United States of America

# Congressional Record

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# House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. ISRAEL).

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*April 1, 2008.*

I hereby appoint the Honorable STEVE ISRAEL to act as Speaker pro tempore on this day.

NANCY PELOSI,
*Speaker, House of Representatives.*

## MORNING-HOUR DEBATE

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

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

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

## UNITED STATES-COLOMBIA FREE TRADE AGREEMENT

Ms. ROS-LEHTINEN. Thank you, Mr. Speaker.

The strongest argument that can be made for the U.S.-Colombia Free Trade Agreement is not that it is good for Colombia but that it is good for us. The U.S. has few barriers to trade, so currently most of Colombia's exports enter the U.S. with few or no restrictions. But Colombia has many barriers to our goods. This is what opponents of the agreement can't seem to grasp: The Free Trade Agreement will remove Colombia's barriers to U.S. goods. Of course Colombia will benefit economically but we will benefit more.

The second strongest argument is that our friends and enemies in this hemisphere are watching how we treat a loyal ally that is being threatened from many sides. If we do not pass this agreement, Mr. Speaker, and it is clearly in our interest to do so, the only possible conclusion that these countries can come to is that we made a deliberate choice to back away from an ally at this most crucial and critical time.

Mr. Speaker, this debate should be more about how this agreement will impact in a positive way our U.S. economy. An honest debate can have only one outcome—strong support for passage of the U.S.-Colombia Free Trade Agreement and as soon as possible.

The capital of Colombia is only 3 hours away from my district in Miami, Florida. The strong ties that have developed between our communities are symbolic of the enduring friendship that our Nation shares with Colombia. As Florida's seventh largest global trading partner, passage of the FTA has the potential to boost Florida's exports to Colombia by $161 million in just the first year. Also significant is the agreement's ability to support the creation of nearly 5,000 new jobs throughout the State within the first 3 years of its passage. The positive impact that this FTA could have for the prosperity and security of our two nations, and indeed the hemisphere as a whole, cannot be denied. Serving as the steadfast bulwark against radical, anti-American regimes throughout the region, Colombia has proven time and time again its commitment to respecting human rights and democracy.

Now it is time for us to step up, Mr. Speaker, and not only support Colombia's efforts but provide Americans here at home the opportunity to benefit from our trade relationship as well. We hope that this trade agreement will be before us as rapidly as possible.

## HONORING CESAR CHAVEZ'S BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. SIRES) for 2 minutes.

Mr. SIRES. Mr. Speaker, today I join my colleagues in celebrating the life of Cesar Chavez. Eighty-one years ago, Cesar Chavez began his life on March 31 and he continues to serve as an inspiration to thousands.

Cesar Chavez was a pioneer for civil rights and labor rights. He was a man that understood that in order to achieve change, sacrifices are necessary. Due to his hard work and dedication to his community, he successfully founded the United Farm Workers Union, the largest union protecting the rights of our country's many farm laborers. Currently, 10 States officially honor the memory of Cesar Chavez by celebrating a holiday in his name. My colleague, Congressman BACA, has introduced legislation, H. Res. 76, to establish a national Cesar Chavez Day to honor this important man through volunteer projects, educational activities, and cultural celebrations, among other events. I thank Congressman BACA for introducing this legislation and for helping to bring Cesar's life and legacy to the Members of Congress and to our constituents throughout the country. He truly is a national hero.

## UNITED STATES-COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

Mr. WELLER of Illinois. Thank you, Mr. Speaker. I join my colleague, ILEANA ROS-LEHTINEN of Florida, in



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urging the Speaker of the House to bring to this floor the U.S.-Colombia Trade Promotion Agreement, an agreement that's good for Illinois farmers, good for Illinois workers, and good for Illinois manufacturers.

Let me begin by asking some important questions. What nation in Latin America is the most longstanding democracy? The Republic of Colombia. What nation in Latin America is the United States' most reliable and dependable partner against narcotics and against terrorism? The Republic of Colombia. What nation today has the most popular elected official year after year after year in their own country? That is President Uribe of Colombia. The U.S.-Colombia Free Trade Agreement is a good agreement for my State of Illinois. We are a big winner, as is the United States.

In 2006, Illinois exported $214 million in exports to Colombia, but that's just the beginning. Why? Because Illinois exports, U.S. exports to Colombia are taxed by tariffs. But their exports to the United States are not taxed by tariffs. So right now trade is a one-way street. We want to make it a two-way street.

As a result of this trade agreement, 80 percent of U.S. exports that are currently taxed will be duty-free immediately. And as we know, our exports to other countries grow 50 percent faster with countries we have trade agreements with. So it's a win-win-win for American workers, American farmers, and American manufacturers. We want to be competitive with Asia.

We know Colombia is a reliable partner, our most important ally. We know Colombia is a longstanding democracy. We also know that President Uribe is popular. He was elected to stem the violence in Colombia. He was elected to push the FARC, the leftist narcotrafficking terrorist organization, out of the country. And he's made tremendous progress. And today because of his success in expanding government presence throughout the country, bringing stability and order and safety and security to Colombia, his approval rating in his own country year after year has been over 80 percent. Compare that to this Congress which has a 15 percent approval rating.

Now there are those who oppose this trade agreement and they are the same people who have opposed every trade agreement. They say not enough is done for labor. When the Peru and Colombia trade agreements were finalized, my Democratic friends said we needed to do more regarding labor rights. Both Peru and Colombia complied. And, of course, Peru has been ratified, but Colombia has not. Now they say that there's too much labor violence in Colombia. Well, let's look at the facts. Seventy-one percent of Colombians say they are more secure under President Uribe. Seventy-three percent of Colombians say Uribe respects human rights. Homicides are down 40 percent. Kidnappings are down 76 percent. In fact, the murder rate in Colombia today is lower than Washington, D.C., lower than Baltimore.

Here are the facts on labor violence: The last 2 years, President Uribe has hired 418 new prosecutors; 545 new investigators; created over 2,166 new posts overall in the Prosecutor General's office; and increased funding for prosecution of those who commit violent acts by 75 percent.

Carlos Rodriguez, president of the United Workers Confederation, said about these new posts: ''Never in the history of Colombia have we achieved something so important.'' Now when it comes particularly to labor leaders, President Uribe has allocated almost $39 million to providing bodyguards for protection for labor union leaders. One thousand five hundred union leaders and activists provided protection, the second largest protected group in the nation of Colombia. And it's been successful. In fact, no labor leader under this protection has lost his life or experienced violence.

As the Washington Post noted yesterday, the murder rate for labor activists is lower than the national rate for the rest of the country. So President Uribe has made tremendous progress in reducing violence. For those who point to labor activists being the subject of labor violence, he's made even greater success in reducing violence.

I would also note that the International Labor Organization has removed Colombia from its labor watch list and Colombia has agreed to permanent International Labor Organization presence in Colombia. Perhaps most telling, 14 Colombian labor union leaders have personally given their support to the Trade Promotion Agreement and they represent 79,000 organized workers. We continue to hear opposition with no explanation.

The bottom line is this is a good trade agreement. Colombia is our best ally. If you care about the future of Latin America, if you care about democracy, if you care about security, we need to bring the U.S.-Colombia Trade Promotion Agreement to this floor for a vote.

## MARKING CESAR CHAVEZ'S BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 2 minutes.

Mr. GENE GREEN of Texas. Thank you, Mr. Speaker, and colleagues.

Today I rise to honor a hardworking labor leader, Cesar Chavez, who founded the United Farm Workers Union and dedicated his life to promote nonviolence through boycotts and strikes that would protect farm workers from the dangers of pesticides, low wages, and the denial of fair and free elections.

I met Cesar Chavez in the 1970s when he came to organize farm workers in Texas. I was a young Texas State Representative and was inspired by his leadership then and as he inspires people today in this century.

Cesar Estrada Chavez was born on March 31, 1927, in Yuma, Arizona. It was 10 years later in 1937 that like many other migrant families, his parents lost their farm and their home. This was a hardship that led them to join thousands of other migrant farmer workers to toil in the California fields.

In 1944 Cesar Chavez enlisted in the U.S. Navy where he served and fought for the United States in the Pacific during World War II. He later married Helen Fabela and fathered eight children. Although Cesar Chavez was not able to complete high school because his family required his helping hands in the California fields, he not only endured the hardships of migrant working conditions but experienced the injustices that he later made into a personal crusade for the migrant farm workers.

His personal struggles as a migrant farm worker led him to find a nonviolent way to help Hispanic farm workers. In the 1950s, Cesar quietly began to study and work for the better working conditions of migrant workers. His persistent struggle to help Hispanics led him to organize the National Farm Worker group in Fresno, California. Cesar Chavez was one of the first Hispanic activists that begun what was a series of boycotts and strikes against California grape growers. Most notably, he called a boycott against Schenley Industries, a major California grape producer. His series of boycotts and strikes caused a national awareness that provoked the late Senate Robert F. Kennedy to criticize local officials after uncovering strikebreaking practices against farm workers. The National Farm Workers Union later reached a groundbreaking settlement with Schenley Industries that marked the first contract ever signed for farm workers in the United States.

This was a monumental achievement that the United Farm Workers would not have been able to accomplish without the hard work and determination of this courageous individual.

As the struggle to protect farm workers continued, Cesar Chavez even sacrificed his health several times by fasting. He saw his fight as a personal fight to end the terrible suffering of the farm workers and their children.

Cesar Chavez worked tirelessly to improve the lives of America's farm workers by securing their rights to organize and bargain collectively for fair working conditions. Chavez showed us that together we can make a safe and prosperous America with a strong and vibrant economy—an America with good jobs and good pay. Fifteen years after his passing, his life's work and legacy continues to inspire millions.

## CESAR CHAVEZ

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. BACA) for 5 minutes.

Mr. BACA. Mr. Speaker, I rise today in support of honoring Cesar Chavez,

an American hero, a role model, and an inspiration to many Americans. In this Congress I have reintroduced H. Res. 76, a resolution urging the establishment of a national holiday for Cesar Chavez. This resolution was introduced and supported by the United Farm Workers of America, Cesar E. Chavez Foundation, the Congressional Hispanic Caucus, and many other of my fellow colleagues. We are urging for a holiday to honor Cesar's memory and educate our youth and community about this remarkable yet humble leader who paved the way for many of us.

Cesar Chavez is a true American hero. He carried the torch for justice and freedom. He was a beacon of light for many of us Latinos in the community. His legacy will live on in our hearts and hopes and in our dreams. To quote him, si se puede, yes, it can be done.

This is the same cry we hear today, a cry of justice and equality and opportunity for all to have the American Dream here in the United States. Cesar represents the true essence of hope for many of us. From humble beginnings, Cesar was born near Yuma, Arizona, grew up in a migrant labor camp, and fought against the exploitation of workers at an early age.

In 1944, Cesar joined the United States Navy and honorably served his country as a veteran. With great courage and passion, he fought to preserve the principles of freedom and equality. He used this same courage and passion to stop the exploitation of workers.

Cesar was a trailblazer. In the early 1960s, he founded the United Farm Workers to gain nationwide attention of the exploitation of grape farmers, a too often forgotten labor force. He led his organization to increase protection for workers; to increase health and safety standards; to ban child labor from the field; to win fair wage guarantees; to fight against employment discrimination and the sexual harassment of female workers.

Cesar's dedication to social justice meant great sacrifices. This year marks the 40th anniversary of his famous public 25-day hunger strike calling for nonviolence. Cesar organized the farm workers to stand together and in one loud voice say, ''From this day, we demand to be treated like men and we should be respected as human beings. We are not slaves. We are not animals. We are not alone.''

I was lucky enough to be part of his funeral, attended by over 50,000 people. I also had the pleasure of meeting with Cesar Chavez on many occasions in the Inland Empire.

In his memory, the State of California in September of 1994 enacted a law designating March 31, Cesar's birthday, as a State holiday. However, Cesar's light reaches beyond California and across ethnic barriers and across income levels across our Nation. Ten States officially celebrate Cesar's birthday as a holiday. This month his legacy will be remembered publicly all across the Nation in over 25 States and over 35 cities. These nationwide actions are about respect, respeto.

For this reason, I continue to call for the respect of a great man, a trailblazer who changed the world by using nonviolence. Cesar taught us that all workers deserve respect and dignity. Cesar, a common man with uncommon vision; a humble leader that forged together national coalitions of students, middle-class consumers, religious groups, minorities and others.

The significance and impact of Cesar's life transcends any one cause or struggle. In 1994 he was posthumously awarded the Presidential Medal of Freedom, the highest civilian honor in America. And yet we should have a holiday for him.

His slogan, si se puede, yes, it can be done, still rings in the hearts of many Latinos and non-Latinos that it can be done and never give up because you can achieve whatever you want.

Yes, I say si se puede, one day Cesar Chavez will be honored, respected and remembered throughout this Nation with a holiday. This is only the beginning. Nationwide we are raising awareness of a great man who has honored our Nation, who has served our country and sacrificed himself for the betterment of others. We will keep his legacy alive.

## CESAR CHAVEZ

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SOLIS) for 2 minutes.

Ms. SOLIS. I thank the Speaker and I am very privileged this morning to pay special tribute and honor to the legacy of Cesar Estrada Chavez. Chavez dedicated his life to championing the rights of farm laborers and all working people and he did it through nonviolence. Recently I returned from a trip with the Speaker to India where I visited a memorial to Mahatma Gandhi and I recall that moment thinking about the nonviolence that was also expressed by Cesar Chavez in his movement to fight for dignity and respect for poor people, for people that were being oppressed.

Like Gandhi, Chavez believed that nonviolence is one of the most powerful tools to achieve change, including social and economic justice. Chavez was a follower also of Martin Luther King, Jr. believing in the power of prayer and spirituality. I have been inspired by the works of Cesar Chavez and also by the cofounder of the United Farm Workers, Dolores Huerta, and with that had introduced a resolution in this House to pay tribute to Dolores Huerta, one of the highest ranking members of the UFW. Yet until this day, we have not been able to bring that resolution up and I wonder why. And I ask the question—why can't this House also pay tribute to a strong leader, a female, who represents the workers? Also with that in mind, I introduced legislation, the Cesar Estrada Chavez Study Act, H.R. 359, that did pass out of this House, that would for the first time authorize the Department of Interior to study public lands important to the life and history of Cesar Chavez through the National Park Service. Right now that bill has made its way out of the House and is over at the Senate. I would ask that the Senate Members there take action on the bill as soon as possible.

We should be grateful and never forget the accomplishments and achievements of Cesar Chavez to improve civil rights for every single American and those individuals who work and toil in the fields. Let us not forget the fruits and vegetables that we receive on our table come from those very farm workers here who may not even today have the same protections that Cesar Chavez worked so hard for.

## CESAR CHAVEZ

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. GRIJALVA) for 2 minutes.

Mr. GRIJALVA. Thank you, Mr. Speaker, and I rise with my colleagues today to remember a great American on his birthday. Cesar Chavez was born 83 years ago and would have been 83 years old yesterday. He devoted his entire life to the betterment of this Nation and to its people. He gave voice to the voiceless. In working with the farm workers, in organizing their union, in fighting for their dignity, respect and equal treatment on the job, he worked for farm workers who were not considered equals in any sense. He gave voice to the voiceless.

And in these times when we see these disturbing trends going on in our Nation, where even on the floor of this great people's hall we hear disturbing trends where people are marginalized, demonized, dehumanized because of who they are and the circumstances of their life, these disturbing trends should remind us of Cesar's legacy. His legacy was not about creating a situation where people are treated less than but creating a society where people were treated as equals, with respect and with dignity. Cesar insisted on the best for us and on the best in us. He insisted on a sense of faith about the future and our families and our Nation. He insisted on tolerance, that we as human beings should understand and respect each other and with that respect comes understanding and with that respect comes a better nation.

He insisted on equality, that all humans are created equal under our Constitution, all people are created equal under our Constitution, and he fought his entire life to make that value a reality for all of us.

So when we celebrate his birthday and we celebrate his legacy, let us not forget that Cesar's legacy is a living legacy, a legacy that calls upon us day

after day to continue his work, to forward his vision and to make this Nation the best it can be and to make ourselves the best we can be.

## CESAR CHAVEZ

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. SALAZAR) for 2 minutes.

Mr. SALAZAR. Thank you, Mr. Speaker.

Today, Mr. Speaker, I am proud to support legislation honoring a great American on his 81st birthday, Cesar Chavez. Cesar Estrada Chavez is best known as a farm worker, labor leader and civil rights activist.

Born in Yuma, Arizona, of Mexican descent, Chavez became a champion for his fellow farm workers. Among his many achievements, Cesar Chavez was cofounder of the United Farm Workers Association with fellow activist Dolores Huerta. This association provided farm workers with a voice that they so desperately needed. Mr. Speaker, as a lifetime farmer, I can appreciate the sacrifices made by Chavez and his supporters. My oldest brother, Leandro Salazar, the oldest of our family, marched with Cesar Chavez in California for nearly 2 years.

We believe that forcing workers to endure this labor under dangerous working conditions and without fair pay is absurd. The most horrific sight that you can ever see is farm workers working out in the field and an aerial applicator coming down upon them and spraying pesticides on them. He worked to make sure that those things did not happen again.

We cannot stand by when a laborer is forced to work even as pesticides are being sprayed on the field he or she is working in. His dedication to the cause of worker rights and equality addressed the needs of blue collar men and women across this Nation.

Mr. Speaker, his example inspires us to work together to improve the quality of life for all Americans.

## CESAR CHAVEZ

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 2 minutes.

Ms. LEE. Thank you, Mr. Speaker.

I rise this morning in strong support, first of all, of H. Res. 76, a resolution to create a national holiday in honor of a great human being, Cesar Chavez.

Mr. Speaker, already nine States celebrate his life. I am proud that California was the first. The legacy that he left on the history of this Nation must be recognized. He made a difference, not only for Latinos, not only for migrant workers but for the poor and the working poor, and he also built a coalition of conscience across racial and economic boundaries, just as his cofounder, a great woman and a good friend, Dolores Huerta, has.

I am reminded today of the political support that Cesar provided me during my first California campaign for the California legislature. He truly helped me make and win my first election and for that I am deeply grateful.

I had the privilege to attend his funeral with Congressman BACA in Delano, California. As I marched behind his humble wooden casket, I was reminded of the fact that one person who stood for nonviolence can and could and did make a difference.

The Martin Luther King Freedom Center in Oakland, California, studies the lives of great freedom fighters such as Dr. Martin Luther King, Jr. and also Cesar Chavez. The young people of our country and especially in my district are getting to know this human being who really did live a life committed to justice and freedom for all. I urge my colleagues to join us in supporting this growing movement for a national holiday in honor and in memory of this great civil and human rights leader. He is such an important historical figure in our Nation.

Si se puede, yes, we can create a country of liberty and justice for all. Cesar Chavez showed us how to do it. He showed us with his gentle and kind spirit. He showed us with his tough love. He showed us how to march. He showed us how to care about those, the least of these, who had no voice. And for that this country owes him a debt of gratitude and I can think of no other way than to honor him by passing H. Res. 76.

## RECESS

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

Accordingly (at 10 o'clock and 59 minutes a.m.), the House stood in recess until noon.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. JONES of Ohio) at noon.

## PRAYER

Jeri B. Greenwell, National Chaplain, American Legion Auxiliary, offered the following prayer:

Almighty God, we praise You for Your goodness to our Nation. Instill in these Members of the House virtues of integrity, character, and courage; always responsive to Your direction, aware of Your grace, and guided by what is right.

Illuminate their path with the light of Your companionship. Open their eyes that they will see goodness in that which they hope to achieve; their ears so they will hear the will of the people; and their hearts that their actions will show compassion toward all.

Continue to bless America and the members of our military, whose sacrifices allow us to enjoy our many freedoms. Unify us not as conservatives, moderates or liberals; but as one Nation under God, indivisible with liberty and justice for all.

In You, O God, we forever place our trust.

Amen.

## THE JOURNAL

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

Mr. BUTTERFIELD led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## WELCOMING GUEST CHAPLAIN JERI B. GREENWELL

The SPEAKER pro tempore. Without objection, the gentleman from Maine is recognized for one minute.

There was no objection.

Mr. MICHAUD. Madam Speaker, I rise today to welcome and recognize Ms. Jeri Brooks Greenwell as today's guest chaplain. Ms. Greenwell is from Bethel, Maine, and is a member of the West Paris Congregational Church. She's also the National Chaplain of the American Legion Auxiliary.

Ms. Greenwell has dedicated much of her adult life in community service. She has been an active member of the Legion Auxiliary since 1974, holding numerous positions. Her service extends deep into her community. Ms. Greenwell is a life member of the Bethel Historical Society, a former Literacy Volunteer, a member of the Maine's Children Alliance, a member of the Maine Handicapped Skiing Veterans Program, and a National spokesperson for the National Meningitis Association.

Ms. Greenwell is joined by other members of the American Legion. I would like to welcome them as well. I am proud that Ms. Greenwell is my constituent, and it is an honor to have her deliver today's prayer.

## PASS FISA FIX

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

Mr. WILSON of South Carolina. Madam Speaker, it's been over 40 days since the Protect America Act expired and our Nation's ability to defend itself

was jeopardized. Before Congress left for a 2-week recess, the majority leadership brought a bogus bill to the floor that narrowly passed the House of Representatives, that probably will never see the light of day in the Senate, and most assuredly would be vetoed by the President. They knew this. And yet they chose a flawed piece of legislation over a bipartisan fix to the FISA loophole.

