pleased that Mr. MCCRERY is on the floor. There will be other times to say this, but Mr. MCCRERY is one of the respected Members of this House. I think he serves us well as ranking member of the Ways and Means. I know he'd rather be chairman of the Ways and Means, but we like him as ranking member. He has indicated he is not going to be with us in the next Congress. That's regrettable because he is one of the good Members of this Congress, and I want to say that to my friend.

Now, let me talk about the question at hand. Mr. Speaker, we debate here in the House, and many Americans have the opportunity to see this debate. This debate is a relatively simple

debate. It's not just about the alternative minimum tax or the consequences of not putting a so-called patch, and nobody in America knows what that means but simply it means saying that the alternative minimum tax won't affect 25 or so million people in America. None of us on either side of the aisle want that to happen. The issue is not whether or not any of us feel that ought to happen. It is do you pay for it? Do you provide for the revenue fix that will be necessary if we cut that revenue?

Let me say to my friend from Louisiana, he has said a number of times on this floor that the President didn't count the revenue for this year from the AMT. He didn't provide the money to pay for it. He simply didn't anticipate the revenue. What he did not say, however, is that the President did anticipate the revenue for the next 9 years. Furthermore, the President anticipated in 2006 that we would have the revenue generated by the AMT in the year we're going to so-called fix, so that the administration sent us a budget counting on this revenue that we are about to say we won't receive.

So I tell my friend from Louisiana, it is somewhat misleading, I think, not intentionally, I understand, to say that the President didn't rely on the revenue for this budget. That's true. He relied on it last year and the year before that and the year before that and the year before that and the year before that and in 2001. And he relied on it, I tell my friend, to offset your tax cuts because, as you recall, in your 2003 tax cut, part of the revenue that was anticipated was this revenue that the gentleman says he does not want to collect and that the President is not relying on for 2007. He's accurate but in a very narrow sense, because the President has relied upon it every other year.

Mr. MCCRERY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to my friend.

Mr. MCCRERY. I thank the gentleman. The gentleman likewise is accurate in his remarks, very cleverly so.

Mr. HOYER. Is that a compliment or not?

Mr. MCCRERY. Yes, sir, it is. But the fact is the most recent budget submitted by the President for this taxable year, 2007, does not, in fact, assume the revenues from an increase in the AMT.

Mr. HOYER. Reclaiming my time, Mr. Speaker, the gentleman is absolutely correct and that's my point. But in previous years the President has told us in his budget this revenue would be available, and he has relied on that to offset what would otherwise be larger deficits either as a result of tax cuts or of spending. He has relied on this money.

So what we are saying on this side of the aisle is let's pay for the revenue that the President anticipated if we're not going to take it, and none of us want to take the revenue that is generated by the alternative minimum tax in this fiscal year.

□ 1815

So, ladies and gentlemen, if we don't pay for it, what do we do? Because the President relied upon it in previous budgets, and, frankly, the Congress did as well on both sides of the aisle. If that revenue does not come in and we don't pay for it, there is only one thing to do: borrow. And this administration has borrowed more money from foreigners than any administration in history all together. From Washington to Clinton, all together they didn't borrow as much money as this President has borrowed from foreign governments and put our country at risk. We're saying let's stop that. And in the 1990s, ladies and gentlemen of this House, we said let's stop that. Who's ''we''? President Bush, the Democratic House and the Democratic Senate said let's stop that, and we adopted PAYGO. And in 1997 we had another agreement, and a Democratic President and a Republican Congress said let's continue that policy because we believe it's a good policy.

And just a few years ago, the former chairman of the Budget Committee, Jim Nussle, who is now the Director of the Office of Management and Budget, said PAYGO is a policy that has worked, and we ought to pursue it. But as my friend knows, in 2001, we simply abandoned PAYGO. Why did we abandon PAYGO? Because demonstratively it had worked. For the previous 4 years we had, for the first time in the lifetime of anybody in this House of Representatives, had 4 budget years in a row that produced a surplus. Four. Why? Because we had a PAYGO in place. Why? Because when we wanted to take actions, we had to have the consequences of our actions and tell the American public it was not a free lunch. We would have to pay for it.

That's simply what this bill does. It pursues the policy of fiscal responsibility. It abandons the policy of fiscal irresponsibility and the pretense that there is a free lunch that we have been pursuing for the last 7 years and incurred that $1.6 trillion, give or take $100 billion, in the last 7 years.

Ladies and gentlemen of this House, no one wants to have a tax increase for these 25 million people. It was never intended. But some of my Republican colleagues say we didn't intend this, so we ought not to pay for it. That's like saying I didn't intend to run the stop sign and have an accident, and therefore, we don't have to pay for the consequences. We have relied on this money, the President has relied on this money. But we're saying we're not going to collect it, but we will responsibly pay for it.

In closing, let me say that CHARLIE RANGEL likes to quote Russell Long, who said, ''Don't tax me. Don't tax thee. Tax the man behind the tree.'' Unfortunately, ladies and gentlemen of the House, the policies that we pursue are not taxing me and not taxing thee, but taxing the children and the grandchildren behind the tree.

It takes courage to pay for things. The largest expansion in entitlement programs in the last 25 years was done with hardly any Democratic votes and all Republican votes, and it wasn't paid for. We were told that it was within the budget. It wasn't. It wasn't paid for. Our children and grandchildren will pay that bill.

Have the courage, the wisdom, and the good common sense to adopt this legislation, and urge our colleagues in the other body to share that courage, to share that common sense to morally step up to the plate and have this generation pay for what it buys. Pass this important bill and pay for it.

GENERAL LEAVE

Mr. NEAL of Massachusetts. Mr. Speaker, I would ask unanimous consent that all Members have 5 days in which to revise and extend their remarks.

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

There was no objection.

Mrs. JONES of Ohio. Mr. Speaker, I am pleased to see that once again we have a responsible solution to the alternative minimum tax from a broad, policy-oriented perspective.

The alternative minimum tax is a critical issue for the American middle class taxpayer who does not get to take advantage of sophisticated tax planning and legal loopholes in the tax code. It is time that we addressed this issue once and for all to relieve the American taxpayer from the agony of dealing with the AMT. A permanent fix is what we really need, but today we have to plug the dike once again.

It is particularly ironic that a tax that was meant for 155 wealthy individuals has become the bane of existence for millions of American taxpayers. Indeed the AMT has become a menace. Over seven thousand hardworking Ohioans in my district had the grim task of filing a return with AMT implications in the 2005 tax year. Those are families with children, healthcare costs, unemployment issues, housing costs and the other money matters with which American taxpayers must cope. Tax relief is due.

As I mentioned after the introduction of H.R. 2834, we must continue to laud the efforts of American capitalists and the strides that they make in enhancing and creating liquidity in our capital markets, and helping our economy grow into the dynamic force that it is today. I am also aware of the critical role that offshore hedge funds play in asset management. But we must also have responsible budget offsets.

The tenets of sound tax policy begin with the notions of equity, efficiency and simplicity. Relying on that traditional framework I am sure that we have come to a rational consensus that will ensure 21 million Americans will not be hit with the AMT.

''Taxes are what we pay to live in civilized society,'' but dealing with the AMT has become a bit uncivil.

Mr. ENGEL. Mr. Speaker, I rise to address H.R. 4351, the Alternative Minimum Tax Relief Act.

Mr. Speaker, the original idea behind the alternative minimum tax, AMT, was to prevent

people with very high incomes from using special tax benefits to pay little or no income tax. The AMT's reach, however, has expanded beyond just the wealthy to threaten millions in the middle class. And when the AMT applies, its costs are often substantial.

One reason for the AMT's expansion is that, unlike the regular income tax system, the AMT is not indexed for inflation. Another reason is that individual income tax cuts enacted since 2001 have provided higher credits and deductions and lowered tax rates, thereby leading to more taxpayers owing tax under the AMT.

Last year, 4.2 million Americans were affected by the AMT. The Joint Committee on Taxation estimates that, if Congress does not act, 23 million taxpayers will be affected this year. That will include over 54,000 families in my district—many of whom do not have very high income, and do not receive many special tax benefits. We need to protect these Americans from the AMT.

Further, according to the New York City Independent Budget Office, the percentage of New York City taxpayers currently hit by the AMT far exceeds the comparable national estimate: 6.7 percent versus 4.0 percent.

The bill before us today provides a much needed 1-year patch for the AMT. It is a necessary step in the right direction on this issue; and we completely pay for it.

Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 4351.

Mr. DINGELL. Mr. Speaker, I rise today in support of H.R. 4351, legislation that will provide critical tax relief to millions of middle class Americans. I support the Democratic majority's commitment to passing sensible legislation that will provide a solution to the looming Alternative Minimum Tax crisis. I am disappointed that President Bush and the Republican minority are opposing our efforts to pass this legislation. If this bill is not passed by the Senate and signed by the President, more than 60,000 families which I have the honor of representing here in the House will be required to pay the AMT when filing their 2007 return—an increase of almost 1000 percent since 2005.

I also support the Democratic majority's continuing commitment to responsible fiscal policies. The relief provided in this bill is paid for by closing tax loopholes that allow hedge fund managers and corporate CEOs to use offshore tax havens as unlimited retirement accounts. That the President and his party would side with a few of the wealthiest individuals over millions of middle class American families speaks volumes about their misplaced priorities.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this bill—as I did for a similar measure last month—because of the urgent need to protect middle-income families from a massive tax increase that will hit them if we do not act to adjust the Alternative Minimum Tax, or AMT.

The bill is not quite the same as H.R. 3996, which I voted for and which the House passed on November 9th. But it resembles that bill—and differs from the version passed by the Senate—in one very important respect: it is fiscally responsible.

The Senate has voted for a bill that does not even attempt to offset the costs of changing the AMT.

I think that should not be our first choice, because for too long the Bush Administration and its allies in Congress have followed that course—their view, in the words of Vice President CHENEY, has been that "deficits don't matter."

I disagree. I think deficits do matter, because they result in one of the worst taxes—the "debt tax," the big national debt that must be repaid, with interest, by future generations. I think to ignore that is irresponsible and falls short of the standard to which we, as trustees for future generations, should hold ourselves.

So, I think that the House pass this bill and give the Senate a second chance to reach that standard.

It may be that our colleagues at the other end of the Capitol will not take advantage of that opportunity, and it may be that in the end the urgency of protecting middle-income families from the AMT will take priority over correcting the mistaken policies of the last 7 years.

But at least for today, we should not give up hope that better judgment will prevail and so we should vote for this bill as it stands.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 861, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MCCRERY

Mr. MCCRERY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCCRERY. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McCrery moves to recommit the bill H.R. 4351 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tax Increase Prevention Act of 2007".

SEC. 2. EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) of the Internal Revenue Code of 1986 (relating to exemption amount) is amended—

(1) by striking "($62,550 in the case of taxable years beginning in 2006)" in subparagraph (A) and inserting "($66,250 in the case of taxable years beginning in 2007)", and

(2) by striking "($42,500 in the case of taxable years beginning in 2006)" in subparagraph (B) and inserting "($44,350 in the case of taxable years beginning in 2007)".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SEC. 3. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) of the Internal Revenue Code of 1986 (relating to special rule for taxable years 2000 through 2006) is amended—

(1) by striking "or 2006" and inserting "2006, or 2007", and

(2) by striking "2006" in the heading thereof and inserting "2007".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

Mr. MCCRERY (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. NEAL of Massachusetts. Mr. Speaker, I make a point of order that the motion to recommit violates clause 10 of rule XXI because the provisions of the measure have the net effect of increasing the deficit over the requisite time period. The cost of 1 year of AMT relief is $50 billion, and the motion contains no provisions to pay for that relief.

The SPEAKER pro tempore. Does any Member wish to be heard on the point of order?

Mr. MCCRERY. Mr. Speaker, I do not believe it is the intent of clause 10 of rule XXI to require tax increases to pay for preventing scheduled tax increases. That is precisely what we are debating on this point of order.

If the Chair determines that this motion violates rule XXI and the House sustains this ruling, then the House is endorsing more than $3 trillion of tax increases over the next 10 years.

PAYGO, as a budget enforcement law between 1990 and 2002, as the majority leader referred to, required automatic spending reductions across the government when budget targets were not met. Rule XXI, should it apply to this motion, is a very, very different PAYGO. It would prevent any Member from offering an amendment that prevents a tax increase without another tax increase. I would understand, and even strongly support, an interpretation of rule XXI that had the effect of requiring spending reductions to offset increases in spending.

Further, while I would not necessarily endorse it, I could understand a PAYGO interpretation that requires a spending cut or tax increase to offset any reduction in current tax rates, or an increase in any current tax deductions or credits; but that is not what we're dealing with here today, Mr. Speaker. Today, with my motion, we are simply maintaining the Federal Government's current take, so to speak, from the people.

Current individual tax rates and policies have largely been in place as they are since 2003 and have led to sustained increases in revenue to the Federal Government. In fact, the annualized increases over the last 3 years have been 14.6 percent, 11.7 percent and 6.7 percent.

Even if my motion passes and is eventually enacted, we will again see increased revenue, it is projected, to the Federal Government next year. Those who wish to apply PAYGO to my

motion, those who wish to object to my motion, are advocating very clearly that they want to lock in not only the largest revenue take in history, but also the largest tax increase in history. These tax increases will lead the government to collect more than 20 percent of GDP from its citizens by the end of the decade, and far higher in the years that follow. These tax increases will be of such a dramatic magnitude that they threaten to bring our economy to its knees and render it uncompetitive in the global marketplace.

The motion I have offered contains no new spending, no new tax cuts. Instead, it simply prevents a tax increase. That, I submit, is not what rule XXI was designed to prevent. And I urge the speaker to reject the point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. NEAL of Massachusetts. Mr. Speaker, I insist on my point of order.

The SPEAKER pro tempore. The gentleman from Massachusetts makes a point of order that the amendment proposed in the motion violates clause 10 of rule XXI by increasing the deficit.

Pursuant to clause 10 of rule XXI, the Chair is authoritatively guided by estimates from the Committee on the Budget that the net effect of the provisions in the amendment affecting revenues would increase the deficit for a relevant period.

Accordingly, the point of order is sustained and the motion is not in order.

Mr. McCRERY. Since that was an awfully quick ruling, Mr. Speaker, I most respectfully do appeal the ruling of the Chair because this may be the only opportunity we have to veer from this tax increase interpretation so that we can clear a bill that the Senate will pass and the President will sign.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. NEAL OF MASSACHUSETTS

Mr. NEAL of Massachusetts. Mr. Speaker, I move to table the motion to appeal.

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

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

Mr. McCRERY. Mr. 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 pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the passage of the bill, if ordered, and if arising without further debate or proceedings in recommittal.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 15, as follows:

[Roll No. 1152]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wynn
Yarmuth

NAYS—191

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Becerra
Carson
Cubin
Ferguson
Gordon
Hinojosa
Hooley
Hunter
Jindal
Matheson
Miller, Gary
Neugebauer
Paul
Tancredo
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1848

Mrs. BLACKBURN, Ms. GRANGER, Ms. ROS-LEHTINEN, and Messrs. ROGERS of Alabama, PICKERING, HERGER, and EHLERS changed their vote from ''yea'' to ''nay.''

Mrs. MALONEY of New York, Ms. SCHWARTZ, and Messrs. ROTHMAN, TIERNEY, CLYBURN, ORTIZ, and HARE changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 193, not voting 13, as follows:

[Roll No. 1153]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
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Smith (WA)
Snyder
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Taylor
Thompson (CA)
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Tsongas
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Udall (NM)
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Ferguson
Hinojosa
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Jindal
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Paul
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there is 1 minute left in this vote.

□ 1856

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 69, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2008

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–492) on the resolution (H. Res. 869) providing for consideration of the joint resolution (H.J. Res. 69) making further continuing appropriations for the fiscal year 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–80)

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

To the House of Representatives:

I am returning herewith without my approval H.R. 3963, the ''Children's Health Insurance Program Reauthorization Act of 2007.'' Like its predecessor, H.R. 976, this bill does not put poor children first and it moves our country's health care system in the wrong direction. Ultimately, our Nation's goal should be to move children who have no health insurance to private coverage—not to move children who already have private health insurance to government coverage. As a result, I cannot sign this legislation.

The purpose of the State Children's Health Insurance Program (SCHIP) was to help low-income children whose families were struggling, but did not qualify for Medicaid, to get the health care coverage that they needed. My Administration strongly supports reauthorization of SCHIP. That is why in February of this year I proposed a 5–year reauthorization of SCHIP and a 20 percent increase in funding for the program.

Some in the Congress have sought to spend more on SCHIP than my budget proposal. In response, I told the Congress that I was willing to work with its leadership to find any additional funds necessary to put poor children first, without raising taxes.

The leadership in the Congress has refused to meet with my Administration's representatives. Although they claim to have made ''substantial changes'' to the legislation, H.R. 3963 is essentially identical to the legislation that I vetoed in October. The legislation would still shift SCHIP away from its original purpose by covering adults. It would still include coverage of many individuals with incomes higher than the median income in the United States. It would still result in government health care for approximately 2 million children who already have private health care coverage. The new bill, like the old bill, does not responsibly offset its new and unnecessary spending, and it still raises taxes on working Americans.

Because the Congress has chosen to send me an essentially identical bill that has the same problems as the flawed bill I previously vetoed, I must veto this legislation, too. I continue to stand ready to work with the leaders of the Congress, on a bipartisan basis, to reauthorize the SCHIP program in a way that puts poor children first; moves adults out of a program meant for children; and does not abandon the bipartisan tradition that marked the

original enactment of the SCHIP program. In the interim, I call on the Congress to extend funding under the current program to ensure no disruption of services to needy children.

GEORGE W. BUSH.

THE WHITE HOUSE, *December 12, 2007*.

□ 1900

The SPEAKER pro tempore (Mrs. TAUSCHER). The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

MOTION OFFERED BY MR. HOYER

Mr. HOYER. Madam Speaker, I have a privileged motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. HOYER moves that further consideration of the veto message and the bill, H.R. 3963, be postponed until January 23, 2008.

The SPEAKER tempore. The gentleman from Maryland (Mr. HOYER) is recognized for 1 hour.

Mr. HOYER. Madam Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Texas (Mr. BARTON).

I ask unanimous consent that the gentleman from New Jersey (Mr. PALLONE) and the gentleman from California (Mr. BECERRA) each be allowed to control 15 minutes.

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

There was no objection.

Mr. BARTON of Texas. Madam Speaker, I would ask unanimous consent that we shorten the debate to 15 minutes on each side. We don't have that many speakers and the hour is late. I have a feeling people's minds are not going to be swayed by the eloquence on either side on this debate.

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

Mr. HOYER. Reserving the right to object, I thank the gentleman for his comments. I think perhaps we may not need to have a vote on this, I would agree, but there are some number of speakers on our side who would like to speak. I don't know whether we will have 10, maybe 15 speakers cumulatively. If the gentleman might prevail on his side, maybe we wouldn't ask people to come back for a vote, but we do have Members on our side who want to speak.

Madam Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Chair recognizes the gentleman from California.

Mr. BECERRA. Madam Speaker, I yield 1 minute to the distinguished Speaker of the House.

Ms. PELOSI. I thank the gentleman for yielding.

I thank Mr. HOYER for his leadership on this very important legislation. He has worked very hard to try to achieve a level of bipartisanship on this legislation that could override the President's veto. In the United States Senate, there is a substantial bipartisan majority large enough to override the President's veto. I hope that we could achieve that in this House. We are not going to take up that vote tonight, as has been indicated by Mr. HOYER. That debate and that vote will take place on January 23.

It is just very interesting to hear the reasons why the President of the United States said veto to the children of America. Veto in Latin: I forbid. I forbid the children of America, the children of working families who play by the rules and want the best for their children, who are struggling to make ends meet and who need health care and the health care that keeps them in the workforce and off of welfare and off of Medicaid.

Madam Speaker, it is particularly interesting to hear in this debate on the omnibus bill where there is talk of hundreds of billions of dollars more for the war in Iraq. For 40 days in Iraq, we can insure 10 million children in America; 40 days in Iraq, 10 million children in America. This is not an issue. This is a value. This is an ethic of the American people. The Democrats and Republicans, people of no party affiliation, everybody cares about the children of America. Over 80 percent of the American people support the SCHIP expansion that we want to do to double the number of children.

So when the President says we have not met his objections, he is moving the goal post. In his first veto message, he said he is concerned about the fact that people making $80,000 would be eligible for SCHIP. Not so. The only way they could be eligible is if the President of the United States himself gave them a waiver. The President has given waivers to families making 300 percent of poverty. The President himself has given that waiver. And now he is complaining about that level of income for families, hardworking families to receive SCHIP.

The President said he is concerned that there are still adults in the program. The Democratic response, bipartisan, strong, with 45 Republican votes, said that the adults would be phased out. The reason some of them are in there in the first place is that in order to get the children into the program, Governors had thought that it would be important to bring families into the program, and the President of the United States, President Bush's policy allowed that to happen. So he is turning his back on his own policy. He is turning his back on these children by saying their families should be off of SCHIP.

So when the President says he is opposed to the bill because it raises taxes, then we get to the heart of the matter. This bill is paid by an increase in the cigarette tax, and this is really why the President is vetoing the bill. The President is saying that rather than raise the cigarette tax, he would prefer to prevent an additional 5 million children in our country from getting access to quality health care.

The President has also said in other comments about this legislation, everyone in America has access to health care; they can just go to the emergency room. That was probably one of the most ill-informed, with stiff competition for that honor, but nonetheless probably one of the most ill-informed statements that could ever be made by anyone dealing with public policy and access to health care.

So again, I think all the Members of Congress who voted for this in a very strong bipartisan way in the House and the Senate can take great pride in setting a high watermark for what this Congress should be doing for children of working families in America.

I salute Mr. HOYER, Mr. DINGELL, Mr. RANGEL, Mr. PALLONE, Mr. STARK for their exceptional leadership. I also salute Mr. LAHOOD for what he tried to do to bring bipartisanship to all of this. I commend Senator GRASSLEY and Senator HATCH for their courageous leadership in the Senate, in leading the way to a veto-proof majority of Democrats and Republicans in the United States Senate.

Whether you are talking about Easter Seals or the March of Dimes, the Association of Catholic Hospitals, AARP, AMA to YWCA, to everything alphabetically in between, everyone supports SCHIP except the President of the United States and those in this body who will side with him on this vote.

What a sad day. What a sad day that the President would say, rather than insuring 5 million children, I don't want to raise the cigarette tax. What a sad day when we would spend in 40 days in Iraq what it takes to insure 10 million children in America for 1 year. But we are not going to let this veto stand. We will act upon it and we will continue to fight the fight until 10 million children at a minimum in America have access to quality health care under the SCHIP program. It is the wish of the Governors.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the distinguished minority leader from the great State of Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague for yielding.

On the opening day of this Congress, the Speaker of the House said, let's have partnership, not partisanship. And over the course of this year, I have been looking for that partnership to occur. There is probably no better example that the partnership has never occurred over the course of this year than this bill.

On this bill, there were no hearings in the relevant committees. There was no markup through the regular legislative process in the Energy and Commerce Committee. And then the bill was brought to the floor in what I would describe as a very partisan way. The majority prevailed, but there was

a significant number of people opposed to the bill.

And we are talking about the Children's Health Insurance Program. We are talking about a program that was developed by Republicans and Democrats together to go out and serve the needs of the working poor in America. And yet over the course of the 10 years, I think the program has gone astray. We are starting to put more adults in a program than we did children. And what Republicans and I think Democrats want to do is reauthorize this program in a way that meets the needs of poor children first. That hasn't been happening, and I think all the Members know it hasn't been happening.

And so after this veto the first time was upheld, we began some bipartisan talks trying to find common ground to see if we couldn't reauthorize this program in a way that the American people expect of us. They expect us to come here, work together, and find a way to get this program reauthorized.

We had Members locked in a room for 2 months, a lot of conversation, a lot of very descriptive things that had to happen. We weren't expecting miracles. And at the end of the day, my Members looked up and said, there is no movement. No movement at all. And I think that this deadlock that we find ourselves in is unfortunate, because there is a population in America that need this program. We could have resolved the differences in this program in 10 minutes if the majority wanted to resolve the differences.

But as we see again tonight, there is no attempt to resolve the differences. This has become a partisan political game that we are involved in. The motion that we are debating here is to move the vote on overriding the President's veto until January 23. Hello. And this happens to be about 6 days before the President is going to come and give the State of the Union address.

We can have this vote right now and the outcome is certain. But no, no, we can't have an outcome that is certain; we have got to continue to play political games. That is exactly what the American people are disgusted with when they look at this Congress and we see the approval ratings where they are.

I think it is time for us to resolve our differences in a bipartisan way and reauthorize this program and make sure that poor children in America have the kind of health insurance that they deserve.

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

Madam Speaker, let me say it really pains me to listen to the minority leader say that no attempt has been made to resolve the differences on this legislation. I can't think of a single bill in this Congress where the Democratic leadership has been reaching out to the Republican side of the aisle on a daily basis. There have been so many meetings. I mean, there have literally been hundreds of meetings trying to reach out to the Republican side in the House to try to reconcile differences on this bill and come up with a consensus piece of legislation. The Republicans in the Senate have always been willing. They have been out there to meet. Some Republicans here in the House have been as well. But the leadership on the Republican side has not been. So I think it is very unfortunate that, as stated today, that that has not been the case. We have been reaching out constantly, and I defy anyone to say differently.