There is a bill that has been supported by a bipartisan majority of Senators, including the chairman of the Select Senate Committee on Intelligence, the Department of Justice, the White House, our Intelligence Community, and publicly by Democrats in the House. Rather than take the necessary steps to protect American families by holding a vote on this legislation, the majority leadership has chosen to try and discredit the entire issue and claim that all is well. The American people know better and deserve better.

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

## OUR TROOPS IN IRAQ

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

Mr. GEORGE MILLER of California. Members of the House, this country has given the best of its young men and women in the battle in the war in Iraq and much of its treasure on the theory that we were fighting terrorists in Iraq so that we would be safer at home, on the theory that we were fighting terrorists in Iraq to eradicate them. We have lost over 4,000 young men and women in that battle, and tens of thousands of more seriously wounded, and almost $1 trillion of our treasure. Yet, this last week we saw our troops were not called upon to go against insurgents, to go against al Qaeda. They were called upon to enforce one side of an election battle of Shias against another band of Shias.

Our troops were put into battle over this last week because there was a fear by the Maliki government that the Supreme Council of Iraq would lose an election in Bosra. So they declared a battle against Muqtada al-Sadr's supporters in Bosra. They were unable to do it. They were unable to effectively carry it out. And they didn't force American troops into that battle.

Our troops should not be engaged in trying to square the field for the election advantage of one group of Iraqis over another. That is what elections are about, that is what democracy is about. But it should not be with the lives of our troops and the treasure of this country.

## EASTER IN IRAQ

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

Mr. POE. Madam Speaker, after returning from Iraq over the Easter weekend, I want to report my observations. The military situation is progressing positively with the Iraqi Security Forces, the National Police, and the new-found group of citizen soldiers called the Sons of Iraq doing ever improving job of securing their own nation.

The Iraqis and the U.S. troops are working better together as both nations use their troops in combined patrols. U.S. Commander and Four Star General Petraeus understands not only the military situation, but the complex political situation as well. The Iraqi government is showing signs of more stability than it has in previous months.

My observations of the U.S. troops: they have very high morale, a strong sense of purpose, and are well trained and ready to meet U.S. objectives in Iraq. The most notable concern I saw was the ever increasing interference and influence of Iran. The Iranians are funding insurgents and supplying weapons from small arms to rockets to any group that will cause chaos. It appears Iran wants instability in Iraq to further its own political and military objectives.

The U.S. presence in Iraq is necessary to prevent the circling Iranian vulture from preying on the peoples of Iraq.

And that's just the way it is.

## ROCKY MOUNT SOLDIERS KILLED IN IRAQ

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

Mr. BUTTERFIELD. Madam Speaker, three members of the Army National Guard's 1132nd Military Police Company based in Rocky Mount, North Carolina, were recently killed in support of our Operation Iraqi Freedom after an improvised explosive device detonated near their vehicle.

Twenty-seven-year old Sergeant David B. ''Blake'' Williams, of Tarboro, North Carolina, was from my district. He was serving a second tour of duty in Iraq, and was recently awarded a second Army Commendation Medal for his exceptional service during combat duty.

A few moments ago, Madam Speaker, I spoke to Susan Legett Williams, the mother, and Mary Beth Williams, the sister, to express not only sympathy from the Congress of the United States of America but to express appreciation from a grateful Nation.

May God bless the entire Williams family during this difficult time in their lives.

## THE COOPER-WOLF SAFE COMMISSION ACT: A PROPOSAL WITH TEETH

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

Mr. WOLF. Madam Speaker, last Tuesday the annual Social Security Medicare Trustees Report was issued, and not surprisingly, drawing the same dismal conclusions it did last year. We have all heard the statistics about the demographic challenge retirement of the Baby Boomers generation presents. But what are we doing about it?

I am disappointed that this Congress and this administration continue to turn a blind eye toward the country's unsustainable financial path. The American people cannot afford to have this issue languish in partisan gridlock. Americans should know the longer we wait to get our fiscal house in order, the harder and more abrupt the changes will be for America's younger generation.

I am challenging all of us to be part of the solution so we can tell our children and our grandchildren that while serving in Congress, we did everything in our power to protect their futures. Please cosponsor the Cooper-Wolf SAFE Commission Act, which will put everything, entitlement spending, tax policy, and all other Federal programs on the table, and require action on controlling the long-term spending.

## CHILDREN'S HEALTH CARE

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

Mr. CARSON of Indiana. Madam Speaker, on Sunday I held a children's health care rally at the Martin Luther King Community Center in Indianapolis, Indiana, and met with parents like Brandy Briscoe. Brandy goes to school full time and is raising her 2-year-old son, Elijah. When he was born, he had no health insurance. Today, thanks to the State Children's Health Insurance Program, Elijah and 130,000 other children in Indiana have the health care they need and deserve.

We know that Elijah and Brandy are two of the lucky ones. In Indiana, tens of thousands of children don't have health care. Their parents wonder what they will do if their child gets sick and needs a doctor. These parents and their children are counting on us to act.

So, on Sunday, I pledged to my constituents that I would be a voice for children and families and will continue to fight to cover more children through the Children's Health Insurance Program. I make this pledge with the knowledge that this House has worked long and hard on children's health care in the past. But we cannot let these difficulties dissuade us from doing right by our children.

I am proud today to cosponsor the Children's Health First Act, and I look forward to working with Democrats and Republicans to craft the kind of compromise that moves us forward into the future.

## COLOMBIA TRADE PROMOTION AGREEMENT

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

Mr. SMITH of Nebraska. Madam Speaker, now that we are back in Washington, I am looking forward to passing a trade accord with Colombia. The agreement should be brought up before the House as soon as possible. Over 90 percent of U.S. imports from Colombia now enter our country duty-free. The agreement will provide U.S. companies and ag producers with duty-free access to the Colombian market.

Colombia's market grew by 7 percent last year, and is already a top global export market for U.S. crops such as corn and cotton. With the trade accord in place, U.S. exports are projected to rise by more than $1 billion per year. The time is right. Opening new markets and strengthening existing ones is tremendously important to Nebraska's Third Congressional District and our Nation as a whole. It is my priority to help Nebraska's producers and industries continue to compete and succeed in the global market. I urge my colleagues to do the same.

## BUSH ADMINISTRATION WILLING TO BAIL OUT BEAR STEARNS BUT NOT STRUGGLING FAMILIES

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

Mr. ALTMIRE. Madam Speaker, last month the Bush administration approved the Federal bailout of an investment giant, Bear Stearns. You would have thought that the crisis on Wall Street would have opened the administration's eyes as to what is happening on Main Street. Reminiscent of Herbert Hoover, President Bush continues to oppose any efforts by this Congress to address the extreme hardships of Americans struggling in today's economy. House Democrats have crafted a foreclosure prevention package that would help stabilize the housing market, and Senate Democrats have similarly been working on legislation to help struggling families keep their homes. But rather than support such efforts, President Bush has threatened to veto the bill, and Senate Republicans voted to block it from even coming to the floor for a vote.

Madam Speaker, it's time President Bush and Republicans recognize that the crisis affects Main Street as well as Wall Street, and they should join us in our efforts to help families hard hit by this economy.

□ 1215

## SUPPORT THE U.S.-COLOMBIA TRADE PROMOTION AGREEMENT

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

Mr. WELLER of Illinois. Madam Speaker, I rise to urge the majority leadership to bring to the floor the U.S.-Colombia Trade Promotion Authority Agreement. It is a good agreement. The question is, who is Colombia? It is the longest-standing democracy in Latin America, it is the United States' most reliable and best partner in counterterrorism and counter-narcotics, and, frankly, it is an important ally of the United States.

This trade agreement is good for the U.S., it is good for Colombia. Right now, Colombian products come into the United States, and they come in basically duty-free without any taxes. Our products going to Colombia suffer taxes. Under this trade promotion agreement, 80 percent of those duties and taxes are eliminated immediately. It is good for Illinois workers, Illinois manufacturers and Illinois farmers.

There are those who oppose this agreement. The Washington Post probably said it best yesterday in their editorial when they stated their support for the U.S.-Colombia Trade Promotion Agreement. They noted, ''The agreement is currently being held hostage by Members of the House who argue that Colombia, despite a dramatic drop in its overall murder rate, doesn't deserve this.''

The bottom line is, President Uribe has greatly reduced violence. The murder rate is lower than in Baltimore or Washington.

## BUSH ADMINISTRATION WILLING TO BAIL OUT BEAR STEARNS BUT NOT STRUGGLING FAMILIES

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

Mr. CARNAHAN. Madam Speaker, while the Bush administration has had no problem bailing out Wall Street firms at taxpayers' expense, it has opposed efforts to help ordinary homeowners. As many as 2.8 million Americans could lose their homes in the next 5 years due to the subprime mortgage crisis. Housing prices have dropped so much that homeowners' debt on their houses exceeds equity for the first time since 1945, and now more than 10 percent of homeowners have mortgage loans that are larger than the value of their homes.

These troubling signs have been before the administration for many months, but they have refused to bring forth a proposal to address them until yesterday, and that mainly addresses only regulatory issues.

Fortunately, this Congress did not follow the White House's lead. This House has already passed legislation this year that would expand affordable mortgage loan opportunities for families at risk of foreclosures.

Madam Speaker, this is only the beginning. We can't do this alone. The President must finally recognize there is a problem and be willing to sign these bills into law when they get to his desk.

## PASS THE U.S.-COLOMBIA FREE TRADE AGREEMENT

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

Mr. RYAN of Wisconsin. Madam Speaker, if there was ever an equivalent of what we call a no-brainer in Congress, it is the Colombian Free Trade Agreement. Congress needs to bring this to the floor and pass this agreement. Why? Colombia already has free access to the U.S. market, but we don't have access to their market. Let me say that again. They already have free access to United States markets. We ought to be able to get the same fair trade in their market.

Number two, Colombia is our ally in fighting the drug trade. It is a democracy that is in a tough neighborhood that is helping us defeat the narcoterrorists, helping us cut off the drugs.

I had the pleasure of going to Colombia 3 weeks ago to see the progress, to see the democracy, to see the things they are doing to help individuals, to demilitarize the narcoterrorists and the paramilitary organizations. Colombia is lifting up their people from poverty. They are helping us in a difficult neighborhood.

More important, for our Wisconsin soybean growers, corn growers, dairy producers and manufacturers, it will create more jobs in Wisconsin because we will be able to sell more of our products to Colombia if they treat us like we are treating them. That is why we should pass the free trade agreement with Colombia.

## BUSH ADMINISTRATION PROPOSAL ON CREDIT CRISIS NOT NEARLY ENOUGH

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

Ms. CASTOR. Madam Speaker, in these challenging economic times, Americans everywhere are feeling the negative impact of President Bush's economic policies. More Americans are looking for work, millions have lost their homes or they are at risk, gas prices are at an all-time high, and in Florida property insurance is out of sight.

Now, the House has already taken action to address these issues, the housing crisis, credit, gas prices, but the Bush administration has been silent, or they have been actively opposed. That is until yesterday, when Treasury Secretary Paulson finally offered a proposal. But one bank analyst back home cautioned that the proposal is a political ploy. The Bush administration is just trying to reassure consumers that it has the financial crisis under control. ''All he's doing is moving the deck chairs,'' he said.

Well, I am very concerned as well that the announcement falls short in one key area. It does not address the immediate needs of American homeowners facing imminent foreclosure and the impact on our neighborhoods and communities.

We are going to work over the next few months for real action, as opposed to President Bush's hands-off approach.

## CAUTIOUS SUPPORT FOR THE UNITED STATES GLOBAL LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, MALARIA REAUTHORIZATION ACT OF 2008

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

Mr. PENCE. Madam Speaker, HIV/AIDS is a pandemic that has affected more than 60 million people worldwide. Today, 70 percent of the people in the world who are afflicted with HIV/AIDS reside in Africa. Thanks to the leadership of President George W. Bush and bipartisan leadership here in Congress, tomorrow we will consider the Lantos-Hyde United States Global Leadership Against HIV/AIDS bill.

The Bible tells us to whom much is given, much is expected. I believe we have a moral obligation to rise to this global crisis. Because the United States can render timely assistance, I believe that we must. But it is imperative that we not only send our resources, but we also send them in a manner that is consistent with our values.

It is my hope, Madam Speaker, that when the bill comes tomorrow, it will preserve the careful balance between American resources and American values that we forged in the Foreign Affairs Committee. We cannot permit PEPFAR to become a mega-funding pool for organizations that are anathema to millions of Americans.

I urge the Speaker and the Rules Committee today, preserve the careful bipartisan balance in PEPFAR and bring that compromise to the floor.

## DEMOCRATIC BUDGET PRIORITIZES THE NEED TO STRENGTHEN OUR ECONOMY

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

Mr. ARCURI. Madam Speaker, at a time of serious economic uncertainty, Democrats have passed a 2009 Democratic budget last month that invests in Federal programs that will boost our economy.

In February, our economy shed 63,000 jobs in fields across-the-board. In order to compete in the new economy, we need to invest in innovation, energy, education and infrastructure, and that is exactly what this Democratic budget does.

Our budget provides crucial funding for the Democratic innovation agenda and the America Competes Act to enhance our competitive edge by increasing funding for important math and science education research. We also increase funding for efficient and renewable energy programs so we can create the green collar jobs of the future. Our budget also invests $7.1 billion more than the President for essential education and job training programs that are so important at a time when Americans are losing their jobs.

Madam Speaker, the Democratic budget strives to build a better economy without raising a penny in additional taxes.

## CONGRESS SHOULD APPROVE THE U.S. TRADE PROMOTION AGREEMENT

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

Mr. HERGER. Madam Speaker, the U.S.-Colombia Trade Promotion Agreement means growth and more jobs for the largest exporter and manufacturing nation in the world, the United States. Colombia already gets free access to our market. The agreement levels the playing field while bolstering the economy of our strongest South American ally.

Colombia's government has a strong track record of reducing all violence, including attacks against union members. As the Washington Post editorialized on Monday, a vote for Colombia ''would show Latin America that a staunch U.S. ally will be rewarded for improving its human rights record and resisting the anti-American populism of Venezuela's Hugo Chavez.''

Madam Speaker, this agreement merits approval by the Congress soon.

## IRAQ WAR AND THE IMPACT ON OUR TROOPS 5 YEARS LATER

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

Mr. PAYNE. Madam Speaker, we have now entered the sixth year of the war in Iraq, a war the Bush administration assured us would be short and easy. One Bush official famously remarked that the victory in Iraq would be a ''cakewalk.'' Sadly, it has been the opposite for our troops, who continue to face lengthy and multiple deployments in the war.

Last week, as we mourned the marking of a grim milestone, the death of 4,000 American troops in Iraq, we were reminded of the human costs of this ill-advised war.

Military leaders warned that the war is putting enormous stress on our troops. We have seen a dramatic increase in suicides and depression. Lieutenant General William Caldwell, the Commanding General of the U.S. Army Combined Arms Center, said the Army is experiencing a shortage of majors and captains, because many who have had one, two and three combat tours have made the decision to go back into civilian life.

With 4,000 American lives lost and thousands of young men and women suffering serious injuries, we should be looking at a way to end the war in Iraq. Instead, the Bush administration continues to support the status quo. ''100 years'' is one presidential candidate's latest statement.

We must end the war.

## ENCOURAGING SUPPORT FOR THE COLOMBIA TRADE PROMOTION AGREEMENT

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

Mr. BRADY of Texas. Madam Speaker, what is this Congress thinking? Why would we turn our back on Colombia, and then turn our back on America's own farmers and manufacturers and small businesses?

Colombia is one of our strongest allies in our neighborhood, in our neighborhood, fighting terrorism, reducing kidnappings, turning down violence in a very tough neighborhood. They need and want the support of the United States of America, and we are rejecting that support. Yet, today, Colombia is able to sell its products and goods into America. When we try to do the same for our farmers or our manufacturers or our small businesses, we are not allowed to.

The U.S.-Colombia Free Trade Agreement changes that. It makes sure we send the signal to the world that we stand with our allies who stand for democracy and rule of law. We are also saying we want two-way trade. We want the ability to sell our products overseas.

This Congress needs to not turn its back on Colombia, and give us an up-or-down vote on that trade agreement this year.

## HONORING MAYOR DOROTHY GEEBEN OF OCEAN BREEZE PARK, FLORIDA

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

Mr. MAHONEY of Florida. Madam Speaker, I rise today to honor a very special American, Mayor Dorothy Geeben, for her incredible service to her community and to wish her a very happy 100th birthday.

Ms. Geeben moved to the town of Ocean Breeze Park, a small community on the Indian River, in 1952, and has been a cornerstone of that community ever since. In 1960 she joined the Ocean Breeze Town Council, serving as its president for 31 years, and in 2001 she became the mayor of the town and its 1,000 residents.

Today, as Mayor Geeben celebrates her 100th birthday, she is also recognized as the oldest mayor in America.

As mayor, her duties include presiding over town council meetings and signing documents. But to the residents of her village, she is known as a friend to everyone and as the woman who always has a smile on her face. Mayor Geeben has seen her small community through a lot in the last 40 years, including two major hurricanes.

I am proud to recognize such a vibrant and dedicated woman. On behalf of Florida's 16th Congressional District, I would like to express my gratitude to Mayor Geeben for her many years of service to our community, and to wish her another happy 100 years.

## CONGRESS MUST BALANCE THE BUDGET

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

Mr. CULBERSON. Madam Speaker, in our personal lives, when we have our credit cards topped out, when we have a second mortgage on the home, we quit spending money. We balance our own personal budget and we focus on the essentials. And this Congress needs to do the same thing. But, unfortunately, the Obama-Clinton-Pelosi Democratic leadership of the Congress is driving America's economy right over the cliff, like Thelma and Louise, spending money and raising taxes.

The Comptroller of the United States has certified that we are in a $54 trillion hole; that in order to pay that off, every American would have to write a check for $175,000. This is outrageous. It is unsupportable.

We need to adopt FRANK WOLF's legislation with Mr. COOPER, making sure that Social Security is solvent, that we balance the Federal budget as rapidly as possible. Above all, this Congress has got to quit spending money on unnecessary things, focus on the bare essentials and quit raising taxes on the American people. Above all, let's not shift all of that liability that is now apparent on Wall Street, this $1 trillion writeoff that the banks are attempting to shift on to the United States Treasury. We cannot do it. We have got to quit spending money and balance the budget.

□ 1230

## ADMINISTRATION EFFORTS IN HOUSING AND SUBPRIME MORTGAGE CRISIS TOO LITTLE AND TOO LATE

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

Mr. PALLONE. Madam Speaker, last Friday President Bush traveled to my home county in New Jersey to encourage residents to seek free credit counseling if they faced the threat of losing their homes. And while the credit counseling is good advice, the President's actions were simply too little and too late.

For months, the President has known that the housing and subprime mortgage crisis could force more than 2 million people to lose their homes over the next 5 years. Until yesterday, the President was unwilling to address this crisis in any way. And that is nothing new. For 7 years now, the Bush administration has taken a hands-off approach to Wall Street, allowing the corporations responsible for much of this mortgage crisis to work under the radar without any government oversight or regulation. Finally, the administration recognized yesterday that the President's credit counseling advice was not going to be enough. Treasury Secretary Paulson announced a proposal that finally calls for the regulation of these financial institutes. But, again, this is too little and too late.

Madam Speaker, this House has already acted and will continue to pass legislation that will help homeowners today, and I would hope the President would support our efforts.

## FISA

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

Mr. GOHMERT. Madam Speaker, some of our Democratic leaders say they just cannot agree to give immunity to the telecommunication companies for helping after 9/11. Perhaps the reluctance comes from massive contributions from law firms suing these patriotic companies.

Back in the days immediately after 9/11, we didn't know who all was involved in the most violent attack on U.S. soil. We didn't know if another attack was coming the next day or where or who would strike next. In that context, the telecommunications companies were asked to help their country, and they responded. Just as we had men and women respond all over this country to the Nation's call to help fight the forces of evil, these companies responded by helping, and now many in the majority are letting them be shot by friendly fire. These companies heard the cry for help from our Nation and responded, yet some in this body want to hang them out to dry on a firing line as targets for some of their biggest contributors. Let's pass FISA, with immunity from friendly fire.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

## GEORGIA AND UKRAINE NATO MEMBERSHIP

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 997) expressing the strong support of the House of Representatives for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Georgia and Ukraine, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 997

Whereas the sustained commitment of the North Atlantic Treaty Organization (NATO) to mutual defense has made possible the democratic transformation of Central and Eastern Europe and Eurasia;

Whereas NATO members can and should play a critical role in addressing the security challenges of the post-Cold War era in creating the stable environment needed for emerging democracies in Europe and Eurasia;

Whereas lasting stability and security in Europe and Eurasia require the military, economic, and political integration of emerging democracies into existing European structures;

Whereas, in an era of threats from terrorism and the proliferation of weapons of mass destruction, NATO is increasingly contributing to security in the face of global security challenges for the protection and interests of its member States;

Whereas the Government of Georgia and the Government of Ukraine have each expressed a desire to join the Euro-Atlantic community, and Georgia and Ukraine are working closely with NATO and its members to meet criteria for eventual NATO membership;

Whereas, at the NATO-Ukraine Commission Foreign Ministerial meeting in Vilnius in April 2005, NATO and Ukraine launched an Intensified Dialogue on membership between the Alliance and Ukraine;

Whereas, following a meeting of NATO Foreign Ministers in New York on September 21, 2006, NATO Secretary General Jaap de Hoop Scheffer announced the launching of an Intensified Dialogue on membership between NATO and Georgia;

Whereas the Riga Summit Declaration, issued by the heads of state and government participating in the meeting of the North Atlantic Council in November 2006, reaffirms that NATO's door remains open to new members and that NATO will continue to review the process for new membership, stating "We reaffirm that the Alliance will continue with Georgia and Ukraine its Intensified Dialogues which cover the full range of political, military, financial, and security issues relating to those countries' aspirations to membership, without prejudice to any eventual Alliance decision. We reaffirm the importance of the NATO-Ukraine Distinctive Partnership, which has its 10th anniversary next year and welcome the progress that has been made in the framework of our Intensified Dialogue. We appreciate Ukraine's substantial contributions to our common security, including through participation in NATO-led operations and efforts to promote regional cooperation. We encourage Ukraine to continue to contribute to regional security. We are determined to continue to assist, through practical cooperation, in the implementation of far-reaching reform efforts, notably in the fields of national security, defense, reform of the defense-industrial sector and fighting corruption. We welcome the commencement of an Intensified

Dialogue with Georgia as well as Georgia's contribution to international peacekeeping and security operations. We will continue to engage actively with Georgia in support of its reform process. We encourage Georgia to continue progress on political, economic and military reforms, including strengthening judicial reform, as well as the peaceful resolution of outstanding conflicts on its territory. We reaffirm that it is of great importance that all parties in the region should engage constructively to promote regional peace and stability.'';

Whereas, in January 2008, Ukraine forwarded to NATO Secretary General Jaap de Hoop Scheffer a letter, signed by President Victor Yushchenko, Prime Minister Yulia Tymoshenko, and Verkhovna Rada Speaker Arseniy Yatsenyuk, requesting that NATO integrate Ukraine into the Membership Action Plan;

Whereas, in January 2008, Georgia held a referendum on NATO and 76.22 percent of the votes supported membership;

Whereas in February 2008, Georgia forwarded a letter signed by President Mikhail Saakashvili to NATO Secretary General Jaap de Hoop Scheffer requesting that NATO integrate Georgia into the Membership Action Plan;

Whereas participation in a Membership Action Plan does not guarantee future membership in the NATO Alliance;

Whereas United States support for the approval of Membership Action Plans for Georgia and Ukraine demonstrates support for the development of democratic institutions in those countries, the process of defense reform and respect for human rights, and does not represent a hostile attempt to expand the Alliance at the expense of the security of any country; and

Whereas NATO membership requires significant national and international commitments and sacrifices and is not possible without the support of the populations of the NATO member states: Now, therefore, be it

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

(1) the House of Representatives—

(A) reaffirms its previous expressions of support for continued enlargement of the North Atlantic Treaty Organization (NATO) to include qualified candidates; and

(B) supports the commitment to further enlargement of NATO to include democratic governments that are able and willing to meet the responsibilities of membership;

(2) the expansion of NATO contributes to NATO's continued effectiveness and relevance;

(3) Georgia and Ukraine are strong allies that have made important progress in the areas of defense, democratic, and human rights reform;

(4) a stronger, deeper relationship among the Government of Georgia, the Government of Ukraine, and NATO will be mutually beneficial to those countries and to NATO member states; and

(5) the United States should take the lead in supporting the awarding of a Membership Action Plan to Georgia and Ukraine as soon as possible.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. 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 resolution under consideration.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume.

I am pleased to support this resolution that expresses the House's backing for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Ukraine and Georgia at the NATO summit later this week. This resolution was originally introduced as Senate Resolution 439 by Senators BIDEN and LUGAR, and was passed unanimously on February 14.

I am grateful to my distinguished colleagues on the European Subcommittee, Chairman WEXLER and Ranking Member GALLEGLY, for enabling the House to add its voice to the growing consensus in favor of extending MAP to two of our key allies, and particularly to Congressman WEXLER, who, without his prodding, this resolution might not have appeared on the floor at this particular time.

From April 2 to April 4, heads of state or governments from the 26 member countries of NATO will gather in Bucharest for the largest summit ever. Indeed, NATO has more than doubled in size since its founding by 12 states in 1949. The seven post-Communist countries that became members 3 years ago are now making significant contributions to the work of the Alliance.

In addition to the crucial discussions about the future of NATO operations in Kosovo and Afghanistan, the Bucharest summit will address further enlargement of the Alliance. Decisions on full membership will be made about three Adriatic countries, Albania, Croatia, and Macedonia. Judgments will also be made about the extension of Membership Action Plans to Ukraine and Georgia. This resolution reaffirms that this is the right decision at the right time.

It is important to note that Ukraine and Georgia both have taken the initiative of formally asking the NATO Secretary General for integration into the Membership Action Plan. Both countries have made considerable political, economic, legal, and defense reforms in the two decades since the collapse of the Soviet Union. Ukraine and Georgia have also been active participants in international efforts to preserve peace and stability, contributing to numerous peacekeeping missions around the world. Their continued democratic development and military initiative should be supported.

While it is true that Ukraine and Georgia experienced domestic political crisis last year that raised some doubts about their readiness for MAP, it is equally true that both countries firmly maintained their commitment to pursuing a democratic path and strengthening their political institutions. We must continue to encourage them in this vitally important journey.

Secondly, it is important to recognize that MAP does not confer NATO membership. Rather, it provides a structured reform program that offers support in a broad range of political and technical areas in order to prepare applicant countries for the responsibilities of membership.

It is clear that both countries must complete significant reforms before they can be considered for membership. They, like all countries who have joined the Alliance before them, must be judged to have met all necessary criteria. Even then, all member countries must unanimously support their accession.

In closing, I would like to briefly address the concern about the potential reaction of Russia to the extension of MAP to Georgia and Ukraine. While NATO was originally established as a military alliance to counter potential aggression by the Soviet Union, it now deals with a variety of security threats in Kosovo, Afghanistan, and elsewhere. The Alliance is clearly no longer aimed at Russia. In 1997, NATO and Russia agreed to work together to build a stable, secure, and undivided continent. This partnership was strengthened in 2002, with the creation of the NATO-Russia Council as a vehicle to facilitate joint action. Indeed, President Putin is expected to participate in this week's summit.

While the Alliance is right to be cognizant of the geopolitical impact of its actions, it should focus its assessment about the extension of MAP on the merits of the countries concerned. The U.S. and our allies should continue to nurture and strengthen their relationships with Russia. No one, President Putin nor anyone in Russia, should have a veto power over potential NATO applicants.

Madam Speaker, I reserve the balance of my time.

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

I rise today in support of House Resolution 997, which expresses the strong support of the House of Representatives for the NATO Alliance decision to enter into a Membership Action Plan, or MAP, with the countries of Georgia and Ukraine.

NATO has expanded its membership and its partnerships across Europe in recent years, making the Alliance not just stronger but an instrument for spreading democratic values.

The MAP process was created in 1999 to help those countries aspiring to join NATO to prepare to become members by providing guidance and practical support. The decision to admit a country into the MAP process is a serious one, exceeded only by the decision to admit a country into the Alliance. Countries need to demonstrate that they are sincerely consolidating their democracy, that they are willing to take on the requirements of the MAP process, and that they are willing to participate in missions that go beyond their own borders and direct interests.

Looking at Georgia and Ukraine, Madam Speaker, we recognize that these two countries have made important progress in introducing the systems and the institutions that support democracy. Democratic changes in these two countries have certainly not been easy, and at times the progress of democracy has been confused and uncertain.

Under very difficult circumstances and in the midst of wrenching changing times since they gained their independence, both Ukraine and Georgia have moved ahead with their political reforms, with their democratic institutions of governance, and the conduct of elections. The steps taken by these two countries compare favorably with trends in several nearby states, such as Russia, where true democracy is being steadily and comprehensively suppressed.

Both Georgia and Ukraine have also made great strides in the reform of their defense forces and in the commitment of their forces to peacekeeping and multilateral missions in other regions. Georgia is currently participating in NATO's Partnership For Peace program, and has successfully graduated from the Georgia Train and Equip program in 2004, after achieving its goals of enhancing its military capabilities and implementing military reforms. Georgia currently has 2,000 troops in Iraq, making it the third largest contributor after the United States and Britain. Furthermore, Georgia has troops in Kosovo, and has signed a transit agreement with NATO which allows the Alliance, as well as other nations participating in the International Security Assistance Force, to send supplies to their forces in Afghanistan through Georgian territory. Moreover, yesterday a Georgian defense ministry source said that Georgia is offering to send 500 troops to join NATO operations in Afghanistan.

Ukraine is also a member of the Partnership for Peace program, and currently has troops in Kosovo. Additionally, Ukraine has significantly contributed to multiple U.N. peacekeeping operations, including those in Liberia and Sierra Leone, as well as Bosnia and Herzegovina.

A stronger relationship with NATO should enable Ukraine and Georgia to move forward with their military reforms, prepare to commit to future peacekeeping and stability operations, and, more importantly, Madam Speaker, to consolidate the democracy that they are both seeking.

We understand that access to NATO's Membership Access Plan is not NATO's membership. If Ukraine and Georgia become part of MAP and seek NATO membership in the future, their candidacy will have to be carefully evaluated to make sure that they fully meet NATO's standards and will benefit the Alliance should they become full members. NATO membership for these two countries is not an immediate prospect and is a question that will wait for future consideration.

I note with regret, however, the recent predictable statements by officials of the Russian government alleging that NATO is seeking to surround Russia. They have rattled the nuclear saber to some degree, hoping, I suspect, to intimidate Ukraine in the process. I can only contrast such attitudes and statements with the very laudable step that Ukraine took in 1994, when it relinquished the powerful nuclear arsenal it had inherited from the Soviet Union for the sake of stability in Europe.

The steps taken by Georgia to support the U.S. and NATO, again in the face of terrific and unwarranted pressure from Russia, also deserve our commendation and our gratitude. The resolution before us, Madam Speaker, makes it clear that the United States should take a leading role in supporting these two countries' interests in the Membership Action Plan.

Madam Speaker, I reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I am pleased to yield 4 minutes to the chairman of the European Subcommittee, one of the two key authors of the resolution, the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Madam Speaker, I rise in strong support of H. Res. 997, urging NATO to provide a Membership Action Plan to Ukraine and Georgia at the NATO summit in Bucharest which begins tomorrow. I want to especially thank Chairman BERMAN for his extraordinary leadership in moving this resolution forward, as well as his very thoughtful remarks in announcing his support for this resolution. I also want to thank my colleague and ranking member on the Europe Subcommittee, Congressman GALLEGLY, as well as Congresswoman SCHWARTZ, who joined us in introducing H. Res. 997.

□ 1245

Madam Speaker, it is clear that NATO is at a crossroads given that important decisions are being made about further enlargement, Kosovo and renewed Balkans instability, and mounting difficulties in Afghanistan.

While tomorrow's summit will undoubtedly focus on these pressing issues, it is also a golden opportunity for the alliance to take steps forward to bolster transatlantic security and further entrench democracy, freedom, and the rule of law throughout Europe.

I believe it is in both America's and Europe's interest to further integrate Georgia and Ukraine into the West. Tblisi and Kiev have demonstrated their commitment to joining the United States and our allies in addressing security challenges from the Balkans to Iraq and to rebuilding Afghanistan.

As we debate this resolution, it is important to remember that the goal of NATO enlargement since the mid-1990s has been to achieve a broader, more secure Europe. Providing a membership action plan for Ukraine and Georgia would further consolidate democracy and stability in eastern Europe and the Caucuses region; and, is essential to fulfilling NATO's 1997 ''open door'' policy that ensures that any European nation that meets alliance standards and can contribute to Euro-Atlantic security be considered for membership.

Georgia and Ukraine have much to accomplish before they can be offered NATO membership. Since the MAP process will further require democratic and security reforms in Kiev and Tblisi, it is crucial for the Ukrainian and Georgian governments to know that their efforts and aspirations are supported by this Congress as well as all NATO members.

Madam Speaker, I was in Kiev just last month, and there was an extraordinary development in Kiev with the president, prime minister and speaker of their parliament all formally asking for the NATO membership action plan. It is an extraordinary statement of unity, and it is incredibly important that this House go on record in support of those pro-democratic politicians and officeholders in Kiev as well as in Georgia.

To that end, I urge my colleagues to support H. Res. 997, and send a strong message to our NATO allies on the eve of the Bucharest Summit. And I thank Chairman BERMAN for his extraordinary leadership in this regard.

Ms. ROS-LEHTINEN. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. GALLEGLY), the ranking member of the Subcommittee on Europe and an original cosponsor of the resolution before us.

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

Mr. GALLEGLY. Madam Speaker, first of all, I would like to thank Chairman WEXLER and Chairman BERMAN for their kind words in their opening statements. I stand here today to rise in strong support of House Resolution 997 which reaffirms the support of the House of Representatives for NATO enlargement.

The resolution also specifically calls on the United States to take the lead in supporting closer integration between Ukraine, Georgia and NATO. I would like to commend Representative WEXLER, as I mentioned earlier, the chairman of the Europe Subcommittee, for introducing this measure and for being a strong, consistent advocate for strengthening our bilateral ties with Ukraine and Georgia.

Both of these allies have demonstrated the military capabilities and political reforms required to provide concrete benefits to the alliance. In the past several years, Ukrainian forces have participated with NATO troops in peacekeeping operations in the Balkans and Afghanistan. They have also made important contributions to coalition forces in Iraq in 2004 and 2005.

Georgia has also shown they are ready to take the next step toward NATO membership. Georgia has undertaken a top-to-bottom reform of their

military forces, often working closely with U.S. forces in this effort.

As previously mentioned by Representative ROS-LEHTINEN, with over 2000 troops in Iraq, Georgia today has the third largest troop contingent in that country after the U.S. and Britain.

Madam Speaker, both Ukraine and Georgia are ready, willing and able to integrate more fully with NATO. Again, I would like to recognize Representative WEXLER for his hard work on H. Res. 997 on behalf of a stronger NATO, and I urge passage of this resolution.

Mr. BERMAN. Madam Speaker, I yield 4 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Madam Speaker, I rise as co-chair of the Congressional Georgia Caucus, and I rise in favor of House Resolution 997 which expresses support for extending NATO membership action plan status to Georgia and Ukraine.

I do thank Chairman BERMAN and Congressman WEXLER for their leadership in this bipartisan effort to support Georgia and Ukraine in their entrance into NATO.

As leading democratic reformers in Eastern Europe, Ukraine and Georgia are both worthy of advancing their participation in NATO from ''intensified dialogue'' to membership action plan, MAP, status during the Bucharest Summit. This is an important and timely next step toward the goal of becoming full members of NATO.

Both of these nations are keenly interested in joining NATO and working closely with Western allies. They have already demonstrated this by actively participating in both U.S. and NATO forces. More than 2,000 Georgian soldiers currently serve alongside U.S. military personnel in Iraq, making it the third largest coalition partner. And Ukraine is the only nonmember state taking an active role in all of NATO's peacekeeping and anti-terrorist operations.

As a member of the House Democracy Assistance Commission, I had the great pleasure and opportunity to meet both Georgian President Mikheil Saakashvili and Ukrainian President Yushchenko in their home capitals. Their commitment to democratization in their respective nations is impressive, and is an important example for other emerging democracies around the world.

Certainly both nations have work to do to stabilize and ensure development of permanent democratic institutions. Yet, as recently established democracies changing a history of totalitarian rule, they are making enormous strides. They are ready to be granted MAP and be given the opportunity to work toward full NATO membership.

In a world with real threats against us, it is critically important that we strengthen relationships with those nations that choose to be our allies. Georgia and Ukraine are key allies in an important region of the world. We should stand with our friends. We should stand with Georgia and Ukraine, and we should pass this resolution today.

Mrs. MILLER of Michigan. Madam Speaker, I rise today to offer my wholehearted support of Ukraine's desire to be admitted as a member of NATO.

When Ukraine declared her independence in 1990 from the Soviet Union, she stated her desire to be a member of the community of free nations.

As this young democracy matures, it is incumbent upon the nation members of NATO to not only support their development, but ally with them to ensure the commitment to freedom.

The United States has enjoyed a strong relationship with the Ukraine and it is my hope that this relationship grows even stronger with time as both of our countries work to improve stability around the world.

It is regrettable that the objections seem to come from the very country that once held the Ukraine under their absolute control. In my opinion the objections of Russia are not sufficient to deny NATO membership for Ukraine.

As someone who represents a great many citizens of Ukrainian descent I understand well the desire of the Ukrainian people for freedom.

America has always answered the call to support and defend those who yearn to be free and it is time to answer the call of Ukraine.

I urge my colleagues to support this resolution.

Mr. PAUL. Madam Speaker, I rise in opposition to this resolution calling for the further expansion of NATO to the borders of Russia. NATO is an organization whose purpose ended with the end of its Warsaw Pact adversary. When NATO struggled to define its future after the cold war, it settled on attacking a sovereign state, Yugoslavia, which had neither invaded nor threatened any NATO member state.

This current round of NATO expansion is a political reward to governments in Georgia and Ukraine that came to power as a result of U.S.-supported revolutions, the so-called Orange Revolution and Rose Revolution. The governments that arose from these street protests were eager to please their U.S. sponsor and the U.S., in turn, turned a blind eye to the numerous political and human rights abuses that took place under the new regimes. Thus the U.S. policy of ''exporting democracy'' has only succeeded in exporting more misery to the countries it has targeted.

NATO expansion only benefits the U.S. military industrial complex, which stands to profit from expanded arms sales to new NATO members. The ''modernization'' of former Soviet militaries in Ukraine and Georgia will mean tens of millions in sales to U.S. and European military contractors. The U.S. taxpayer will be left holding the bill, as the U.S. Government will subsidize most of the transactions. Providing U.S. military guarantees to Ukraine and Georgia can only further strain our military. This NATO expansion may well involve the U.S. military in conflicts as unrelated to our national interest as the breakaway regions of South Ossetia and Abkhazia in Georgia. The idea that American troops might be forced to fight and die to prevent a small section of Georgia from seceding is absurd and disturbing.

Madam Speaker, NATO should be disbanded, not expanded.

Mr. PRICE of North Carolina. Madam Speaker, I rise in strong support of House Resolution 997, which expresses our support for bids by Ukraine and Georgia to attain Membership Action Plans for joining the North Atlantic Treaty Organization, NATO. I am proud to be a cosponsor of this resolution.

Ukraine and Georgia are both perched on the fulcrum of democracy, with their future on balance. On one side of the balance lies a future marked by integration with NATO and Europe, continuing progress toward the establishment of stable democracy, security, and prosperity.

Each nation faces its own challenges on the other side of the balance. Ukraine confronts persistent threats to its fragile democracy, a rancorous division between its eastern and western regions, and difficult economic challenges. Georgia's democracy is also threatened, both by separatist movements in Abkhazia and Ossetia and by the lack of effective opposition in government. Its economy is undermined by severe unemployment.

This week's NATO summit in Bucharest will determine, at least in the near-term, in which direction the balance will tilt. NATO membership will bring with it economic, political, and military integration with Europe, helping to solidify democratic institutions, expand each nation's economy, and strengthen security. A Membership Action Plan is not equivalent to NATO membership and should not be conflated with NATO membership, but it is certainly a crucial step toward this goal. To reject the bids by Ukraine and Georgia for Membership Action Plans would be to deal democracy a significant setback.

As NATO nations gather to pass judgment on these bids, hovering over the summit is a specter in the form of an increasingly antagonistic Russia. Fear of further deterioration in relations with Russia no doubt shapes the hesitation of some of our European allies in proceeding with these Membership Action Plans.

Russia must understand that NATO membership does not cast a choice between Europe and Russia. Rather, the choice is between political and economic integration and isolation. Russia must also realize that seeking NATO membership is not a path foisted upon nations by NATO itself, but rather one sought freely and enthusiastically by prospective member nations. Finally, our European allies must persevere in the principle that decisions must be made in the best interests of our alliance, never allowing any nation to hold a veto on our collective security and shared values.

As many of my other colleagues have stated, both Ukraine and Georgia have already demonstrated their worth to NATO with contributions to NATO efforts in Afghanistan, Kosovo, and elsewhere. There is no doubt that the alliance would benefit from their inclusion in this multilateral security architecture that will be essential for confronting numerous major security challenges in the 2151 century. Setting Ukraine and Georgia on a path toward NATO membership is not only vital to their future, it is vital to ours as well.

I urge my colleagues to support this resolution.

Mr. ROYCE. Madam Speaker, I'd like to express reservations about H. Res. 997.

NATO expansion is not a casual affair. We're talking about adding countries whose

security we're committing American lives and treasure to defend. While this resolution only endorses the beginning of a membership process, it sets the stage for expanding vital American security concerns. At a time when some Americans are questioning our growing security commitments around the globe, should we be moving to ensure Ukraine and Georgia's security?

We must be realistic about the state of NATO. The organization is not well. In Afghanistan, most NATO member states haven't answered the call, choosing not to provide troops or to provide troops only for very limited missions. One observer noted that, "The inability or unwillingness of certain nations to shoulder the burden of NATO's obligation in Afghanistan is ripping the heart out of the alliance . . ." I'm not convinced that adding new members, each with diverse interests, aids in rebuilding NATO's consensus. Expansion doesn't always mean strengthening.

Sure, these countries have committed troops in dangerous areas, for which they should be commended. But a hard headed analysis must ask whether those commitments would be maintained once NATO membership was achieved?

Expansion is divisive among some of the longest-standing NATO members. This week in Bucharest, Germany has objected to the process this resolution endorses, effectively stopping it. Chancellor Merkel's government cited concerns over political unrest in Georgia, and the lack of support for joining NATO among Ukrainians. Others ask, rightly, "What's the rush?"

First and foremost, we should ask "What's in our national security interest?" Secondarily, we should ask "What's in the best interest of NATO?" I am not convinced that expanding NATO to these two countries advances those causes. That's why I reluctantly oppose this resolution backed by my colleagues and friends.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 997, as amended.