Madam Speaker, today for the second time this year President Bush turned his back on the health care needs of 10 million children. It was just 2 months ago when the President vetoed the Children's Health Insurance Program Reauthorization Act, which had passed both the House and the Senate with overwhelmingly bipartisan support.

After that first veto we came together once again, Democrats and Republicans, and wrote a different bill that addresses many of the President's concerns, including enrolling lower income children first. Today, President Bush vetoed the second effort, saying that it was almost identical to the first bill. And I would say it was not, and the President knows better.

□ 1915

The President's second veto of CHIP legislation is a slap in the face not only to this Congress but to the millions of children who, without this bill, continue to be uninsured, or worse, basically lose the insurance they currently have.

Every day the parents of more than 9 million children worry when their kids have an earache, toothache, asthma, all this before they finally have to take them to the hospital emergency room. And the President seems satisfied with the status quo. In fact, in the past he has stated that every American has access to health care because they can always go to the emergency room.

Let me tell my colleagues, this fall I visited an emergency room in my district and it was not a great place for a kid to visit. It is the scene of trauma. Children are forced to share space with people who have overdosed on alcohol or drugs. Most emergency rooms are overwhelmed with real emergencies and have few resources to treat people who need regular family care.

The beauty of CHIP is that children get to see a doctor on a regular basis. And the President is deluding himself if he doesn't think this veto is going to hurt millions of children. And those Members voting to sustain the President's veto are just as guilty of turning their backs on millions of children who will be denied regular visits to see a doctor.

I urge my Republican colleagues to vote their conscience. Let's override the President's veto so that we can ensure that 10 million children receive the health care they need to grow up healthy and strong. This is the right thing to do for our country.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I yield myself 3 minutes.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Madam Speaker, everybody has said all that needs to be said on this debate; we just haven't said it this third or fourth time that we are here on the House floor.

As the minority leader pointed out, at some point in time it still may be possible to reach a consensus on reauthorizing the SCHIP program because people on both sides of the aisle want to keep the program moving forward. The problem that most Republicans have is that we support the base program for near low-income children between 100 and 200 percent of poverty. We don't think that the SCHIP program, which was a children's health program, should be for adults. We don't think it should be for illegal aliens. We think it should be for children between 100 percent to 200 percent of poverty, and perhaps slightly higher than that if a good-faith effort has been made to cover children in that income bracket.

My friends on the other side of the aisle appear to want to use this as a surrogate for universal health care. In some versions, the original version that came out in the CHAMP bill, they wanted to go as high as 300 and 400 percent of poverty. They continue, although they say they don't want to cover noncitizens, they won't agree to enforcement measures that make that possible. And they don't want adults on the program to have to exit the program in some reasonable time period, so we have the impasse that we have today.

There haven't been many times in our Nation's history that we have postponed a veto override. I think less than 10 percent of the time, maybe even less than 5 percent of the time, but we have done it twice in a row on this particular bill. So we will postpone the bill until the week of the President's State of the Union so there can be more political posturing on the majority side right before the President comes before a joint session of Congress.

This majority is right to try to postpone that vote to that time. It would be better if we went ahead and voted on it tonight, sustained the President's veto tonight so we could then hopefully continue work or start working in a bipartisan way to actually get an SCHIP reauthorization that was more than a 1-month extension at a time.

If we have the vote tonight, the President's veto will be sustained. When we have the vote in January, the President's veto will be sustained. At some point in time we may yet get together and try to work out a compromise that both sides can agree to and have a 435–Member vote. Apparently that will not be any time in the near future.

Mr. BECERRA. Madam Speaker, I yield 1¼ minutes to the distinguished gentleman from Texas (Mr. DOGGETT), a member of the Ways and Means Committee.

Mr. DOGGETT. Let's be very clear about what is being postponed and who is doing the postponing. When this President exercised his second veto, he postponed our desire to see that children get the health care that they need. And tonight, when Republicans in this House and their nicotine-peddler allies stand in the way of the door at the doctor's office, millions of children are denied the care that they deserve.

This President's holiday season veto of our efforts to aid these ailing children is neither sound fiscal policy nor good medicine. And for the President to make the incredible statement that the children of the working poor should ''just go to the emergency room,'' that is neither compassionate nor conservative. With his ideological blinders, he just doesn't seem to see the children of the working poor who are up all night with an aching ear, an abscessed tooth, or can't get antibiotics for strep throat. Those are the challenges working families face who do not have access to health care.

A healthy body, like an educated mind, is an opportunity that all of our children should be permitted to share. For as long as the President and a minority of this House stand between children and the lifesaving, pain-reducing care that they need, we will work to overcome their intransigence, whether it takes one time in January or another time thereafter. We cannot yield to those who would block our children from the care they need.

Mr. BARTON of Texas. I yield 3 minutes to the gentleman from Georgia (Mr. DEAL), a member of the Health Subcommittee.

Mr. DEAL of Georgia. Madam Speaker, well, here we are again. When the bill came up the first time, we had not had a chance to mark it up in the committee. We were not allowed amendments on the floor. And the process has been a take-it-or-leave-it because it appears that the issue is let's talk about children going to emergency rooms rather than doing something about extending the SCHIP program.

And here we are again saying we don't want to do anything tonight; we want to reserve the time to talk about it in January.

Well, there is an old saying that we ought to mean what we say and say what we mean.

If the Democrats really want an SCHIP program, which I think they do, and Republicans do as well, then there ought to be some principles which have been on the table all along that should be able to be agreed to. One is that this is children's health insurance plan, and there ought not to be either a continuation of nor an expansion of the addition of adults into that program. And yet that continues to be one of the issues on which there is no agreement.

Another issue is that it was intended to be for children at the below 200 percent of poverty level. We have said we should have been a saturation below 200 percent of poverty at 90 or 95 percent of those children before States start moving up the ladder, not to the working poor, but in some cases by many States' standards to the very rich or at least the middle income when you get to 300 and 350 and 400 percent of poverty. There has never been an agreement to say let's saturate the low-income children and cover them first as a prerequisite.

And lastly, it is a program for American children and the continued efforts to create loopholes so that people who are not citizens, who are not legally in our country, who are not entitled to be covered under this plan which is for American citizens, they continue to insist that that loophole should not only be continued but also expanded.

I would urge us to go ahead and vote now. Let's don't just talk about it. Let's do and say what we mean.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Madam Speaker, I thank our leadership for offering an opportunity, not just this evening, but during this next month for our Nation to begin to answer the question of our time, and that question is this: What kind of Nation are we when we turn our back on our children on whose future we all depend? And what kind of President would turn more towards saving the profits of a corporation than the lives of our children?

The SCHIP bill is good for our Nation's health. It is good for our children. It is far more economical to have children be seen by their physicians in their doctor's offices than in the emergency room. It just makes sense. But sometimes I am coming to find here, if it makes sense, it may not happen while we have the President that we do.

I have been witnessing a great deal of misinformation about this bill. I have read every single page of the SCHIP bill, and I have heard the opposition in the minority speak up regarding with what I call misinformation. The fact is that this bill provides for children who are 19 years and under, and yet I have heard them say age 25.

I have read the bill and it says it is two times poverty, $41,000 of annual income, and yet I have heard them stand up and claim that it will cover people up to $83,000. That is misinformation.

I have heard them claim it is not really private health care but the slippery slope to socialized medicine. Well, we don't need socialized medicine in America. This is private health care. It is private doctors, private clinics and insurance companies, private hospitals providing the care that these children require.

It does not cover any illegal immigrants. It covers people who are here legally. So no more misinformation, no more lies. SCHIP is good for our children. It is good for our economy. It is good for our Nation's soul.

Madam Speaker, I ask everyone to understand that the people of Wisconsin sent me here because they feel the same as we all do. We want our country back. People all across Wisconsin are saying the same thing, they want their country back. They want a country that has a border they can see and defend, and they want a country that believes in providing access to affordable health care for all of our children, no matter their economic means. We must have this time to discuss SCHIP all across the Nation and answer the question: Whose side are we on and what kind of Nation are we?

Mr. BARTON of Texas. Madam Speaker, I want to yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT) who has been one of the Republican negotiators on this issue in the informal talks that have been occurring at various times over the last month.

Mrs. BIGGERT. Madam Speaker, as many of my colleagues know and as the gentleman from Texas has said, I have been part of a group of Members from both sides of the aisle and from both Chambers who have been meeting actually over the past few months to try to find common ground on SCHIP legislation.

I am afraid that some of the facts that the gentleman from Wisconsin stated, he made some statements that I would hope he would join our group and we could go over those facts, such as the $83,000.

For my colleagues who have taken part, they know very well that these discussions that we have been having were productive at times and less productive at other times. But despite our disagreements and the bumps in the road, I think we persisted and continued to meet because we believe this is one of the most important issues that Congress will address.

The genesis of these meetings originated from a letter that 38 House Republicans sent to the President on October 18, and in that letter we laid out principles that we believed would be necessary to secure our votes on the legislation and make this truly a bipartisan reauthorization of SCHIP. These basic principles included covering low-income children first, SCHIP for kids only, SCHIP should not force children out of private health insurance, SCHIP is for American children, and the funding should be stable and equitable.

It is important to note that the letter did not mention the tax increase or the $35 billion in additional spending, two significant concerns for many Members on this side of the aisle.

□ 1930

Democrats also had their principles for the reauthorization. With these principles, we agreed to discuss how we could change the bill in a way that would gather the support of a significant number of House Republicans and

still have the support of the Members on the other side of the aisle. After weeks of negotiations, we came to a point where I think both sides realized that if a deal was going to be possible, we both had to give some ground for the benefit of a bill.

I think that we are and were very close to agreement in principle and a framework that both sides can support. To be frank, the agreement isn't a bill that I would write if I had the choice. I am sure that my friends on the other side of the aisle feel the same way. But this is how a negotiation works. I think if we both came away with a little bit of feeling like we hadn't won, then that's a true negotiation and both sides have compromised.

Unfortunately, I think we've run out of time for this year, and given that the current reauthorization ends on the 14th and there are a number of States projected to run out of SCHIP funding next year, I hope we can agree to an 18-month extension with additional funding to ensure that States will not have to drop children from the program.

But I would also ask that we continue working on a final bill when we return in January. I have spoken with the leadership on both sides and expressed my desire to do so. We need to put partisanship aside, and I would hope that we can continue to discuss this issue.

Mr. BECERRA. Madam Speaker, at this point I yield 1½ minutes to the chairman of the Democratic Caucus, a member of the Ways and Means Committee, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Madam Speaker, the President and the Republican leadership in Congress never miss an opportunity to not miss an opportunity. There was a bipartisan consensus for 10 million children to have health care, and because the President didn't agree with it, he vetoed it.

Now, some people here say that we could have this vote now. We can have this vote in January.

The truth is the real vote will be in November of 2008. Some of us disagreed with the President of the United States on stem cell research. There was an election, and now we have a new Senator from Missouri, we have a new Congressman from Arizona, all because of that issue.

And the real vote, and people don't want to talk about it, say it's political, that's what a democracy is about. And there will be a vote about this, and the American people will vote on this. And those Members of Congress that are happy about denying 10 million children health care will get a chance and an opportunity to explain that vote. Those of us who think it's important will get that.

My own view, I wouldn't want to mix politics with policy, if there's going to be a few less Members who vote against 10 million children because the American people will make a judgment about that. And we shouldn't deny that.

And so I give you credit. You never miss an opportunity to miss an opportunity. So, remember, some have talked about for 40 days in Iraq you could fund 10 million children's health care. Forty days in Iraq.

President Kennedy once said, ''To govern is to choose.'' Well, you've made your choice. We've made our choice. And the American people in November are going to make their choice.

Mr. BARTON of Texas. Madam Speaker, I'm going to yield myself 2 minutes.

I want to thank my friend from Illinois for being honest. This is all about politics. It's not about policy. It's not about the children. It's about politics. So I commend him.

Mr. EMANUEL. Will my good friend yield?

Mr. BARTON of Texas. I'll yield for 30 seconds, sure.

Mr. EMANUEL. Okay. I come from a family. I believe politics is a good thing, because we have differences, and you work them out on election day and the American people make a decision, except for when you do special redistricting. But usually you let it out on election day. And I believe in that. I don't have a problem with that.

It's not about scoring points. There's differences. You don't support this. And I won't go through this. I was in the room when we negotiated this in 1997. When President Clinton proposed this, the Republican leadership at the time, and he said there will be no balanced budget without a children's health insurance program that had eye, dental and pediatric. The Republican leadership said at that point it was welfare. President Clinton said there will be no balanced budget agreement without this. Finally, you guys offered pediatric care but no eye and dental. And then the deal we cut was the SCHIP we have today. And the very flexibility that you oppose that our Governors are exploring was what you demanded back in 1997. But the original children health proposal wasn't a bipartisan agreement. It was President Clinton saying there will be no balanced budget agreement without 6 million children getting their health care. I believe that politics is a good thing, and that's what it proved.

Mr. BARTON of Texas. I respect the gentleman from Illinois. I think we should do more of this, quite frankly.

Madam Speaker, I'm going to yield myself such time as I may consume now to respond to my good friend from Illinois. I was in the House when SCHIP was passed. I was not in the leadership, but I was on the committee. My recollection is a little bit different than my friend from Illinois.

There were some Republicans, I think Senator HATCH was one of the ones in the Senate; Congressman Archer, who was the chairman of the Ways and Means Committee. This did come out of the effort to reform welfare as it was then. There was a concern that as we tried to move primarily women who were single head of households off of welfare, if they didn't have a job that had health care, their children, in order for them to work, transition to work, that they needed health care. And President Clinton and the Republican leadership in the House and the Senate did agree that SCHIP was the answer. And it was a bipartisan agreement. I would give the President credit for supporting it, but I would also give the Republican leadership in the House and the Senate credit for supporting it also at that time.

The bill that is before us tonight is not the bill that passed in 1997. We have over 600,000 adults on SCHIP, a children's health insurance program. Rhetorically, my friends on the majority side say they really don't want adults to be covered. But nothing in this bill moves those adults off of SCHIP.

We don't know how many hundreds of thousands of noncitizens are covered. But most people agree that there are hundreds of thousands, if not millions. Nothing in this bill has an enforcement mechanism to move children who are not U.S. citizens off the rolls. Not one thing moves that. And the 200 percent of poverty, the original SCHIP bill was between 100 and 200 percent of poverty. That's still a good principle. There are not 10 million children in America between 100 and 200 percent of poverty that qualify for SCHIP. The most authoritative number is that there may be an additional 800,000.

Now, the current SCHIP bill covers about 6 million children. In order to get to the 10 million number, you have to go way above 200 percent, probably above 300 percent and maybe even as high as 400 percent. So this 10 million number, there are about 80 million children in America. Most of those children, luckily, have health insurance through some sort of a private sector employee-sponsored health insurance program. Six million have it under SCHIP, and then there are several million that have it under Medicaid. But there are not 10 million between 100 and 200 percent of poverty.

Those of us on the Republican side, we support SCHIP. We support the original program. We may even support something expanding it beyond the original program. But we don't support some of the ideas that take it up to as high as 300 to 350 percent of poverty, that cover noncitizens and that cover adults. That's what this debate is all about.

So we hope that we have an opportunity. We hope that we have a veto vote and that we sustain the President's veto, and then maybe my friend from Illinois and myself can actually enter into a bipartisan negotiation that does exactly what he wants to do and what people like myself want to do.

Mr. EMANUEL. Can I ask the ranking member to yield?

Mr. BARTON of Texas. I would yield for 30 seconds.

Mr. EMANUEL. First of all, it wasn't part of welfare reform. Welfare reform had a 1-year transitional for Medicaid. It wasn't part of that, which is a point you made.

Second is, SCHIP was so successful, while the rest of the population actually had an increase in uninsured, the only group in America for the last 7 years that had actually a decrease in the uninsured was children until last year. This is a product of answering the shortcomings between Medicaid and private insurance.

Mr. BARTON of Texas. We support that.

Mr. EMANUEL. The fact is there have been a million additional children in the last year and a half whose parents work full-time who don't have health care and this would cover.

And to the other point you said, actually there have been Democratic and Republican Governors and principally signed by this President where the adults have come from. This President signed those waivers for Democratic and Republican Governors.

Mr. BARTON of Texas. That doesn't mean that we need to continue those waivers.

With that, I would reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Madam Speaker, I'm a new Member of this Chamber, and so I don't know all the history of SCHIP. I don't know all of the reasons why the bill was written, why it was, the history of negotiations, and with all due respect to my friends who were here, I don't really care, because what I know is that right now there are millions of children throughout this country who go to bed each night ill, simply because they can't afford to see a doctor. And let me tell you why I think it's a good thing that we should wait a couple of weeks in order to take this vote. Because, frankly, I'm a hopeless romantic when it comes to this House, the people's House's ability to impose the will of the vast majority of Americans. Call me crazy, but I think that when 80 percent of Americans, as the CBS News poll told us some weeks ago, support advancing children's health care, then maybe, maybe, this House should do something about it. I'm also unapologetically idealistic about our moral obligation as a society and as a Congress, because I know every single one of us, if we were walking down the road and we saw a sick child on the side, we would stop everything we were doing and try to help that child. And I don't understand why that argument isn't extrapolated to those children throughout this country who are sick only because they can't afford health care. We have a moral obligation to help those kids. And we have a fiscal obligation as well, because that system of universal coverage that extends only to people that go to emergency rooms when they get so sick that that's the only place that they can go, that costs us money. As moral and fiscal custodians of this great Nation, we have an obligation to pass this bill, to override this President's veto and to give all the time in the world to your constituents and our constituents to make that case over the next 4 weeks.

Mr. BARTON of Texas. Let me inquire how much time I have remaining, Madam Speaker.

The SPEAKER pro tempore. The gentleman from Texas has 14 minutes remaining.

Mr. BARTON of Texas. I want to yield 4 minutes to a member of the committee and also a member of the ad hoc negotiation team, Mr. WALDEN of Oregon.

Mr. WALDEN of Oregon. Madam Speaker, I think it is important to start by noting there is not, I don't think, a Member on either side of the aisle that doesn't support continuing the existing SCHIP program, continuing providing insurance coverage for 4.04 million American children. What we're debating is how you pay for an expansion beyond that, how you go from 200 percent of poverty level to a family of four that would be at 300 percent of poverty level. For the record, that's $61,950. Some of us believe that before you expand to 300 percent of poverty, or a family of four making nearly $62,000 a year, we should make sure that those kids who are in families that make enough that they don't qualify for Medicaid, that those from there on up to 200 or 250 percent of poverty actually are being insured by the States to whom we send this money back to.

There has been discussion that 10 million kids will be covered under the bill that the President vetoed. I wish somebody would give me a Congressional Budget Office summary that says that, because what CBO found when they analyzed this bill was that by 2012 there would be a total of 7.4 million kids insured under SCHIP under the bill we're debating tonight. If you've got a different document from CBO, I'd love see it. I've not seen it.

Further, CBO claims that the way this bill is structured, there would be 2 million children in America, 2 million of this 7.4 that either already have health insurance or have access to health insurance through their families or their families' employers. Two million. This is Congressional Budget Office data.

The effect of the way this bill is structured, those 2 million kids would probably be shifted onto a government plan. We ought to be trying to get kids who don't have access to health insurance first, and we should be trying to get the kids who are at the lower end of the economic scale insured first. Those are principles that we're fighting for in this.

Finally, two other points. I don't think it's asking too much that when a parent brings in their children and their children don't have ID, that the parent simply present ID, a driver's license, something that proves who they are when they certify these are their kids. That's something we're asking for.

The third and final point, this program, the way it's crafted under this legislation, even with the tax that's proposed, by the next 10 years, the end of 10 years, you have borrowed forward $80 billion, with a B, that has been borrowed, and in 2013, the program's out of money.

□ 1945

We have got enough of those Federal programs today. I mean Members on both sides of the aisle would have to agree that we haven't fixed the Medicare fix yet for docs. Their funding is going to be cut. I've got seniors in my district who can't get access to a physician.

Why would we enact a program today that we know, based on independent analysis, comes up $80 billion short? You take the money for 10 years and you spend it in the first 5. What happens after that? Isn't it better to create a program that takes care of kids who are on the lowest end of the economic scale but whose parents make too much to be in Medicaid, make sure they're covered first, make sure we're not crowding out people who have access to health insurance for their kids through their employer or some other way, and that they don't shift to save money for themselves from a government-run program?

At the end of the day, I think we all want to take care of kids' health needs. We want to do it in a responsible way, fiscally responsible, that can be sustainable so that we don't end up with kids on a cliff in 5 years because you spent the money that was allocated over 10 in the first 5 because you borrowed. That doesn't make sense.

I never knowingly in 21 years in small business entered into a contract that I knew I couldn't fulfill. This is a contract that can't be fulfilled the way it is crafted. We can do better than this. It doesn't have to be a campaign and political issue. It can be a policy issue that works.

Mr. BECERRA. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. THOMPSON), a member of the Ways and Means Committee.

Mr. THOMPSON of California. Madam Speaker, this is about health care for kids. It's an important and humane bill that's illustrative of who we are as Americans. It's paid for, and moreover, it saves us money. It saves us money by keeping kids out of the emergency room, and anytime that you can prevent or cure an illness before it becomes acute, that saves us money as well.

It's bipartisan, not only in the House and the Senate, but 43 Governors have endorsed this measure. Over 80 percent of the American people support the SCHIP program.

We should not let the President deny health care to 10 million kids of working moms and dads. We're better than that. We need to override this veto.

Mr. BARTON of Texas. Madam Speaker, I believe we only have two more speakers, so I'm going to reserve my time at this point.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. Madam Speaker, a while ago the President of the United States looked out in front of a very elite crowd and said to all of them: Some people call you the elite. I call you my base.

You know, we should have listened a little more carefully because he really wasn't kidding. They were his base. The President has said ''yes'' to them ever since. Yes to Big Oil. Yes to Big Pharmacy. Yes to anything they want. Yes to tobacco companies. Yes to their tax cuts. And no to the middle class and no to the poor except for one yes. Yes, you can pay for them.

And so the President of the United States, with his helpers on the other side, have made it extremely difficult for the middle class and the poor not only to pay for their energy bills, not only to pay for all the other essentials, but now to take their children to the doctor or to the hospital.

What is wrong with us that we are having an argument about whether children should be insured and how many children should be insured?

I'm a former social worker. Every single day of my life I had stories, tragic stories, stories that should embarrass all of you that you're standing here fighting against these children, and how hard it was for these families to get their prescriptions, how hard it was for them and how they had to decide exactly at what temperature do you take a child to the doctor, at 101, 102 or 103 degrees, because we don't have the money, and so we're not going to take our child to the doctor unless we absolutely must.

And yet we stand here tonight and the President tells us that he is going to not allow this program. Why? Why? Because we put a tax on the tobacco company. Shame on all of us that are standing in the way of the children of this country. There's just no excuse for it.

And how many children are we talking about? Somebody on the other side said there really aren't that many children, maybe 1 million. Well, the Congressional Budget Office said to the Senate Finance Committee in July or August that there are about 5 to 6 million children.

The Democrats are dead on target with this, and the American public knows that and stands with us.

Mr. BARTON of Texas. Madam Speaker, I continue to reserve.

Mr. BECERRA. Madam Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California (Mr. BECERRA) has 10¼ minutes remaining. The gentleman from New Jersey (Mr. PALLONE) has 5½ minutes remaining.

Mr. BECERRA. Madam Speaker, at this time I yield 1½ minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Madam Speaker, this issue boils down to a practicality of ideology. The Republicans and the Bush administration has repeatedly shown that they really quite honestly do not get it when it comes down to health care, and particularly for those who need the health care the most. This is not just the beginning of this. This argument started back during the winter when there were 17 States who came up short, and we fought and we fought to try to get that shortage fixed. But there was no help until I drafted an amendment, went to the gentleman from Pennsylvania (Mr. MURTHA), and we attached it to the Iraq war supplemental. That is the only way President Bush and the administration signed it.

Now, let me just point out two important points. There are scare tactics being used here. Anytime the Republicans and those on the other side want to score a point, they bring up the bogeyman of illegal immigration; these people are going to be illegal aliens. There's nothing in this bill. As a matter of fact, there's express language that prohibits in this bill any illegal immigrant or undocumented person from being eligible for this children's health program.

You talk about there are adults on the bill. There are no adults on this bill except an adult who happens to be pregnant with child for prenatal care. Should they not have that care? That strikes at the heart of this bill.

I urge everyone to not go with this sad argument and let's sustain and override this veto coming up on January 23.

Mr. BARTON of Texas. Madam Speaker, I yield myself 1 minute.

I appreciate the gentleman that just spoke, but let's be factually accurate. There are over 600,000 adults under current law on SCHIP right now. They're not all pregnant women. Now, some of them may be, but not all 600,000, and nothing in this bill moves any adult off of SCHIP. Nothing.

Madam Speaker, with that, I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Madam Speaker, when I heard that the President vetoed this bill today, I asked to speak.

After about three-and-a-half decades in the U.S. military, I owe both Republicans and Democrats a lot. About 2, 2½ years, little over 2 years ago, my daughter, 4 years old, was struck with a malignant brain tumor. I'd never had a personal challenge in my entire life, having only gotten married 9 years ago. I'd had a lot of professional ones, but after three brain operations, chemotherapy and radiation, she's here today. I thank you all for that because I had the best health care plan in America.