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

A motion to reconsider was laid on the table.

## EXPRESSING SENSE OF HOUSE REGARDING CREATION OF REFUGEE POPULATIONS

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 185) expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 185

Whereas armed conflicts in the Middle East have created refugee populations numbering in the millions and comprised of peoples from many ethnic, religious, and national backgrounds;

Whereas Jews have lived mostly as a minority in the Middle East, North Africa, and the Persian Gulf region for more than 2,500 years;

Whereas the United States has long voiced its concern about the mistreatment of minorities and the violation of human rights in the Middle East and elsewhere;

Whereas the United States continues to play a pivotal role in seeking an end to the Arab-Israeli conflict in the Middle East and to promoting a peace that will benefit all the peoples of the region;

Whereas United States administrations historically have called for a just solution to the Palestinian refugee problem;

Whereas the Palestinian refugee issue has received considerable attention from countries of the world while the issue of Jewish refugees from the Arab and Muslim worlds has received very little attention;

Whereas a comprehensive peace in the region will require the resolution of all outstanding issues through bilateral and multilateral negotiations involving all concerned parties;

Whereas approximately 850,000 Jews have been displaced from Arab countries since the declaration of the State of Israel in 1948;

Whereas the United States has demonstrated interest and concern about the mistreatment, violation of rights, forced expulsion, and expropriation of assets of minority populations in general, and in particular, former Jewish refugees displaced from Arab countries as evidenced, inter alia, by—

(1) the Memorandum of Understanding signed by President Jimmy Carter and Israeli Foreign Minister Moshe Dayan on October 4, 1977, which states that "[a] solution of the problem of Arab refugees and Jewish refugees will be discussed in accordance with rules which should be agreed";

(2) after negotiating the Camp David Accords, the Framework for Peace in the Middle East, the statement by President Jimmy Carter in a press conference on October 27, 1977, that "Palestinians have rights . . . obviously there are Jewish refugees . . . they have the same rights as others do"; and

(3) in an interview after Camp David II in July 2000, at which the issue of Jewish refugees displaced from Arab lands was discussed, the statement by President Clinton that "There will have to be some sort of international fund set up for the refugees. There is, I think, some interest, interestingly enough, on both sides, in also having a fund which compensates the Israelis who were made refugees by the war, which occurred after the birth of the State of Israel. Israel is full of people, Jewish people, who lived in predominantly Arab countries who came to Israel because they were made refugees in their own land.";

Whereas the international definition of a refugee clearly applies to Jews who fled the persecution of Arab regimes, where a refugee is a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country" (the 1951 Convention relating to the Status of Refugees);

Whereas on January 29, 1957, the United Nations High Commissioner for Refugees (UNHCR), determined that Jews fleeing from Arab countries were refugees that fell within the mandate of the UNHCR;

Whereas United Nations Security Council Resolution 242 of November 22, 1967, calls for a "just settlement of the refugee problem" without distinction between Palestinian and Jewish refugees, and this is evidenced by—

(1) the Soviet Union's United Nations delegation attempt to restrict the "just settlement" mentioned in Resolution 242 solely to Palestinian refugees (S/8236, discussed by the Security Council at its 1382nd meeting of November 22, 1967, notably at paragraph 117, in the words of Ambassador Kouznetsov of the Soviet Union), but this attempt failed, signifying the international community's intention of having the resolution address the rights of all Middle East refugees; and

(2) a statement by Justice Arthur Goldberg, the United States' Chief Delegate to the United Nations at that time, who was instrumental in drafting the unanimously adopted Resolution 242, where he has pointed out that "The resolution addresses the objective of 'achieving a just settlement of the refugee problem'. This language presumably refers both to Arab and Jewish refugees, for about an equal number of each abandoned their homes as a result of the several wars.";

Whereas in his opening remarks before the January 28, 1992, organizational meeting for multilateral negotiations on the Middle East in Moscow, United States Secretary of State James Baker made no distinction between Palestinian refugees and Jewish refugees in articulating the mission of the Refugee Working Group, stating that "[t]he refugee group will consider practical ways of improving the lot of people throughout the region who have been displaced from their homes";

Whereas the Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict, which refers in Phase III to an "agreed, just, fair, and realistic solution to the refugee issue," uses language that is equally applicable to all persons displaced as a result of the conflict in the Middle East;

Whereas Israel's agreements with Egypt, Jordan, and the Palestinians have affirmed that a comprehensive solution to the Arab-Israeli conflict will require a just solution to the plight of all "refugees";

Whereas the initiative to secure rights and redress for Jews who were forced to flee Arab countries does not conflict with the right of Palestinian refugees to claim redress;

Whereas all countries should be aware of the plight of Jews and other minority groups displaced from countries in the Middle East, North Africa, and the Persian Gulf;

Whereas an international campaign is proceeding in some 40 countries to record the history and legacy of Jewish refugees from Arab countries;

Whereas a just, comprehensive Arab-Israeli peace cannot be reached without addressing the uprooting of centuries-old Jewish communities in the Middle East, North Africa, and the Persian Gulf; and

Whereas it would be inappropriate and unjust for the United States to recognize rights for Palestinian refugees without recognizing equal rights for Jewish refugees from Arab countries: Now, therefore, be it

*Resolved*, That—

(1) for any comprehensive Middle East peace agreement to be credible and enduring, the agreement must address and resolve all outstanding issues relating to the legitimate rights of all refugees, including Jews, Christians, and other populations, displaced from countries in the Middle East; and

(2) the President should instruct the United States Representative to the United Nations and all United States representatives in bilateral and multilateral fora to—

(A) use the voice, vote, and influence of the United States to ensure that any resolutions relating to the issue of Middle East refugees, and which include a reference to the required resolution of the Palestinian refugee issue, must also include a similarly explicit reference to the resolution of the issue of Jewish refugees from Arab countries; and

(B) make clear that the United States Government supports the position that, as an integral part of any comprehensive Arab-Israeli peace, the issue of refugees from the Middle East, North Africa, and the Persian Gulf must be resolved in a manner that includes recognition of the legitimate rights of and losses incurred by all refugees displaced from Arab countries, including Jews, Christians, and other groups.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I would first like to commend my distinguished colleague, the gentleman from New York (Mr. NADLER), for introducing this important resolution.

When the state of Israel was founded in 1948, more than 150,000 Jews lived in Iraq. Iraq was truly a cradle of Jewish civilization, a site of Jewish learning from which one of Judaism's holiest books, the Talmud, emerged. For more than two millennia, as history books will attest, Jews also made vital contributions to wider Iraqi society.

Indeed, like Jews throughout the Arab world, Iraqi Jews for most of that long era enjoyed a quality of life far better than that of most Jewish communities in Europe.

That all changed for good in 1948, and in the years immediately preceding 1948, when the state of Israel declared its independence. Throughout the Arab world, Jews then became the objects of official scorn and often were fired from their jobs en masse. In many places, violence ensued against Jewish communities. Continuing to use Iraq as an example, that 150,000-strong community by 1952 had shrunk to a mere 30,000. The rest, the other 120,000, had effectively been forced out.

Overall, approximately 850,000 Jewish residents of the Arab world were expelled or otherwise forced to leave their homes, abandoning possessions and patrimony, in the years following Israel's creation in 1948. Vibrant, generations-old communities withered to near-negligible numbers.

That Iraqi community of 150,000 Jews in 1948 has dwindled to about ten today. In Egypt, a community of 75,000 in 1945 now numbers 50 to 100. In Aden, Yemen, a community of 63,000 in 1948 has shrunk to about 200 today. And 140,000 Jews lived in Tunisia in 1948; fewer than 100 remain. In Morocco, which is hailed today as the bastion of Jewish-Arab coexistence in the Arab world, a thriving community of more than a quarter million Jews lived their lives in peace before 1948. Today, there are perhaps 5,000 Jews residing in Morocco. Some left willingly; most felt they had no choice.

For centuries, long before the advent of Islam and long after it, Jewish communities lived peacefully and often prosperously and productively in Arab lands, among Arab people.

Their forced relocation and the material value they lost when they were compelled to abandon their homes and other property in Arab countries has never been redressed. Not one Jew from the Arab world has been compensated for his losses. Each one had to start over from scratch in his new land.

Compare the Jewish refugee experience with the Palestinian refugee experience. Neither Jewish refugees themselves, nor Israel, which was an underdeveloped country at the time it hosted most of these refugees, sought international aid from United Nations organizations or other international organizations. Both refugees and hosts envisioned and sought full integration into the larger society. The Arab world, in contrast, demanded the international community foot the bill for the refugees, who were to be kept in camps that, to this day, breed frustration, hatred and dependence.

The result of these contrasting approaches is this: While the plight of Palestinian refugees is well known throughout the world, has been the subject of numerous U.N. resolutions, and has been a major element in every Arab-Israeli peace plan, the plight of Jewish refugees is rarely mentioned.

Nevertheless, the rights and redress of Jewish refugees deserve recognition in any peace settlement. And, indeed, numerous international agreements pertaining to the Arab-Israeli conflict have been codified with the rights of Jewish refugees in mind.

U.N. Security Council Resolution 242 calls for a ''just settlement to the refugee problem,'' without limiting that problem to Palestinians. Presidents Carter and Clinton each explicitly stated that the issue of Jewish refugees must be part of any comprehensive Arab-Israeli peace agreement.

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And lest there be any doubt about their status, let me point out this very important fact: The United Nations High Commission on Refugees in 1957 mandated that Jewish people who fled Arab countries are, indeed, ''refugees.''

The right of Jewish refugees from Middle Eastern lands to seek redress does not in any way conflict with the right of Palestinian refugees to seek redress, and the resolution before us states this explicitly. This resolution merely expresses the sense of Congress that Jewish refugees also should not be denied their legitimate rights.

We are simply seeking to ensure that any comprehensive Middle East settlement is just and fully just to all the parties. That sentiment of basic fairness is one I fully embrace.

I strongly support this resolution. And I again congratulate my colleague, Mr. NADLER, for offering it.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in strong support of House Resolution 185 regarding the creation of refugee populations in the Middle East, north Africa, and the Persian Gulf region resulting from human rights violations.

Discussions of Middle Eastern refugees invariably focus exclusively and short-sightedly on the plight of those of Palestinian descent. Few are aware of the injustices faced by hundreds of thousands of Jews, Christians and others who fled from Arab lands and Iran either as a direct result of the Arab-Israeli conflict or from persecution associated with that conflict.

Perhaps the most telling example, Madam Speaker, is the case of the Jewish refugees from Arab lands. Many Jews saw their communities, which had existed vibrantly for centuries even before the advent of Islam, systematically dismantled. Their populations throughout the Arab world and Iran was reduced from over 1 million to just several thousand. They lost their resources, their homes, and their heritage sites fleeing in the face of persecution, pogroms and brutal dictatorships.

Jewish refugees who fled Arab countries and Iran left behind what today amounts to billions of dollars in assets. Not only have they received not one thin dime of compensation to this day, but their plight has not even received recognition by the United Nations nor similar international institutions.

While countless U.N. resolutions have been adopted focusing on the Palestinian refugee issue, no conferences have been held on the Jewish refugees. No U.N. agencies nor international human rights organizations address their fate. Failure to recognize their plight, Madam Speaker, along with the plight of the Christian communities throughout the region, only serves to perpetuate their suffering. Therefore, in past Congresses, I have sponsored resolutions similar to the one before us today, House Resolution 185. This resolution urges greater recognition of the plight of these often overlooked refugees, it emphasizes that any comprehensive Middle East peace agreement can only be credible, can only be enduring if it resolves all issues related to the rights of all refugees in the Arab world and Iran, including Jews, Christians and others.

I am proud to be the lead Republican cosponsor of this resolution. And I thank my good friend and my colleague from New York, Congressman JERRY NADLER, for having the insight to introduce it.

I urge the House to adopt this very important resolution.

And with that, Madam Speaker, I reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I yield 6 minutes to the sponsor of the resolution, the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of this resolution which I introduced, along with Representatives ROS-LEHTINEN, CROWLEY and FERGUSON. I am proud to stand alongside of them, as well as Chairman BERMAN and Representative ACKERMAN, who have been strong leaders on the issue of Jewish refugees from Arab lands, in this historic moment of recognition of these refugees.

I would also like to take a moment to commend the leadership of our late chairman, Tom Lantos, whose leadership on this issue and on all human rights issues has been critical to opening this debate and to recognizing the rights of refugees throughout the world.

This resolution is not just about a forgotten chapter of history. For centuries, long before the advent of Islam and long after it, Jewish communities lived peacefully and often prosperously and productively in Arab lands among Arab people. Their forced relocation and the material value they lost when they were compelled to abandon their homes and other properties in Arab countries has never been redressed. For example, in Iraq, a community of 150,000 in 1948 dwindles to around 10 today. In Egypt, a community of 75,000 in 1945 became between 50 and 100 today. In Yemen and Aden, 63,000 in 1948 became 200 in 2003. 140,000 Jews lived in Tunisia in 1948, less than 100 remained in 2004.

In Morocco, which is hailed today as a bastion of Jewish-Arab coexistence in the Arab world, a thriving community of more than a quarter million Jews lived their lives in peace by 1948; by 2003, only 5,500 remained. Some left willingly, most did not.

While the plight of Palestinian refugees is well known throughout the world and has been a major element in every Arab-Israeli peace plan and negotiation, the plight of these Jewish refugees is rarely mentioned these days. Nevertheless, numerous international agreements pertaining to the Arab-Israeli conflict have been codified with the rights of the Jewish refugees in mind. U.N. Security Council resolution 242, passed on November 22, 1967, after the Six Day War, calls for a just settlement to the refugee problem without limiting that problem to Palestinians. In fact, the Soviet Union tried to limit that resolution to Palestinians and it was rejected.

Presidents Carter and Clinton stated explicitly that the issue of Jewish refugees must be a part of any comprehensive Arab-Israeli peace agreement. And lest there be any doubt about this status, the U.N. High Commission on Refugees in 1957 ruled that Jewish people that fled Arab countries were, indeed, ''refugees.''

This principle is reaffirmed in the Camp David Accords and in the Egyptian-Israeli Peace Treaty. The treaty states, ''The parties agree to establish a Claims Committee for the mutual settlement of all financial claims.'' And it also states, ''Jewish refugees have the same rights as others do.''

These Jewish refugees, Madam Speaker, were expelled systematically under official regime policies, which included state-fostered anti-Jewish decrees, pogroms, murders and hangings, anti-Semitic incitement and ethnic cleansing. They were done in accordance with an Arab League 1947 decree that provided a formula to promote state-sanctioned discriminatory measures that were replicated in many Arab countries in a deliberate campaign to expel the entire Jewish population from their home countries. And unlike the Palestinians, the Jewish refugees, having been expelled from the Arab countries, were absorbed into their host countries, mostly by Israel. About 600,000 refugees went to Israel, and the remaining 300,000 fled to other countries, such as France, Canada, Italy and the United States. In Israel today, the majority of the population consists of Jews from Arab countries and their children and grandchildren.

The right of Jewish refugees from Middle Eastern lands to seek redress does not in any way conflict with the rights of Palestinian refugees to seek redress, and resolution states this explicitly. This resolution merely expresses the sense of Congress that Jewish refugees, many of whom were so effectively absorbed by the State of Israel, should not be denied their legitimate rights and compensation for the property of which they were deprived.

The resolution further states that a comprehensive Middle East peace agreement can be credible and enduring only if it achieves legitimate rights of all refugees, ''including Jews, Christians and other populations'' displaced from Middle East countries. Importantly, it also resolves that the President should instruct the U.S. Representative at the U.N. and all U.S. representatives in bilateral and multilateral fora to use their voice, their vote and the influence of the United States to ensure that any resolutions relating to the issue of Middle East refugees which include a reference to the required resolution of the Palestinian refugee issue must also include a similarly explicit reference to the resolution of the issue of Jewish refugees from Arab countries, and to make clear that the United States Government supports the position that as an integral part of any comprehensive and much to be desired Arab-Israeli peace, the issue of refugees from the Middle East, north Africa and the Persian Gulf must be resolved in a manner that includes recognition of the legitimate rights of and losses incurred by all refugees displaced from Arab countries, including Jews, Christians and other groups.

There is broad bipartisan support for this resolution, which was passed with unanimous consent from the Foreign Affairs Committee. Many Jewish groups have endorsed the resolution, including the American Jewish Committee, Conference of Presidents of Major American Jewish Organizations, Hadassah, the Union for Reform Judaism, the Jewish Council for Public Affairs, the Anti-Defamation League, and the Orthodox Union, among others. I must particularly acknowledge the work of B'nai B'rith International and the strong leadership of Justice for Jews from Arab Countries, which has led the International Rights and Redress Campaign. As of September 2007, this coalition to secure the rights of Jewish refugees from Arab lands includes 72 organizations and 20 countries.

It is important to deal with this issue now while some of the original refugees are still alive. Justice for Jews from Arab Countries has organized a campaign to conduct public education programs on the heritage and rights of former Jewish refugees from Arab countries, to register family history narratives, and to catalogue communal and individual losses suffered by Jews who fled from Arab countries.

By adopting this resolution and urging that the rights of Jewish refugees be recognized in any future comprehensive Middle East settlement, we are simply seeking to ensure that any such agreement is just, fully just to all parties. As a member of the Quartet, and in light of the United States' central and indispensable role in promoting a just Middle East peace, the U.S. must reaffirm that it embraces a just and comprehensive approach to the issue of Middle East refugees. I urge strong report for this resolution.

Mr. BERMAN. Madam Speaker, I yield 2 minutes to the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for yielding and for his leadership on this important issue.

Madam Speaker, when Israel declared its independence in May, 1948, seven Arab nations immediately attacked the fledgling country and sought to drive Israel into the sea. Simultaneously, many of the same Arab nations forced their own Jewish citizens to leave their ancestral homes, making refugees out of nearly one million people.

The issue of Jewish refugees from Arab lands speaks to one of the fundamental problems of the Arab-Israeli conflict. Many Arab countries have refused to accept the existence of Israel,

while cynically exploiting the Palestinian refugees in their war against Israel. Arab leaders willingly agree to confine the Palestinians to squalid camps where terrorism and extremism and hate are bred instead of resettling them and welcoming their Palestinian brothers to their own oil rich lands. They claim a ''right of return'' for Palestinian refugees in the hope that they will flood Israel in order to undermine and ultimately destroy the Jewish State of Israel.

Madam Speaker, this resolution begins to set the record straight, while setting out a balanced approach to address the refugee issue, all refugees.

Any peace plan must look at both sides of the refugee issue in an equal way. We must acknowledge the Jewish refugees from Arab lands, be aware of the hidden agenda behind a Palestinian ''right of return'' and expose the obstructive role played by both the Arab nations and the United Nations in the refugee issue. We must find just solutions for all refugees in this conflict, redressing the grievances of all sides while retaining Israel's integrity as a Jewish state.

Mr. WEXLER. Madam Speaker, I rise today in strong support of House Resolution 185, expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of unacceptable human rights violations and blatant anti-Semitism.

For over 2,500 years, Jewish communities have resided throughout the Middle East, North Africa, and the Gulf region in large numbers. Unfortunately these vibrant Jewish communities have often been considered second-class citizens under onerous rulers. In the 20th century, widespread persecution and mass violations of human rights against Jewish minorities in Arab countries became unfortunately commonplace.

Upon the declaration of the State of Israel's independence in 1948, the difficult status of Jewish minorities was greatly exacerbated as Arab nations declared war or supported the destruction of the nascent state. In response, many members of the Jewish community were forced to flee their countries of birth or faced becoming a political hostage. Jewish properties were unlawfully seized and confiscated without any compensation or just redress. While there were once nearly a million Jews living in these regions, today there are only a few thousand Jews remaining in these Arab countries.

Unconscionably, the story of the Jewish refugees from Arab countries has been neglected by the United Nations and the international community for far too long. While Palestinian refugees from Israel have been one of the focal points of the international community, Jewish refugees from Arab states have been forgotten, if not intentionally ignored. This resolution recognizes the over 850,000 Jewish refugees from Arab states and expresses the sense of Congress that the international community should acknowledge the Jewish refugee issue as a part of any settlement of the Middle East conflict.

It is clear that the violations of human rights against Jewish refugees from Arab countries have never been adequately addressed by the international community. As a cosponsor of H. Res. 185, I believe it is essential that Congress work with the administration to rectify this black mark on history. To this end, I urge my colleagues to join me in supporting this resolution, which sheds light on the plight of Jewish refugees throughout the Middle East.

Mr. KUCINICH. Madam Speaker, I rise in support of H. Res. 185. I commend this body for recognizing the rights of Jewish refugees displaced from Arab countries. I agree that a resolution that addresses the legitimate rights of all refugees is inherent to establishing enduring peace in the Middle East.

The resolution draws its strength by including all refugees in the Middle East, including Jews, Christians, minority communities, Iraqis, and Palestinians. A lasting peace in the Middle East must abate feelings of hostility throughout all refugee populations. As the resolution suggests, this includes recognition of Jewish, Palestinian, and Christian refugee populations but must also encompass all Middle East refugee populations ''numbering in the hundreds of thousands and comprised of peoples from many ethnic, religious, and national backgrounds.''

As such, I urge this body to continue to be mindful of and work toward peaceful, enduring solutions for all refugee populations in the Middle East. Currently the two largest refugee populations in the world are Iraqi and Palestinian refugees. The United Nations has estimated that there are approximately 2,000,000 Iraqi refugees currently displaced from their homes (and another 2,200,000 internally displaced). These Iraqi refugees endure deprivation of food, shelter, and medical care. The United States must be mindful of the role of our foreign policy in the creation of this refugee population and our continuing role in addressing this humanitarian crisis.

United Nations-recognized Palestinian refugees currently constitute an approximate 3,700,000-person population. According to the United Nations Relief and Work Agency, UNRWA, of these refugees, approximately 1,300,000 Palestinian refugees continue to live in 58 recognized refugee camps in Jordan, Lebanon, Syria, the West Bank, and the Gaza Strip. Moreover, ongoing Israeli policies like settlement expansion, which contravene the provisions of the Fourth Geneva Convention as well as the basis of Palestinian-Israeli peace agreements, create new refugee populations today.

I support H. Res. 185 for recognizing the displacement, human rights, suffering and loss of all refugees. I encourage this body to do so in a way that brings us closer to establishing a just and long-lasting Arab-Israeli peace. To make this dream a reality we must truly rise to become the ''honest broker'' of peace in the Middle East.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 185, as amended.

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

A motion to reconsider was laid on the table.

## EXPRESSING THE SENSE OF CONGRESS REGARDING ALEXANDER LITVINENKO

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 154) expressing the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexander Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death and about the security and proliferation of radioactive materials, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 154

Whereas Russian dissident and writer Alexander Litvinenko, a citizen and resident of Great Britain, suddenly fell ill on November 1, 2006, and died three weeks later in a London hospital;

Whereas British health officials concluded, following an autopsy, that Mr. Litvinenko died of radiation poisoning caused by ingestion of the radioactive element polonium-210, and British law enforcement officials have announced that they are treating Mr. Litvinenko's death as a murder;

Whereas polonium-210, according to the Health Physics Society, radiates alpha particles that cannot penetrate paper or human skin but, if ingested through eating, drinking, or breathing, are extremely toxic, with the ability to destroy cells, damage vital organs such as the liver, kidneys, and bone marrow, cause cancer, and result in human death;

Whereas according to the Health Physics Society, just one millionth of a gram of polonium-210 can be fatal, an amount invisible to the naked eye;

Whereas 97 percent of the world's legal production of polonium-210 occurs at the Avangard nuclear facility in Russia, and Russia is the world's leading exporter of polonium-210 for commercial purposes;

Whereas polonium-210 is presently neither produced in nor commercially exported to Great Britain;

Whereas polonium-210, being especially dangerous to public health and safety if improperly handled, may attract the attention of terrorists because it can be easily and safely concealed and transported and is not usually detectable by radiation detectors;

Whereas this instance of poisoning by use of polonium-210 could serve as a model for future use of the radioactive element to assassinate individuals, poison and kill large numbers of people, or spread general panic and hysteria amongst the public;

Whereas Mr. Litvinenko was a former agent and official in the Federal Security Service of the Russian Federation during the period when present Russian President Vladimir Putin ran that agency;

Whereas in 1998 Mr. Litvinenko was fired from the Federal Security Service and subsequently arrested and briefly incarcerated without conviction for a criminal act after publicly accusing high-level officials of the Federal Security Service of crimes that included plotting assassination attempts;

Whereas Mr. Litvinenko fled Russia and successfully sought asylum in Great Britain,

becoming a naturalized British citizen in October 2006;

Whereas Mr. Litvinenko, after arriving in Britain, repeatedly accused the Federal Security Service and many of its officers, including now-President Putin, of involvement in organized crime, assassinations, and other illegal activity;

Whereas on November 1, 2006, before falling ill, Mr. Litvinenko reportedly met with three citizens of Russia, including former Federal Security Service agent Andrei Lugovoi;

Whereas the manner in which the polonium-210 was obtained, transported, and used must be fully investigated and revealed in order to reveal any defects or inadequacies in the present safeguard regime for that substance administered by the Russian Government and in order to prevent the unlawful, criminal, or terrorist acquisition or use of polonium-210 in the future;

Whereas the danger posed by polonium-210, as displayed by the discovery, subsequent to Mr. Litvinenko's death, of numerous cases of its exposure to objects and persons who had contact with Mr. Litvinenko and his meal companions, demonstrates the threat that the proliferation and use of polonium-210 poses to the lives of innocents worldwide, as well as to international security;

Whereas on July 15, 2006, the United States and Russia jointly announced the Global Initiative to Combat Nuclear Terrorism, which ''will enhance cooperation . . . to combat the global threat of nuclear terrorism . . . [including] determined and systematic efforts to improve accounting, control, and physical protection of nuclear material and radioactive substances, as well as security of nuclear facilities; [and] detect and suppress illicit trafficking or other illicit activities involving such materials, especially measures to prevent their acquisition and use by terrorists'';

Whereas Mr. Lugovoi has won immunity from prosecution as a member of the Russian Duma in December 2007 elections allegedly influenced by government electoral manipulation, which provides credence to claims that he has enjoyed official support in obtaining that office and its associated immunity; and

Whereas the British investigation into Mr. Litvinenko's murder continues in an atmosphere of deteriorating relations between the United Kingdom and the Russian Federation due, in part, to a lack of agreement on the further pursuit of that investigation: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress that—

(1) the fatal radiation poisoning of Alexander Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death, and about the security and proliferation of radioactive materials;

(2) the use of such radioactive materials in such cases demonstrates a threat to the safety and security of the people of the Russian Federation, the United Kingdom, the United States, and other countries; and

(3) the President of the United States and the Secretary of State should urge Russian President Vladimir Putin and other officials of the Russian Government to cooperate fully with the British Government in its investigation into Mr. Litvinenko's death and to ensure the security of the production, storage, distribution, and export of polonium-210 as a material that may become dangerous to large numbers of people if utilized by terrorists.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. 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 resolution under consideration.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Madam Speaker, I am pleased to support this resolution that notes the tragic poisoning of Alexander Litvinenko, expresses concern about the potential involvement of elements of the Russian Government in his death, and highlights the need to ensure the security of radioactive materials.

□ 1315

And I'd like to thank my good friend and the ranking member of the Foreign Affairs Committee, ILEANA ROS-LEHTINEN of Florida, for introducing this important measure.

In late November 2006, Americans joined with many around the world in watching with horror as a youthful, energetic Russian dissident and British citizen dramatically changed appearances within days. Who can forget the piercing blue eyes of the bald and gaunt man staring intently at the camera from a London hospital bed?

After the completion of an autopsy, British health officials concluded that Alexander Litvinenko had died on November 23, 2006 of radiation poisoning caused by ingesting the radioactive element Polonium-210. British law enforcement officials classified his death as murder.

Alexander Litvinenko was an agent in the Federal Security Service of the Russian Federation at the time when Vladimir Putin ran the agency. Mr. Litvinenko was fired from the service in 1998, then was arrested and briefly held without conviction after accusing senior Security Service officials of assassination plots.

Mr. Litvinenko successfully sought asylum in Britain, from where he continued to accuse the Security Service of involvement in illegal activities.

The night before falling ill, Mr. Litvinenko reportedly dined with three Russian citizens, including former Federal Security Service Agent Andrei Lugovoi.

On May 22, 2007, British authorities announced their intent to prosecute Mr. Lugovoi for the murder of Mr. Litvinenko. After Russia refused to extradite Mr. Lugovoi to Britain, a political dispute ensued between the two countries that resulted in the mutual expulsion of diplomats.

The murder of Alexander Litvinenko clearly raises disturbing questions about how elements of the Russian Government appear to deal with their enemies and perceived threats.

It also raises worrying questions about the security and proliferation of radioactive material. 97 percent of the world's legal production of Polonium-210 occurs at the Avangard nuclear facility in Russia, the country that is also the world's leading exporter of this substance for commercial purposes.

If the Russian government is not responsible for Litvinenko's death, as President Putin has stated, then it should be urgently investigating the security of the production, storage, distribution and export of Polonium-210 to prevent grave threats to international security.

The resolution calls on President Bush and Secretary Rice to urge President Putin and President-elect Medvedev to cooperate with British authorities in finding answers to ensure the safety and security of all our citizens.

I urge my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

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

Madam Speaker, I rise today in support of House Concurrent Resolution 154, which I introduced.

The purposes of this measure, they're very straightforward. First, it is to put this Congress on record as being skeptical, to say the least, about the Russian Government's views and positions regarding the murder of the Russian dissident and writer Alexander Litvinenko in November of 2006.

We must keep in mind that Litvinenko, as a former agent of the Russian Security Service, was in a position to speak with credibility when he charged high level officials of the Russian Government with involvement in assassinations and organized crime and the use of state-sponsored terrorism for political purposes in the 1999 bombings of several Russian apartment buildings.

We note that Mr. Litvinenko's poisoning with the radioactive material known as Polonium-210 raises some interesting general facts. Polonium-210 is not produced, nor commercially exported to Britain where Mr. Litvinenko was murdered. Indeed, as Mr. BERMAN pointed out, 97 percent of the world's production of Polonium-210 takes place in Russia. And indeed, after the poisoning of Litvinenko in London, British investigators were able to track traces of the material to passenger aircraft serving the London to Moscow route.

Furthermore, the British investigation into the murder has found that Litvinenko had met with three visitors from Russia prior to the detection of the radioactive poison in his body. The British authorities are now, in fact,

seeking to prosecute a Russian citizen who currently resides in Russia for his involvement in the murder.

The second purpose of this measure, Madam Speaker, is to point out that Polonium-210 would prove to be a dangerous weapon that Islamic radicals could use seeking to inflict large numbers of civilian casualties, not just to murder an individual. Therefore, as the dominant producer of this material, it is incumbent upon the Russian Government to ensure the security from proliferation of the Polonium-210, and this resolution indeed makes that case.

Madam Speaker, in closing, I note that former Deputy Secretary of State Strobe Talbott appeared before our Foreign Affairs Committee last October and said the following when asked about this case, and I quote. ''Many of the people running Russia today come from Security Services, the secret police. There has been a long and unbroken tradition of the use of murder as a means of controlling Russian society. And I can tell you that our British colleagues believe that they have at least a prosecutable case that goes very, very close to the seat of power in Moscow.''

Madam Speaker, the perpetrators of the 1999 apartment building bombings in Russia probably hope that the passage of time would cover their tracks and that people would forget and move on. That appears to be the case in Moscow with this case as well, unfortunately.

So the question before our President and this Congress is the following: Will that be allowed to happen in the Litvinenko case as well?

I urge my colleagues to support this resolution to keep in mind that the people of Russia live with this kind of threat every day. Their government is aggressively working to take back control over the economy, over their livelihoods, their access to uncensored news and their personal freedoms.

So, Madam Speaker, I hope that the House passes this resolution.

Mr. PAUL. Madam Speaker, I rise in strong opposition to this ill-conceived resolution. The U.S. House of Representatives has no business speculating on guilt or innocence in a crime that may have been committed thousands of miles outside United States territory. It is arrogant, to say the least, that we presume to pass judgment on crimes committed overseas about which we have seen no evidence.

The resolution purports to express concern over the apparent murder in London of a shadowy former Russian intelligence agent, Alexander Litvinenko, but let us not kid ourselves. The real purpose is to attack the Russian government by suggesting that Russia is involved in the murder. There is little evidence of this beyond the feverish accusations of interested parties. In fact, we may ultimately discover that Litvinenko's death by radiation poisoning was the result of his involvement in an international nuclear smuggling operation, as some investigative reporters have claimed. The point is that we do not know. The House of Representatives has no business inserting itself in disputes about which we lack information and jurisdiction.

At a time when we should be seeking good relations and expanded trade with Russia, what is the benefit in passing such provocative resolutions? There is none.

Madam Speaker, I would like to draw your attention to a very thought-provoking article by Edward Jay Epstein published recently in the New York Sun, which convincingly calls into question many of the assumptions and accusations made in this legislation. I would encourage my colleagues to read this article and carefully consider the wisdom of what we are doing.

Ms. ROS LEHTINEN. I have no further requests for time, and I give back the balance of our time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 154, as amended.

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

A motion to reconsider was laid on the table.

## CIVIL RIGHTS ACT OF 1964 COMMEMORATIVE COIN ACT

Mr. SCOTT of Georgia. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2040) to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2040

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Civil Rights Act of 1964 Commemorative Coin Act''.

**SEC. 2. FINDINGS.**

The Congress hereby finds as follows:

(1) On December 1, 1955, Rosa Parks' brave act of defiance, refusing to give up her seat to a white person on a segregated bus in Montgomery, Alabama, galvanized the modern civil rights movement and led to the desegregation of the South.

(2) On February 1, 1960, 4 college students, Joseph McNeil, Franklin McCain, David Richmond, and Ezell Blair, Jr., asked to be served at a lunch counter in Greensboro, North Carolina, and lunch counter sit-ins began to occur throughout the South to challenge segregation in places of public accommodation.

(3) On May 4, 1961, the Freedom Rides into the South began to test new court orders barring segregation in interstate transportation, and riders were jailed and beaten by mobs in several places, including Birmingham and Montgomery, Alabama.

(4) Dr. Martin Luther King, Jr., was the leading civil rights advocate of the time, spearheading the civil rights movement in the United States during the 1950s and 1960s with the goal of nonviolent social change and full civil rights for African Americans.

(5) On August 28, 1963, Dr. Martin Luther King, Jr., led over 250,000 civil rights supporters in the March on Washington and delivered his famous ''I Have A Dream'' speech to raise awareness and support for civil rights legislation.

(6) Mrs. Coretta Scott King, a leading participant in the American civil rights movement, was side-by-side with her husband, Dr. Martin Luther King, Jr., during many civil rights marches, organized Freedom Concerts to draw attention to the Movement, and worked in her own right to create an America in which all people have equal rights.

(7) The mass movement sparked by Rosa Parks and led by Dr. Martin Luther King, Jr., among others, called upon the Congress and Presidents John F. Kennedy and Lyndon B. Johnson to pass civil rights legislation which culminated in the enactment of the Civil Rights Act of 1964.

(8) The Civil Rights Act of 1964 greatly expanded civil rights protections, outlawing racial discrimination and segregation in public places and places of public accommodation, in federally funded programs, and employment and encouraging desegregation in public schools, and has served as a model for subsequent anti-discrimination laws.

(9) We are an eminently better Nation because of Rosa Parks, Dr. Martin Luther King, Jr., and all those men and women who have confronted, and continue to confront, injustice and inequality wherever they see it.

(10) Equality in education was one of the cornerstones of the civil rights movement.

(11) On September 10, 1961, Dr. Martin Luther King, Jr., wrote that African American ''students are coming to understand that education and learning have become tools for shaping the future and not devices of privilege for an exclusive few''.

(12) Over its long and distinguished history, the United Negro College Fund has provided scholarships and operating funds to its member colleges that have enabled more than 300,000 young African Americans to earn college degrees and become successful members of society.

(13) Those graduates include Dr. Martin Luther King, Jr., as well as leaders in the fields of education, science, medicine, law, entertainment, literature, the military, and politics who have made major contributions to the civil rights movement and the creation of a more equitable society.

(14) Congress has an obligation to lead America's continued struggle to fight discrimination and ensure equal rights for all.

(15) The year 2014 will mark the semicentennial of the passage of the Civil Rights Act of 1964.

**SEC. 3. COIN SPECIFICATIONS.**

(a) DENOMINATIONS.—The Secretary of the Treasury (hereinafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 350,000 $1 coins each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

**SEC. 4. DESIGN OF COINS.**

(a) DESIGN REQUIREMENTS.—The design of the coins minted under this Act shall be emblematic of the enactment of the Civil Rights Act of 1964 and its contribution to civil rights in America.

(b) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(1) a designation of the value of the coin;

(2) an inscription of the year ''2014''; and

(3) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(c) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee established under section 5135 of title 31, United States Code.

**SEC. 5. ISSUANCE OF COINS.**

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 2014, except that the Secretary may initiate sales of such coins, without issuance, before such date.

(c) TERMINATION OF MINTING AUTHORITY.—No coins shall be minted under this Act after December 31, 2014.

**SEC. 6. SALE OF COINS.**

(a) SALE PRICE.—Notwithstanding any other provision of law, the coins issued under this Act shall be sold by the Secretary at a price equal to the sum of the face value of the coins, the surcharge required under section 7(a) for the coins, and the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, overhead expenses, and marketing).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS AT A DISCOUNT.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

**SEC. 7. SURCHARGES.**

(a) SURCHARGE REQUIRED.—All sales shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges which are received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the United Negro College Fund (UNCF) to carry out the purposes of the Fund, including providing scholarships and internships for minority students and operating funds and technology enhancement services for 39 member historically black colleges and universities.

(c) AUDITS.—The United Negro College Fund shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received by the Fund under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Georgia. Madam Speaker, I yield myself just a couple of minutes here at the beginning.

This is a very, very important and timely piece of legislation. H.R. 2040 is the Civil Rights Act of 1964 Commemorative Coin Act. As a steadfast proponent of this most important legislation, it is indeed my honor and privilege.

First and foremost, I wish to commend my good friend and my own personal hero and mentor from the great State of Georgia, my colleague, Mr. JOHN LEWIS, on the extraordinary work that he has done throughout his entire life, and certainly on the work to bring this commemorative coin bill recognizing the 50th anniversary of the passage of the Civil Rights Act of 1964 to the floor with the minting of a $1 coin.

I applaud the bill for honoring not only the importance of this legislation, but also the many contributions of so many Americans from all walks of life, from all different backgrounds that have come together to make this country great, and certainly have made outstanding contributions during the civil rights era.

I further want to acknowledge the vital role of the United Negro College Fund, UNCF, that they have played in ensuring access to and opportunities for higher education for so many deserving students who, if it had not been for the UNCF, would not have received a college education. During its 64-year existence, the UNCF has raised more than $2.3 billion to support its 39 Historically Black Colleges and University member institutions. And during 2007, the UNCF raised an impressive $220 million in scholarships to help some 65,000 students realize their dreams of receiving a college education. So it's important for us to note that this is more than just a piece of legislation for it's important to note that the proceeds from the sale of this coin will go towards advancing what the Civil Rights Act initially made possible, opportunity for education and empowerment by benefiting the United Negro College Fund and those member schools which played such a vital role, Madam Speaker, in the sit-ins, they started on black college campuses, on the marches, the civil rights marches started by students on black college campuses, demonstrations in the deep south and throughout this country energized by those on black college campuses. These United Negro College Fund students, graduates, faculty and institutions played a significant part in the Civil Rights Movement, and I, as a young activist at that time, as many of my colleagues, am a graduate myself of a Historically Black University, Florida A&M University. And I might add, had it not been for Florida A&M University, Madam Speaker, I would not be standing in the Congress of the United States today.

Now, granted we've come a long way. However, there is still much, much work to do. I am living proof that minorities are able to elect the candidate of their choice as I was elected to the Georgia House of Representatives 34 years ago, becoming the youngest legislator to serve in the State House of Representatives at that time. I owe a tremendous debt of gratitude to those who came before me, and the Civil Rights Act of 1964 has been instrumental in achieving all of these successes.

I submit the following correspondence for the RECORD:

HOUSE OF REPRESENTATIVES,
*Washington, DC, March 6, 2008.*

Hon. BARNEY FRANK,
*Chairman, Financial Services Committee, Washington, DC.*

DEAR CHAIRMAN FRANK, I am writing regarding H.R. 2040, the Civil Rights Act of 1964 Commemorative Coin Act.

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 2040 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2040, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
*Washington, DC, March 6, 2008.*

Hon. CHARLES B. RANGEL,
*Chairman, Committee on Ways and Means, Washington, DC.*

DEAR CHARLIE: I am writing in response to your letter regarding H.R. 2040, the ''Civil Rights Act of 1964 Commemorative Coin Act,'' which was introduced in the House and referred to the Committee on Financial Services on April 25, 2007. It is my understanding that this bill will be scheduled for floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego committee action on H.R. 2040 in order to allow

the bill to come to the floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on these provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
*Chairman.*

□ 1330

Madam Speaker, I reserve the balance of my time.

Mr. HELLER of Nevada. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it's a great honor to rise today to support passage of legislation honoring the 50th anniversary of the Civil Rights Act of 1964 with the minting of a commemorative $1 coin.

It is a particular honor to be working on a bill sponsored by one of the heroes of the civil rights movement, Congressman JOHN LEWIS and my colleague DEBORAH PRYCE.

Madam Speaker, the Civil Rights Act is widely recognized as one of the most effective, influential pieces of legislation passed by the United States Congress in the last century. The statute helped dismantle the insidious system of legalized discrimination in voting and public accommodations in America and served as a model for subsequent civil rights laws. Equally important, the Civil Rights Act helped America belatedly reach the promise put forth by our Founding Fathers, that all men are indeed created equal.

The Act is the bedrock for the America we know today, a Nation that recognizes the equal rights of the disabled, women, the elderly, minority citizens, and other groups as invaluable contributors to our society, and all inherently equally deserving of the protections afforded by our Constitution.

The bill before us today provides for the minting of a Civil Rights Commemorative Coin, with the proceeds expected to raise up to $2.5 million for the United Negro College Fund, providing scholarships and internships for minority students and assisting our Nation's Historically Black Colleges and Universities. As the bill honors our Nation's past, it helps to fund our Nation's future.

Madam Speaker, it is a great honor for me to be joined in this legislative effort by Congressman JOHN LEWIS. Mr. LEWIS, the principal sponsor, is a man whose courage, thoughtful advocacy, and leadership in the struggle for civil rights speaks for itself. His brave leadership in the first Selma to Montgomery march, and his support for nonviolent revolution in the face of the brutal attacks of that fateful Sunday are the very acts of courage the coin seeks to honor for future generations.