We took a pathology slice at Johns Hopkins, Mass General's Hospital. We took it everywhere. We took it to the ends of the Earth, and you gave me that health care plan.

But I will never forget living in Children's Hospital oncology ward down the street, and there was a young 2½-year-old boy the day my daughter started chemotherapy after her brain operations, and for 6 hours my wife and I could not help but overhear, because you all have been in those hospital rooms, social workers come and go to talk to the parents of the young 2½-year-old boy from Washington, DC, who had been diagnosed with acute leukemia that morning, to see whether that young boy could stay and have the same opportunity my daughter had because of you.

So this is the reason I got into the race for Congress a little less than 2 years ago. I owed you. I owed this Nation. You gave me an opportunity to have my daughter be here today. I didn't get in for Iraq. I got in for this bill. While it may not be perfect, neither was TRICARE, and I would just ask everyone to truly think about the opportunity to give our children, every child, this young boy, the same opportunity you gave me and my daughter.

Mr. BARTON of Texas. Madam Speaker, I yield 2½ minutes to the distinguished gentleman from the 5th District of the Garden State of New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Madam Speaker, ''I forbid,'' the Speaker, Democrat Speaker of the House, came to the floor and gave a translation of the Latin ''veto'' and explained to us that it means ''I forbid.''

Well, I can tell you the only veto that is occurring with regard to children's health care and care for the indigent poor is occurring here tonight at the hands of the Democrat majority.

The Democrat majority is vetoing. They are saying I forbid to move forward on this legislation. Republicans have expressed the desire to move forward and reached out and said in willingness to work together.

Just a moment ago, a freshman of the Democrat side of the aisle came to that podium and cited a figure that 80 percent of the American public, as he said, quote, wishes to advance children's health care for indigent poor children. The word ''advance'' means to move forward.

But Speaker PELOSI came to the floor and said, I forbid. I will veto moving forward tonight. Instead, put it on abeyance, put it on hold and say we have to put it off for another month.

What are they putting off? Well, they are trying to move forward later on on a bill that brings us socialized health care for illegal aliens, for adults, for children, for adults. No one has denied

that it's for adults. It is for childless couples and, by definition, is not for the poor. It is for middle class because, as we know, the median income in this country is $42,000. This bill will allow people upwards to $62,000 or $70,000 to be eligible for this program. By definition, therefore, it will provide for a middle-class program for universal health care.

Now, in conclusion, the Democrat conference leader explains why they are saying that they are forbidding moving forward and is very clear. He said, I enjoy politics, and that's what this bill is all about. It is about politics.

So to those who come to the floor tonight from the other side of the aisle and with a heartfelt passion that I believe is in their heart that they wish to move forward on moving advanced care for our children, I would ask your rank-and-file Members of that side of the aisle to talk to your leadership and say, Do not veto this effort. Do not say I forbid moving forward, and allow us to move forward on providing health care for indigent, poor children in this country tonight and vote ''no'' on this motion.

Mr. BECERRA. Madam Speaker, I yield 1 minute to the majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding.

I was not going to participate in this debate, but the gentleman from New Jersey doesn't fully understand what we've been about for the last 2 months. He talked about the rank and file. Mr. DINGELL, the senior Member of this House, myself, Senator BAUCUS, Senator HATCH, Senator GRASSLEY, Members of the rank and file on your side of the aisle who had not voted for this bill and didn't vote to override the veto. Mr. BARTON was in some of those meetings. Mr. DEAL was in some of those meetings. We met for almost 100 hours with rank-and-file Members on your side because we felt so strongly we wanted to address some of the issues of concern.

We haven't gotten there yet, but I want to tell the gentleman, first of all, he says this bill is not for indigent children.

□ 2000

Medicaid is for indigent children. This is for children of hardworking Americans who are not making enough because either their employer doesn't provide insurance or they can't afford the insurance to cover their children. We tried very, very hard. I defy you, and you haven't been here that long, I understand that, but I defy you to find another instance where that many hours has been put in by such senior Members, including two of the most senior Republicans in the United States Senate who voted for this bill, as did 18 of their colleagues in the United States Senate, and 44 of your colleagues here voted for this bill, and 45 for the previous bill. This is a very significant bipartisan bill.

And this bill responded to some of the concerns raised by the President. You continue to talk about adults. There are parents on here at the States' choice, as you know. Your State's choice, my State's choice. However, we precluded, as you know, in this bill nonparents, and rather than a 2-year phaseout, we did a 1-year phaseout. We responded to the President's concern about $83,000. We capped it at 300 percent. We responded to the question of trying to identify and to make sure that we add people who are authorized to be in this country.

So I think the gentleman's comments about the Democratic Party, or Democrat, as he likes to refer to us, is totally inaccurate, I will tell my friend. We've worked very hard. Why have we worked very hard? Because we think that 4 million children who the President of the United States in 2004 got on the Republican National Convention floor seeking the votes of all of his fellow citizens to be re-elected as President of the United States, said, I want to add millions of children currently eligible to this program who are not yet served. I tell my friend that's what this bill does. That's why we are so surprised and disappointed that the President rejected this bill and vetoed it and said, as the Speaker said, I forbid this bill going into effect and adding those 4 million children.

Mr. GARRETT of New Jersey. Madam Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I thank the gentleman.

I appreciate that, and as I said in my remarks, I believe that there is heartfelt desire on the other side of the aisle to provide for, and I may have said indigent, poor children in this country. I do honestly believe that, from both sides of the aisle that the goal is the same thing, to try to provide care for that particular class of individuals.

What I disagree with the gentleman with is on a couple points you said. One specifically as far as the issue of a good, fair effort of negotiations on moving forward in this legislation.

Mr. HOYER. Reclaiming my time, I suggest that the gentleman refer to Mrs. BIGGERT to see whether or not she thought they were good-faith or extensive negotiations and discussions.

I yield to my friend.

Mr. GARRETT of New Jersey. I thank the gentleman.

I am informed that our side of the aisle, whether through Mrs. BIGGERT or otherwise, has presented to you or through your staff or otherwise a proposal back on November 15 of five pages of recommendations or suggestions as far as positions that could be done in this bill to move us both together. And here we are on December 12 and we have yet to receive a response from that.

Mr. HOYER. Reclaiming my time, and I am not going to get into further debate on this, I refer the gentleman to Senator HATCH and Senator GRASSLEY and ask them whether they thought good-faith negotiations were pursued and whether or not they thought that we had gone as far as we possibly could in order to accommodate the adding of 4 million children.

Mr. BARTON of Texas. Madam Speaker, what is the order of closing?

The SPEAKER pro tempore. It will be the Members in reverse order: Mr. PALLONE, Mr. BARTON, and Mr. BECERRA.

Mr. BARTON of Texas. I am ready to close after Mr. PALLONE.

Mr. PALLONE. Madam Speaker, I just want to reiterate and contradict some of the things that the President said in his veto message today.

He said that this is the same bill that we sent him that he previously vetoed. And it's simply not true. We made substantial changes to it to allay concerns about higher income families enrolling, adults being enrolled, or even undocumented immigrants being enrolled. I just want to point out some of the flaws with the President's message in closing.

First, the President says that our goal should be to move kids into private coverage and not into public programs. That is exactly what the CHIP program does, Mr. President. CHIP provides money to States, which in turn contract with private insurance companies to provide insurance coverage to kids. It's not socialized medicine, it's not government-run health care, and the President should know that.

Second, the President says his proposal to reauthorize CHIP would increase funding by 20 percent. What he doesn't tell you is that his plan would not help provide coverage to the 6 million kids who are uninsured and eligible to enroll in either CHIP or Medicaid. I would point out that the Senate Finance Committee in July received a letter from the CBO where they said that they estimate between 5 million and 6 million children who are uninsured are eligible for Medicaid or SCHIP. So there are a lot of kids out there, almost twice as many that are in the program now, that could be insured.

And then the President said that we allow adult coverage. Well, let me say our bill phases out adult coverage faster than the President would do by just disapproving his waiver renewals.

Fourth, the President says we don't focus on the lowest income kids, and that's not true. We provide financial resources for States to go out and find the lowest income kids first.

Finally, the President has said he's been willing to work with us to reauthorize SCHIP, and the Republicans in the House said the same thing. Well, the fact of the matter is that, as our majority leader said, we have reached out. We have had hundreds of hours of meetings. We have reached out to the

President. It's simply not true that we haven't reach out, and the fact of the matter is that the President has been unwilling to budge even 1 inch from where he wants to go with the SCHIP legislation. Instead of working with us to provide health insurance to 10 million kids, he's given us two vetoes now.

All I can say, Mr. President, the holiday season is upon us, but you are basically becoming the Grinch who stole Christmas from these 10 million kids, in this case at least 5 or 6 million, that don't have health insurance. It's a shame that we have come to this position today, and I would urge my colleagues to cast a vote to override the President's veto.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. BARTON of Texas. Madam Speaker, there's a great movie from the sixties or maybe the seventies called ''Cool Hand Luke.'' Paul Newman is Cool Hand Luke, and he gets imprisoned for some minor infraction and he just doesn't conform with the regulations of the prison. And finally in exasperation the prison warden is talking to him in front of the chain gang and utters the famous line, ''What we have here is a failure to communicate.''

Well, what we have here tonight apparently is another failure to communicate. The Republicans in the House of Representatives want to reauthorize SCHIP. Some of the Republicans in the House of Representatives even want to expand SCHIP. But what we don't want to do is make SCHIP the surrogate for universal health care for children that are not in low-income or moderate-income families. We don't want to do that. And the bill before us would do that.

It would cover children up to 300 percent of poverty, explicitly, which is above the median income in this country. And it would not have any substantial reform on what are called ''income disregards.'' An income disregard is, some States have said, well, we're going to disregard this amount of income or we're going to disregard that particular expense. So for all practical purposes if a State chooses to disregard income, then there is no cap, and the bill before us doesn't have reforms in that measure.

The bill before us, in terms of illegal aliens, does have a paragraph that says no illegal alien can receive the benefit. It has that. But it has no enforcement. It's toothless. It's like saying don't go over 55 miles an hour or 60 miles an hour but you don't have a radar policeman to enforce the speed limit.

So what we are saying and what the President of the United States is saying in his veto message is pretty straightforward. Let's continue the SCHIP program. Let's find the children that are below 200 percent of poverty, and let's get them enrolled in the program and perhaps even go as high as 250 percent or 275 percent. Let's find some way to have a real enforcement to make sure that SCHIP is for children and for children of citizens. And then let's find a way to get the adults on the program off the program.

There are some States that cover more adults than children. And, again, my friends on the majority agree that that's not an appropriate thing, but they don't do anything in the bill to reform that.

So when my friend from New Jersey, the distinguished subcommittee chairman, talks about there may be as many as 6 million additional children that could be covered, I very carefully listened to what he said, and I would agree with what he said because he used the words ''Medicaid'' and ''SCHIP.'' Well there are 25 million children covered under Medicaid right now. There may well be another 5 or 6 million children that are eligible for Medicaid that we need to work with on a bipartisan basis to get in Medicaid. But according to HHS, there are only 800,000 eligible for SCHIP. Even according to the CBO, there are only an additional maybe 1.3 million that would be eligible for SCHIP under the bill that the majority is putting on the floor.

So I wish we wouldn't postpone this veto. I wish we would go ahead and have the veto override tonight because we will sustain the veto. And then I wish my good friend JOHN DINGELL from Michigan and Mr. RANGEL from New York would work with Mr. MCCRERY and myself and other Members to really come together on a bipartisan basis.

I would like to point out that these negotiations that Mr. HOYER alluded to did, in fact, happen, but those negotiations were not a conference. This bill is not the result of a conference committee between the House and the Senate. The bill before us is the result of some backroom negotiations and then an effort on an ad hoc basis of some of the senior Members of the majority in this House and some Members of the other body to work with some of our junior Members who had really no official standing but did negotiate in good faith to come up with a compromise. And as Mr. GARRETT pointed out, the written proposal the Republicans put forward, I think, to this day has never been answered. Now, I could be wrong on that, but I don't think it has ever been formally addressed.

So I sat in on those negotiations for several days, and what we got was a lot of good feeling talk. But when it came time to put it on paper, the majority wouldn't put it on paper.

So let's not postpone this override. Let's vote down the motion to postpone, and let's have the veto override tonight. And then in the next week or so if we are still in session, let's really start a bipartisan process that is based on the formal processes of the House and the Senate.

With that, I would yield back my time, Madam Speaker.

□ 2015

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

Madam Speaker, let's remember why we're here. Less than 2 weeks before Christmas, and we're talking about whether or not 10 million children, the children of hardworking American families, when we know that the cost of health care has increased, we're talking about whether or not 10 million children, 2 weeks before Christmas, will have access to health care.

Madam Speaker, the bill we're attempting to override is a responsible bill. It does not increase the deficit in providing health care access to our children. It is completely paid for.

Madam Speaker, this bill speaks for itself. Regardless of what's been said by either side, read the bill, it speaks for itself. This is about children's health care. And it's only for children who are citizens, who are legally in this country. And it is for modest-income Americans who are in this country.

Madam Speaker, let some numbers speak for themselves: 43, 100, 10 million. Forty-three, that is the number of our Republican colleagues who voted on a bipartisan basis to override President Bush's veto of this children's health care bill. One hundred, we have been in the process of talking to our Republican colleagues and trying to resolve our differences for over 100 days, as the gentlelady from Illinois (Mrs. BIGGERT) herself stated. Ten million, that's the price. Ten million children in this country who will not have access to health care if we don't do anything. They simply want to have the same access to health care, to a doctor, to a clinic or to a hospital the way the children of every Member of this Congress has access to health care.

No Member of Congress stands up and complains that, at taxpayer expense, we are making available to each and every one of us a health care policy which today and on Christmas Day will ensure that our children will be insured if something should happen and they need to go to a doctor or to a hospital. Is there any reason why hardworking Americans who just don't earn enough money to pay for the full cost of that health insurance shouldn't have the same access as each and every Member of Congress has for his and her children today?

Madam Speaker, I hope we all keep our eye on the prize; 10 million children, 10 million children who we're trying to make sure have access to health care. If Members of Congress can guarantee our children health care, then we should be prepared to guarantee that anyone who works in this country can provide health care to their children. That's what this is about.

We're going to return to the people of this country the Congress that they feel they've lost. We said a while ago that this Congress would take a new direction. That's what we mean when we mean to override the President's veto.

I urge my colleagues to vote today, to think about 10 million kids right before Christmas and say to the President, We will override your veto.

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 postpone.

There was no objection.

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

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

Mr. BARTON of Texas. 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 pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to postpone will be followed by a 5-minute vote on suspending the rules on H.R. 3985.

The vote was taken by electronic device, and there were—yeas 211, nays 180, not voting 40, as follows:

[Roll No. 1154]

YEAS—211

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Etheridge
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—180

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—40

Bean
Berry
Boehner
Carson
Coble
Cubin
Culberson
Davis, Tom
DeLauro
Dicks
Doolittle
Eshoo
Farr
Ferguson
Fossella
Hinojosa
Hooley
Hunter
Jindal
Kirk
Lantos
Lewis (CA)
Matheson
McCrery
McDermott
Miller, Gary
Miller, George
Moran (VA)
Neugebauer
Paul
Reynolds
Ryan (OH)
Sanchez, Loretta
Saxton
Shadegg
Skelton
Space
Tancredo
Waxman
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2039

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

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.

OVER-THE-ROAD BUS TRANSPORTATION ACCESSIBILITY 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. 3985, 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 Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3985.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 0, not voting 57, as follows:

[Roll No. 1155]

YEAS—374

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
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
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
DeFazio
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fallin
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
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)
Jackson-Lee (TX)
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
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy (CA)
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
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.
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
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
Weiner
Welch (VT)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—57

Abercrombie
Baker
Berry
Boehner
Calvert
Capps
Carson
Coble
Cubin
Culberson
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
DeLauro
Dicks
Doolittle
Eshoo
Farr
Ferguson
Fossella
Gingrey
Gohmert
Hinojosa
Hooley
Hunter
Jindal
Kirk
Lantos
LaTourette
Lewis (CA)
Lungren, Daniel E.
Matheson
McCarthy (NY)
McCrery
McDermott
Miller, Gary
Miller, George
Moran (VA)
Murtha
Neal (MA)
Neugebauer
Pascrell
Paul
Reynolds
Sanchez, Loretta
Saxton
Shadegg
Shuster
Skelton
Solis
Stark
Tancredo
Waxman
Weldon (FL)
Wexler
Wynn

□ 2047

Ms. PRYCE of Ohio changed her vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES OF THE CONGRESSIONAL HUNGER FELLOWS PROGRAM

The SPEAKER pro tempore. Pursuant to section 4404(c)(2) of the Congressional Hunger Fellows Act of 2002 (2 U.S.C. 1161), and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following member to the Board of Trustees of the Congressional Hunger Fellows Program for a term of 4 years:

Mr. James P. McGovern, Worcester, Massachusetts

COMMUNICATION FROM THE HONORABLE JOHN A. BOEHNER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 29, 2007.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to section 4404(e)(2) of the Congressional Hunger Fellows Act of 2002 (2 U.S.C. 1161) I am pleased to re-appoint the Honorable Jo Ann Emerson of Cape Girardeau, Missouri to the Board of Trustees of the Congressional Hunger Fellows Program.

Mrs. Emerson has expressed interest in serving in this capacity and I am pleased to fulfill her request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE HOSTAGE OF BAGHDAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, in the deserts of Iraq a war is going on against the enemies of America. In the heat and dust of the summer of 2005, a young American went to fight, not against al Qaeda, but for her own survival. She became the ''Hostage of Baghdad,'' held against her will by villains of the desert, thousands of miles away from home in Texas. This is her story.

Madam Speaker, Jamie Leigh Jones was a 20-year-old woman who worked for Halliburton KBR. She was sent to Iraq as part of her employment. She was sent to Baghdad to a place, ironically, called Camp Hope, in the supposed Green Zone that was supposed to be safe.

After being in Iraq only a few days, she said she was held against her will, drugged, gang-raped by Halliburton KBR firefighters, and the people in charge of her held her hostage in a ship cargo container for 24 hours without any food or water. She became an American hostage, held hostage by fellow Americans.

She convinced one of the people guarding her to let her borrow his cell phone. After obtaining the cell phone, Jamie called her dad in Texas and pleaded for help and begged to be rescued. She was scared, she was hurt, she was half a world away from home, and she was alone.

Jamie's dad called me because I represent him in Congress. Her father relayed the tragic assault and crime, and of course needed immediate assistance. My staff and I were able to contact the right people in the United States State Department, and within 48 hours two agents from the embassy in Baghdad found and rescued Jamie, made sure she received appropriate medical attention, and brought her home.

Jamie had been seen by Army doctors in Baghdad and had been given, apparently, good medical care while being treated in Baghdad. A forensic sexual assault examination was performed on her. This examination is commonly called a rape kit. Doctors take forensic samples from a sexual assault victim and then they are preserved as evidence for trial in this rape kit.

But, Madam Speaker, for some unknown reason, the Army doctors turned this rape kit over to Jamie's employer, Halliburton KBR. KBR then lost the rape kit. The rape kit was later found, but it had been tampered with. The photographs are now missing, and the Army doctor's cover sheet with the medical findings are not there. These are critical for prosecution of the rapists.

Madam Speaker, Jamie's brutal injuries were severe. She has had to have reconstructive surgery because of the extent of these injuries by these rapists in Iraq. Once she was home, we pressured the State Department to find out who these villains of Baghdad were; where are they, and why haven't they been prosecuted. After so much time, there is little progress on the investigation. We need to know also if KBR had knowledge of the crime and if they are involved to any extent.

Jamie has decided to go public with her case. This case, like all such cases, remains confidential in our congressional office. Congressional offices do

not divulge the content of personal case files like this because they are considered privileged communication and they are private.

My tremendous case worker, Patti Chapman, worked with Jamie since her rescue and has helped her in this most tragic way, and helped her in a compassionate way. Patti Chapman, like many congressional caseworkers, are angels to the people in our communities. Jamie has had the courage to publicly tell about this most personal crime against her. So my office and now Chairman CONYERS of the House Judiciary Committee have contacted the Attorney General and the State Department and we want answers about this case and the investigation.

Specifically, what is going on over there in Iraq? American citizens have civil rights overseas as well. Crimes committed against them must be investigated. Criminals must be held accountable. Our government has the legal and moral duty to capture these villains of Baghdad. Also, hundreds of American civilians like Jamie are in Iraq working in support of America's military mission. When these American civilians become victims of crimes by other Americans, it is unclear who's enforcing the law. Our government must clear up this confusion, because currently there seems to be an environment of lawlessness. These criminals must be held accountable.

Madam Speaker, let me tell you about sexual assault. I was a former judge and saw these victims and their perpetrators in court, and these demons that do these dastardly acts against victims don't commit these crimes for sexual pleasure, but, Madam Speaker, they do it to destroy the inner soul of these victims. Jamie Leigh Jones survived and has been rescued, but the outlaws still roam the deserts of Iraq like the outlaws in the days of the Old West. We need justice. We need the law to intervene and round up these outlaws for their day in court. Let justice be swift, let it be severe, let it be serious, because justice is what we do in America.

And that's just the way it is.

TRIBUTE TO SYLVIA PRESSLEY WOODS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. CLYBURN) is recognized for 5 minutes.

Mr. CLYBURN. Madam Speaker, I rise today to honor one of South Carolina's own, Sylvia Pressley Woods, affectionately known as the ''Queen of Soul Food.'' In August of 1962, Sylvia put her charismatic personality to the test by purchasing a restaurant, which at the time was only a small luncheonette, from her boss.

Almost 50 years later, Sylvia's, as she named it, has become a landmark at 126th Street and Lenox Avenue, and a place where everyone knows they can get a taste of authentic southern soul food cuisine. The restaurant also serves to remind the community's residents that hard work, determination, and love of family can lead to success.

Madam Speaker, Woods herself has a remarkable story that encapsulates much of the 20th century African-American history. She was born Sylvia Pressley on February 2, 1926, in Hemingway, South Carolina, a small rural town which I proudly represent in this august body. On December 22, next week, many of her friends will gather at Sanders Point near Santee, South Carolina, to celebrate the holidays with Sylvia. Tonight, I am being joined by members of the New York delegation in honoring a loving mother, an astute restaurateur, an enterprising businesswoman, and an outstanding South Carolinian, Mrs. Sylvia Pressley Woods.

With that, Madam Speaker, I would like to yield to the dean of the New York delegation, the Honorable CHARLES RANGEL.

Mr. RANGEL. Madam Speaker, a special thanks to JIM CLYBURN, our Whip and leader, for reaching back to pay tribute to an American that so often people forget what one can accomplish in this great country if they are willing to work hard.

You know, Mr. CLYBURN, I knew the world famous owner of Sylvia's when she was a waitress at a restaurant just one block away where she anchored her success, and she and her husband came together and went to South Carolina, two friends, in order to get the money necessary for her to start her own future. Mr. Woods, and we just lost him a few years back, would be up at 3 and 4 o'clock in the morning with that truck, going to the produce markets, picking the best vegetables, and then she would have her children and now her grandchildren, all a part of this wonderful family, and now that she's reached a point that her products are sold in supermarkets and throughout the world and that she has acclaimed a great deal of attention from tourists all over the world as these tourist buses are lined up, it doesn't surprise anybody to see Sylvia there asking these customers that she probably will never see again in life, How did you enjoy the meal and what can we do to help?

So let me thank you on behalf of all of Harlemites, even Congressman GREGORY MEEKS from the borough of Queens, who has to admit that coming from Harlem means a special thing to us, because he was one of us before he lost his way. And so when I heard that you were doing this on behalf of Harlem, who cherishes the rise of Sylvia's late husband, her children and her wonderful grandchildren, who still bring people from all over the world into the village of Harlem, let me thank you, JIM CLYBURN, for reminding us that we have so many heroes and ''sheroes'' in our country, and they deserve what you're doing for them in South Carolina. I thank you.

Mr. CLYBURN. Madam Speaker, I would like to now yield to one who has lost his way and will refind it tonight, the Honorable GREGORY MEEKS from the Sixth District of New York.

Mr. MEEKS of New York. Thank you, Mr. Whip, and I thank you also for bringing this recognition to Sylvia; because as a former Harlemite, I can recall going to Sylvia's. It was a place that brought families together. I can recall my parents bringing me to Sylvia's to have a family dinner or having breakfast in the morning. And it united people and it made us proud because it did say just what the chairman said, talking about African Americans owning their own business and feeding the masses as she did. And it was affordable.

So it was a family place. And, for me, I can remember those breakfasts. Those grits and salmon cakes were just delicious and fantastic. As I am here now standing and looking, and we are talking about trade all over the world. You talk about reducing the trade deficit for the United States? Sylvia is helping to reduce the trade deficit as she now cans her food and sends it all across the world so they all can enjoy the delicious food.

Thank you for honoring Sylvia Woods today because she is truly a shero, one that I can recall as a young child looking up to and saying that one day that we could be prosperous like her. Thank you for never forgetting her roots and where we come from, Mr. Whip.

Mr. CLYBURN. Thank you, Mr. MEEKS.

Let me close my 5 minutes, Madam Speaker, by reiterating something that I think all of us ought to think about. Sylvia Pressley Woods' father died when she was 3 days old. He died from the effects of chemical weapons that he had encountered in World War I. Her grandfather was hanged when her mother was a little child. But all of that experience helped to toughen her and make her the outstanding entrepreneur that she is today. On February 2, she turns 82 years old, but she gets up every morning and still goes to that restaurant. She is a great woman.

Mr. TOWNS. Madam Speaker, Sylvia's Restaurant of Harlem is known as one of this country's greatest restaurants which has a selection of mouth-watering dishes that each time will leave you wanting more. This is one of the best-known restaurants in New York and serves its patrons good southern cooking with a dash of Sylvia's secret seasoning.

Sylvia Woods worked at Johnson's Luncheonette as a waitress. Her opportunity came when the owner offered to sell her the business. She purchased the original luncheonette by borrowing $20,000 from her mother who had to mortgage her farm in Hemingway, SC.

The establishment, which consists of not only the restaurant but catering and banquet facilities, was started in July of 1962. back then the menu consisted of very simple things; pigtails, lima beans, hamhocks, and neck bones. There was only one cook on staff and they picked their food up in the trunk of a car.

In 1981, they bought an adjoining building on Lenox Avenue, renovated it and turned it into a dining room. In 1992, Sylvia's son, Van Woods, launched a line of Sylvia's Soul Food Proucts. The line consists of Sylvia's world famous all-purpose sauces, pre-seasoned vegetables, spices, syrup, cornbread, pancake mixes, and several other items that can be found on the shelves at any grocery store.

With the help of some great investors, Sylvia's was able to open its second restaurant in Atlanta, Georgia in 1997. Sylvia's of Atlanta is located right across from City Hall. Plans are in the works to open additional Sylvia's restaurants in Texas, Kansas, Illinois, California, South Carolina, and Paris, France.

This well-known restaurant attracts a clientele that ranges from harlem locals to visiting celebrities including President Bill Clinton, Nelson Mandela, and Magic Johnson.

However, Sylvia's success is not based solely on her restaurants and food product line. Recently, the family launched a line of beauty products for hair and skin. Sylvia's beauty products consist of two brands: Sylvia's Beauty and Soul Products; and African Vision Products.

Sylvia and her husband Herbert will tell you the secret of their success is love, family and hard work, love of God, love of family, love of friends, customers, and love of work.

Sylvia and Herbert met in a bean field when they were 11 and 12 years old, respectively. They attended the same school and church and have now been married for nearly 65 years.

I would like to honor Sylvia's Soul Food Restaurant where I have eaten on many occasions and where I plan to eat again.

□ 2100

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). 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.)

THANKING MR. BEN SOLOMON FOR HIS SERVICE TO THE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LAHOOD) is recognized for 5 minutes.

Mr. LAHOOD. Madam Speaker, I rise today on behalf of a grateful House to say farewell to Ben Solomon. Ben is the manager of the Longworth convenience store, and we want to thank him for his 4 years of outstanding service to the United States House of Representatives.

Employed for over 19 years by Guest Services, Incorporated, Ben's assignment to run the Longworth convenience store began on December 15, 2003. Since that time, he has endeared himself to Members, House staff, and visitors.

Ben has been nicknamed Mr. Mayor of Longworth Main Street because of his unwavering commitment to serve the needs of every customer to the fullest extent possible no matter who they are or their political affiliation. To Ben, all politics was local. He always greeted every customer warmly with his ever present smile and a kind word. Most of the 1,000 or so customers who pass through the store daily are greeted by name. His positive outlook never fails to make even strangers feel welcome.

Ben can be proud of the level of service he provided to his customers each and every day. He viewed his work as a sacred duty, and felt no job was too small for him to do. He could be seen in the hallway working alongside his employees unpacking boxes of merchandise. At the same time, Ben would take the time to pause and say hello to any number of many familiar customers as they passed by the store. Ben brought a unique brand of sincerity and dedication to his job every single day. It is marvelous to look at each nook and cranny of the store shelves at the many unique and interesting things Ben would stock because one of his customers asked for it at an earlier visit.

On behalf of the entire House community, we bid a fond farewell to our friend, Ben Solomon, and extend our deepest appreciation for his dedication and outstanding contributions to the House of Representatives. We wish him well. We wish him success in his future endeavors. He will sincerely be missed by all.

We are also grateful to all those who serve in this great House, service to many of us in so many different ways, and especially honor Ben this evening.

GENERAL LEAVE

Mr. TOWNS. 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 subject matter of Mr. CLYBURN's Special Order.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN 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 Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LEE'S SUMMIT WEST HIGH SCHOOL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. CLEAVER) is recognized for 5 minutes.

Mr. CLEAVER. Madam Speaker, normally we come to this floor to debate, and quite often in our Special Orders we have the opportunity to speak in positive tones about positive things that are going on in our district or in our Nation.

I am very proud to represent Missouri's Fifth Congressional District. It is the district that encompasses Independence, Missouri, and the home of Harry Truman. In this Fifth District, I am proud that the fastest growing city in the State of Missouri is not the two largest cities, Kansas City being the largest, St. Louis being the second largest, but it is a city that many people have not even heard of. It is called Lee's Summit.

Lee's Summit, Missouri is exploding with growth. Its mayor, Karen Messerli, is doing a fantastic job. The downtown area is being redeveloped. But what I want to zero in on this evening is Lee's Summit West High School.

Madam Speaker, this high school has achieved something that I don't believe can be matched by any other congressional district. So far this year, from September to December, they have won three State 4A championships. The girls volleyball team won the State championship coached by Mark Rice. The girls cross country won the 4A State championship coached by Dave Denny. And then, just recently the Titans football team coached by Royce Boehm won the 4A Missouri State championship and went through the entire season undefeated.

I was listening to Judge Poe earlier talk about some tragedies in Iraq. And I sat here, and it caused me to tremble to think about what that young woman must have gone through; and it also caused me to renew my commitment to focus on the positive attributes of our young people. If you visit Lee's Summit High School, which has been in existence only 4 years, 4 years, and it has already become one of the most prominent schools in the State of Missouri, not just for athletics, but because this school is well organized. Their population, 1,300 students, is constantly growing. The principal of that school, Cindy Bateman, is doing a fabulous job. They are achieving academically. And I am so proud to be able to stand on this floor tonight and speak without qualification about how fabulously this school is performing.

Most of the time, girls' athletics are ignored. And so in the Missouri 4A volleyball championship, probably there are people even around in Lee's Summit who are unaware of the fact that that State championship has been won. The cross country club normally would be ignored, but they have achieved something positive. They brought some positive attention to that school.

And so, on this night, I would not only like to lift them up and express how proud I am to represent that particular area, but I would also encourage any Member of the United States

Congress who serves a district where a school has won three State championships thus far this year to let me know it, and I will give them a huge box of Gates barbecue. Kansas City, of course, is the barbecue capital of the galaxy, and I will gladly bring that barbecue in from Gates Barbecue in Kansas City. But I am not even worried, because I am absolutely certain that there is no school in the United States that has won three State championships in 4 months.

I know that there are other people who are proud of their districts, and I am pleased that they are proud of their district, they are proud of their schools. And some people stand up and brag about their districts, and some people are actually telling the truth. But I want to go on record tonight as saying that the entire country can be proud of what has happened in this community, because the entire community has rallied to build this magnificent physical structure that is the school, and I appreciate very much the opportunity to share this with the Congress.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. LARSON) is recognized for 5 minutes.

(Mr. LARSON of Connecticut 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 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 gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMITTEE ADJUSTMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 310 of S. Con. Res. 21, the Concurrent Resolution on the Budget for fiscal year 2008, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for certain House committees for fiscal year 2008 and the period of 2008 through 2012. This revision represents an adjustment to certain House committee budget allocation and aggregates for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended, and in response to H.R. 4299 (Terrorism Risk Insurance Program Reauthorization Act of 2007), which was made in order by the Committee on Rules. Corresponding tables are attached.

Under section 211 of S. Con. Res. 21, this adjustment to the budget allocations and aggregates applies while the measure is under consideration. The adjustments will take effect upon enactment of the measure. For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 211 of S. Con. Res. 21 is to be considered as an allocation included in the resolution.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal Years, in millions of dollars]

	2007		2008		2008–2012 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
House Committee						
Current allocation:						
Financial Services	0	0	0	0	0	0
Change in the Terrorism Risk Insurance Program Reauthorization Act (H.R. 4299):						
Financial Services	0	0	300	300	4,200	4,200
Revised allocation:						
Financial Services	0	0	300	300	4,200	4,200

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal year 2007	Fiscal year 2008[1]	Fiscal years 2008–2012
Current Aggregates:[2]			
Budget Authority	2,250,680	2,350,996	[3]
Outlays	2,263,759	2,353,954	[3]
Revenues	1,900,340	2,015,841	11,137,671
Change in the Terrorism Risk Insurance Program Reauthorization Act (H.R. 4299):			
Budget Authority	0	300	[3]
Outlays	0	300	[3]
Revenues	0	0	4,400
Revised Aggregates:			
Budget Authority	2,250,680	2,351,296	[3]
Outlays	2,263,759	2,354,254	[3]
Revenues	1,900,340	2,015,841	11,142,071

[1] Pending action by the House Appropriations Committee on spending covered by section 207(d)(1)(E) (overseas deployments and related activities), resolution assumptions are not included in the current aggregates.

[2] Excludes emergency amounts exempt from enforcement in the budget resolution.

[3] Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until future sessions of Congress.

Madam Speaker, also under section 302 of S. Con. Res. 21, the Concurrent Resolution on the Budget for fiscal year 2008, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for certain House committees for fiscal year 2008 and the period of 2008 through 2012. This revision represents an adjustment to certain House committee budget allocation and aggregates for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended, and in response to the conference report to accompany H.R. 1585 (National Defense Authorization Act for Fiscal Year 2008). Corresponding tables are attached.

Under section 211 of S. Con. Res. 21, this adjustment to the budget allocations and aggregates applies while the measure is under consideration. The adjustments will take effect upon enactment of the measure. For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 211 of S. Con. Res. 21 is to be considered as an allocation included in the resolution.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal year 2007	Fiscal year 2008[1]	Fiscal years 2008–2012
Current Aggregates:[2]			
Budget Authority	2,250,680	2,350,996	([3])
Outlays	2,263,759	2,353,954	([3])
Revenues	1,900,340	2,015,841	11,137,671
Change in the National Defense Authorization Act (H.R. 1585):			
Budget Authority	0	−15	([3])
Outlays	0	−112	([3])
Revenues	0	2	−13
Revised Aggregates:			
Budget Authority	2,250,680	2,350,981	([3])
Outlays	2,263,759	2,353,842	([3])
Revenues	1,900,340	2,015,843	11,137,658

[1] Pending action by the House Appropriations Committee on spending covered by section 207(d)(1)(E) (overseas deployments and related activities), resolution assumptions are not included in the current aggregates.

[2] Excludes emergency amounts exempt from enforcement in the budget resolution.

[3] Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

	2007		2008		2008–2012 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
House Committee:						
Current allocation:						
Armed Services	0	0	−50	−50	−410	−410
Change in the National Defense Authorization Act (H.R. 1585):						
Armed Services	0	0	−15	−112	258	−22
Revised allocation:						
Armed Services	0	0	−65	−162	−152	−432

Madam Speaker, also under section 303(b) of S. Con. Res. 21, the Concurrent Resolution on the Budget for fiscal year 2008, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for certain House committees for fiscal year 2008 and the period of 2008 through 2012. This revision represents an adjustment to certain House committee budget allocation and aggregates for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended, and in response to H.R. 4351 (AMT Relief Act of 2007), which was made in order by the Committee on Rules. Corresponding tables are attached.

Under section 211 of S. Con. Res. 21, this adjustment to the budget allocations and aggregates applies while the measure is under consideration. The adjustments will take effect upon enactment of the measure. For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 211 of S. Con. Res. 21 is to be considered as an allocation included in the resolution.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal year 2007	Fiscal year 2008 [1]	Fiscal years 2008–2012
Current Aggregates:[2]			
Budget Authority	2,250,680	2,350,996	(3)
Outlays	2,263,759	2,353,954	(3)
Revenues	1,900,340	2,015,841	11,137,671

BUDGET AGGREGATES—Continued

[On-budget amounts, in millions of dollars]

	Fiscal year 2007	Fiscal year 2008 [1]	Fiscal years 2008–2012
Change in the Alternative Minimum Tax Relief Act (H.R. 4351):			
Budget Authority	0	65	(3)
Outlays	0	65	(3)
Revenues	0	−14,951	2,914
Revised Aggregates:			
Budget Authority	2,250,680	2,351,061	(3)
Outlays	2,263,759	2,354,019	(3)
Revenues	1,900,340	2,000,890	11,140,585

[1] Pending action by the House Appropriations Committee on spending covered by section 207(d)(1)(E) (overseas deployments and related activities), resolution assumptions are not included in the current aggregates.

[2] Excludes emergency amounts exempt from enforcement in the budget resolution.

[3] Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

	2007		2008		2008–2012 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
House Committee:						
Current allocation:						
Ways and Means	0	0	532	532	37	37
Change in the Alternative Minimum Tax Relief Act (H.R. 4351):						
Ways and Means	0	0	65	65	2,891	2,891
Revised allocation:						
Ways and Means	0	0	597	597	2,928	2,928

□ 2115

SUPPORT FOR THE INDEPENDENCE OF KOSOVO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Madam Speaker, I rise today to once again express my support for the independence of Kosovo, which is a nation in the Balkans, 90 percent ethnic Albanian country that has struggled a great deal and is now on the verge of independence.

I would like to put a little history in perspective. The former Yugoslavia has broken up, and much of the components of the former Yugoslavia have become independent nations. I have long argued that so, too, the people of Kosovo deserve to be an independent country.

There have recently been negotiations in which the United States and Russia and the European Union, called the Troika, have taken part, negotiations between Serbia and the Kosovar Albanians. And just 2 days ago, on December 10, after 120 days of negotiations, it has been found that no agreement could be reached. So now the question remains that, since no agreement was reached, what should happen?

I say that Kosovo should very soon declare its independence, and that the United States and the European Union and other freedom-loving countries should recognize the new nation of Kosovo. There is a plan called the Atasari plan which was put together by the Scandinavian diplomat that has been blocked in the United Nations because of Russian threats and intransigence. The Atasari plan, which grants supervised independence to Kosovo, should be immediately implemented.

And when the people of Kosovo declare their independence, that Attasari plan should be implemented again with the European Union and the United States recognizing the newly formed nation.

This should come soon after the first of the year, perhaps a few weeks or months into the new year, and I intend to be in Pristina, the capital of Kosovo, when independence is finally declared and accepted.

I rise because I think that the United States plays a very vital role and does play and has played a very vital role, and the people of Kosovo trust the United States to be there and be their friends. I want to say to the people of Kosovo that the United States has always been your friend and will continue to be your friend.

The long and troubled history of the Balkans we all know; wars started there, world wars started there, and I think perhaps a little history to where we got to where we are now.

In 1999, basically every Kosovar Albanian, 2 million were driven out by the then-dictator of Serbia, Slobodan Milosevic, and the United States came to the rescue and bombed and helped prevent ethnic cleansing in the area. So when the Kosovar Albanians came back, they found that virtually every one of their homes were burned, some to the ground and beyond recognition.

The country has been building itself up since then, but only independence can get the country on the right track. Since that time, the United Nations and the UNMIK forces of the United Nations have been governing Kosovo sort of as an international governance. But the time for that is over. The people of Kosovo need to know that there is a future and they need to know that they, like other peoples in the world, can lead their own nation to freedom and democracy.

So, again, I rise here to once again offer my support for the people of Kosovo, for the independence of Kosovo, to tell them that the United States will stand behind them, and I hope that shortly after the first of the year again the U.S. will be among the first countries to recognize the new independent nation of Kosovo. They are going to need our help and we will continue to give it to them.

VACATING 5 MINUTE SPECIAL ORDER SPEECH

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Without objection, the 5 minute Special Order of the gentleman from Michigan (Mr. MCCOTTER) is vacated.

There was no objection.

LET IT BLEED: RESTORING THE REPUBLICAN PARTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. MCCOTTER. Madam Speaker, as my Republican Party completes its first year in the minority since 1994, we find ourselves held in historically low regard by the sovereign American people.

To end this trend, Republicans must accurately assess our party's past and present failings; and its future prospects of again providing Americans a meaningful choice between the major parties. This remain, after all, a party's duty to the citizenry.

For my GOP to fulfill it, first we must bury our ideological dead. Safely on this side of the cleansing mists of memory, it is chic to eulogize the late Republican majority. From the chattering class few insights emerge, for in the aftermath, only poetry is an apt epitaph.

''The world is too much with us; late and soon; getting and spending we lay waste our powers; little we see in nature that is ours. We have given our hearts away. A sordid boon.''

Such was the Republican bathos: A transformational majority sinned and slipped into a transactional ''cashocracy.'' Promises, policies, principles, all bartered, even honor. The majority now is of the ages. May it rest in peace. And be redeemed.

Once, George Santayana cautioned: ''Those who do not learn the lessons of history are condemned to repeat them.'' If our current Republican minority guilefully refutes or gutlessly refuses to admit, accept and atone for the bitter fruits of its lapsed majority, it will continue to decline in the eyes of the American electorate. Thus, for the sake of our Nation in this time of transformation, we must fully and frankly examine and understand the cardinal causes of the Republican majority's recent demise, and, sadder but wiser, commence our Republican minority's restoration as a transformation political movement serving the sovereign citizens of our free republic.

To begin, we must retrace our steps down a broken alley of broken hopes to glean the essence of our party's headier times, big hits and fazed cookies.

Though many of its legislative leaders may moot the point, two Presidents caused the 1994 Republican revolution: Ronald Reagan and Bill Clinton.

The members of 1995's new Republican majority were Ronald Reagan's political children. From President Reagan, Republican congressional revolutionaries inherited a philosophy of politics as the art of the possible: Cogently expressed by conservative intellectuals ranging from Edmund Burke to Russell Kirk, this philosophy's central tenet held:

Men and women are transcendent children of God endowed by their Creator with inalienable rights.

Government was instituted to defend citizens' inalienable rights and facilitate citizens' pursuit of the good and of true happiness.

Over the generations, Divine Providence has established and revealed through tradition prescriptive rights and custom within communities how order, justice, and freedom, each essential, coequal and mutually reinforcing, are best arranged and nurtured for humanity to pursue the good and true happiness.

Finally, human happiness is endangered by every political ideology, for each is premised upon abstract ideas; each claims a superior insight into human nature not revealed through historical experience; each proffers a secular utopia unobtainable by an imperfect humanity; and, each demands an omnipotent, centralized government to forcefully impose its vision upon an ''unenlightened'' and unwilling population.

This is the political philosophy and resulting public policies a once-impoverished youth from Dixon, Illinois, Ronald Reagan, engagingly articulated to America throughout his Presidency in the 1980s. By 1994, the American people who have taken Ronald Reagan at Russell Kirk's word that ''conservatism is the negation of ideology,'' and remembering its beneficent impact upon their daily lives, yearned for its return. For self-described congressional Republican revolutionaries, this formed fertile electoral ground, one shaped as well, it must be admitted, by a host of unheralded and immensely talented GOP redistricting attorneys. But like all revolutions, the peace required a villain.

Enter Bill Clinton.

Exuberant at having defeated an incumbent President George H.W. Bush, Clinton mistook a mandate against his predecessor as a mandate for his own craftily concealed liberalism. In his first 2 years in the Oval Office, this mistake led Clinton to overreach on ''kitchen table'' issues, such as raising taxes and socializing medicine.

Daily, the four-decade old Democratic congressional majority abetted Clinton's radical policies, and across the political spectrum, voters seethed.

Congressional Republicans bided their time, planned their revolution and seized their moment. Led by their spellbinding and abrasive guru from Georgia, congressional Republicans unveiled their ''Contract With America'' to much popular, if not pundit, acclaim.

Though much mythologized, if it is to prove instructive for the present Republican minority, this contract can and must be placed in its proper perspective. A musical analogy is most elucidating.

When a reporter once praised the Beatles for producing rock's first concept album, Sergeant Pepper's Lonely Heart's Club Band, John Lennon curtly corrected him: ''It was a concept album because we said it was.'' Lennon's point was this: Yes, the Beatles had originally set out to produce a concept album, but early in their sessions the band dropped any conceits to creating a ''concept album'' and recorded whatever songs were on hand. Recognizing their failure, the Beatles tacked on a final song, Sergeant Pepper's Lonely Heart's Club Band (Reprise), to engender the illusion they had, after all, created a concept album. Importantly, when the band later tried to produce a true ''concept album'' and accompanying film, Magical Mystery Tour, the lackluster result was one of the Beatles' few failed artistic ventures.

Similarly, congressional Republicans' ''Contract with America'' was a collection of specific policy proposals and concrete grievances against the incumbent Democratic President and his legislative allies. It possessed merely an implicit philosophy, one obviously harkening back to Reagan. Even less than Sergeant Pepper, the individual tracks of which have mostly stood the test of time, today many of the Contract's specific proposals sound dated. But like Sergeant Pepper, what endures about the contract is the fact that it was marketed as a revolutionary concept in governance. Of course, it is not. The contract was a suitable period piece which served its purpose—the election of congressional Republicans in sufficient numbers to attain our party's first majority in 40 years. Nevertheless the contract's lack of a clearly enunciated political philosophy sowed the seeds of the subsequent Republican devolution.

Therefore, if the current Republican minority buys into the myth and makes the contract the basis of a derivative ''concept'' agenda, the GOP will be condemned to another 40-year Magical Mystery Tour through the political wilderness.

This is not to say the members of 1995's new Republican majority lacked a political philosophy or immutable principles. Quite the contrary: These Members were steeped in the Reagan tradition. But after an initial rush of laudable accomplishments, the Members found themselves trapped by the contract's inherent pragmatism and particularity. Absent a philosophical anchor in the contract, Members drifted into the grind of governance, which distorted Reagan's philosophical principles for public policy into nonbinding

precedents for political popularity. Exacerbating this process, the new majority's leaders, exuberant at having defeated an incumbent Democratic congressional majority, mistook a mandate against their predecessors as a mandate for their own finitely posited conservatism. In its first 2 years in control of the House, this led the majority's leaders to erroneously conclude it could govern as a parliament rather than as a congressional equivalent in power to the executive branch; and they over-reached on key issues, most notably in the shutdown of the United States Government over the issue of spending. Artfully framed by President Clinton with sufficient plausibility as an irresponsible Republican ideological attack on good government, this moment marked the beginning of the Republican majority's end. In point of fact, from the government shutdown to the present, the House GOP conference has never had as many Members as it did in 1995.

Some persist in too facilely dismissing this Republican debacle as being due to Clinton's superior messaging of the issue from his bully pulpit. This analysis is errant. The reason Clinton succeeded is the kernel of truth he wielded on this issue: House Republican leaders had stopped governing prudently in accordance with Reagan's political philosophy of politics being the art of the possible and, instead, started acting belligerently in an ideological manner against the public's interest. It is not an accident this battle fundamentally affected Clinton's thinking and spurred his reinvention from a liberal ideologue into a pragmatic problem-solver and proponent of ''good government.'' Unfortunately, Clinton's publicly applauded posturing as a centrist incensed the Republican majority and accelerated their efforts to differentiate themselves from an unprincipled President by being increasingly ideological, which they confuted with being principled.

As this ideological fever progressed through 1996, too late did the new majority's members intuit the political cost to candidates considered ''ideologues.'' The Republicans' majority did survive the partisan carnage of Clinton's overwhelming 1996 reelection, but the cycle's cumulative effect was lasting and damning. Without gawking at the gruesome minutia of each ensuing GOP ideological purge and internal coup instigated by this election, we can note it spawned the unseemly political perversion of the House Republicans' transformational majority into a transactional ''cashocracy.''

Hubristically deemed by its leading denizens as a ''permanent majority,'' the GOP ''cashocracy'' was a beggars' banquet at taxpayers' expense. The cashocracy's sole goal was its own perpetuation; and its cashocrats and high priests of money-theism myopically chased the same through pragmatic corporatism and political machinations.

Obviously, the cashocracy's cardinal vice was its conviction to survive for its own sake. Curiously, this was not the height of arrogance; it was the height of insecurity. Aware it stood for nothing but election, the cashocracy knew anything could topple it. This fear cancerously compelled the poll-driven cashocrats to grope for ephemeral popularity by abandoning immutable principles. Materialistic to their core and devoid of empathy, the cashocrats routinely ignored the centrality to governmental policies of transcendent human beings.

This cashocracy's first cardinal error facilitated its second: Pragmatic corporatism. Ensconced in insular power, the cashocrats lived the lives of the rich and famous, despite their middling personal means, due to their newfound friends in the corporate and lobbying community. Cut off from Main Street, these cashocrats embraced K Street. The desire was mutual, and the corporatists' influence grew gradually but ineluctably. Closed within a corporatist echo chamber, the cashocrats became deadened to the tribulations and aspirations of real Americans, and came to measure the ''success'' of its pragmatic policies by their reception on K Street. Reams of measures spewed forth prioritizing the interests of multinational corporations over the needs of middle-class Americans.