It is especially auspicious that we are taking up the bill this week, because Friday marks the tragic 40th anniversary of the assassination of Dr. Martin Luther King, Jr. Today, we can help honor his legacy and his indelible and inalterable imprint on America by authorizing a tribute to his historic works in the form of a commemorative coin. While it is but a small tribute to a man who gave his life for our betterment, it is a permanent statement of gratitude from a Nation forever thankful for his vision, compassion, and determination.

Madam Speaker, pick up any newspaper in the country and you will see that the topic of race relations continues to be an important part of our American dialogue. But we should not be a Nation that hides from its past. We cannot sweep our past mistakes under the rug and refrain from debate on topics that we might find uncomfortable. Rather, we must know that the fight for equality for all is never ending and that recognizing and understanding our Nation's past is critical if we are to ensure a just America for all in the future.

The fight for civil rights continues, and the Civil Rights Commemorative Coin honors both our Nation's historic struggles and the promise for justice and equality for all the generations that will follow us.

I urge immediate passage of this bill, Madam Speaker.

Madam Speaker, I reserve the balance of my time.

Mr. SCOTT of Georgia. Let me just extend my deep appreciation to the gentleman from Nevada (Mr. HELLER) for his kind words. They were very touching and meaningful. Thank you very much.

Now, Madam Speaker, if I may yield time to probably the most fitting and appropriate person to speak on this bill, the author of the bill, my friend and a man who has put his life on the line repeatedly for civil rights, for human rights and for making this country and the world the beloved place that we all seek. Let me yield as much time as he may need to my good friend, JOHN LEWIS of Georgia.

Mr. LEWIS of Georgia. Madam Speaker, I want to thank my friends and my two colleagues for those kind words.

I'm honored to stand here today as the chief sponsor of this legislation to recognize the brave and courageous men and women who paved the way for the historic, and necessary, set of laws we call the Civil Rights Act of 1964.

We would not be standing here today with this bill being considered on the floor, with 313 cosponsors, without the help of my good friend and colleague, Representative VIC SNYDER. Representative SNYDER was a champion of this bill. I appreciate his support of this bill and the ideas behind it.

I would also like to acknowledge Congresswoman DEBORAH PRYCE for her willingness to cosponsor this bill with me.

On December 1, 1955, Rosa Parks' brave act of defiance, refusing to give up her seat to a white person on a segregated bus in Montgomery, Alabama, galvanized the modern-day civil rights movement. I remember as a young child, 15 years old, listening to the radio and hearing about Rosa Parks and the voice of Martin Luther King, Jr.

Their work inspired me and so many others to take up the cause of equality and join the movement. We must never forget the sacrifices that so many made.

I am proud, very proud, to be the lead sponsor of this legislation, which celebrates the Civil Rights Act of 1964, and to remember those who fought for its passage.

In 2014, the 50th anniversary of the 1964 Civil Rights Act, commemorative coins will be minted with the images of the brave men and women who fought, and even died, for these laws. These coins will serve as educational tools for our children and their children, so that the struggle that so many took part in will never, ever be forgotten.

The Civil Rights Act of 1964 was necessary, and it was right to pass. It greatly expanded civil rights protections. It outlawed segregation and racial discrimination in public places, places of public accommodation, the workplace, and even in federally funded programs. It also pushed to end segregation in our Nation's schools.

It is only right then that we are working with the United Negro College Fund to commemorate the 50th anniversary of this historic milestone. Discrimination in our education system was real. For many African Americans, their only hope for a college education was through a UNCF school. UNCF institutions were founded to provide an education for African Americans who were banned by law or by custom from seeking a college education in the all-white public and private universities of the South.

Today, UNCF continues their important mission of opening the doors to a college education. Over 60 percent of UNCF-supported students are the first in their families to attend college. By helping to fund the UNCF, these coins will put in reach a college education for first-generation students while also helping to ensure these important institutions of higher education remain open for future and unborn generations.

I'm proud to stand here today as we pay tribute to the 1964 Civil Rights Act and to remember those who made it possible. There is still much work to be done, and we must continue to fight today, tomorrow, and into the future.

I urge all of my colleagues to vote for this bill.

Mr. SCOTT of Georgia. Madam Speaker, now I would like to extend and yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, first of all, I want to thank Representative SCOTT from Georgia for yielding time, and I also want to commend the sponsor of this legislation

and recognize his tremendous leadership in the struggle for human rights since his teen years when he was a mere lad. We heard him mention the age of 15, and that's about the time that he became actively engaged and involved in the struggle for human rights.

This legislation highlights the Voting Rights Act of 1964, which even though all people in our country supposedly had the right to vote prior to that time, it provided the kind of protections that were necessary to make sure that those rights were not taken away, that those rights were not denied.

I also want to commend Representative LEWIS for his creative way of helping to raise money for the United Negro College Fund. I've been getting phone calls from my brother all week, and I know why he's calling me, because every year he and a friend of his, Jackis Casson, put on an event to raise money for the United Negro College Fund. And so he's been calling to solicit me to buy my tickets, and so the more money that we can generate through this legislation, the less money I might have to give.

So I commend you so much and thank you so much.

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

Mr. SCOTT of Georgia. Madam Speaker, this has been an extraordinary occasion. It is very important to remember where we have been so that we will have a good guide to determine where we need to go, and we have done that this afternoon in not only memorializing this important Civil Rights Act, but using this memorial of the 50th anniversary of the passing of the Civil Rights Act to make a difference where it counts the most, and that is in helping with the education of our young people.

We have, indeed, made a difference here today. I recommend this bill, and we feel very strongly that we will get a unanimous vote on this bill.

Mr. BISHOP of Georgia. Madam Speaker, I rise today in support of H.R. 2040 which is authored by my good friend from the Georgia delegation, Mr. JOHN LEWIS.

Almost 44 years ago, the Civil Rights Act was passed into law. The legislation was a long time in coming—in 1957 and 1960 similar legislation had failed to pass Congress, and many attempts were made to derail the bill that was eventually signed into law by President Lyndon Johnson on July 2, 1964.

However, the period leading up to passage of the Civil Rights Act seemed to happen in the blink of an eye compared to the long and arduous journey we have endured since. Ensuring equality for men and women of every race, creed, and orientation, though fixed in our laws in 1964, was not immediately fixed in the hearts and minds of the American people.

Martin Luther King once said, ''The arc of the moral universe is long, but it bends towards justice.''

So it has been with civil rights in this country. And, just as passage of antidiscrimination legislation did not end social discord in 1964, memorializing the Civil Rights Act on a coin from the U.S. Treasury, as H.R. 2040 proposes, does not mean discrimination has run its course in the United States. More than ever, as the United States struggles with the problem of so many foreign born living in this country, contemplates the idea of a black man or a woman as the President of this country, and negotiates with nations whose religion and morals differ widely from our own, we need to remember the values inherent in the Civil Rights Act.

I commend Mr. LEWIS and all the cosponsors for bringing this legislation to the floor and I urge all my colleagues to join us in support of it.

Ms. JACKSON-LEE of Texas. I rise today in strong support of H.R. 2040, requiring the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964, introduced by my distinguished colleague from Georgia, Representative JOHN LEWIS.

I speak out today to commemorate the progress we have made in casting out the demons of prejudice and discrimination. I speak out today recognize the steps we have taken as a Nation to get closer to the American Creed. However, I must also speak out today to call attention to the progress we have yet to make in order to fulfill the tenants of Civil Rights Act of 1964. I speak out today to challenge this Nation to uphold our founding principles of equal opportunity for all, regardless of race, color, sex, religion and national origin.

Though 44 years have passed since the passage of the Civil Rights Act of 1964, today, in 2008, we are still witnessing horrible violations of the principles of this act. To cite a recent example, in Waller County, Texas, an attempted disenfranchisement of Prairie View A&M University students continues today, although the U.S. Supreme Court affirmed Prairie View A&M University student voter rights in 1979.

On November 5, 2003, the Waller County, Texas district attorney requested that the county Elections Administration bar the students at Historically Black College Prairie View A&M University from voting locally by virtue of his unilateral interpretation of ''domicile'' for voting purposes. Texas voter registration law only requires a person to be a resident of the county at least 30 days prior to the elections. African-American students represent the majority of Prairie View A&M's student body of 7,000 members, and these students constitute a major voting bloc in Waller County. The district attorney's request sought to effectively disenfranchise African-American college students in this area; as such, this request suggested a form of voter intimidation and likely had the effect of denying or abridging the right to vote on account of race or color. Despite a prolonged dialog with Texas officials regarding this matter, relief from the pressures and intimidation experienced by the students when attempting to exercise their rights was never provided. This example does not stand alone among the long list of discriminatory acts that continue to plague our Nation.

The Civil Rights Act of 1964 Commemorative Coin Act requires the Secretary of the Treasury to mint and issue, during 2014, up to 350,000 $1 coins designed to be emblematic of the enactment of the Civil Rights Act of 1964 and its contribution to civil rights in America. This coin would symbolize our progress, commemorate the 50th anniversary of the Civil Rights Act of 1964, and serve as a constant reminder of the work we still have to do. The Civil Rights Act of 1964 Commemorative Coin Act would also provide a surcharge of $10 per coin. All surcharges received in conjunction with the sale of this coin would be paid to the United Negro College Fund, UNCF. The $10 per coin surcharge will help the UNCF provide scholarships and internships for minority students. The money will also provide operating funds and technology enhancement services for 39 member historically Black colleges and universities throughout America.

Madam Speaker, this important legislation would commemorate a landmark event in our history as Americans. By requiring the Secretary of the Treasurer to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964, this legislation will celebrate our history, while also pushing us forward into a better future. For these reasons, I strongly support H.R. 2040 and urge all Members to do the same.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 2040, as amended.

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

A motion to reconsider was laid on the table.

## EXPRESSING SUPPORT FOR A NATIONAL DAY OF REMEMBRANCE FOR HARRIET ROSS TUBMAN

Mr. DAVIS of Illinois. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 310) expressing support for a national day of remembrance for Harriet Ross Tubman.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 310

Whereas Harriet Ross Tubman was born into slavery in Bucktown, Maryland, in or around 1820;

Whereas in 1849 she escaped to Philadelphia and became a ''conductor'' on the Underground Railroad;

Whereas she was commonly referred to as ''Moses'' due to her courage and sacrifice in leading many enslaved persons out of bondage into freedom, endeavoring despite great hardship and danger of being re-enslaved;

Whereas Harriet Ross Tubman became an eloquent and effective speaker on behalf of the movement to abolish slavery;

Whereas during the Civil War, Harriet Ross Tubman assisted the Union Army as a cook, nurse, scout, spy, and became the first woman to lead an armed expedition in the war, leading to the liberation of more than seven hundred slaves;

Whereas after the Civil War, she became active in the women's suffrage movement and continued to fight for human dignity, human rights, opportunity, and justice;

Whereas in 1896, Harriet Ross Tubman purchased 25 acres of land in Auburn, New York, to create a home and hospital for indigent, aged, and sick African-Americans, which opened on June 23, 1908, as the Harriet Tubman Home for the Sick and Aged, becoming the only charity outside of New York City dedicated to the shelter and care of African-Americans in New York;

Whereas in 1944 the United States Maritime Commission launched the SS Harriet Tubman (Hull Number 3032), the first Liberty ship ever named for an African-American woman;

Whereas in 1978, Harriet Ross Tubman was the first honoree in the United States Postal Service Black Heritage Stamp Series;

Whereas the Episcopal Church has designated Harriet Ross Tubman a saint in its Book of Common Prayer;

Whereas Harriet Ross Tubman, whose courageous and dedicated pursuit of the promise of American ideals and common principles of humanity continues to serve and inspire all people who cherish freedom, died at her home in Auburn, New York, on March 10, 1913;

Whereas March 10, 1990, was designated as Harriet Ross Tubman Day and States such as Delaware, Georgia, Maryland, New York, and Texas host annual celebrations that honor the life of Harriet Tubman; and

Whereas we support honoring the contributions of Harriet Ross Tubman annually on March 10: Now, therefore, be it

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

(1) supports the designation of a national day of remembrance for Harriet Ross Tubman; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate a national day of remembrance for Harriet Ross Tubman.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I might consume.

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Con. Res. 310, which seeks to honor the life of Harriet Tubman and acknowledge the many sacrifices she made on behalf of freedom and the inalienable rights of all men and women.

She was a steadfast warrior for the values which we cherish today: freedom, justice, and equality for all. Without her, these values would not have been enjoyed by the dozens of African Americans that she rescued from slavery, in addition to many more that she helped by her unwavering commitment to emancipation.

□ 1345

H. Con. Res. 310 was introduced by Representative ELIJAH CUMMINGS of Maryland on March 5, 2008, and was considered by and reported from the Oversight Committee on March 13, 2008, by voice vote.

The measure has the support of over 60 Members of Congress and provides our body a collective opportunity to recognize and pay tribute to a woman who dedicated her life to ensuring equality and freedom, which stand at the foundation of our country, were afforded to all of its citizens, including those enslaved in the South.

Harriet Tubman was born Araminta Ross in 1820 to Harriet ''Rit'' Green and Ben Ross, a slave couple from Dorchester County, Maryland. From an early age, it was evident that Harriet Tubman was willing to put her life on the line to assist African Americans in escaping that peculiar institution we know as slavery. At 12 years old, she suffered a traumatic blow to the head from her overseer when she refused to help restrain a slave who was escaping. Due to the head injury she sustained, Harriet was plagued for the rest of her life with violent seizures and spells of unconsciousness.

Yet despite these ailments, Harriet Tubman continued to press on. In 1849 Harriet Tubman managed to escape from the plantation she worked on, located in the eastern part of Maryland. On her first trip up north, Tubman made great use out of the Underground Railroad and crossed over 90 miles to reach her final destination of Pennsylvania. Because of the dangers that lined every step of her journey, she had to travel at night, using the North Star for guidance. When she reached Philadelphia, she recalled that it felt like she was in heaven. Yet the memory of her family still in bondage caused Harriet to leave ''heaven'' and voluntarily return to the land of her enslavement. After the decision to save her family, she spent the majority of her life bringing individuals out of slavery by way of the Underground Railroad. In fact, Tubman became known as Moses because of her relentless efforts to aid more and more African American slaves out of captivity.

For 11 years Harriet Tubman risked her life to free over 70 slaves and their families. She also served as a Union spy during the Civil War and assisted abolitionist John Brown in recruiting men for the raid on Harpers Ferry in 1859. In the post-war era, Tubman devoted her efforts towards the women's suffrage movement up until her death in 1913. In a letter to honor her memory, Frederick Douglass wrote: ''Excepting John Brown, of sacred memory, I know of no one who has willingly encountered more perils and hardships to serve our enslaved people than she has.''

Madam Speaker, let us honor this true patriot for the courage and tenacity that she has shown in the face of great danger and great adversity. Harriet Tubman deserves our utmost respect and gratitude for her unconquerable valor, her harrowing dedication, and her unshakable faith all in the name of freedom. Therefore, I urge swift passage of H. Con. Res. 310.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of this resolution honoring Harriet Tubman.

Madam Speaker, Harriet Tubman is an American icon. She exemplified the ideals of courage, loyalty, and commitment in the face of adversity. After escaping from slavery in 1849, she immediately returned to Maryland at great personal risk to rescue her family members and others still bound in slavery. Some of the houses she used to stow escaped slaves are but a few miles from this very Chamber.

Over the course of her years as the self-described ''conductor'' of the Underground Railroad, Tubman led 13 missions into Maryland and rescued more than 70 slaves. She didn't stop with leading slaves to freedom. She also helped them find jobs, founded a community in Canada where freed slaves could be safe from fugitive slave laws, and later opened a home for elderly African Americans.

Tubman played an integral role in the 1859 raid on Harpers Ferry, West Virginia. She helped John Brown contact freed slaves and garnered support from other abolitionists and sympathizers in Pennsylvania, Maryland, and Delaware. As a member of the Union Army during the Civil War, Tubman became the first woman in American history to lead an armed expedition. When slavery finally ended in the United States, she turned her considerable talents and energies towards the women's suffrage movement. She represented all that is great about America: the ability, the will, and the wherewithal to do that which is right and, more importantly, to do it for precisely that reason.

Madam Speaker, I want to thank Mr. CUMMINGS for introducing this resolution, and I thank Mr. DAVIS for helping us shepherd this through the committee, and I urge its adoption.

Mr. KUCINICH. Madam Speaker, I rise today in strong support of H. Con. Res. 310: Expressing support for a national day of remembrance for Harriet Ross Tubman. I wish to thank Representative CUMMINGS for sponsoring this important legislation.

Harriet Tubman was a remarkable woman, whose courage, struggle and dedication inspires respect and awe. It is appropriate that the Episcopal Church honors her as a saint.

Born into slavery, Harriet Ross did not know her exact date of birth. At the age of 12 years she refused to help a white overseer bind a recaptured slave. For her refusal she was hit in the head with a heavy rock; this injury was severe and its effects would plague her for the rest of her life. At the age of 30 Harriet Tubman would make her escape from slavery to

Canada by way of Philadelphia where she met William Stills and learned about the workings of the Underground Railroad. Tubman would go on to free hundreds from slavery and became known as ''Moses'' for her incredible bravery and sacrifice as she led the way to freedom as a ''conductor'' on the Underground Railroad. Harriet was a dedicated and outspoken member of the abolitionist movement.

During the Civil War she provided services as a nurse, cook, scout and spy for the Union Army, but was refused payment for her wartime service. She became an active member of the women's suffrage movement and went on to establish the Harriet Tubman Home for the Sick and Aged in Auburn, NY, in 1908. She worked to maintain this home, the only one of its kind outside of New York City, dedicated to the care and sanctuary of African-Americans in New York.

Harriet Tubman was a true heroine. I encourage the designation of a national day of remembrance to celebrate her life. I urge my colleagues to join me in support of H. Con. Res. 310.

Ms. MCCOLLUM of Minnesota. Madam Speaker, I rise today in support of House Concurrent Resolution 310, expressing support for a national day of remembrance for Harriet Ross Tubman.

I am proud to be a co-sponsor of this resolution which recognizes the courage and sacrifice with which Harriet Tubman led slaves out of bondage and into freedom. Her work was an important part of moving the U.S. toward a more perfect Union.

As an African-American woman who had been emotionally and physically abused by her owners, Harriet Tubman did the near impossible by freeing herself from a life of slavery. She also had the courage to continue on and help others, guiding hundreds of slaves out of abuse and fear and into freedom and respectful employment. Harriet Tubman not only fought against the most immediate inequalities experienced by African-American slaves, but reached out further, becoming active in the women's suffrage movement.

While the Civil War has long since ended and slavery been abolished, many Americans continue to be enslaved by new forms of abuse and discrimination. Domestic violence and economic inequality imprison many today in fear and submission. Thankfully, Harriet Tubman's actions continue to inspire Americans to find the courage to help each other. In Minnesota, her legacy is alive in the activities of the Tubman Family Alliance agency, which provides safe passage from violence for women and children, and helps them achieve their own freedom, just as Harriet Tubman helped so many people achieve freedom.

It is critical that we remember the courage with which this woman selflessly strove to help others despite the risk of enslavement and death. We must recognize and strive to emulate such bravery not just once a year, but all year. Madam Speaker, I urge my colleagues to join me in supporting this important resolution.

Mr. TOWNS. Madam Speaker, I rise today in support of H. Con. Res. 310, expressing support for a national day of remembrance for Harriet Ross Tubman.

During the month of March, when we celebrate Women's History Month across the nation, it is important that we recognize and celebrate the immeasurable contributions of women such as Harriet Tubman, who bravely led our Nation in the abolitionist movement, taking enormous risks in her fight for the freedom and equality of all Americans.

Harriet Tubman was not only an abolitionist, leading more than 700 slaves to freedom, but served nobly in the Union Army during the Civil War as the first female to head an armed expedition.

Following her accomplishments in the Civil War, Harriet Tubman went on to be a leader in the women's suffrage movement, diligently fighting for women's right to vote, and founded the Harriet Tubman Home for the Sick and Aged, a home and hospital to care for elderly and ailing African-Americans in New York.

Her bravery and dedication to the principles of freedom and equality serve as a positive example to us today, as we continue working together to provide quality education, healthcare, housing, and opportunity to all Americans, regardless of race, gender or income.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in strong support of H. Con. Res. 310, expressing support for a national day of remembrance for Harriet Ross Tubman, introduced by my distinguished colleague from Maryland, Representative CUMMINGS. Harriet Ross Tubman was an African-American abolitionist, humanitarian, and Union Spy during the United States Civil War and as such deserves to be honored for her brave service by members of the United States Congress.

Harriet Tubman was born into slavery in Dorchester County, Maryland, of purely African ancestry. Harriet Tubman was born Araminta ''Minty'' Ross to slave parents, Harriet ''Rit'' Green and Ben Ross. Rit was owned by Mary Pattison Brodess and later her son Edward, while Ben was legally owned by Mary's second husband, Anthony Thompson, who ran a large plantation near the Blackwater River in Dorchester County, Maryland. Tubman was beaten and whipped often by her various owners as a child. Early in life she suffered a traumatic head wound when an irate slave owner threw a heavy metal weight at her, intending to hit another slave. The injury caused disabling seizures, headaches, and powerful visionary and dream activity, and spells of hypersomnia which occurred throughout her entire life.

In 1849, Tubman became ill, and her value as a slave was diminished as a result. Edward Brodess tried to sell her but could not find a buyer. Angry at this effort and the unjust hold he kept on her relatives, Tubman began to pray for her owner, asking God to make him change his ways. After her sell was considered finalized she 'switched' tactics on how she was praying and one week later Brodess died. Tubman expressed regret for her earlier sentiments. Ironically, Brodess's death increased the likelihood that Tubman would be sold and the family would be broken apart. Tubman refused to wait for the Brodess' family to decide her fate, despite her husband's efforts to dissuade her. ''There was one of two things I had a right to,'' she says, ''liberty or death; if I could not have one, I would have the other.''