□ 2130

In fairness, even without the Cashocrats' incessant inducements, blandishments and bullying, the majority of GOP members truly did feel they were promoting the interests of their constituents. This belief was insidiously sustained by the Cashocrats grafting their pragmatic corporatism onto the philosophy of economic determinism. It was not an unforeseeable development. Akin to their conservative brethren who after the fall of the Soviet Union proclaimed the ''End of History,'' House Republicans convinced themselves the ideology of democratic capitalism was an unstoppable deterministic force predestined to conquer the world; and on their part, they viewed their job as hastening its triumph and preparing Americans to cope with its consequences. Combined with the Cashocracy's insatiable need of corporate contributions for its sustenance, this adherence to ideological democratic capitalism reveals how the Republican House majority helped President Clinton (whom they had unknowingly come to emulate and likely loathe ever more because of it) grant the permanent normalization of trade relations to Communist China. With the enactment of this legislation, the Cashocracy reached its political zenith and moral nadir, for it did not shape globalization to suit Americans' interests; it had shaped Americans' interests to suit globalization.

The handsome rewards for such ''courageous'' legislation fueled the Cashocracy's third vice, avarice. The process was both seductive and simple, especially in a materialistic town forsaking the qualitative measurement of virtue for the quantitative measurement of money. While this temptation is to be expected in a city where politicians ''prove'' their moral superiority by spending other people's money, it was equally to be expected Republicans would collectively resist it.

They didn't.

Earmarks, which began as a cost-saving reform to prevent Federal bureaucrats from controlling and wasting taxpayers' money in contravention of express Congressional intent, spiraled out of control once the Cashocrats and their K-Street cronies realized the process could be manipulated to direct any appropriation, however undeserving, to any client, however questionable. In turn, political contributions materialized from the recipients of these earmarks for the Members on both sides of the aisle who dropped them into legislation, oftentimes without the knowledge of or the appropriate review by their peers. The passage of policy bills, too, increasingly mirrored the earmark process, as special interest provisions were slipped into the dimmer recesses of bills in the dead of night. The outcome of this fiscal chicanery was an escalation of the K-Street contributions the Cashocracy required to attain its aim of perpetuating itself in power; and of the illegal perks required to sate the more venal tastes of some morally challenged members who are now paying their debts to society.

Cumulatively, in addition to rendering it morally bankrupt, these three vices left the Cashocracy intellectually impotent. Tellingly, within this less than subtle and manifestly sinister system of earmarks and contributions, the Cashocrats greased the skids for their legislative ''favors'' by relegating the majority's younger Members to voting rather than legislating; ignoring these Members' qualitative virtues, ideals and talents; measuring these Members by the quantitative standard of how much money they raised; and, thereby, condemning these Members to the status of highly paid telemarketers. Having squandered this infusion of youthful energy and insight, the Cashocrats hailed the election of Republican President George W. Bush and handed him the Nation's legislative agenda.

At first, the Cashocrats' subordination of their separate, equal branch of government to the executive branch bore dividends. But by 2006, when the failures of the Iraq war's reconstruction policy and Hurricane Katrina's emergency relief torpedoed Bush's popularity, the latent danger to the Cashocrats of hitching their SUVs to the fortunes of a President was evident. Precluded from tying its vicarious popularity to Bush's coat tails, the Cashocracy teetered beneath the gale

force invective of the Democrats' campaign mantra the Congressional Republican majority was a ''culture of corruption'' slothfully fully content to rubber stamp the failed policies of an unpopular President. Panic stricken, the politically tone-deaf Cashocrats urged GOP members to tout America's ''robust economy'' and attack Democrats on national security issues. The innately materialist economic argument was doomed to fail because the ''robust'' economy was not to be found in regions like the Northeast and Midwest. The latter argument proved unconvincing to an electorate convinced Iraq and New Orleans were GOP national security fiascoes. And, finally, nothing could persuade an outraged electorate to return a Republican majority which, in the interests of perpetuating itself in power, failed to protect House pages from predatory Members of Congress.

By election day the public had concluded the Republican majority cared more about corporations than Americans; and when the tsunami hit, the Cashocracy crumbled down upon many now former GOP members who became the last, blameless victims of its stolid cupidity.

In hindsight, the Cashocracy would best have heeded President Theodore Roosevelt's warning: ''The things that will destroy America are prosperity at any price, peace at any price, safety first instead of duty first, the love of soft living, and the get rich quick theory of life.''

Straggling back to Washington for the Republican revolution's death vigil, the 2006 election's surviving GOP members bid anguished goodbyes to defeated friends and struggled to make sense of it all. Dazed and confused, some Members managed to grasp the reality of their newly minted minority, while some still grapple with it. Out of this former group, a distinct vision has emerged concerning how House Republicans can revitalize and redeem themselves in the estimation of their fellow Americans.

''Restoration Republicans'' are best considered Reagan's grandchildren. Like their Reagan-Democratic parents, Restoration Republicans were attracted to our party by the intellectual, cultural, and moral components and proven practical benefits of philosophical conservatism. Transcending talking points and political cant, these Restoration Republicans are devoted to restoring the human soul's centrality to public policy decisions; and focusing these policies on preserving and perpetuating the permanent things of our evanescent earthly existence which surpass all politics in importance.

The enduring ideals of Restoration Republicans are succinctly enumerated by Russell Kirk in his book, The Politics of Prudence:

One, conservatives believe that there exists an enduring moral order. Two, conservatives adhere to custom, convention and continuity. Three, conservatives believe in what may be called the principle of prescription, that is, of things established by immemorial usage. Four, conservatives are guided by the principle of prudence. Five, conservatives pay attention to the principle of variety. Six, conservatives are chastened by their principle of imperfectability. Seven, conservatives are persuaded that freedom and property are closely linked. Eight, conservatives uphold voluntary community, quite as they oppose involuntarily collectivism. Nine, the conservative perceives the need for prudent restraints upon power and upon human passion. And finally, 10, the thinking conservative understands that permanence and change must be recognized and reconciled in a vigorous society.

Given how the Cashocracy repeatedly violated these principles during its descent into oblivion, and how the Democrats' 2006 rallying cry was ''change,'' this 10th ideal merits deeper contemplation. For to understand it fully is to fully understand why Restoration Republicans, who are convinced we live amidst a crucible of liberty, proclaim our minority must emulate and implement the philosophical conservatism of Ronald Reagan and the fiery integrity of Theodore Roosevelt in the cause of empowering Americans and strengthening their eternal institutions of faith, family, community and country. Again, I quote from Kirk: ''Therefore, the intelligent conservative endeavors to reconcile the claims of permanence and the claims of progression. He or she thinks that the liberal and the radical, blind to the just claims of permanence, would endanger the heritage bequeathed to us, in an endeavor to hurry us into some dubious terrestrial paradise. The conservative, in short, favors reasoned and tempered progress. He or she is opposed to the cult of progress whose votaries believe that everything new necessarily is superior to everything old.

''Change is essential to the body social, the conservative reasons, just as it is essential to the human body. A body that has ceased to renew itself has begun to die. But if that body is to be vigorous, the change must occur in a regular manner, harmonizing with the form and nature of that body; otherwise change produces a monstrous growth, a cancer, which devours its host. The conservative takes care that nothing in a society should ever be wholly old and that nothing should ever be wholly new. This is the means of the conservation of a nation, quite as it is the means of conservation of a living organism. Just how much change a society requires and what sort of change depend upon the circumstances of an age and a nation.''

Kirk's words compelled Restoration Republicans to empathetically assess our Nation's age and circumstances, and ponder the direction and scope of the changes our American community requires. In making these determinations, Restoration Republicans draw parallels between, and inspiration from, America's greatest generation. Our greatest generation faced and surmounted a quartet of generational challenges born of industrialization: Economic, social and political upheavals; a Second World War against abject evil; the rise of the Soviet super-state as a strategic threat and rival model of governance; and the civil rights movement's moral struggle to equally ensure the God-given and constitutionally recognized rights of all Americans.

Today, our generation of Americans must confront and transcend a quartet of generational challenges born of globalization: Economic, social and political upheavals; a third world war against abject evil; the rise of the Communist Chinese super-state as a strategic threat and rival model of governance; and moral relativism's erosion of our Nation's foundational, self-evident truths.

The critical difference between the challenges conquered by the greatest generation and the challenges confronting our generation of Americans is this: They faced their challenges consecutively; we face our challenges simultaneously.

In response to these generational challenges to our free republic, Restoration Republicans have drawn upon the roots of their philosophical conservatism to affirm the truth America does not exist to emulate others, America exists to inspire the world, and to advance the policy paradigm of American excellence, which rests upon a foundation of liberty, and the four cornerstones of sovereignty, security, prosperity and verities.

Individually and collectively, American excellence's foundation and four cornerstones are reinforced by these policy principals: Our liberty is granted not by the pen of a government bureaucrat, but is authored by the hand of Almighty God. Our sovereignty rests not in our soil but in our souls. Our security is guaranteed not by the thin hopes of appeasement, but by the moral and physical courage of our troops defending us in hours of maximum danger. Our prosperity is produced not by the tax hikes and spending sprees of politicians, but by the innovation and perspiration of free people engaged in free enterprise. Our cherished truths and communal virtues are preserved and observed not by a coerced political correctness but by our reverent citizenry's voluntary celebration of the culture of life. Restoration Republicans conclude, therefore, that we must be champions of American freedom in this challenging new millennium to keep our America a community of destiny inspired and guided by the virtuous genius of our free people, and forever blessed by the unfathomable grace of God.

It will not be easy, given the root public policy question of our times. In the age of industrialization, President Theodore Roosevelt empathized with

Americans' feelings of powerlessness in the face of economic, social and political forces radically altering or terminating their traditional, typically agrarian lives. Writing years later in his book A Humane Economy, the economist Wilhelm Ropke examined the impacts upon human beings by these forces, which he collectively termed ''mass society'':

''The disintegration of the social structure generates a profound upheaval in the outward conditions of each individual's life, thought and work. Independence is smothered; men are uprooted and taken out of the close-woven social texture in which they were secure; true communities are broken up in favor of more universal but impersonal collectivities in which the individual is no longer a person in his own right; the inward, spontaneous social fabric is loosened in favor of mechanical, soulless organization, with its outward compulsion; all individuality is reduced to one plane of uniform normality; the area of individual action, decision and responsibility shrinks in favor of collective planning and decision; the whole of life becomes uniform and standard mass life, ever more subject to party politics, nationalization and socialization.''

In that industrial epoch, the root public policy question was how to protect Americans' traditional rights to order, justice and freedom from being usurped by corporate or governmental centralization.

□ 2145

The advent of virtual corporations and transient international capital has ended the old industrial welfare state model of governance, wherein solutions to Americans' economic and social anxieties were the shared burdens of centralized corporations and government. The stark choice is now between increasing the centralized power of the Federal Government or decentralization of power into the hands of individuals, families and communities.

In their urgency to replace their lost or slashed corporate benefits, Americans will be sorely tempted to further centralize the Federal Government to do it. But expanding the authority and compulsory powers of the Federal Government will be injurious to the American people. Big Government doesn't stop chaos; Big Government is chaos.

By usurping the rightful powers of individuals between its bureaucracy's steel wheels, highly centralized government alienates individuals and atomizes communities. Once more, Ropke speaks to the heart of the matter:

''The temptation of centrism has been great at all time, as regards both theory and political action. It is the temptation of mechanical perfection and of uniformity at the expense of freedom. Perhaps Montesquieu was right when he said that it is the small minds, above all, which succumb to this temptation. Once the mania of uniformity and centralization spreads and once the centrists begin to lay down the law of the land, then we are in the presence of one of the most serious dangerous signals warning us of the impending loss of freedom, humanity, and the health of society.''

Only liberty unleashes Americans to establish the true roots of a holistic American, the voluntary and virtuous individual, familial, and communal associations which invigorate and instruct a free people conquering challenges. In contrast, centralized and, thus, inherently unaccountable government suffocates liberty, order and justice by smothering and severing citizens' voluntary bonds within mediating, nongovernmental institutions, and so doing, stifles our free people's individual and collective solutions to challenges. In consequence, the temptation for more centralized government must be fought to prevent turning sovereign Americans from the masters of their destiny into the serfs of governmental dependency.

Fully versed in this verity, restoration Republicans have made their decision: power to the people. Thus, in this age of globalization, restoration Republicans vow to empower the sovereign American people to protect and promote their God-given and constitutionally recognized and protected rights; promote the decentralization of Federal Governmental powers to the American people or to their most appropriate and closest unit of government; defend Americans' enduring moral order of faith, family, and community and country from all enemies; foster a dynamic market economy of entrepreneurial opportunity for all Americans; and honor and nurture a humanity of scale in Americans' relations and endeavors.

Further, while these restoration Republicans will be releasing a more detailed program in the future, the above will form the basis of any concrete proposals brought forth.

Madam Speaker, my constituents are honest, hard-working and intelligent people who are bearing the brunt of the generational challenges facing our Nation. They have lost manufacturing and every manner of jobs due to globalization and, especially, the predatory trade practices of Communist China. Throughout these economically anxious times, they spend sleepless nights wondering if they will be able to afford to keep their jobs, their houses, their health care, their hopes for their children.

In the war for freedom, they have buried, mourned and honored their loved ones lost in battle against our Nation and all of civilization's barbaric enemies. And every day, they struggle to make sense of an increasingly perverse culture that's disdainful of and destructive to faith, truths, virtue and beauty, if the existence of these permanent things is even admitted.

True, my constituents differ on specific solutions to their pressing problems, but they do agree Washington isn't serving their concerns. They agree this storied representative institution is increasingly detached from the daily realities of their lives. And they remind me that when we enter this House, their House, we enter as guests who must honor the leap of faith they took in letting us in and allowing us to serve them.

With my constituents, I utterly agree. While it is not my purpose here to discuss the majority party, let me be clear as to my own. House Republicans have no business practicing business as usual. My constituents, our country and this Congress deserve better, and we will provide it.

Our Republican minority has Members who know America isn't an economy; America is a country. Our Republican minority has Members who know the only thing worth measuring in money is greed. Our Republican minority has Members with the heart to put individuals ahead of abstractions, people ahead of politics, and souls ahead of systems. Our Republican minority has Members who have seen sorrow seep down a widow's cheek and joy shine from a child's eye.

Yes, Madam Speaker, my Republican minority has Members who know our deeds on behalf of our sovereign constituents must accord with Wordsworth's poetic prayer: ''And then a wish: my best and favored aspiration mounts with yearning for some higher song of philosophic truth which cherishes our daily lives.''

It is these Republicans whose service in this Congress will redeem our party by honoring the sacred trust of the majestic American people who, in their virtuous genius, will transcend these transformational times and strengthen our exceptional Nation's revolutionary experiment in human freedom.

With these Republicans, I hereby throw in my lot and pledge my best efforts on behalf of my constituents and our country.

May God continue to grace, guard, guide and bless our community of destiny, the United States of America.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Madam Speaker, I come to the floor tonight to talk, as I often do, a little bit about health care, the state of health care in this country, where we are, where we've been, where we're going.

Tonight, I do want to focus on one particular issue that is before this Congress. It's a critical issue facing our doctors in this country who provide care for Medicare patients, because if this Congress does not act before midnight on December 31, those physicians are facing a rather significant reimbursement reduction, and that would have an adverse affect on their ability

to see patients, to care for patients and, indeed, would have an adverse effect upon access.

So I do want to spend some time talking about that, why that is the case and what we in this Congress can do about it and what we need to do about it. And again, that action has to take place prior to December 31 of this year. It's not something we can punt into next year and then come back and try to collect our thoughts and make another run at it. We have to fix it with the time we have remaining in this first half of this Congress.

Another issue that I want to address is the issue of the physicians workforce. Of course, the Medicare reimbursement rates directly affect the physician workforce, but we can't forget physicians who are at the very beginning of their training, physicians in residency, and we certainly can't forget those individuals who might even be contemplating a career in health care and how can we help them make the correct decisions.

I do want to talk a little bit and focus a little bit on medical liability reform because that does play an integral role in the overall quality and makeup of the physician workforce.

I'd like to talk a little bit about the history of medicine, some of the things that have happened in the last 100 years and some of the things I see just happening and just over the horizon as we begin the dawn of the 21st century.

And finally, I do think we need to talk a little bit about the status of the uninsured and, again, some of the other current events that surround health care in this Congress.

Madam Speaker, we pay doctors in our Medicare system under a formula known as the sustainable growth rate formula, and this has been the case for the past several years, and it has led to problems, certainly every year that I have been in this Congress, and I took office in January of 2003, and the problems actually predate that for some time.

The difficulty with that formula is it ties physician reimbursement rates to a number based upon the gross domestic product which, in fact, has no bearing on the cost of delivery and the volume and intensity of medical services delivered.

And Medicare, of course, many people know Medicare is supposed to be an integrated program but, in fact, in many ways it is high load. You have part A that's paid for with a payroll deduction just much the same as Social Security. Part A, of course, covers hospitalization expenses.

Part B covers physician expenses. That is paid for out of member premiums that citizens purchase every year, and it is paid for out of, 25 percent by law by the premium dollar and 75 percent comes out of general revenue.

Part C, the recently enacted Medicare prescription drug benefit, had money budgeted for that purpose. Remember that was all the fight of November of 2003 when we enacted that law, but money was actually on the budget and dedicated for that purpose. And those moneys exist and, indeed, are appropriated automatically year over year. I beg your pardon, part C is the Medicare HMO. Part D is Medicare prescription drug. Part C is funded again, likewise, out of the general Treasury.

Part A, part C and part D each have essentially a cost-of-living adjustment that's made every year. So that the cost of delivering the care doesn't exactly keep up, but it more or less keeps up with the costs and with medical inflation, but not so part B, which pays the physician. And the part B part of Medicare is governed under this sustainable growth rate formula.

And really, Madam Speaker, I know I'm not supposed to talk to Members directly, only supposed to address the Chair, and I will confine my remarks to the Chair, but just talking to the Chair, if I were able to talk to people directly, I know I run some risk of people turning off their televisions, but I do want to take you through what is known as the sustainable growth rate formula because I think it's instructive. Even though not every person can understand every nuance of the formula, I think it's instructive to actually look how the formula is constructed and how we come up with the dollar figure every year.

Madam Speaker, I know people who are particularly astute will notice there is a typographical error on this graphic. I would point out that the typographical error was actually made by the Congressional Research Service and not by my crack staff. Again, the very gifted will be able to pick that up right away, but we'll get to that in just a moment.

Here's the calculation of the payment formula under the physician's fee schedule. Here we see payment equals and here's a whole bunch of letters that follow along, and the explanations are given underneath the formula. The relative value unit for work versus, rather multiplied by a geographic index; a relative value unit for practice expenses, again multiplied by another fudge factor for geographical location and geographical practice expenses; a relative value unit for the cost of medical liability insurance, again also adjusted for geographic location; all multiplied then by what's called the conversion factor, CF, at the end. And this CV down here actually should say CF, and that would stand for ''conversion factor.''

Well, that's all very interesting, and obviously the conversion factor plays a big role in this, so let's just dig a little bit deeper into how that conversion factor or that adjustment factor is calculated. And here we see a sample calculation for the formula for the year 2007, and again, we won't get into all of the nuances of this formula, but you see the update adjustment factor, UAF, the prior year adjustment component plus a cumulative adjustment component, and the formula for 2007 is calculated as follows, where the target 2006 minus the actual spending in 2006 divided by actual spending in 2006 multiplied again by conversion factor.

I want to draw your attention, Madam Speaker, though, to the fact that every year the prior adjustment component, and then added into that is the cumulative adjustment component, that's significant, because every year for the past 5 years that I have been here the United States Congress has come in at the last minute, at the last minute with some way to prevent these physician cuts from going into effect.

But as the Congressional Budget Office calculates this number year over year, this cumulative adjustment component grows over time such that we are told in order to repeal the cost of repeal of the sustainable growth rate formula, when I first came to Congress in 2003 was around $118 billion over 10 years.

□ 2200

A pretty significant amount of money, no question about it. But that number has increased with every year that we have postponed the cut, that we have come in at the last minute, the last of December and prevented the cuts from happening. Those moneys actually don't just go away. The moneys that were to be saved in that cut don't just disappear. The Congressional Budget Office adds them onto the total expense of the repeal of the sustainable growth rate formula such that the price tag for repeal of the sustainable growth rate formula last year, the last session of Congress, when I introduced a bill to repeal the sustainable growth rate formula, was $218 billion. It increased almost $100 billion over 3 or 4 years' time, and this year is calculated to be $268 billion. If we do manage to get something done before the end of the year, those moneys again the Congressional Budget Office will add on with that cumulative adjustment component.

One last graphic on this issue is the calculation of the update of the conversion factor, where, again, we see the current year is equal to the prior year plus the conversion factor update. And the conversion factor update is calculated as being 1 plus the Medicare economic index increase divided by 100, multiplied by 1 plus the updated adjustment factor.

You can see this is pretty complicated stuff, and for that reason many Members, when you try to talk to them about changes in the sustainable growth rate formula, will just simply tune you out because we all have a little place where we put in our minds things that are too hard to deal with. And the SGR formula is one of those things that most Members will put into the too hard box. It's something that I have got to come back to later because I really don't understand it. And it is

an understandable human reaction to a situation that's terribly complex.

But, Mr. Speaker, let me just illustrate for you what will happen if Congress does not do its duty and does not do something to prevent the physician cuts, the Medicare payment cuts, that are already on line to occur January 1 unless Congress acts legislatively prior to that time. The Center for Medicare and Medicaid Services on November 1 of this year, after running through the formula, they said, okay, this year based on what we budgeted for and what the actual spending was, we are going to have to downwardly adjust physician payment rates by 10.1 percent. That's 10.1 percent, a pretty significant amount of money. If we don't do something, that's what is going to hit January 1.

You say, well, okay, Medicare payments aren't that great anyway and a lot of physicians' offices don't rely just strictly on the Medicare reimbursement they get to keep their doors open; so it won't really affect my doctor's practice. But one of the things that we forget in this House of Representatives, one of the things that we just conveniently again stash away in that part of our brains where we put things that are too hard, almost every commercial insurance company in the United States pegs their reimbursement rates to Medicare. So what happens when Congress or the Center for Medicare and Medicaid Services mandates a 10 percent physician fee cut in Medicare and we don't do anything to correct it before the end of the year? That has an extremely deleterious effect on almost every practicing physician's office in this country. There are very few who will be absolutely isolated from that. I realize some in academic medicine may not actually feel it. Some doctors who practice in federally qualified health centers may not see that or may not feel it. But the bulk of the practicing physicians, the men and women who are out there every day seeing us when we get sick, seeing our kids when they get sick, those are the ones who are going to feel the brunt of this inactivity by this Congress.

I bring this up tonight not because we were inherently any better at doing it when the Republicans were in charge, but it's so important to get this work done and to get it done in the limited time that we have left this year.

I introduced just this week a resolution in the House of Representatives, House Resolution 863 for those who are keeping score at home, and House Resolution 863 is a pretty simple bit of legislative language. I will be honest. It doesn't do a whole lot. It doesn't really save any money. It doesn't spend any money. It's more or less like sending a get well card to the doctors who participate in our Medicare system and take care of our seniors. But the sentiment, just like when you send a get well card, the sentiment is important. And for Members who feel they could sign onto this bill, I think it would send a powerful message to House leadership over the next several days if we could, in fact, put a number of names with this House Resolution because I think that would get the attention of leadership. Even though leadership is of the other party than myself, I think they would have to pay attention if the bulk of the Members of House of Representatives sign onto this resolution.

And the resolution, as most go, is multiple whereases followed by a ''resolved.'' And the resolved says that it is the sense of the United States House of Representatives to immediately address this issue, the physician pay cuts under SGR, and halt any scheduled cuts to Medicare physician payments and immediately begin working on a long-term solution, and implement it by 2010, that pays physicians a fair and stable way and ensures Medicare patients have access to the doctor of their choice.

Fairly simple language. What does it mean? It means stop the cuts, repeal the SGR. We know we can't repeal the SGR straight up right now, that it will take a time line in order to do that, and that is why I suggest 2010. I would be open to other suggestions. But that seems like a good time line for us to follow. It gives us a little over 2 years to get that done.

When we face a problem as complicated as the formula that I put up in front of you tonight, some of those things are just too difficult to tackle head-on all at once. So you need a near-term, a mid-term, and a long-term strategy to deal with these very complicated problems, and I have outlined it here tonight. The near-term, the short-term strategy, stop the cut. Find some money. There's plenty of money. In a $3 trillion budget, you tell me we can't find someplace to save some money in a $3 trillion budget to pay the doctors what they are fairly owed for taking care of the patients we have asked them to take care of.

So the near-term solution is stop the cuts. The mid-term solution is we sit down and work together with the common goal of the long-term solution, which is the repeal of the sustainable growth rate formula, and begin to pay physicians on the same sort of schedule that we pay our hospitals, that we pay our HMOs, that we pay our drug companies. Put them on a cost-of-living-type adjustment. It's called the Medicare economic index. It's not something that is unique to me. I didn't make it up. I didn't make up the term of how it is calculated. But this is a known number put out by the Medicare Payment Advisory Committee, and year over year it suggests a modest update in physician reimbursement to keep up with the cost of delivering care.

Let's be honest. From a Federal Government standpoint, Medicare reimbursement rates were never meant to match private insurance rates. Someone explained to me one time if you practice medicine and do a lot of Medicare, you're going to go broke. You'll just go broke a little more slowly because we bleed you to death more slowly. Not a pleasant analogy, but Medicare never has been designed to completely cover the cost of delivering the care. The problem is we have now ratcheted that number down so far that physicians across the country are honestly looking at the situation and saying I don't think that this is something that I can legitimately continue to do. I've got to find other ways to make a living.

It's House Resolution 863, and I do urge Members to look that up on-line. It's up on Thomas. Have a look at it and see if it is not something that you can't support because, again, I think it would send a powerful message to House leadership. If over the next several days prior to the time that we are slated to adjourn for this year, I think it would send a powerful message that Members of the House want this fixed. And I know they do because every time I talk to a Member of the House, whether it be on my side of the aisle or the Democratic side of the aisle, if you just ask a simple, straightforward question: Do you ever hear from your doctors? Do your doctors ever talk to you about what is happening to them in Medicare reimbursement? And the answer is almost immediately, Oh, yes, I hear it all the time. Do you have something that will fix that? And the answer is, Yes, sort of. I've got something that will focus our attention, I hope, on getting this problem resolved.

It's a shame we didn't take this up earlier in the year. I introduced several pieces of legislation to try to do that both in the last Congress and in this Congress. It's a shame we didn't take it up this year. It seems like many times this year we'd rather fight about almost anything we can think of to fight about and not solve the problems that the American people sent us here to solve. Well, here's one we can work on, and cosponsoring House Resolution 863 would go a long way toward moving us in that direction.

Let me just put up another slide, and this one is a little bit dated. This slide is a year old, and I should update it for the current year except that I don't know what is going to happen in the current year. But this is illustrative. This is demonstrative of what happens to physician reimbursement rates under the sustainable growth rate formula for physicians. And this is a comparative payment analysis of the various updates that have gone on since 2002, the year before I came to Congress. And this particular graph goes up through an estimated fiscal year 2007. And, again, actually it needs to be updated for this year.

But as you can see, Medicare Advantage plans, they're doing pretty good. Hospitals, it's up and down a little bit, but generally their market basket update that they receive every year is hitting about 3.6 to 3.8 percent, and all

in all the hospitals are doing generally well under that scenario. Nursing homes, a little less generous. And, again, it does bounce up and down a little bit. But as you can see, year over year a positive update, certainly a positive update that's in excess of 2 percent. And many times for nursing homes it approaches 3 percent.

But look over here at the doctors in 2002, and this was the last year I was practicing medicine. And sure enough, we got a 5.4 percent pay cut just right across the board for any Medicare procedure that we performed.

Now, for the next several years, 2003, 2004, and 2005, we did manage to find the money to provide a little bit of a positive update. Notice even in these years when physician practices were flush with cash from Medicare payments, they really never even approached what nursing homes were receiving in updates and certainly were nowhere near what hospitals and Medicare Advantage plans received. Medicare Advantage plans, I would point out, did not exist prior to 2004. That's why they start with that darker line there.

Then in 2006 there is nothing recorded on the physicians. We euphemistically termed that a zero percent update. Anything else that we do in the Federal Government, if we say we are going to hold you at level funding for this fiscal year, people would be coming out of the woodwork crying that's a cut, that's a cut because you're not keeping up with the cost of living. It didn't seem to bother us a bit to do that to America's physicians. But at least a zero percent update is a whole lot better than that what was originally proposed in 2007, which was, again, about a 5 percent negative update. We actually were able to stave this one off and keep that again at a zero percent update for 2007. And now for this next year, 2008, whatever color we decide to put on the bar for that will dip down to almost the bottom of the chart because a 10.1 percent negative update is going to have a significant deleterious effect, a significant pernicious effect on our practicing physicians. Again, our physicians that we have asked to take on the burden of seeing our Medicare patients.

Now, I do spend a lot of time on the floor of this House talking about physicians workforce issues. This is the cover of the March 2007 periodical that is put out by my State medical society, the Texas Medical Association, appropriately titled ''Texas Medicine.'' And the cover story last March was ''Running Out of Doctors.'' And this was a fairly significant graphic for me when I saw that at the time.

□ 2215

About a year before this publication came out, Alan Greenspan, in one of his last trips around the Capitol right as he was retiring as Chairman of the Federal Reserve Board, Chairman Greenspan came and talked with a group of us one morning. And the inevitable question came up, how are we ever going to find the funding for the unfunded obligations that Congress has taken on? How are we going to pay for Medicare when the baby boomers retire? And the Chairman thought about it for a moment and he said, you know, ''when the time comes, I trust that Congress will make the correct decisions, and that the Medicare program will continue.'' He stopped for a moment, thought some more, and then added to that, ''What concerns me more is, will there be anyone there to deliver the services when you want them?'' And that is one of the critical issues facing us today.

And of course it's this inequity in supply and demand, supply and distribution of the physician workforce that's driving a lot of the problems that we find in health care today. And no question it has some effect of elevating prices, and just the fact that it takes so long to get in to see some types of physicians. There was a very compelling article here in the Washington area a few months ago about the travails and toils a reporter had with trying to get their child in to see a pediatric neurologist. You hear these sorts of stories. I travel, not a lot, but some around the country to visit with medical groups in the country, and you will hear all those stories from all over the country. It's not unique to one geographic location.

Three bills that were introduced earlier this year to deal with physician workforce issues, H.R. 2583, H.R. 2584 and H.R. 2585. Now, H.R. 2585 deals with what I like to term ''the mature physician.'' So, it deals a lot with the sustainable growth rate formula and the inequities of the sustainable growth rate formula as it pertains to how the Federal Government compensates its medical workforce.

The thrust behind 2585 was to, again, take that short-term, mid-term and long-term approach to the problem such that we would fix the problem, we would stop the cuts in 2008 and 2009 and 2010. We would gear towards absolute repeal of the SGR formula. Again, remember I said that it's going to cost money when that time comes. And that has always been the difficulty when trying to talk to Members about, I want you to help me repeal the SGR. The next question always is, Well, how much does it cost? You tell them, and, oh, my gosh, it's a bridge too far. We've got other priorities and we just can't get there. Well, let me tell you a little secret. That money that we have to come up with to repeal the sustainable growth rate formula, guess what? We've already spent that money. We've already sent that money to physicians' offices across this country and they've already spent it.

So, it is merely a bookkeeping adjustment that the Congressional Budget Office has to make to reconcile its books to compensate for, remember, that cumulative index that I showed you, one of those earlier poster boards. That is the difficulty. It's essentially a bookkeeping entry that has not yet been made. The money has been spent, it's gone. It's not sitting somewhere in the Federal Treasury drawing interest. It is a bookkeeping entry that has yet to be made.

We have to take this on. We have to do this. It's the moral thing to do; it's the right thing to do. We want our Medicare patients taken care of. They are arguably some of the most complex clinical situations that a doctor encounters on a daily basis, and we ought to do the right thing.

Now, how do you do that and be able to encourage Members to look at this seriously when the published price tag is so large? When I initially tried to do this in the last Congress, a bill I introduced called 5866, when, remember the cost of repeal was $216 billion, I thought at that time perhaps the correct way to go about this was just to work on the repeal straight up, maybe look for the pay-fors later as we got toward the conclusion of the process. And I was hopeful that hospitals, nursing homes, other medical entities that draw on Medicare funding would perhaps come forward with their own suggestions of where savings could be made because I don't think there is a single person in this Congress who doesn't feel that there are some inefficient ways that the Federal Government spends money in the Medicare system, and perhaps if we collected those together, we could find the monies to help cushion the offset expense of repealing the sustainable growth rate formula. But I was wrong, no one was willing to come forward. And as a consequence, I never really got the traction or the momentum that I needed on 5866. And again, the 109th Congress ran out before we could get anything done.

So, early in this Congress I thought, I need to get something out there quickly. I need to get people to understand this problem. We certainly don't need to leave it until the last minute this year, but unfortunately that's what has transpired. So, the idea behind 2585, introduced earlier this year, was to get that concept out there earlier, get Members talking about it.

How was I going to approach it? Well, 2008 and 2009, remember, we don't repeal the SGR. So, many doctors looked at that and said, Well, if you don't repeal the SGR formula in 2008 and 2009, I'm going to take significant hits those years, and I can't afford to do that. But actually, there is another bookkeeping entry you can do; it's called readjusting or resetting the baseline on the SGR formula. And by doing that, you actually then can score a modest positive update for 2008 and 2009 for physicians who participate in this program. In fact, interestingly enough, in 2008, it's almost equal to the Medicare Economic Index update. In 2009, it's a little bit less than that, but still a positive update, a fairly generous positive update of just under 1 percent for 2009.

During those 2 years' time, the run-up to the repeal of the sustainable growth rate formula, we recognize that we are saving money, we are doing things better in medicine today than we did yesterday. And how do I know this? What is a metric that I can use? Well, the Medicare Trustees Report that came out in June of this year pointed out that the bad news is Medicare is still going broke, but the good news is it's going to go broke a year later than what we told you the year before. So in other words, somewhere along the line there had been some savings in the Medicare system. And where did that savings occur? Well, one of the places it occurred, as identified in the Trustees Report, was 600,000 hospital beds weren't filled in the year 2005 that were expected to be filled. Why weren't they filled? They weren't filled because, again, the doctors were doing things on a more timely basis, more accurate diagnoses, the whole ability to timely treat disease with the prescription drug benefit now available for seniors in the Medicare program. All of these things had a bearing, and as a consequence, more patients were treated as outpatients, treated in the doctor's office, perhaps treated in an ambulatory surgery center, perhaps treated in a day surgery center, but these patients were kept out of the hospitals, and so those hospitalizations were avoided.

Remember when I talked about the funding silos for Medicare. Although we will talk about Medicare as an integrated program, part A, which pays for the hospital expense, is funded out of a payroll deduction just like the FICA tax, just like Social Security. Part B is funded out of member premiums and general revenue. By law, only 75 percent of it can be funded out of general revenue; 25 percent of that number has to come from member premiums.

So, if we're saving money on the hospital side, we're saving money for part A. But why are we saving the money? We're saving the money because we're working better, smarter, faster in part B. So it would only make sense to have CMS identify those savings that right now are going on the books as savings for part A, identify those savings, aggregate those savings, collect those savings, and use them to offset the cost of repealing the sustainable growth rate formula in part B.

You know, remember, Madam Speaker, the lock box from the year 2000, in the Presidential race everyone was talking about a lock box and they were going to put Social Security in a lock box, and with all the discussion of whose lock box was bigger than whose? But we've still got the lock box. We can put these savings that we're creating in part A, put them in a lock box, 2 years later open it up, and we offset some of the cost of paying down the so-called debt in repealing the SGR formula.

There were some other things that I identified in the bill as other ways to perhaps enhance savings. Certainly we asked CMS to try to identify the 10 diagnoses where most of the money was spent, and let's really focus our efforts on those 10 diagnoses and see if we can't create greater and greater efficiencies in treating those 10 conditions that lead to the greatest expenditures in the Medicare system. And let's look honestly at what we can do on the preventive side. Remember what our mothers always taught us, an ounce of prevention is worth a pound of cure. If we want that pound of cure, let's go ahead and spend a little bit for that ounce of prevention on the front end so we don't have to spend so much for that pound of cure on the out end. And then let's take that pound of cure that we've saved and use it to offset the cost of repealing the sustainable growth rate formula.

Well, another way we could save some money is, any of the monies that are recovered by the Department of Justice, the Inspector General for Health and Human Services, and the so-called Medicare audits, money that is fraudulently taken from Medicare and then recovered, again, that's money that's stolen from part B. Let's not just put that money into the coffers of somewhere else. Let's let that accrue as part of the savings that we put in that lock box that we use to offset the cost of repealing the sustainable growth rate formula.

Two other things that I did in the bill, which I think are important as far as gaining some overall efficiency in the system, was added some voluntary positive updates for physicians who were willing to voluntarily participate in quality reporting exercises, and physicians' offices who were willing to voluntarily participate in improvements of health information technology.

We don't have, and certainly in Congress, certainly the Federal Government does not have all the answers as to what creates the perfect health information technology platform. In many ways, private industry is light years ahead of where the Federal Government is. And maybe, you know, Madam Speaker, some days, honestly, I just wonder if we should get out of the way with some of our regulatory burdens, some or our stark laws and let private industry develop these platforms, because clearly, in the last 5 years that I've been here, we've had a lot of talk, we've had a lot of bills introduced, we've had a lot of debate, we've even passed some bills in the House during the last Congress, but we are no closer to having any sort of a national standard for health information today than we were when I first got here 5 years ago. I believe the individual's name was William Brailer who was in charge of that project. He is now, unfortunately, no longer with Health and Human Services.

The project has, for all intents and purposes in my mind, been a disappointment, but it doesn't mean that health information technology has just been stagnant. Other stakeholders, other participants in the health care system in the United States have created and drafted and are working on their individual platforms. And at some point they will reach critical mass in the private sector where there will be general acknowledgement that, yes, this is the health information technology platform of the future and the one to which we all should subscribe. It would have been a useful function of the Federal Government had we been able to do that, but honestly, I don't see us there yet, and I don't see us there in the foreseeable future. You would think the Federal Government would have had a significant role to play in that because if you look at health care expenditures in this country, almost 50 cents out of every health care dollar that's spent in this country has its origin right here on the floor of the House of Representatives.

When you consider what we spend in Medicare, what we spend in Medicaid, what we spend in the VA system, what we spend in Indian health service, the Federal prison system, a lot of health care dollars are generated through the authorization, the appropriation process in this Congress. And as a consequence, Congress has a big stake in trying to get some efficiencies and some improvements. But in this instance, in developing the health information technology platform of the future, I almost think that we need to get out of the way and let the entrepreneurs, let the bright folks who can do these tasks, let them proceed with that.

Let me just talk about a couple of things that will illustrate that.

□ 2230

I will just tell you, Mr. Speaker, I did practice medicine for 25 years. In fact, I started medical school 30 years ago this year in 1974. I can't tell you that I was a big acolyte of electronic medical records when I was a practicing physician. I dabbled in it some. I would listen to people talk who came to sell us various packages.

We had to buy a new computer right before the Y2K scare where all of our computers were going to lock up at midnight and we wouldn't be able to get anything done the next day. So like everyone else, I went out and bought a new computer system. I asked what it would cost to add an electronic medical records package on to the basic computer system that I purchased for my five-physician office. The basic computer system itself cost about $60,000 or $70,000. Some other contracts we had to sign for maintenance and upkeep were not cheap. Adding a medical records package to that was 30 to $40,000 for a five-physician practice. Quite honestly, at the time, it seemed way too expensive for a small group such as mine to participate in. So I really wasn't sold on the concept of electronic medical records. Then in the end of August 2005, we saw probably the

worst hurricane to hit the United States that certainly has happened in recorded history, Hurricane Katrina that hit New Orleans, and then the subsequent flooding after the levees broke. Touring New Orleans 5 months later with the Energy and Commerce Subcommittee on Oversight and Investigations, we were permitted to go into the basement of Charity Hospital into their records room. This was the basement of Charity Hospital. You can see the temporary lighting that they have got strung along the ceiling. There is actually still, it doesn't show in this photograph, there is still water on the floor 5 months into this process. And you can see the paper medical records. There was shelf after shelf after shelf.

Remember that Charity Hospital was one of the venerable old institutions in this country. It was one of the hospitals that has trained many of the premier physicians in this country. Charity Hospital had been there for a long time. They had multiple racks and stacks of medical records. But look at these things. This isn't smoke damage. This isn't fire damage. This is black mold that is growing on the paper, on the manila folders and on the paper in the medical records. Clearly, these are medical records that in all likelihood now are lost to the ages. I don't know. The water was up to the top shelf when the building was underwater. A lot of the ink and writing may well have washed off. But you honestly could not ask someone to go in here and pull a record and provide you some of the medical information that might been contained therein, because clearly it would simply be too hazardous to ask anyone to go in there and retrieve it.

Well, when I visited the basement of Charity Hospital that day, I became a convert for recognizing that medicine does need to come into the 21st century. It is going to be expensive. There is going to be a learning curve for, again, mature physicians like myself to have to learn this new technology and to have to learn how to use a keyboard. But it would be an investment that we would have to make.

I think we have to pay for it. I don't think we can simply say to a doctor's practice, you are going to have to just do this. It is part of the cost of doing business. And although you can't attribute any direct revenue increase to the fact you are making this $100,000 expenditure for a five-physician practice, you are just going to have to spend the money. Well, we are probably going to have to help that. Number one, we are not paying doctors enough, anyway, and number two, if we ask them to go out and do this, there will be a lot of resistance, and a lot of practices just simply won't do it. They will drop out of Medicare and whatever insurance company requires electronic medical records.

If we pay for it, if we allow an increase in reimbursement for physicians who voluntarily undertake this kind of training and upgrade, I think that's a very reasonable return on investment. So included in the bill that I introduced to initially repeal the sustainable growth rate formula was a 3 percent positive update for physicians who voluntarily undertake to modernize their recordkeeping and to embark upon the 21st century sojourn of creating electronic medical records.

But I think that is the way we have to do it. It has to be voluntary. You can't force people to do these things. You can't force them to learn these techniques. You can't force them to devote the time necessary to learn these techniques. It does have to be done on a voluntary basis. That is the correct way to learn things, not through mandates, but through creating programs that people actually want and getting their participation voluntarily, not because the Federal Government has said thou shalt.

Now, it stands to reason that after a certain period of time, part of that funding for that infrastructure will be completed. And this positive update does go away after a period of time, but it does provide a bridge for physicians who are using paper records today. It provides them a bridge, an opportunity to go into a electronic medical record system.

The reason I spend so much time on this is we had introduced in the Senate last week a bill that would require electronic prescriptions. Well, it's a good idea. The theory is a sound one, electronic prescriptions. The Institute of Medicine says that doctors' handwriting is terrible. I am here to tell you mine is. The ability, though, to whip off a written prescription takes about 10 seconds. The time involved for filling out an electronic prescription, even on a little handheld is going to be somewhat longer than that, particularly at the beginning of the learning curve.

Well, the average physician practice as I had back in 2002, you would have to see between 30 and 40 patients a day in order to pay the overhead and have something to take home at the end of the day. You add a minute or 2 on to every patient's encounter, and that is going to be adding about an hour a day on to that physician's practice time, an hour that they are simply going to be filling out an electronic form for E-prescribing. Clearly, again, they have to be compensated for that time.

The bill that was introduced I think recognized that and said there would be a 1 percent update for doctors, a 1 percent bonus for doctors who indeed undertook that. Well, just doing a little bit of the math, a moderately complicated Medicare patient return visit probably didn't pay as much as $50 a visit, but let's say for the sake of argument that is what it paid. Well, a 1 percent bonus for that patient's encounter if you use an electronic prescription will be, what, 50 cents. So you can see about four of those patients in an hour's time, so that is an additional $2 an hour that we are paying for that. It doesn't seem like a lot. I say that, too, because you look at all of the various stakeholders and interest groups, the insurance companies, the pharmacy benefit managers, the community pharmacists who want this done see value in it, and they see the potential for deriving great value, particularly the vendors who are selling the electronic prescribing modules. There is going to be significant financial return for them.

So why are we low-balling it at the doctor's end with simply a 1 percent bonus? And then the other part of that concept that I found disturbing was, it was kind of billed as a carrot and stick approach, the carrot was the 1 percent bonus, the stick was when 5 years, 4 years or 5 years, I forget which, Doctor, if you're not doing this, we're going to penalize you 10 percent. So wait a minute. I go from if I do this, I am going to make an extra 50 cents on that patient encounter or $2 an hour additional if I do this. If I don't do it in a few years, I am going to be down $20 an hour for not participating. The inequity of that just strikes me as being, again, ''disturbing'' is probably the kindest word that I can use in this context. I honestly think while, again, I will agree with the theory, the application is flawed, and we have to think of a better way to do that. That is why when I was crafting 2585 it was a voluntary participation. It stayed voluntary.

I think if you show physicians that you are able to deliver something of value, eventually, we are a very competitive lot. That is why we become doctors. And we will want to have the practice that has the newest and latest and greatest, and if other physicians' offices, hey, they are doing this e-prescribing and it is great, by the time I get to the pharmacy after my doctor's visit, the order has already been e-mailed to the pharmacist, it's been filled, it is sitting there waiting for me, and the insurance stuff is already filled out, patients are going to see value in that, and they will begin to ask that of their doctors. But to do this in a terribly punitive way, I think we are going to drive more doctors out of taking care of our Medicare patients, and that really should not be our goal.

The two other bills I introduced dealing with the physicians workforce dealt with physicians who might be contemplating a career in health professions and dealt with physicians who were in their residencies. We recognize that we are facing a shortage of primary care doctors, a shortage of general surgeons, OB–GYNs, gerontologists. And these bills were geared toward getting more of those doctors to consider medical school, getting more of those newly minted doctors into residency programs near their homes. Because doctors do possess a lot of inertia, and if you train those doctors in the places where they are needed, they are likely to stay within a 50-mile, 100-mile radius of where they

have undergone that training. That is one of the thrusts of the article from the Texas Medicine piece, that doctors do tend to locate close to where they are trained, so if we can expand the number of primary care residencies in medically underserved areas with high-need residencies, we will find that we actually attract more physicians to those areas. That is a vastly preferable way of dealing with some of the manpower shortages than just simply telling people where they have to go.

Under the issue of medical liability reform, let me just share briefly some of the experiences we have had in the State of Texas because it has been a good story. The State of Texas in 2003 passed some reforms that were based off of the 1975 law that was passed in the State of California called the Medical Injury Compensation Reform Act of 1975, you see the acronym for Medical Injury Compensation Reform Act, and this has been an astounding success in the State of Texas. Medical liability insurers were leaving the State in droves. We were down to two liability insurers my last active year of practice 2002, and let me tell you, you don't get much price competition when you have only got two liability insurers in your State. By invoking this bill and passing a constitutional amendment that allowed the bill to stand placing a cap on noneconomic damages, $250,000 for the doctor, $250,000 for the hospital, $250,000 for a second hospital or nursing home, if one is involved, by trifurcating that cap for noneconomic damages, we really feel that we have a system in place that does adequately compensate patients who are injured, and at the same time provide some stability in the medical liability insurance market that they needed to be able to look to Texas as a place where they wanted to do business. And they have. They have come back to the State. We have got many more insurers now than we, in fact, had before the exodus started in the early 2000s.

Most importantly, they have come back into the State without an increase in premiums. Texas Medical Liability Trust, my old insurer of record, the premium reductions and the dividends paid back to their shareholders aggregate to about a 22 percent reduction in medical liability insurance. And mind you, my last year of practice, I recall medical liability premiums going up by significant amounts year over year over year, and now we have seen an aggregate 22 percent reduction since passage of this bill in 2003.

A lot of times when I talk about medicine, I talk about the fact that I am optimistic. I think medicine is on the cusp of a significant transformation. When you look at the last century, and there was kind of some instructive periods, the period of 1910 when, boy, we are really coming out of the dark ages of medicine. Prior to that time, the accepted methods of practice, blistering, burning and bleeding were what were practiced by physicians, and everyone thought you were a good doctor if you did those things. We were leaving those days behind. We were coming into the time of anesthesia, we were coming into the time of modern blood banking, vaccinations had become available, new ways of looking at public health and public sanitation. And at the same time, all those advances happening in the science of medicine, we had some social change that was occurring as well, and part of it occurred up here at the United States Congress with the commissioning of a group called the Flexner Commission. Ultimately they produced what was called the Flexner Report that directly addressed the discrepancies in medical training and in medical schools across the country. It was the standardization of medical school curricula as a result of the Flexner Report, and albeit that function was then taken over by States, but it was that standardization of medical curricula that allowed for medicine to capitalize on all those good things that were happening around that time.

Well, jump ahead to the middle of the 1940s, we are in the middle of the Second World War, penicillin had been discovered a few decades before, but it wasn't really commercially available because no one had really perfected the process.

During the war, an American company working in this country was able to produce penicillin on a scale never before imagined. It was cheaply commercially produced for the first time in 1943 or 1944 and, in fact, was available to treat our soldiers who were injured at the landing of Normandy, and many lives and limbs that otherwise would have been lost as a consequence of infection following those wartime injuries were, in fact, saved because of the introduction of penicillin. It went from being a laboratory curiosity to something that was readily available, inexpensive and available to almost any doctor practicing.

At the same time, cortisone, again introduced many years ago before but a commercial process developed by Percy Julian, a Ph.D. biochemist, an African-American that we honored in this House during the last Congress because of his contributions to medicine. He developed a way to mass-produce cortisone using a soybean as a precursor.

So suddenly you had an antibiotic and you had a potent anti-inflammatory. These two powerful medical tools placed into the hands of our practitioners in this country, and, again, at the same time you had a significant social change because of the Second World War and wage and price controls that President Roosevelt put into place to prevent inflation, those wage and price controls were putting a damper on employers being able to keep their employees satisfied and happy. So they said, look, can we offer benefits like retirement plans and health insurance. The Supreme Court weighed in and said yes, you can, and not only that, you can provide those as a pretax expense.

□ 2245

Well, suddenly you go just almost overnight to the era of employer-derived health insurance. And it was extremely popular, extremely popular. It persisted after the war was over and wage and price controls were removed. But, again, it was a time when the science of medicine was changing rapidly and the social structure around medicine was changing rapidly.

The same can be said for the middle 1960s. For the first time we had antipsychotic medications available. Prior to that, we had only restraints to treat people who were badly mentally ill. We also had the introduction of antidepressants.

We had the introduction of newer hypertensive drugs. Remember, just a generation before we lost our President, Franklin Roosevelt, to the ravages of unchecked hypertension. In the 1960s we could treat that.

At the same time, we had the introduction of Medicare and then subsequently Medicaid. Suddenly the Federal Government had a large and profound footprint and a profound influence over the practice of medicine.