Harriet Tubman was given a piece of paper by a white neighbor with two names, and told how to find her path to freedom. In 1849, Tubman escaped to Philadelphia. At the first house she was put into a wagon, covered with a sack, and driven to her next destination. Following the paper in route to Pennsylvania, she initially settled in Philadelphia, where she met William Still, the Philadelphia Stationmaster on the Underground Railroad. With the assistance of Still, and other members of the Philadelphia Anti-Slavery Society, she learned about the workings of the UGRR. She immediately returned to rescue her family. Slowly, one group at a time she brought relatives with her out of state, and eventually guided dozens of other slaves to freedom.

Traveling by night with extreme caution, Tubman never lost a passenger. Heavy rewards were offered for many of the people she helped free, but no one knew it was Harriet Tubman who was helping them. When a far-reaching United States Fugitive Slave Law was passed in 1850, she helped guide fugitives further north into Canada, and helped newly-freed slaves find work. In 1851 she began relocating members of her family to St. Catharines, Ontario Canada West. North Street in St. Catharines remained her base of operations until 1857. While there she worked various odd jobs to finance her activities as a Conductor on the UGRR, and attended the Salem Chapel BME Church on Geneva Street. Word of her exploits had encouraged her family, and biographers agree that she became more confident with each trip to Maryland. As she led more and more individuals out of slavery, she became popularly known as ''Moses''—an allusion to the prophet in the book of Exodus who led the Hebrews to freedom.

When the American Civil War broke out in 1861, Tubman saw a Union victory as a key step toward the abolition of slavery. Tubman hoped to offer her own expertise and skills to the Union cause, too, and soon she joined a group of Boston and Philadelphia abolitionists heading to the Hilton Head District in South Carolina. She became a fixture in the camps, particularly in Port Royal, South Carolina, assisting fugitives. Tubman worked for the Union Army, first as a cook and nurse, and then as an armed scout and spy. The first woman to lead an armed expedition in the war, she guided the raid on the Combahee River, which liberated more than seven hundred slaves.

Harriet Tubman, widely known and well-respected while she was alive, became an American icon in the years after her death. In all she is believed to have conducted approximately 300 persons to freedom in the North. The tales of her exploits reveal her highly spiritual nature, as well as a grim determination to protect her charges and those who aided them. She always expressed confidence that God would aid her efforts, and threatened to shoot any of her charges who thought to turn back. When she died, Tubman was buried with military honors at Fort Hill Cemetery in Auburn.

Today, I seek to offer my condolences for her death, and also recognize her lifetime of accomplishments. For these reasons, I strongly support H. Con. Res. 310 and urge all my colleagues to do the same.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr.

DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 310.

The question was taken.

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

Mr. DAVIS of Illinois. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

## SUPPORTING THE GOALS AND IDEALS OF BORDERLINE PERSONALITY AWARENESS MONTH

Mr. DAVIS of Illinois. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1005) supporting the goals and ideals of Borderline Personality Awareness Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1005

Whereas borderline personality disorder (BPD) affects the regulation of emotion and afflicts approximately 2 percent of the general population;

Whereas BPD is a leading cause of suicide, as an estimated 10 percent of individuals with this disorder take their own lives;

Whereas BPD usually manifests itself in adolescence and early adulthood;

Whereas symptoms of BPD include self-injury; rage; substance abuse; destructive impulsiveness; a pattern of unstable emotions, self-image, and relationships; and may result in suicide;

Whereas BPD is inheritable and is exacerbated by environmental factors;

Whereas official recognition of BPD is relatively new, and diagnosing it is often impeded by lack of awareness and frequent co-occurrence with other conditions, such as depression, bipolar disorder, substance abuse, anxiety, and eating disorders;

Whereas despite its prevalence, enormous public health costs, and the devastating toll it takes on individuals, families, and communities, BPD only recently has begun to command the attention it requires;

Whereas it is essential to increase awareness of BPD among people suffering from this disorder, their families, mental health professionals, and the general public by promoting education, research, funding, early detection, and effective treatments; and

Whereas the National Education Alliance for Borderline Personality Disorder and the National Alliance on Mental Illness have requested that Congress designate May as Borderline Personality Disorder Awareness Month as a means of educating our Nation about this disorder, the needs of those suffering from it, and its consequences: Now, therefore, be it

*Resolved*, That the House of Representatives supports the goals and ideals of Borderline Personality Disorder Awareness Month.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Res. 1005, as amended, which expresses support for greater recognition of the goals and ideals of Borderline Personality Awareness Month.

H. Res. 1005 was introduced by Representative TOM DAVIS of Virginia, a longstanding member and leader on the Oversight and Government Reform Committee, on February 27, 2008, and has the support and cosponsorship of over 50 Members of Congress. The measure was considered by the Oversight panel on March 13, 2008, and was passed by voice vote at that time after being amended for technical purposes.

Madam Speaker, while many people may not be aware of borderline personality disorder, it is a mental illness that is more common than bipolar disorder and schizophrenia and has been found to affect a little over 2 percent of adults, particularly young women.

BPD, as it is commonly referred to as, is a serious mental illness characterized by pervasive instability in moods, interpersonal relationships, self-image, and behavior. The instability caused by this illness often leads to disruptions in one's family and work life, long-term planning, and ultimately a person's sense of self-identity.

Each and every one of us has a personality; however, for those individuals who suffer from personality traits that are inflexible, maladaptive, or psychologically disruptive, more research and awareness on borderline personality disorder is an absolute must. And that is why I rise in support of H. Res. 1005. Passage of this measure will help to raise the profile and the general public's understanding of borderline personality disorder and the corresponding BPD month of awareness.

I commend Representative DAVIS from Virginia for introducing this legislation and urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, mental illness affects Americans all across the Nation. It afflicts those of us from all races, colors, religions, and income levels. It doesn't wait for a convenient time to surface. It strikes indiscriminately, without regard to the challenges, pain, and anguish it visits upon the families and friends of its victims.

It is important that we recognize the struggle people with these afflictions endure as they strive for a normal life. It is equally important we recognize the struggles visited upon those friends and family members who have to cope with the disease and, often, the victim him or herself.

Today, this House will take an important step in raising awareness of a little known and often misunderstood mental illness. I urge my colleagues to join me in supporting the designation of May as Borderline Personality Awareness Month.

Borderline personality disorder is a devastating psychiatric disorder caused by the inability of the afflicted individual to manage emotions effectively. Symptoms of this disorder include impulsivity, mood swings, episodes of rage, bodily self-harm, chaotic relationships, and fear of abandonment. Some people with this disorder can't hold a job. Others are high functioning. But in any case their private lives are often in turmoil.

More than 3 million American adults have borderline personality disorder. Twenty percent of patients admitted to psychiatric hospitals have borderline personality disorder. Their victims have a suicide rate 400 times that of the general population.

Madam Speaker, these numbers call us to action. Although this disorder was officially recognized by the psychiatric community in 1980, studies have shown it lags far behind in research, treatment options, and family education compared to other psychiatric disorders of similar prevalence. With passage of H. Res. 1005, this House will take an important step in spreading awareness of this disorder. Madam Speaker, the National Alliance on Mental Illness maintains a help line at 1–800–950–6264 for general information on mental illness. This help line can help those in need of assistance.

I am proud to have sponsored this resolution and am greatly encouraged by our considering of it today. Passage of this will go a long way to increase awareness of its existence and the heavy toll this disorder takes on our society. I applaud the work the National Alliance on Mental Illness and the National Education Alliance on Borderline Personality Disorder have been doing throughout our Nation in this vital area.

I urge my colleagues to join me in supporting this resolution.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of H. Res. 1005, a resolution supporting the designation of May as Borderline Personality Disorder Awareness Month. I want to thank my colleague TOM DAVIS for his leadership on an issue that is very important to many Americans.

Borderline personality disorder is a serious mental health illness that centers on the inability of people to manage their emotions effectively. Approximately 4 million Americans suffer from borderline personality disorder. Its symptoms include destructive impulsiveness, rage, marked shifts in mood, bodily self-harm,

chaotic relationships, fears of abandonment, substance abuse, and unstable self-identity. Although it was officially recognized in 1980 by the psychiatric community, borderline personality disorder is at least two decades behind in research, treatment options, and education compared to other major mental illnesses.

Borderline personality disorder can have a devastating impact on people's lives. While some persons with this disorder may be functioning normally in certain settings, their private lives are often in turmoil. Others are unable to work and require financial support. If Americans would like more information on borderline personality disorder, I encourage them to visit the National Education Alliance for Borderline Personality Disorder Web site at www.neabpd.org or the National Alliance on Mental Illness Web site at www.nami.org.

Madam Speaker, this resolution acknowledges the pressing burden of those afflicted with borderline personality disorder and seeks to spread awareness of this under-recognized, and often misunderstood, mental illness. I urge my colleagues to support this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1005, as amended.

The question was taken.

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

Mr. DAVIS of Virginia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1400

## SUPPORTING THE GOALS, IDEALS, AND HISTORY OF NATIONAL WOMEN'S HISTORY MONTH

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1021) supporting the goals, ideals, and history of National Women's History Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1021

Whereas the purpose of National Women's History Month is to increase awareness and knowledge of women's involvement in history;

Whereas as recently as the 1970s, women's history was rarely included in the kindergarten through grade 12 curriculum and was not part of public awareness;

Whereas the Education Task Force of the Sonoma County (California) Commission on the Status of Women initiated a ''Women's History Week'' celebration in 1978 centered around International Women's History Day, which is celebrated on March 8th;

Whereas in 1981, responding to the growing popularity of women's history celebrations, Congress passed a resolution making Women's History Week a national observance;

Whereas during this time, using information provided by the National Women's History Project, founded in Sonoma County, California, thousands of schools and communities joined in the commemoration of National Women's History Week, with support and encouragement from governors, city councils, school boards, and Congress;

Whereas in 1987, the National Women's History Project petitioned Congress to expand the national celebration to include the entire month of March;

Whereas educators, workplace program planners, parents, and community organizations in thousands of American communities, under the guidance of the National Women's History Project, have turned National Women's History Month into a major local learning experience and celebration;

Whereas the popularity of women's history celebrations has sparked a new interest in uncovering women's forgotten heritage;

Whereas the President's Commission on the Celebration of Women in American History was established to consider how best to acknowledge and celebrate the roles and accomplishments of women in American history;

Whereas the National Women's History Museum was founded in 1996 as an institution dedicated to preserving, interpreting, and celebrating the diverse historic contributions of women, and integrating this rich heritage fully into the Nation's teachings and history books;

Whereas the House of Representatives recognizes March, 2008, as National Women's History Month; and

Whereas the theme of National Women's History Month for 2008 is visionary female artists and their contribution to our cultural heritage: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) supports the goals and ideals of National Women's History Month;

(2) recognizes and honors the women and organizations in the United States that have fought for and continue to promote the teaching of women's history; and

(3) reaffirms its commitment to promoting National Women's History Month, which this year honors female artists.

The SPEAKER pro tempore (Mr. SERRANO). Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Virginia (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the author of this legislation, Representative LYNN WOOLSEY of California.

Ms. WOOLSEY. Mr. Speaker, March was the 20th Annual National Women's History Month. That is why I am so pleased to introduce H. Res. 1021, a resolution to recognize and honor this National Women's History Celebration.

In America, women were once considered second-class citizens, whose rights were restricted from voting to property ownership, actually. But here we are today; one woman is a major candidate for President of our Nation and another woman is Speaker of the House of Representatives.

Sadly, until the late 1970s, women's history wasn't taught in many of our schools, and was almost completely absent in media coverage and cultural celebrations. That is why the Education Task Force of the Sonoma County Commission on the Status of Women, which I chaired, initiated a Women's History Week Celebration in 1978. This celebration centered around International Women's History Day.

The National Women's History Project, located in my district, was founded in 1980 by many dedicated women who poured their hearts and their ideas into promoting and expanding the weeklong celebration. With the help of several dedicated women, including Mary Ruthsdotter, Molly Murphy MacGregor, Maria Cuevas, Paula Hammett, and Betty Morgan, thousands of schools and communities joined in the commemoration of Women's History Week by bringing specific lessons on women's achievements into the classroom, by staging parades to engage neighborhoods in the celebration.

Their hard work, their dedication paid off. The celebration started a national movement. And in 1981, Congress responded to the growing popularity of Women's History Week by making it a national observance and eventually expanding the week to a month in 1987. Imagine what American history lessons would be today without the inclusion of Harriet Tubman's Underground Railroad operation, or Mary Katherine Goddard, who was the first person to print the Declaration of Independence with the names of all the signers included.

Mr. Speaker, today I ask my colleagues to join me in reaffirming our commitment to the celebration of women's history by supporting H. Res. 1021 that will ensure that our grandchildren and our great grandchildren learn and care about women like Amelia Earhart and eventually of course the first woman President.

Mr. Speaker, I want to thank Chairman WAXMAN, I want to thank Ranking Member DAVIS, and Chairman DAVIS for supporting this resolution, as they have continually supported the efforts of all women. Supporting this resolution will make it impossible to study American history without remembering the contributions of women as well. So I thank you all.

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

Let me start by thanking and congratulating the gentlelady from California for bringing this resolution to the floor. It was given a lot of thought. This is something that I think is very, very important, and I am honored to speak in support of H. Res. 1021, recognizing and celebrating Women's History Month.

Each March we express appreciation for the brilliance, bravery and determination women have demonstrated throughout U.S. history. Women in the United States often found themselves second-class citizens in their own country. They have had to fight for many of the rights men always have enjoyed; to vote, to own property, even in some cases, to be obtain an education.

From the iron will of Abigail Adams, wife of John Adams and mother of John Quincy Adams, who wrote that women, ''will not ourselves bound by any laws which we have no voice,'' to the reforms advanced by Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony, women have stood for their country by standing up for themselves.

The contributions made by women to our Nation can't be overlooked. Clara Barton, a Civil War nurse, founded the American Red Cross. Amelia Earhart was a pioneer in aviation. Harriet Tubman, who we honored earlier today, an escaped African American slave, risked everything to bring others to freedom as the conductor of the Underground Railroad. The Women's Suffrage Movement finally made America whole.

Today, American women enjoy many of the fruits of these early labors. They serve at or near the highest levels of government, business and other positions of power and influence. The doors to careers, education and achievement seem as open to them as to men. But that doesn't mean the struggle is over or that heroines of the past should be forgotten.

Mr. Speaker, I ask all Members to join me by supporting this resolution. I want to again thank Representative WOOLSEY for bringing this to our attention and thank Chairman WAXMAN and Chairman DAVIS for their assistance in bringing this to the floor.

I reserve the balance of my time.

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

Mr. Speaker, I too want to thank and commend Representative WOOLSEY for her introduction of this legislation. I also want to thank the 200 women who attended a town hall meeting which I held in my district on Sunday in recognition of Women's History Month. I want to thank Reverend Helen Cooper, Pastor of the Westside Center of Truth Church for being the host.

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Res. 1021, as amended, which is designed to provide recognition and support for National Women's History Month, which just ended yesterday with the conclusion of the month of March.

H. Res. 1021 was first introduced by Representative LYNN WOOLSEY of California on March 3, 2008, and has the support and cosponsorship of 80-plus Members of Congress, both men and women from both sides of the aisle. The measure was considered by the Oversight panel on March 13, 2008, and was passed by voice vote after being amended for technical purposes.

Mr. Speaker, I guess it's only accurate to say that history, whether American or International, would not have been written as it is without the role of women. But all too often the vast significance of women throughout history goes unnoticed and under appreciated, which is why organizers in Sonoma County, California, established back in 1978 a public celebration of women's history, calling it Women's History Week. In 1987, Congress expanded the celebration to a month, and March was declared Women's History Month.

Since the 1970s, we in America have seen notable growth in the study and expansion of women's history. In fact, today almost every college offers women's history courses and most major graduate programs offer doctoral degrees in this important field.

Even today, we continue to witness history makers. From our very own Speaker of the House, to top Presidential contenders, business women, scientists and athletes, women are clearly making key contributions to our communities, our country, and our world. As we celebrate female artists and their contributions to our cultural heritage as this year's theme of National Women's History Month, let us as a body once again elevate and support the goals, ideas and history of Women's History Month and pass the measure at hand.

Mr. DAVIS of Virginia. I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it's now my pleasure to yield such time as she might consume to Representative TSONGAS of Massachusetts.

Ms. TSONGAS. Mr. Speaker, I rise today to commemorate National Women's History Month, and particularly this year's focus on female artists. I commend the organizations and communities across the country that celebrated Women's History Month by educating people about the many contributions women in the arts have made. My hometown of Lowell, Massachusetts, is a great example.

The hard work of members of the Lowell community made Lowell Women's Week 2008 a great success by bringing together diverse organizations that held art displays and workshops all around women's art and history. In Lowell, women's commitment to the arts coincided with the cities founding as this country's first planned industrial city. At the time of its founding in the late 19th century, the young women working the textile mills also published a literary magazine of essays and poetry entitled: The Lowell Offering.

Without commemorative months like this one, some of our most interesting women's history would be forgotten. This resolution rightly honors female artists of the past. But I also salute the many women who throughout our communities tirelessly support the arts through philanthropic means or with their time and effort.

I hope the passage of this resolution today does not mark the end of a month of remembrance, but is a catalyst for renewed interest in learning what great women of the past have given us.

Mr. TOWNS. Mr. Speaker, I rise today in support of H. Res. 1021, supporting the goals, ideals, and history of National Women's History Month.

As recently as the 1970s, women's history was largely unaddressed in school curriculum and among the general public. In 1987, the National Women's History Project petitioned Congress to expand the national celebration of Women's History from 1 week to the entire month of March. Since then, the National Women's History Month Resolution has passed both Chambers of Congress with bipartisan support each year.

Throughout my tenure in Congress, I have been a strong supporter of Women's Rights, such as guaranteeing that women and families have adequate time to care for themselves and family members when they become ill, without facing the loss of job security and wages. As a member of the Health Subcommittee, I have worked diligently with my colleagues in Congress to bring increased awareness and services for women's health issues, such as early detection and treatment of ovarian cancer. Since its inception in 1987, Women's History Month, under the guidance of the National Women's History Project, has become a renowned celebration of the accomplishments of women everywhere, recognizing the limitless opportunities that women have in the modern world, and generating a renewed interest in the rich cultural heritage of women.

This year during Women's History Month, we celebrate female artists and their contribution of originality, beauty, and imagination to the art world. I hope that we will continue to work together in Congress to support the cultural contributions of women, and critical women's rights and women's health issues, not only during Women's History Month, but year round.

Mrs. TAUSCHER. Mr. Speaker, I rise today in support of House Resolution 1021, which supports the goals and ideals of National Women's History Month and pays honor to those who promote the teaching of women's history.

I commend the National Women's History Project, which was founded in northern California, for establishing the legacy of Women's History Month; and I thank Congresswoman WOOLSEY, a fellow Californian, for bringing this important resolution to the floor today.

From the earliest days of our great Republic, women have been marginalized throughout many parts of society. But as our country has developed, so too have the rights and responsibilities of women. In 1917, Jeanette Rankin blazed a path for women in Congress, putting

the first crack in our country's highest glass ceiling. Only 3 years later, our Nation ratified the 19th Amendment, guaranteeing that political enfranchisement in America will never be denied due to gender. In 1964, the Civil Rights Act extended gender protections to the workplace and beyond. And as Members of the 110th Congress, we have the privilege to serve alongside a woman who ably executes this institution's highest office and who is the most senior female in American political history.

However, the journey from disenfranchisement and marginalization is not complete. Women working full time still earn 80 cents to every dollar earned by men. In this House—the greatest representative body in the world—the number of women serving is hardly proportional to the population we represent.

In addressing these persistent inequities, I believe we will be well served by a thorough understanding of the great strides taken by women in the past. A study of women's history is a study of America's path toward greater equality and liberty. The story of women in our country lights the way to the fulfillment of our highest ideals.

Mr. Speaker, this resolution honors the decision made over two decades ago to set aside time for the teaching of women's history, and it highlights the salience of women's history as we chart a course for the future. I commend Ms. WOOLSEY for her leadership on this issue, and I urge my colleagues to join in affirming the importance of National Women's History Month.

Ms. HERSETH SANDLIN. Mr. Speaker, I affirm today my support for H. Res. 1021, supporting the goals, ideals, and history of National Women's History Month. I am proud to be an original cosponsor of this resolution demonstrating the commitment of the House of Representatives to promoting National Women's History Month, which this year celebrates female artists and their contribution of originality, beauty, and imagination to the world of art.

I am proud that my home state of South Dakota has a strong tradition of women in the arts and I would like to thank South Dakotans for the Arts for its work promoting the arts and supporting women artists in my home state. I'd like to describe for my colleagues some of the talented and remarkable women artists and authors that have found inspiration in hills and prairies of South Dakota.

Women in South Dakota have done the work of art throughout our history, beginning with our First Peoples and continuing today.

Native American women practice traditional art forms passed from generation to generation, adapting changes in materials and technique to add beauty and new texture to the traditional art. Their work includes the quillwork and quilts of Alice New Holy Blue Legs and Nellie Star Boy Menard, as well as the contemporary silver of Linda Szabo and paintings of Joanne Bird.

Some of South Dakota's pioneer women artists arrived in the Dakota Territory after studying at major schools of art in New York, Boston, Chicago, and Paris. They helped to bring the artistic disciplines of the East and Europe to the Northern Plains. As new colleges and universities were opened in what is present-day South Dakota, women helped to found departments of art and joined the teaching faculty.