Mr. Speaker, I think we are on the cusp of just such a transformational time right now. I think the changes occurring in information technology, the speed with which we learn things, is now unlike any time in this country's past.

Think of this: People are going to be able to go and with a relatively inexpensive test have their human genomes sequenced. They will be able to know, as more and more is found out about the human genome, what diseases may pose a risk for them in the future, what things they are not at risk for, powerful information that is going to be in the hands of our patients.

They are going to come to the office with this information in hand. It won't be a test that we order them to take or that we request them to take, but think of the difference in the practice of medicine. In the 1980s, I would tell someone a diagnosis. They would ask me what I was going to do about it. In the 1990s, I would give a diagnosis. They would go home, look it up on the Internet and come back and tell me what I was supposed to be doing about it. Now patients are going to come in with genetic information in hand say, this is what I am at risk for. What are you going to do to prevent it, doctor?

It will be an entirely different way, an entirely new paradigm, an entirely different way of approaching the practice of medicine, a transformational time. Yet, at the same time, if Congress does not, does not invoke the right policies, Congress is inherently a transactional body. We heard the House Policy Chairman talking about that in the last hour. Congress is inherently transactional. We redistribute income. We take things from one group

and give it to another. The transactional can become the enemy of the transformational.

Our former Speaker, Newt Gingrich, is famous for saying ''real change requires real change.'' I believe that to be true. I think that is his second principle of transformation. And, more to the point, this is a time of real change, and medicine is really changing under our feet. Whether we like it or not, whether we think we can control it or not, it doesn't matter. Medicine is changing. That real change requires us to change how we think about and how we approach these problems. The old ways, the SGR formulas of the 20th century, aren't going to work in the 21st century. They cannot be allowed to impede the incredible transformation that stretches before us.

Mr. Speaker, before I wrap up, I do want to mention one additional bill that I introduced recently, and Members may want to consider adding themselves as cosponsors. It is H.R. 4190.

This is an interesting bill, because we talk in this House about what are we going to do about the uninsured. And we all sit back and think big thoughts about what we are going to do about the uninsured. Well, H.R. 4190 actually moves that process along in kind of a different way.

H.R. 4190 would take health insurance benefits away from Members of Congress. Yes, it would provide a voucher to Members of Congress to buy health insurance, but we would no longer be participants in the Federal Employee Health Benefits Plan. We would become uninsured, and it would force us to look at the market, what is available for someone who doesn't have insurance.

It might cause us to be a little more clever about some of the things we do in our Tax Code, and perhaps we wouldn't be so punitive toward people who want to individually own their insurance policy as opposed to someone who wants to get it from their employer. So it would be an entirely different way for Members of Congress to approach this problem. Quite honestly, I don't expect a long line of cosponsors when I get back to my office later tonight, but I would like for Members to think about this.

It is terribly difficult for us to come up with solutions when we are sitting back in a situation where we are insulated, we are anesthetized, where we are never going to have to face those types of decisions and those types of problems that our constituents face on a daily basis.

We also need to be more careful about how we talk about people who are uninsured. We toss around numbers and basically use them as political bludgeons or political wedges. We need to be more specific when we talk about the specific demographic groups that are contained within that large number of people who are labeled ''the uninsured.''

A significant number, 10 percent in some estimates, are people who are university students or just graduated from the university. These are people who are generally healthy and relatively inexpensive to insure. We ought to find a way to make that happen. We ought to find a way to at least allow the possibility and ability for that demographic group to purchase insurance. Twenty percent of the number actually earn enough money to buy health insurance. They just don't see the reason or necessity in doing so.

A lot of that is cost driven. It is price driven. We have done things to insurance policies to make them so expensive. We are unequal in our tax treatment for individuals who want to individually own their policies.

We need to look at those things, because, again, if we made the product affordable, if we made it desirable, again, if we put products out there that people would actually want, then they are more likely to participate. I think that is vastly, vastly superior to simply saying there is going to be an individual mandate or a State mandate or an employer mandate where people will be required to line up and file into these programs.

Let's approach it differently. Let's create the programs so that people want them, rather than creating the condition that forces people into programs that maybe they want and maybe they don't want, but we will never know because we never ask.

But we can be more insightful. In fact, we can be more valuable to the American people if we will think about things in terms of who is involved in the demographics of that large group of the number of uninsured, and how can we best approach that in a way that we are producing or providing the environment for them to be able to have that insurance coverage that they desire.

Well, there is a lot left unsaid at this point. I do appreciate the indulgence of the Chair.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CLEAVER) to revise and extend their remarks and include extraneous material:)

Mr. CLYBURN, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. CLEAVER, for 5 minutes, today.

Mr. LARSON of Connecticut, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, December 19.

Mr. JONES of North Carolina, for 5 minutes, December 19.

Mr. LAHOOD, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ENGEL, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 793. An act to provide for the expansion and improvement of traumatic brain injury programs; to the Committee on Energy and Commerce.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 365. An act to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

H.R. 4252. An act 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.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on December 11, 2007 she presented to the President of the United States, for his approval, the following bills.

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.

H.R. 3315. To provide that the great hall of the Capitol Visitor Center shall be known as Emancipation Hall.

H.R. 3688. To implement the United States-Peru Trade Promotion Agreement.

H.R. 4118. 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.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, December 13, 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:

4522. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Watermelon Research and Promotion Plan; Assessment Increase [Doc. No. AMS-FV-07-0038; FV-07-701] received December 10, 2007, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4523. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Mango Promotion, Research, and Information Order; Amendment to Term of Office Provision [Docket No. AMS-FV-07-0042; FV-07-702FR] received November 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4524. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Citrus Canker; Movement of Fruit From Quarantined Areas [Docket No. APHIS-2007-0022-3] (RIN: 0579-AC34) received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4525. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Indian Tribal Land Acquisition Program Loan Writedowns (RIN: 0560-AG87) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4526. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus Thuringiensis Vip3Aa19 Protein in Cotton; Extension of a Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2007-0575; FRL-8340-4] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4527. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Ethalfluralin; Pesticide Tolerance [EPA-HQ-OPP-2005-0195; FRL-8342-2] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4528. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticide Tolerance Crop Grouping Program [EPA-HQ-OPP-2007-0766; FRL-8343-1] (RIN: 2070-AJ28) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4529. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule — Spinosad; Pesticide Tolerance [EPA-HQ-OPP-2007-0310; FRL-8339-8] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4530. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Sethoxydim; Pesticide Tolerance Technical Amendment [EPA-HQ-OPP-2006-0321; FRL-8153-5] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4531. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerance Technical Amendment [EPA-HQ-OPP-2006-0995; FRL-8134-6] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4532. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Isoxadifen-ethyl; Pesticide Tolerance [EPA-HQ-OPP-2005-0305; FRL-8156-6] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4533. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Cyprodinil; Time-Limited Pesticide Tolerance [EPA-HQ-OPP-2005-0119; FRL-8156-8] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4534. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — HUD Acquisition Regulation (HUDAR) Debarment and Suspension Procedures [Docket No. FR-5098-F-02] (RIN: 2535-AA28) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4535. A letter from the Chief Counsel, Bureau of Public Debt, Department of the Treasury, transmitting the Department's final rule — Offering and Governing Regulations for Series EE and Series I Savings Bonds, TreasuryDirect. — received November 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4536. A letter from the Director, Office of Legislative Affairs, Department of the Treasury, transmitting the Department's final rule — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks [Docket ID OCC-2007-00014] (RIN: 1557-AD02) received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4537. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Extension of Time Period for Quarterly Reporting of Bank Officers' and Certain Employees' Personal Securities Transactions (RIN: 3064-AD20) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4538. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Federal Student Aid Programs [Docket ID ED-2007-OPE-0134] (RIN: 1840-AC91) received November 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4539. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program (RIN: 1840-AC88) received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4540. A letter from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received November 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4541. A letter from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

4542. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Applications for Food and Drug Administration Application Approval to Market a New Drug; Revision of Postmarketing Reporting Requirements [Docket No. 2000N-1545 (formerly 00N-1545)] received November 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4543. A letter from the Director, OSHA Directorate of Standards and Guidance, Department of Labor, transmitting the Department's final rule — Employer Payment for Personal Protective Equipment [Dockets S-042 (OSHA docket office) and OSHA-S042-2006-0667 (regulations.gov)] (RIN No.: 1218-AB77) received November 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4544. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland, Pennsylvania, Virginia, West Virginia; Redesignation of 8-Hour Ozone Nonattainment Areas to Attainment and Approval of the Areas' Maintenance Plans and 2002 Base-Year Inventories; Correction [EPA-R03-OAR-2006-0353; EPA-R03-OAR-2007-0476; EPA-R03-OAR-2005-VA-0007; EPA-R03-OAR-2005-VA-0013; EPA-R03-OAR-2005-0548; EPA-R03-OAR-2006-0485; EPA-R03-OAR-2006-0682; EPA-R03-OAR-2006-0692; EPA-R03-OAR-2006-0817; FRL-8500-8] Received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4545. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of VOC Emissions from Consumer Products [EPA-R03-OAR-2007-0794; FRL-8500-6] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4546. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; [EPA-R05-OAR-2006-1021; FRL-8501-3] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4547. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments Extending the Applicability of Four Consumer and Commercial Product Regulations to the Fredericksburg Volatile Organic Compound (VOC) Emissions Control Area [EPA-R03-OAR-2007-0479; FRL-8500-9] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4548. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Georgia: Enhanced Inspection and Maintenance Plan [EPA-R04-OAR-2007-1059-200748a; FRL-8503-1] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4549. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; General Conformity [EPA-R07-OAR-2007-1055; FRL-8502-2] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4550. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Saint Regis Mohawk's Tribal Implementation Plan; [EPA-R02-OAR-2004-TR-0001; FRL-

8488-9] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4551. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Change in Deadline for Rulemaking to Address the Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder [EPA-HQ-OAR-2007-0120; FRL-8502-6] (RIN: 2060-A026) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4552. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Interpretation of the National Ambient Air Quality Standards for PM2.5 — Correcting and Simplifying Amendment [EPA-HQ-OAR-2001-0017; FRL-8502-3] (RIN: 2060-A059) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4553. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [OAR-2004-0091; FRL-8479-6] received October 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4554. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Mohegan Tribe of Indians of Connecticut [EPA-R01-OAR-2005-TR-0001; A-1-FRL-8491-7] received November 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4555. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District [EPA-R09-OAR-2007-1013; FRL-8496-7] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4556. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Scranton/Wilkes-Barre 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base Year Inventory [EPA-R03-OAR-2007-0605; FRL-8697-1] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4557. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; Emission Statements Reporting and Definitions [EPA-R01-OAR-2006-0704; A-1-FRL-8492-1] received November 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4558. A letter from the Associate Managing Director, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Comprehensive Review of the Universal Service Fund Management, Administration, and Oversight Federal-State Joint Board on Universal Service Schools and Libraries Universal Service Support Mechanism Rural Health Care Support Mechanism Lifeline and Link-Up Changes to the Board of Directors for the National Exchange Carrier Association, Inc. [WC Docket No. 05-195 CC Docket No. 96-45 CC Docket No. 02-6 WC Docket No. 02-60 WC Docket No. 03-109 CC Docket No. 97-21] Received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4559. 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. 08-13, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to United Kingdom for defense articles and services; to the Committee on Foreign Affairs.

4560. A letter from the Administrator, Agency for International Development, transmitting the semiannual report on the activities of the Inspector General for the period ending September 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4561. A letter from the Staff Director, Commission on Civil Rights, transmitting the Commission's Performance and Accountability Report for fiscal year 2007, pursuant to the Government Performance and Results Act of 1993 and the Office of Management and Budget Memorandum M-04-20; to the Committee on Oversight and Government Reform.

4562. A letter from the Chief Executive Officer, Corporation for National & Community Service, transmitting the Corporation's Report on Final Action as a result of Audits in respect to the semiannual report of the Office of the Inspector General for the period from April 1, 2007 through September 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4563. A letter from the Secretary, Department of Homeland Security, transmitting the semiannual report of the Inspector General for the period April 1, 2007 through September 30, 2007, pursuant to Public Law 95-452, section 5; to the Committee on Oversight and Government Reform.

4564. A letter from the Attorney General, Department of Justice, transmitting the Semiannual Management Report to Congress for April 1, 2007 through September 1, 2007 and the Inspector General's Semiannual Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4565. A letter from the Acting Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2007, through September 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4566. A letter from the Chairman, National Endowment for the Humanities, transmitting the Performance and Accountability Report for fiscal year 2007, as required by OMB Circular Number A-11; to the Committee on Oversight and Government Reform.

4567. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period of April 1, 2007 through September 30, 2007 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4568. A letter from the Assistant Director, Fisheries & Habitat Conservation, Department of the Interior, transmitting the Department's final rule — Injurious Wildlife Species; Black Carp (Mylopharyngodon piceus) (RIN: 1018-AG70) received October 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4569. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries (RIN: 0648-XD44) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4570. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Trawl Gear in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XD59) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4571. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Allocations in the Bering Sea and Aleutian Islands Management Area; Correction [Docket No. 0612242903-7445-03; I.D. 112006I] (RIN: 0648-AU48) received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4572. A letter from the Acting 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; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XC26) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4573. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Correction [Docket No. 070830493-7496-01; I.D. 082806B] (RIN: 0648-AV95) received October 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4574. A letter from the Acting 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; Pacific Cod in the Bering Sea and Aleutian Islands [Docket No. 070213033-7033-01] (RIN: 0648-XD14) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4575. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Hook-and-line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XD11) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4576. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No. 061109296-7009-02] (RIN: 0648-XC67) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4577. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Modifications of the West Coast Commercial Salmon Fishery; Inseason Action #8 and #9 [Docket No. 070430095-7095-01] (RIN: 0648-XC71) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4578. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Modifications of the West Coast Commercial Salmon Fishery; Inseason Action #10 and #11 [Docket No. 070430095-7095-01] (RIN: 0648-XC77) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4579. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Modifications of the West Coast Commercial Salmon Fishery; Inseason Action #5, #6 and #7 [Docket No. 070430095-7095-01] (RIN: 0648-XC69) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4580. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Modifications of the West Coast Commercial Salmon Fishery; Inseason Action #3 and #4 [Docket No. 070430095-7095-01] (RIN: 0648-XB09) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4581. 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-XD41) received November 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4582. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Highly Migratory Species Fisheries [Docket No. 0612243162-7541-02; I.D. 032607A] (RIN: 0648-AU77) received November 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4583. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Total Allowable Catch Harvested for Management Area 1A [Docket No. 061228342-7068-02] (RIN: 0648-XD55) received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4584. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries in the Western Pacific; Precious Corals Fisheries [Docket No. 0612242929-7490-02] (RIN: 0648-AT93) received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4585. A letter from the Under Secretary and Director, Department of Commerce, transmitting the Department's final rule — April 2007 Revision of Patent Cooperation Treaty Procedures [Docket No. PTO-C-2006-0057] (RIN: 0651-AC09) received September 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4586. A letter from the Chief, Regulatory Management Division, Office of the Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — New Classification for Victims of Criminal Activity; Eligibility for ''U'' Nonimmigrant Status [CIS No. 2170-05; DHS Docket No. USCIS-2006-0069] (RIN: 1615-AA67) received September 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4587. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's feasibility report and environmental assessment of the Flood Damage Reduction Project for the Roseau River, Roseau, Minnesota; to the Committee on Transportation and Infrastructure.

4588. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revision and Reformatting of Requirements for the Authorization to Use International Transport Standards and Regulations; Correction [Docket No. PHMSA-2005-23141(HM-215F)] (RIN: 2137-AE01) received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4589. A letter from the FMSCA Regulatory Ombudsman, Department of Transportation, transmitting the Department's final rule — Fees for Unified Carrier Registration Plan and Agreement [Docket No. FMSCA-2007-27871] (RIN: 2126-AB09) received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4590. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30521 Amdt. No. 3192] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4591. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30519 Amdt. No. 3190] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4592. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Recording of Major Repairs and Major Alternatives [Docket No. FAA-2007-2863 1; Amdt. No. 43-41] (RIN: 2120-AJ11) received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4593. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30564; Amdt. No. 469] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4594. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30568; Amdt. No. 3234] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4595. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30567; Amdt. 3233] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4596. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30566; Amdt. No. 3232] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4597. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30565; Amdt. No. 3231] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4598. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30563; Amdt. No. 3230] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4599. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30562, Amdt. 3299] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4600. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30560, Amdt. 3227] received November 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4601. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation, Ltd/ Model 750XL Airplanes [Docket No. FAA-2007-27865 Directorate Identifier 2007-CE-039-AD; Amendment 39-15191; AD 2007-19-01] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4602. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. FAA-2006-26043; Directorate Identifier 2005-NM-010-AD] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4603. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80E1 Series Turbofan Engines [Docket No. FAA-2007-28726; Directorate Identifier 2007-NE-32-AD] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4604. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA-2007-27776; Directorate Identifier 2006-NM-170-AD] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4605. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Avions Marcel Dassault-Breguet Model Falcon 10 Airplanes [Docket No. FAA-2007-27983; Directorate Identifier 2006-NM-192-AD; Amendment 39-15188; AD 2007-18-08] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4606. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piaggio Aero Industries S.p.A Model P-180 Airplanes [Docket No. FAA-2007-27975 Directorate Identifier 2007-CE-041-AD; Amendment 39-15187; AD 2007-18-07] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4607. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT9D-7R4 Turbofan Engines [Docket No. FAA-2005-23072; Directorate Identifier 2005-NE-38-AD; Amendment 39-15186; AD 2007-18-06] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4608. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330 and A340 Airplanes [Docket No. FAA-2007-29073; Directorate Identifier 2007-NM-179-AD; Amendment 39-15184; AD 2007-18-04] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4609. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A1, -3A2, -3B, and -3B1 Turbofan Engines [Docket No. FAA-2007-27687; Directorate Identifier 2000-NE-42-AD; Amendment 39-15179; AD 2007-07-07R1] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4610. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Enstrom Helicopter Corporation Model F-28A, F-28C, F-28F, TH-28, 280, 280C, 280F, 280FX, 480, and 480B Helicopters [Docket No. FAA-2006-26771; Directorate Identifier 2005-SW-07-AD; Amendment 39-15059; AD 2007-11-02] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4611. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada (P&WC PW535A Turbofan Engines; Correction [Docket No. FAA-2006-26112; Directorate Identifier 2006-NE-35-AD; Amendment 39-14837; AD 2006-24-08] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4612. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-300, 747-400, 747-400D, 747SR, and 747SP Series Airplanes [Docket No. FAA-2077-27525; Directorate Identifier 2006-NM-159-AD; Amendment 39-15089; AD 2007-12-11] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4613. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airplace; Beaver, UT [Docket No. FAA-2006-26364; Airspace Docket No. 06-ANM-12] received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4614. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Restricted Areas R-3702A and R-3702B; Fort Campbell, KY [Docket No. FAA-2007-27850; Airspace Docket No. 07-ASO-5] (RIN: 2120-AA66) received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4615. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Ruby, AK [Docket No. FAA-2007-28148; Airspace Docket No. 07-AAL-09] received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4616. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Noatak, AK [Docket No. FAA-2007-28147; Airspace Docket No. 07-AAL-08] received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4617. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Transfer of Duties of Former VA Board of Contract Appeals (RIN: 2900-AM73) received November 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4618. A letter from the Deputy Assistant Secretary Textiles and Apparel, Department of Commerce, transmitting the Department's final rule — Imports of Certain Cotton Shifting Fabric: Implementation of Tariff Rate Quota Established Under the Tax Relief and Health Care Act of 2006 [Docket Number: 070712324-7325-01] (RIN: 0625-AA74) received December 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4619. A letter from the Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule — Payment of Federal Taxes and the Treasury Tax and Loan Program (RIN: 1510-AB01) received October 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4620. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Payments Made by Reason of a Salary Reduction Agreement [TD 9367] (RIN: 1545-BH00) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4621. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.201: Rulings and determination letters. (Rev. Proc. 2008-7) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4622. A letter from the Branch Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 45H. —-Credit for Production of Low Sulfur Diesel Fuel (Rev. Proc. 2007-69) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4623. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Department's final rule — Returns Required on Magnetic Media [TD 9363] (RIN: 1545-BD65) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4624. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 995.-Taxation of DISC Income to Shareholders (Rev. Rul. 2007-64) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4625. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Trust Arrangements Purporting to Provide Nondiscriminatory Post-Retirement Medical and Life Insurance Benefits [Notice 2007-84] received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4626. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 419.-Treatment of Funded Welfare Benefit Plans 26 CFR 1.419-1T: Treatment of welfare benefit funds. (Also, 264, 7805; 301.7805-1.) (Rev. Rul. 2007-65) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4627. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Abusive Trust Arrangements Utilizing Cash Value Life Insurance Policies Purportedly to Provide Welfare Benefits [Notice 2007-83] received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4628. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.105: Examination of returns and claims for refund, credit or abatement; determination of correct tax liability. (Rev. Proc. 2007-62) received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4629. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Railroad Track Maintenance Credit [TD 9365] (RIN: 1545-BE90) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4630. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 61. -Gross Income Defined 26 CFR 1.61-1: Gross income. (Also 134, 140; 1.6041-1.) (Rev. Rul. 2007-69) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4631. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Payments from the Presidential Election Campaign Fund [Notice 2007-96] received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4632. A letter from the Branch Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Notification Requirement for Tax-Exempt Entities Not Currently Required to File [TD 9366] (RIN: 1545-BG38) received November 16, 2007, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

4633. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Information Reporting on Employer-Owned Life Insurance Contracts [TD 9364] (RIN: 1545-BG59) received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4634. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Payments from the Presidential Election Campaign Fund [Notice 2007-96] received November 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4635. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 42.—Low-Income Housing Credit (Rev. Rul. 2007-62) received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2537. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; with an amendment (Rept. 110–491). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER: Committee on Rules. House Resolution 869. Resolution providing for consideration of the joint resolution (H.J. Res. 69) making further continuing appropriations for the fiscal year 2008, and for other purposes (Rept. 110–492). 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. THOMPSON of Mississippi (for himself and Mr. WICKER):

H.R. 4457. A bill to establish the Mississippi Delta National Heritage Area and the Mississippi Hills National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. ELLSWORTH (for himself, Ms. VELÁZQUEZ, Ms. CLARKE, Mr. CUELLAR, Mr. HIGGINS, Ms. HIRONO, Mr. JOHNSON of Georgia, Ms. MOORE of Wisconsin, Mr. SESTAK, and Mr. SHULER):

H.R. 4458. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, 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. SHADEGG:

H.R. 4459. A bill to amend section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to allow public institutions of higher education to use the employment eligibility confirmation system established under that section to verify immigration status for purposes of determining eligibility for in-State tuition; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHADEGG (for himself, Mrs. MUSGRAVE, Mr. AKIN, Mr. DAVID DAVIS of Tennessee, Mr. FEENEY, Mr. PENCE, Mr. GINGREY, Mr. FORTUÑO, Mr. RYAN of Wisconsin, Mr. WELDON of Florida, Mr. MARCHANT, Mr. CAMPBELL of California, Ms. FOXX, Mr. KINGSTON, Mr. WILSON of South Carolina, Ms. FALLIN, Mr. ISSA, Mr. FRANKS of Arizona, Mr. PITTS, Mr. BROWN of South Carolina, Mr. DANIEL E. LUNGREN of California, Mr. BARTLETT of Maryland, Mr. WAMP, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. PUTNAM, Mr. SMITH of Nebraska, Mr. PAUL, Mr. BOUSTANY, Mrs. CUBIN, Mr. MILLER of Florida, Mr. SOUDER, Mr. RENZI, Mr. SESSIONS, Mr. HOEKSTRA, Mr. BURTON of Indiana, Mr. CANNON, Mr. HERGER, Mr. PLATTS, Mrs. MCMORRIS RODGERS, Mr. HENSARLING, Mrs. BACHMANN, and Mr. FLAKE):

H.R. 4460. A bill to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce; to the Committee on Energy and Commerce.

By Mr. MOORE of Kansas (for himself, Mr. BLUMENAUER, Mr. BISHOP of New York, Ms. GINNY BROWN-WAITE of Florida, Mr. KLEIN of Florida, Mr. HINOJOSA, Mr. MURPHY of Connecticut, Ms. BEAN, and Ms. MATSUI):

H.R. 4461. A bill to promote and enhance the operation of local building code enforcement administration across the country by establishing a competitive Federal matching grant program; to the Committee on Financial Services.

By Ms. GRANGER (for herself, Mr. KIND, Mr. WOLF, and Mr. KENNEDY):

H.R. 4462. A bill to authorize the award of a congressional gold medal on behalf of the Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th Century in recognition of their heroic and dramatic contributions to the Nation, and for other purposes; to the Committee on Financial Services.

By Mr. COSTELLO (for himself, Mr. MITCHELL, Mr. SHIMKUS, and Mr. WHITFIELD):

H.R. 4463. A bill to amend title 38, United States Code, to improve the quality of care provided to veterans in Department of Veterans Affairs medical facilities, to encourage highly qualified doctors to serve in hard-to-fill positions in such medical facilities, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, 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. PRICE of Georgia (for himself, Mr. BOEHNER, Mr. CANTOR, Mr. MCKEON, Mrs. BLACKBURN, Mr. AKIN, Mr. BAKER, Mrs. BIGGERT, Mr. BURTON of Indiana, Mr. CAMPBELL of California, Mr. DAVID DAVIS of Tennessee, Mr. DOOLITTLE, Mr. FEENEY, Ms. FOXX, Mr. GINGREY, Mr. GOHMERT, Mr. GOODE, Mr. HELLER, Mr. HERGER, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. MARCHANT, Mrs. MCMORRIS RODGERS, Mr. PAUL, Mr. PETRI, Mr. PLATTS, Mr. ROGERS of Kentucky, Mr. ROHRABACHER, Mr. SIMPSON, Mr. TANCREDO, Mr. WALBERG, Mr. WESTMORELAND, and Mr. YOUNG of Alaska):

H.R. 4464. A bill to ensure that an employer may require employees to speak English while engaged in work; to the Committee on Education and Labor.

By Mr. BISHOP of Georgia (for himself, Mr. KINGSTON, and Mr. SHULER):

H.R. 4465. A bill to reduce temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4466. A bill to extend the temporary suspension of duty on formulated product KROVAR IDF; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4467. A bill to extend the temporary suspension of duty on diuron; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4468. A bill to extend the temporary suspension of duty on N,N-dimethylpiperidinium chloride; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4469. A bill to extend the temporary suspension of duty on linuron; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself, Mr. KINGSTON, and Mr. SHULER):

H.R. 4470. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself, Mr. KINGSTON, and Mr. SHULER):

H.R. 4471. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself, Mr. KINGSTON, and Mr. SHULER):

H.R. 4472. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself, Mr. KINGSTON, and Mr. SHULER):

H.R. 4473. A bill to suspend temporarily the duty on certain acrylic synthetic staple fiber; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4474. A bill to suspend temporarily the duty on yarn of carded cashmere yarn coarser than 19.35 metric; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4475. A bill to suspend temporarily the duty on yarn of carded camel hair yarn; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4476. A bill to extend the temporary suspension of duty on yarn of combed cashmere or yarn of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4477. A bill to extend the temporary suspension of duty on yarn of carded cashmere of 19.35 metric yarn count or finer; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4478. A bill to extend the temporary suspension of duty on camel hair, processed beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4479. A bill to extend the temporary suspension of duty on waste of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4480. A bill to extend the temporary suspension of duty on camel hair, carded or combed; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4481. A bill to extend the temporary suspension of duty on woven fabrics containing 85 percent or more by weight of vicuna hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4482. A bill to extend the temporary suspension of duty on camel hair, not processed in any manner beyond the degreased or carbonized condition; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4483. A bill to extend the temporary suspension of duty on noils of camel hair; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4484. A bill to extend the temporary suspension of duty on fine animal hair of Kashmire (cashmere) goats; to the Committee on Ways and Means.

By Mr. COURTNEY:

H.R. 4485. A bill to extend and revise the temporary suspension of duty on Biaxially oriented polypropylene dielectric film; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4486. A bill to suspend temporarily the duty on 2-Oxepanone, homopolymer, oxydi-2,1-ethanediyl; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4487. A bill to suspend temporarily the duty on 2-Oxepanone, polymer with alpha-hydro-Omega-hydroxypoly (oxy-1,4-butanediyl); to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4488. A bill to suspend temporarily the duty on 2-Oxepanone, polymer with 2,2-bis(hydroxymethyl)-1, 3-propanediol; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4489. A bill to suspend temporarily the duty on 2-Oxepanone, homopolymer; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4490. A bill to suspend temporarily the duty on 2-Oxepanone,polymer with 1,4-butanediol; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4491. A bill to suspend temporarily the duty on 2-Oxepanone polymer, 1-3-isobenzofuranedione terminated; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4492. A bill to suspend temporarily the duty on 2-Oxepanone, polymer with 1,6-hexanediol; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4493. A bill to suspend temporarily the duty on 2-Oxepanone, polymer with 2-ethyl-2-(hydroxymethyl)-1,3-propanediol; to the Committee on Ways and Means.

By Mr. CULBERSON:

H.R. 4494. A bill to suspend temporarily the duty on 2-Oxepanone, polymer with 2,2-dimethyl-1,3-propanediol; to the Committee on Ways and Means.

By Mr. DAVID DAVIS of Tennessee:

H.R. 4495. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that the Impact Aid program of the Department of Education guarantees full funding under current formulas to local educational agencies in which the Federal Government owns at least 50 percent of the land; to the Committee on Education and Labor.

By Mr. DAVID DAVIS of Tennessee:

H.R. 4496. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that the Impact Aid program of the Department of Education guarantees that each eligible local educational agency receives at least the same percentage of the maximum payment under current formulas as the percentage of its land owned by the Federal Government; to the Committee on Education and Labor.

By Mr. LINCOLN DAVIS of Tennessee (for himself, Mr. SHADEGG, and Mr. SHULER):

H.R. 4497. A bill to amend title 10, United States Code, to direct the Secretary of Defense to prohibit the use of gambling devices on Department of Defense property; to the Committee on Armed Services.

By Mr. GRAVES:

H.R. 4498. A bill to amend title III of the PROTECT Act to modify the standards for the issuance of alerts through the AMBER Alert communications network to assist in facilitating the recovery of abducted newborns; to the Committee on the Judiciary.

By Mr. HERGER:

H.R. 4499. A bill to suspend temporarily the duty on certain musical instruments; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 4500. A bill to suspend temporarily the duty on certain compasses; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 4501. A bill to suspend temporarily the duty on certain Christmas tree lamps; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 4502. A bill to suspend temporarily the duty on certain Christmas tree lamps; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 4503. A bill to suspend temporarily the duty on certain ski equipment; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. REYES, Mr. CUELLAR, Mr. GENE GREEN of Texas, and Ms. JACKSON-LEE of Texas):

H.R. 4504. A bill to authorize the International Boundary and Water Commission to reimburse State and local governments of the States of Arizona, California, New Mexico, and Texas for expenses incurred by such a government in designing, constructing, and rehabilitating water projects under the jurisdiction of such Commission; to the Committee on Transportation and Infrastructure.

By Mr. HOLT:

H.R. 4505. A bill to suspend temporarliy the duty on NORBLOC 7966; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4506. A bill to suspend temporarily the duty on Fungaflor 500 EC; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4507. A bill to extend the temporary reduction of duty on palm fatty acid distillate; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4508. A bill to suspend temporarily the duty on Compound T3028; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4509. A bill to suspend temporarily the duty on Cetalox; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4510. A bill to extend the temporary suspension of duty on Dimethyl malonate; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 4511. A bill to extend the temporary suspension of duty on certain electrical transformers; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 4512. A bill to extend the temporary suspension of duty on certain electrical transformers; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 4513. A bill to extend the temporary suspension of duty on certain 6-volt batteries; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 4514. A bill to extend the temporary suspension of duty on certain 12-volt batteries; to the Committee on Ways and Means.

By Mrs. MCCARTHY of New York (for herself and Mr. CHABOT):

H.R. 4515. A bill to suspend temporarily the duty on 2-Hydroxypropylmethylcellulose; to the Committee on Ways and Means.

By Mr. PERLMUTTER:

H.R. 4516. A bill to require manufacturers of consumer products to provide information on their Internet website relating to the location where products are manufactured or assembled; to the Committee on Energy and Commerce.

By Ms. PRYCE of Ohio:

H.R. 4517. A bill to suspend temporarily the duty on 4-Vinylbenzenesulfonic acid, sodium salt hydrate; to the Committee on Ways and Means.

By Ms. PRYCE of Ohio:

H.R. 4518. A bill to suspend temporarily the duty on 4-Vinylbenzenesulfonic acid, lithium salt; to the Committee on Ways and Means.

By Ms. SCHWARTZ:

H.R. 4519. A bill to suspend temporarily the duty on pure dicumyl peroxide; to the Committee on Ways and Means.

By Mr. OBEY:

H.J. Res. 69. A joint resolution making further continuing appropriations for the fiscal year 2008, and for other purposes; to the Committee on Appropriations.

By Mr. SKELTON:

H. Con. Res. 269. Concurrent resolution directing the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 1585; considered and agreed to.

By Mr. CUMMINGS:

H. Res. 870. A resolution congratulating the 200th Anniversary of the University of Maryland School of Medicine; to the Committee on Education and Labor.

By Mr. GRAVES:

H. Res. 871. A resolution opposing the United States Sentencing Commissions decision to reduce crack cocaine sentences; to the Committee on the Judiciary.

By Mr. WICKER:

H. Res. 872. A resolution recognizing the ongoing work of The United States Sweet Potato Council and expressing support for designation of a ''Sweet Potato Month''; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LOBIONDO:

H.R. 4520. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 1998 through 2000; to the Committee on Ways and Means.

By Mr. LOBIONDO:

H.R. 4521. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 1998 through 2004; to the Committee on Ways and Means.

By Mr. LOBIONDO:

H.R. 4522. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered

from 1997 through 2005; to the Committee on Ways and Means.

By Mr. LoBIONDO:

H.R. 4523. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 2000 through 2005; to the Committee on Ways and Means.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. COURTNEY, Mr. YARMUTH, and Mr. COHEN.
H.R. 73: Mr. KLINE of Minnesota.
H.R. 165: Mr. KLINE of Minnesota.
H.R. 181: Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. FATTAH, Mr. FARR, and Ms. WOOLSEY.
H.R. 354: Mrs. JONES of Ohio.
H.R. 368: Mr. MARCHANT, Mr. MCGOVERN, and Mr. SMITH of Washington.
H.R. 406: Mr. CHANDLER.
H.R. 448: Mr. KLINE of Minnesota.
H.R. 460: Mr. WYNN.
H.R. 471: Mr. LATHAM.
H.R. 503: Mr. BILIRAKIS.
H.R. 506: Mr. ETHERIDGE and Mr. COLE of Oklahoma.
H.R. 567: Mr. ELLISON, Mr. STARK, and Mr. SIRES.
H.R. 689: Mr. GILCHREST.
H.R. 715: Mr. MCCAUL of Texas.
H.R. 736: Mr. KLINE of Minnesota.
H.R. 760: Mr. SIRES and Ms. KAPTUR.
H.R. 887: Mr. MORAN of Virginia.
H.R. 891: Mr. GUTIERREZ and Mr. KENNEDY.
H.R. 955: Mr. KLINE of Minnesota.
H.R. 971: Mr. CARNAHAN.
H.R. 1076: Mr. GEORGE MILLER of California.
H.R. 1082: Mr. FORTUÑO.
H.R. 1110: Mr. SESSIONS, Mr. GILCHREST, Mr. HINOJOSA, Mr. DELAHUNT, Mr. BACHUS, and Mr. SMITH of Nebraska.
H.R. 1125: Mr. RAMSTAD.
H.R. 1134: Mr. RENZI and Ms. ROYBAL-ALLARD.
H.R. 1188: Ms. VELÁZQUEZ.
H.R. 1190: Mr. ALEXANDER.
H.R. 1229: Mr. MANZULLO.
H.R. 1232: Mr. GONZALEZ and Mr. MCNERNEY.
H.R. 1293: Mr. MEEK of Florida and Ms. DELAURO.
H.R. 1295: Mr. KLINE of Minnesota.
H.R. 1343: Mr. HOLT.
H.R. 1359: Mr. HENSARLING, Mr. MACK, Mrs. MUSGRAVE, and Mr. KLINE of Minnesota.
H.R. 1524: Mr. BAIRD.
H.R. 1553: Mr. HARE and Mr. HONDA.
H.R. 1590: Mr. WATT.
H.R. 1621: Mr. GRIJALVA and Mr. FALEOMAVAEGA.
H.R. 1645: Mr. PERLMUTTER.
H.R. 1673: Mr. HONDA, Mr. MCNERNEY, Mr. GORDON, Mr. MAHONEY of Florida, Ms. SUTTON, and Mr. RYAN of Wisconsin.
H.R. 1726: Mr. TIERNEY.
H.R. 1747: Mr. MCDERMOTT, Mrs. MALONEY of New York, and Mr. SERRANO.
H.R. 1779: Ms. MOORE of Wisconsin.
H.R. 1843: Mr. COLE of Oklahoma, Ms. KILPATRICK, Mr. ANDREWS, and Mrs. MCMORRIS RODGERS.
H.R. 1953: Mr. KUCINICH.
H.R. 2032: Mr. KUCINICH.
H.R. 2045: Mr. COSTA.
H.R. 2049: Mr. HONDA.
H.R. 2087: Mr. DEFAZIO.
H.R. 2302: Mr. KLINE of Minnesota.
H.R. 2329: Mr. KLINE of Minnesota, Mr. CALVERT, and Mr. SESTAK.
H.R. 2370: Mr. MCNERNEY.
H.R. 2470: Mr. JOHNSON of Illinois, Ms. LEE, Mr. COHEN, Mr. HINCHEY, Mr. LANTOS, Ms. WATERS, Mr. VISCLOSKY, Mr. CAPUANO, Mr. STUPAK, Mr. SKELTON, Mr. SERRANO, Mr. TOWNS, Ms. KAPTUR, Mr. LANGEVIN, Mr. CLYBURN, Mr. LARSEN of Washington, and Ms. BALDWIN.
H.R. 2477: Mr. CARNAHAN.
H.R. 2485: Ms. KILPATRICK.
H.R. 2520: Mr. HOLT.
H.R. 2550: Mr. WILSON of South Carolina, Mr. ANDREWS, Mr. COBLE, Mr. HENSARLING, Mr. YOUNG of Florida, and Mr. DAVIS of Kentucky.
H.R. 2564: Mr. KLINE of Minnesota and Mr. JONES of North Carolina.
H.R. 2583: Mr. BRALEY of Iowa.
H.R. 2796: Mr. KLINE of Minnesota.
H.R. 2857: Mr. KLEIN of Florida.
H.R. 2896: Mr. CAPUANO.
H.R. 2898: Mr. WAMP.
H.R. 2914: Mr. WEXLER.
H.R. 2942: Mr. WYNN.
H.R. 3014: Mr. MARKEY, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, and Ms. SUTTON.
H.R. 3028: Mr. CHABOT.
H.R. 3029: Mr. DEFAZIO.
H.R. 3053: Mr. KLINE of Minnesota.
H.R. 3058: Mr. RADANOVICH, Mr. LARSEN of Washington, and Mr. DAVIS of Alabama.
H.R. 3090: Mr. MELANCON.
H.R. 3098: Mr. BERRY and Mrs. SCHMIDT.
H.R. 3182: Mr. FLAKE.
H.R. 3227: Mr. BAIRD.
H.R. 3232: Mr. OBERSTAR, Mr. HONDA, and Mr. ALTMIRE.
H.R. 3253: Mr. MORAN of Virginia.
H.R. 3298: Mr. YOUNG of Alaska and Mr. DEFAZIO.
H.R. 3326: Mr. ABERCROMBIE.
H.R. 3334: Mr. KUHL of New York.
H.R. 3337: Ms. WOOLSEY.
H.R. 3357: Mr. SIRES.
H.R. 3360: Ms. MCCOLLUM of Minnesota.
H.R. 3368: Ms. SLAUGHTER and Mr. HALL of Texas.
H.R. 3380: Mr. KAGEN.
H.R. 3391: Mr. RUSH.
H.R. 3434: Mr. BROWN of South Carolina, Mr. SMITH of New Jersey, and Mr. PICKERING.
H.R. 3452: Mr. MEEK of Florida.
H.R. 3453: Mr. ALLEN, Mr. BILBRAY, Ms. CLARKE, Mr. ISRAEL, Mr. MEEKS of New York, Mr. ROTHMAN, Ms. HERSETH SANDLIN, and Mr. TOWNS.
H.R. 3458: Mrs. EMERSON, Ms. BORDALLO, and Mr. WYNN.
H.R. 3531: Mr. CALVERT.
H.R. 3533: Mr. CONAWAY, Mr. MCCARTHY of California, Mr. GUTIERREZ, and Mr. BLUMENAUER.
H.R. 3537: Mr. MCCAUL of Texas.
H.R. 3563: Mr. MCCAUL of Texas.
H.R. 3609: Mr. CONYERS, Mr. CHABOT, Mr. SHERMAN, Ms. WATERS, and Mr. DOGGETT.
H.R. 3622: Mr. GONZALEZ, Mr. HIGGINS, and Mr. BUTTERFIELD.
H.R. 3637: Ms. HOOLEY and Mr. GORDON.
H.R. 3646: Mr. SMITH of New Jersey, Ms. BERKLEY, and Mr. WALBERG.
H.R. 3650: Mr. MARIO DIAZ-BALART of Florida and Mr. ROHRABACHER.
H.R. 3674: Mr. OLVER.
H.R. 3691: Mr. CRAMER.
H.R. 3698: Mr. KIRK.
H.R. 3700: Mr. MARSHALL, Mr. BLUNT, and Mr. MORAN of Virginia.
H.R. 3750: Ms. BALDWIN.
H.R. 3793: Mr. BILBRAY, Mr. BLUMENAUER, Mr. YOUNG of Alaska, Mr. MCCAUL of Texas, Mrs. MCMORRIS RODGERS, Mr. MICA, Mr. WHITFIELD, Mr. BROUN of Georgia, Mr. WALBERG, and Mr. BUCHANAN.
H.R. 3818: Mr. BOOZMAN.
H.R. 3828: Mr. SCHIFF, Mr. GONZALEZ, Mr. ENGLISH of Pennsylvania, Ms. LINDA T. SÁNCHEZ of California, Mr. CAPUANO, Mr. TERRY, Mr. AL GREEN of Texas, Ms. DELAURO, Mr. MCDERMOTT, and Mr. ABERCROMBIE.
H.R. 3865: Ms. SUTTON.
H.R. 3870: Mr. SIRES.
H.R. 3882: Mr. LINDER, Mr. ENGEL, and Mr. WOLF.
H.R. 3932: Mr. FRANK of Massachusetts.
H.R. 3934: Mr. BERMAN, Mr. BLUNT, and Mr. SIRES.
H.R. 3979: Mr. EHLERS and Mr. PAUL.
H.R. 3980: Mr. FATTAH.
H.R. 3987: Mr. MCNERNEY.
H.R. 3995: Mr. WALBERG.
H.R. 4001: Mrs. MCCARTHY of New York, Mr. JINDAL, Mr. SESTAK, Mr. SMITH of New Jersey, Mr. PORTER, Mr. JEFFERSON, Mr. KENNEDY, and Mrs. CHRISTENSEN.
H.R. 4007: Mr. MCDERMOTT and Mr. BRALEY of Iowa.
H.R. 4008: Mr. LIPINSKI.
H.R. 4040: Mr. SIRES, Mr. JOHNSON of Georgia, Mr. LAMPSON, Ms. HOOLEY, Mr. MAHONEY of Florida, Mr. REICHERT, Mr. ENGEL, Mr. POMEROY, Mr. MORAN of Virginia, Mr. MELANCON, and Mr. WELCH of Vermont.
H.R. 4041: Mr. BACHUS.
H.R. 4054: Mrs. GILLIBRAND and Mr. COSTA.
H.R. 4063: Ms. LEE and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4073: Mr. MCCAUL of Texas.
H.R. 4087: Mr. KING of New York, Mr. MCINTYRE, and Mr. BONNER.
H.R. 4088: Mr. TERRY, Mr. THORNBERRY, and Mr. ISSA.
H.R. 4091: Mr. MORAN of Virginia.
H.R. 4093: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. HINCHEY, and Mr. KIND.
H.R. 4172: Ms. DEGETTE and Mr. BAIRD.
H.R. 4185: Mr. HUNTER.
H.R. 4188: Mr. STARK and Mr. MORAN of Virginia.
H.R. 4193: Mr. BARRETT of South Carolina and Mr. FORBES.
H.R. 4196: Mr. COHEN.
H.R. 4206: Mr. CARNAHAN.
H.R. 4208: Mr. BLUMENAUER.
H.R. 4214: Mr. BOUCHER.
H.R. 4220: Mr. TERRY, Mr. ISRAEL, and Mr. LANTOS.
H.R. 4248: Mr. BOUCHER, Mr. WAMP, and Mr. REHBERG.
H.R. 4286: Mr. HONDA.
H.R. 4318: Mr. LEWIS of Georgia.
H.R. 4332: Mr. AL GREEN of Texas, Mrs. BIGGERT, Ms. WATERS, and Mr. GEORGE MILLER of California.
H.R. 4335: Ms. SCHAKOWSKY, Mr. HARE, Ms. KAPTUR, and Mr. REYES.
H.R. 4344: Mr. HOEKSTRA and Mr. SOUDER.
H.R. 4367: Mr. CLYBURN.
H.J. Res. 15: Mr. HOLDEN.
H.J. Res. 54: Mr. COSTA and Mr. STEARNS.
H.J. Res. 59: Mr. HODES, Mr. MICHAUD, Mr. ALLEN, Mr. SHAYS, Mr. COURTNEY, Mr. LARSON of Connecticut, Mr. KENNEDY, Ms. SHEA-PORTER, Ms. DELAURO, Mr. LANGEVIN, Mr. CAPUANO, Mr. OLVER, Mr. MARKEY, Mr. TIERNEY, Mr. DELAHUNT, Mr. MCGOVERN, Mr. LYNCH, and Mr. NEAL of Massachusetts.
H.J. Res. 68: Ms. LINDA T. SÁNCHEZ of California.
H. Con. Res. 2: Mr. DAVIS of Illinois and Mr. SERRANO.
H. Con. Res. 32: Mr. MICA, Mr. ROHRABACHER, Mrs. DRAKE, Mr. SAXTON, Mr. COHEN, Mr. GINGREY, Mr. MARSHALL, Mr. MCHUGH, Mr. DAVIS of Kentucky, Mr. WILSON of South Carolina, Mr. DAVIS of Kentucky, Mr. WILSON of South Carolina, Mr. MCGOVERN, Mr. KIRK, Mr. LAMPSON, Mr. TURNER, Mr. COBLE, Mr. HAYES, Mr. FORBES, Mr. TIAHRT, Mr. MCCAUL of Texas, and Mr. PATRICK MURPHY of Pennsylvania.
H. Con. Res. 137: Mr. MARCHANT.
H. Con. Res. 163: Mr. RAMSTAD and Mr. SESTAK.

H. Con. Res. 242: Mr. RUSH.

H. Con. Res. 244: Mrs. BOYDA of Kansas, Mr. HARE, Mr. SULLIVAN, and Mr. KAGEN.

H. Con. Res. 247: Mr. HINOJOSA, Mr. GRIJALVA, and Mr. ENGEL.

H. Con. Res. 250: Mr. JEFFERSON and Mr. MCNULTY.

H. Con. Res. 265: Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. SOLIS.

H. Con. Res. 267: Mr. WEINER, Mr. LINCOLN DAVIS of Tennessee, Mr. COSTA, Mr. MARCHANT, Mr. RYAN of Ohio, Mr. EMANUEL, Mr. FATTAH, Mr. DONNELLY, and Mr. STEARNS.

H. Res. 356: Mr. FORTUÑO.

H. Res. 537: Mr. ALTMIRE, Mr. BROWN of South Carolina, Mr. ETHERIDGE, Mrs. BIGGERT, and Mr. BURGESS.

H. Res. 543: Ms. WATERS.

H. Res. 620: Mr. KUCINICH and Mr. ISRAEL.

H. Res. 671: Mr. MCCAUL of Texas.

H. Res. 805: Mr. WILSON of South Carolina and Mr. TERRY.

H. Res. 815: Mr. HOLDEN, Mr. KIND, Mr. ORTIZ, Ms. SUTTON, Mr. REICHERT, Mr. LANTOS, and Mr. TIERNEY.

H. Res. 816: Mr. MILLER of North Carolina, Mr. ROSS, Mr. CONAWAY, Mr. YOUNG of Alaska, Mr. RAHALL, Mr. MOORE of Kansas, Mr. ALLEN, Mr. MCNERNEY, Mr. KIND, Mr. HIGGINS, Mr. MCDERMOTT, Mr. WU, Mr. KILDEE, Mr. GONZALEZ, Mr. GEORGE MILLER of California, Mrs. CUBIN, Mr. COOPER, Ms. HOOLEY, Mr. MARKEY, Ms. SOLIS, and Ms. BORDALLO.

H. Res. 821: Mr. ADERHOLT, Mr. GONZALEZ, and Mr. WILSON of South Carolina.

H. Res. 834: Ms. HIRONO and Mrs. GILLIBRAND.

H. Res. 838: Mr. LINCOLN DIAZ-BALART of Florida, Ms. ESHOO, Mr. GENE GREEN of Texas, Mr. MCNULTY, Mr. WICKER, and Mr. COHEN.

H. Res. 841: Ms. WOOLSEY, Mr. SCHIFF, and Ms. WATERS.

H. Res. 843: Mr. YOUNG of Florida, Ms. GRANGER, and Mr. TERRY.

H. Res. 852: Mr. MCCAUL of Texas and Mr. ELLISON.

H. Res. 863: Mr. YOUNG of Alaska, Mr. PORTER, Mr. GINGREY, Mr. BOUSTANY, Mr. ROSKAM, Mr. BURTON of Indiana, and Mrs. MCMORRIS RODGERS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. OBEY

H.J. Res. 69, making further continuing appropriations for the fiscal year, 2008, and for other purposes, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

202. The SPEAKER presented a petition of House of Representatives of the Republic of the Philippines, relative to House Resolution No. 12 expressing indignation and condemning the American tv series ''Desperate Housewives'' and demanding an apology from the producer; which was referred to the Committee on Energy and Commerce.