In South Dakota, these pioneer artists and teachers included two very influential women who contributed both through their own artwork and through their dedication to their students.

Grace French, born in 1858, arrived in Rapid City, Dakota Territory in 1885. She painted the remarkably beautiful landscapes of the area with color and subtlety, adding poetry and beauty to the popular imagination of the Plains and the West.

Ada Bertha Caldwell was born in 1869 and graduated from the School of the Art Institute in Chicago. She accepted a position at Springfield College at Yankton, South Dakota. In 1900, she founded the Department of Art at what is now South Dakota State University, and was a teacher and major influence for Harvey Dunn, a noted illustrator and painter of pioneer life on the South Dakota prairie.

South Dakotans also celebrate the many talented women in literature that have enriched our lives and deepened our understanding of a sense of place and history with their stories. American favorites from South Dakota include Laura Ingalls Wilder, Linda Hasselstrom, Kathleen Norris and Virginia Driving Hawk Sneve.

For these few examples and numerous others, I am pleased to join with my colleagues today to honor these women artists and authors. May their contributions continue to provide joy, education, and inspiration to future generations on the Northern Plains and throughout our Nation.

Mr. FARR. Mr. Speaker, I rise today to recognize Women's History Month. April was designated as Women's History Month in 1987 to honor women and the achievements they have made throughout the years. I want to pay special tribute to my female colleagues in the California delegation.

I am proud that California has led the way in electing women to some of the highest offices in the federal government. Currently, there are 19 women from California in the House of Representatives, more than any other state. Among these are the Speaker of the House, a Chair and a vice-Chair, and 12 subcommittee Chairs. These women, who hold leadership positions, wield an enormous amount of power that was un-heard-of just a couple of decades ago.

In the fall of 2006, the American people elected the Democrats to the majority and as a result, they put into motion a process that would ultimately break one of the ''glass ceilings'' for women in politics. After she was sworn in, NANCY PELOSI, the first ever female Speaker of the House said, ''It says to women everywhere that not only a glass ceiling but a marble ceiling can be broken and that anything is possible.'' This was an historical day for women, not only from the United States, but from around the world. I have talked to numerous women who have mentioned watching this momentous occasion on TV.

These women hold their positions in part because of the hard work of women like Jeannette Rankin of Montana, who served from 1917–1919 and again in 1941–1943; Mae Ella Nolan of California, who served from 1923–1925; Florence Kahn of California, who served from 1925–1937; and Helen Douglas of California, who served from 1945–1951. These women were pioneers in the field of politics at a time when politics was a man's purview. Thanks to these women, we have elected the first woman Speaker of the House, who is third in line for the Presidency.

Mr. Speaker, I pay tribute to the women across the country, and around the world, who have made history by their varied accomplishments. And the women who have come before you and have helped lead the way for women in the political arena.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1021, expressing support for the goals, ideals, and history of National Women's History Month. I would like to thank my friend and colleague, Congresswoman WOOLSEY, for introducing this legislation, which I am proud to cosponsor. Let me also thank the chairman of the Oversight and Government Reform Committee, Chairman WAXMAN, for bringing this resolution before us today.

The purpose of National Women's History Month is to increase awareness and knowledge of women's involvement in history. I strongly believe that it is vital to honor the originality, beauty, imagination, and multiple dimensions of women's lives. As recently as the 1970s, women's history was rarely taught in schools, and was not part of public awareness. To address this situation, the Education Task Force of the Sonoma County, California, Commission on the Status of Women initiated a ''Women's History Week'' celebration for 1978. In 1981, in response to the growing popularity of women's history celebrations, Congress passed a resolution making Women's History Week a national observance. Within a few years, thousands of schools and communities across the country were celebrating National Women's History Week.

The popularity of women's history celebrations has sparked a new interest in uncovering women's forgotten heritage. Under the guidance of the National Women's History Project, educators, workplace program planners, parents and community organizations in thousands of American communities have turned National Women's History Month into a major celebration and a springboard for celebrating women's history all year round.

Mr. Speaker, in the early days of our great Nation, women were relegated to second class status. Women were considered subsets of their husbands, and after marriage they did not have the right to own property, maintain their wages, or sign a contract, much less vote. It was expected that women be obedient wives, never to hold a thought or opinion independent of their husbands. It was considered improper for women to travel alone or to speak in public.

The fight for women's suffrage was formally begun in 1848, and, in 1919, after years of petitioning, picketing, and protest parades, the 19th amendment was passed by both Houses of Congress; it was ratified the following year.

However, the right to vote did not give women equal rights, and subsequent decades saw an ongoing struggle for equality. A major success came with Title IX of the Education Amendments of 1972. This law, enacted in June 1972, states ''No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.''

Title XI, introduced by Congresswoman Patsy Mink, also notable as the first Asian American woman elected to Congress, has opened countless doors to educational activities, perhaps most prominently including high

school and collegiate athletics, to women. Congresswoman Mink's legacy lives on as, each year, hundreds of women across the Nation participate in NCAA athletics, learn teamwork and perseverance, earn scholarships enabling them to study at college, and enjoy equal footing with men in the academic arena.

Mr. Speaker, I am proud to pay tribute to the women, local heroes, of my district. Women like Ramona Tolliver, long time Fifth Ward resident, former precinct chair, founding board member of Fifth Ward Community Redevelopment Corporation, member of Our Mother of Mercy Catholic Church, and member of the Metropolitan Organization, who is still actively advocating for her community. Women like Nellie Joyce Punch, long time Fifth Ward resident, retired educator at Phyllis Wheatley High School, former precinct chair, founding board member of Fifth Ward Community Redevelopment Corporation, member of the Methodist Church, also actively working on behalf of her community. Both Ms. Tolliver and Ms. Punch are active in Houston's Fifth Ward, where they act as the conscience for the community, calling for change and actively working to better our city.

Women like Dr. Charlesetta Deason, principal of Houston's DeBakey High School for Health Professions. Dr. Deason helms a school that offers students interested in science and health careers an alternative to the traditional high school experience, located in the renowned Texas Medical Center and boasting an ethnically diverse faculty and an excellent introductory study of medicine.

Or women like Harris County Commissioner Sylvia Garcia, the first Hispanic and first woman to be elected in her own right to the office. Commissioner Garcia is active in the Houston community, and she has served on more than 25 community boards and commissions, including the San Jacinto Girl Scouts, the Houston Hispanic Forum, the American Leadership Forum, the Texas Southern University Foundation, and the Institute of Hispanic Culture.

As a Nation, we have come a long way toward recognizing the important role women play, not only in our local communities, but in our Nation as a whole. Since 1917, when Representative Jeannette Rankin of Montana became the first woman to serve in Congress, 243 more women have served as U.S. Representatives or Senators. In 1968, Shirley Chisholm became the first African American woman elected to Congress; I am now proud to be one of 13 African American women serving in this body.

In addition, we are now, for the first time, under the leadership of a woman Speaker of the House. Speaker PELOSI has led this Democratic Congress in a new direction, listening to the will of the American people, as it was clearly expressed last November.

Mr. Speaker, the great tragedy of women's history is that, many times, the history of women is not written down. Too often, throughout the course of history, the contributions of women have gone unrecorded, unheralded, and are now forgotten. And so, Mr. Speaker, during Women's History Month, we do not stand here only to remember the Eleanor Roosevelts, Harriet Tubmans, and Rosa Parks, women who are now celebrated in our schools and history books, but also the millions of female unsung heroes who built this Nation, and who made it truly great.

I would like to pay special tribute to women, mothers, and grandmothers across the country. In particular, I would like to draw attention to the growing phenomenon of grandparents raising children. As of 1996, 4 million children were being raised by their grandparents, and statistics published the following year indicated that more than one-tenth of all grandparents provided the primary care for their grandchildren for at least 6 months and typically much longer. These numbers continue to grow, and these grandparents, generally ineligible for financial or social support, often suffer greatly to provide a safe and loving home for these children.

In addition, Mr. Speaker, we pay tribute to the brave women who serve proudly in our Nation's military. We have come a long way since the first American woman soldier, Deborah Sampson of Massachusetts, who enlisted as a Continental Army soldier under the name of ''Robert Shurtlief.'' Women served with distinction in World War II: 350,000 American women served during World War II, and 16 were killed in action. In total, they gained over 1,500 medals, citations, and commendations. In December 1989, CPT Linda L. Bray, 29, became the first woman to command American soldiers in battle, during the invasion of Panama.

The war in Iraq marks the first time in American history that a substantial number of the combat wounded are women. 350,000 women are serving in the U.S. military—almost 15 percent of active duty personnel, and one in every seven troops in Iraq is a woman. Women play a role in nearly all types of military operation, and they have time and time again demonstrated extreme bravery, courage, and patriotism.

I would particularly like to honor one of our heroic daughters: Army SPC Monica L. Brown. Brown is the first woman in Afghanistan and only the second female soldier since World War II to receive the Silver Star, the Nation's third-highest medal for valor. Army SPC Monica Brown was part of a four-vehicle convoy patrolling near Jani Kheil in the eastern province of Paktia on April 25, 2007, when a bomb struck one of the Humvees. After the explosion, in which five soldiers in her unit were wounded, Brown ran through insurgent gunfire and used her body to shield wounded comrades as mortars fell less than 100 yards away. Army Specialist Brown, a native Texan, represents the best of our Nation's fighting men and women, and she clearly demonstrates that the admirable qualities of patriotism, valor, and courage know no gender.

Mr. Speaker, Women's History Month is an opportunity for all Americans to reflect on the women who have built, strengthened, and maintained this great Nation. Women who have often gone unrecognized and unheralded for their great achievements, sacrifices, and contributions. I ask my colleagues to join me in paying tribute to the women in their communities, in their families, and in their lives.

I, along with the residents of the 18th Congressional District of Texas, recognize the unique contributions of women throughout the course of American history. I ask my colleagues to join me in supporting this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, I had some other speakers who had intended to be here. Unfortunately, they have not arrived, and I would yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1021, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

## CODY GRATER POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5168) to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the ''Cody Grater Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5168

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

**SECTION 1. CODY GRATER POST OFFICE BUILDING.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, shall be known and designated as the ''Cody Grater Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Cody Grater Post Office Building''.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

□ 1415

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues, particularly the gentlewoman from the Sunshine State of Florida, in consideration of H.R. 5168, which names the postal facility in Brooksville, Florida, after a fallen hero, Army Specialist Cody Grater.

Introduced on January 29, 2008, H.R. 5168 is offered by Congresswoman

GINNY BROWN-WAITE, Representative of Florida's Fifth Congressional District, and is cosponsored by the State's entire congressional delegation. Congresswoman GINNY BROWN-WAITE's measure, H.R. 5168, was reported from the Oversight Committee on February 26, 2008, by voice vote.

This morning's postal naming bill honoring Specialist Grater brings to life the tragic yet heroic story of another American soldier who gave his life in service to this great country of ours.

A native of Spring Hill, Florida, Specialist Cody Grater was tragically killed on July 29, 2007, when his guard position was struck by a rocket-propelled grenade near Baghdad in Iraq. Specialist Grater was only 20 years old when he lost his life in the line of duty as a member of the 407th Brigade Support Battalion, 2nd Brigade Combat Team, 82nd Airborne Division out of Fort Bragg, North Carolina.

The son of Anita Lewis and Larry Decker, Cody Grater joined the Army in April of 2006, and for his service, although short-lived, he has been awarded the Bronze Star Medal and the Purple Heart. It is reported that during his burial service at Florida National Cemetery in Bushnell, Florida, the streets were lined for miles with well-wishers and people waving flags, saluting and crying in tribute to a true American hero.

Mr. Speaker, let us also join that host of well-wishers, loved ones and friends of Specialist Cody Grater and pass H.R. 5168, designating the Cortez Boulevard Post Office Building in Brooksville, Florida, in his honor.

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

Mr. DAVIS of Virginia. Mr. Speaker, I yield such time as she may consume to the author of this legislation, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for recognizing me.

Mr. Speaker, I rise today in support of my bill, H.R. 5168, which will rename the post office on Cortez Boulevard in Brooksville, Florida, after Private First Class Cody Grater. Cody was a resident from my district who lived in Spring Hill. He gave the ultimate sacrifice, his life, for his country while serving in Iraq.

Cody Grater joined the Army in 2006 when he was only 19 years old. Actually, my grandson went to high school with him, so this tragedy certainly did hit home with our family. Cody was proud to be serving his country and hoped to make a career out of his service in the Army. By the time of his death in July 2007, Cody had received the Purple Heart, the Bronze Star Medal, the Combat Action Badge and many other honors.

While serving on guard duty in Baghdad, the rooftop where Cody stood guard was struck by a rocket-propelled grenade. Just two weeks earlier, Cody been on leave in Florida with his family, where he was telling people about his previous experiences in Iraq, sharing it with his friends, family and former high school mates. Even though he was just at the halfway point of his tour of duty, Cody expressed plans to reenlist after his initial service in the Army was completed.

I hope that this act of renaming the post office will memorialize Cody's brave and selfless life. Cody Grater epitomizes the courage and patriotism of our volunteer military, and we must never forget his great sacrifice to our Nation.

I urge my colleagues to support this bill, which rightfully honors Cody Grater.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve my time.

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

Mr. Speaker, I rise today in support of this legislation to rename the post office located at 19101 Cortez Boulevard in Brooksville, Florida, in honor of Private First Class Cody Grater.

Private First Class Grater's love for his country can't be disputed, of course. He joined the U.S. Army as soon as he finished Springstead High School in Florida, and then made the ultimate sacrifice, laying down his life for the country he held dear.

Growing up in Hernando County, Florida, Cody enjoyed working with cars and reading military-themed books. This, of course, led him to join the Army in April of 2006, where he was assigned to the 40th Brigade Battalion, 2nd Brigade Command Team, and then reassigned to the 82nd Airborne Division.

On July 29, 2007, Private First Class Grater was standing post on a rooftop of an outpost in Baghdad when he and a fellow comrade were struck by a rocket-propelled grenade. Tragically, 20-year-old Pfc. Grater was killed.

Among his many awards and decorations for his remarkable achievements were the Bronze Star, Purple Heart, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Medal, Army Service Ribbon and the Combat Action Badge.

Pfc. Grater loved serving his country and firmly believed he was making a difference. With gratitude for his bravery and sacrifice to our country, I ask all Members to join me in voting to rename the post office located at 19101 Cortez Boulevard in Brooksville, Florida, in his honor.

I want to thank Ms. GINNY BROWN-WAITE for bringing this legislation forward, and Chairman WAXMAN and Chairman DAVIS for their assistance in moving this to the floor today.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5168.

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

A motion to reconsider was laid on the table.

## PAYING ATTORNEYS OF INDIGENT DEFENDANTS IN THE DISTRICT OF COLUMBIA

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5551) to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5551

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

**SECTION 1. IMPLEMENTATION OF INCREASE PROVIDED IN FUNDING FOR COMPENSATION OF ATTORNEYS REPRESENTING INDIGENT DEFENDANTS IN DISTRICT OF COLUMBIA COURTS.**

(a) INCREASE IN HOURLY RATE.—Section 11–2604(a), District of Columbia Official Code, is amended by striking ''$65 per hour'' and inserting ''$80 per hour''.

(b) INCREASE IN CAPS ON TOTAL COMPENSATION PAID FOR PARTICULAR CASES.—Section 11–2604(b), District of Columbia Official Code, is amended to read as follows:

''(b) The compensation to be paid to an attorney appointed pursuant to this chapter shall not exceed the following maximum amounts:

''(1) For representation of a defendant before the Superior Court of the District of Columbia for misdemeanors or felonies, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant before the United States magistrate judge or the district court for misdemeanors or felonies (as the case may be).

''(2) For representation of a defendant before the District of Columbia Court of Appeals, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant in an appellate court.

''(3) For representation of a defendant in post-trial matters for misdemeanors or felonies, the amount applicable under paragraph (1) for misdemeanors or felonies (as the case may be).''.

**SEC. 2. EFFECTIVE DATE.**

The amendments made by this Act shall apply with respect to cases and proceedings initiated on or after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in

which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the author of this legislation, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding, and I especially thank him for his alacrity and the expert way in which he has carried this bill quickly to and through the process.

Mr. Speaker, this is a no-cost bill. Indeed, the appropriations for an increase in the amounts paid to these attorneys has been appropriated.

This is another of those District of Columbia anomalies. The courts of the District of Columbia operate through payments from the appropriations of the Congress of the United States and the judges are Title I attorneys. Therefore, District of Columbia judges may not use the funds that have been appropriated to raise the hourly rate of these attorneys, who are essential to the functioning, particularly of the criminal justice system, but also of the civil justice system, in the District of Columbia. They supplement the Public Defender Service of the District of Columbia.

These attorneys have not had their hourly rates raised since 2002, when they were set at $65 per hour. They have requested $80 per hour. They are being granted $80 an hour, this in spite of the fact that the rate of inflation has been between 3 and 4 percent a year. They, of course, had in mind that they went some years where their rates did not keep up with the rates of other attorneys who serve Federal courts. Of course, they recognize that we are not going to raise their rates every year, but this is what the Congress is willing to do at this time.

It does seem to me that the last thing we want to do is to slow down in particular criminal justice processing in the District of Columbia, particularly where there are already funds from the Appropriations Committee available, and when the failure to spend them only comes from a jurisdictional technicality, where we and we alone can indeed authorize the spending of these funds.

What H.R. 5551 does is simply accomplish this authorization. I am very, very grateful to Chairman DAVIS for bringing this bill forward so quickly.

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

Mr. Speaker, I rise in support of this legislation. I am pleased it has moved so quickly through the committee and is being considered by the House today.

When I was chairman of the D.C. Subcommittee, Congress enacted legislation I sponsored known as the National Capital Revitalization and Self-Government Improvement Act of 1997. This law in part granted Congress authority over the District's court system in matters relating to public defender services. The law also amended the D.C. Home Rule Act to the same effect.

H.R. 5551, authored by Ms. NORTON, would authorize a provision of the D.C. Appropriations Act of 2008 which increased from $65 per hour to $80 per hour the amount of compensation for attorneys representing indigent clients before the District of Columbia Superior Court.

The current compensation rate of $65 per hour was established in fiscal year 2002, an increase from the previous rate of $50 per hour. Attorneys representing indigents in similar cases before U.S. District Courts are compensated at a rate of $100 per hour. No opposition to this bill was raised, either during the committee hearing or at the committee markup.

I urge my colleagues to support this legislation. Again, I thank Ms. NORTON for bringing this forward, and Chairman WAXMAN and Chairman DAVIS for moving this ahead so quickly. I think this needs to be enacted.

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

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

As a member of the House Committee on Oversight and Government Reform, I stand with my colleague, Congresswoman ELEANOR HOLMES NORTON from our Nation's Capital, the District of Columbia, in consideration of H.R. 5551, which will provide for a much-needed increase in the compensation paid to attorneys assigned to represent indigent clients in the D.C. court system.

Congresswoman NORTON and I introduced this measure on March 6, 2008. On March 11, 2008, the Subcommittee on Federal Workforce, Postal Service, and the District of Columbia held a hearing to examine aspects of the legislation, and on March 13, 2008, the Committee on Oversight and Government Reform considered and passed the bill out of committee by voice vote.

H.R. 5551 calls for an increase in the hourly pay rate from $65 to $80 for Criminal Adjusters Act, CJA attorneys, representing indigent defendants in the D.C. courts. The measure would also increase the caps on the total compensation paid to these attorneys per case type to be equal to the total compensation paid to attorneys representing similar clients in Federal Court.

□ 1430

The increased compensation rate for CJA attorneys practicing in D.C. courts would only apply to cases that proceeded or initiated on or after the date of enactment of the Act.

Mr. Speaker, a core element of our unique democracy is the right and requirement that every citizen, regardless of income or socioeconomic class, be afforded adequate counsel or representation when confronting judicial proceedings. In fact, one of the most important decisions in this area of law was handed down by the U.S. Supreme Court in 1942, when it held that the Sixth Amendment required the government afford indigent defendants with competent counsel. The measure we have before us further reiterates this fundamental concept by helping to ensure that the D.C. court system is in a competitive position to attract the best and brightest lawyers to represent the indigent. And so, Mr. Speaker, I urge passage of H.R. 5551.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5551.

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

A motion to reconsider was laid on the table.

## PRESERVING EXISTING JUDGESHIPS ON THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 550) to preserve existing judgeships on the Superior Court of the District of Columbia.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 550

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

**SECTION 1. COMPOSITION OF SUPERIOR COURT.**

Section 903 of title 11 of the District of Columbia Code is amended by striking ''fifty-eight'' and inserting ''61''.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she might consume to the distinguished gentlelady from the District of Columbia, Delegate ELEANOR HOLMES NORTON.

Ms. NORTON. Again, thank you, Mr. Chairman, because your quick action on these matters affecting criminal and civil justice in the District of Columbia could not be more important to us. I appreciate the expertise of you

and your staff in moving this bill forward.

Like the prior bill, Mr. Speaker, this is not a home-rule matter, because the courts involved are Federal courts, article 1 courts. Indeed, this matter started with the Senate of the United States which approves the judges of the D.C. Superior Court and confirms them as it confirms judges of other Federal courts. This bill again may be difficult to understand, but it is equally without additional cost to the Federal Government.

This House was vigilant to see to it that the District of Columbia now has a reformed family court as a part of the Superior Court system. And may I thank the prior then-majority leader, Mr. DeLay, who worked so closely with me on this bill and saw to it that the bill was funded, that there were additional judges, and that essentially a court which had not been revised for 30 years is now a state-of-the-art family court.

However, the Congress in its concern that children and families have adequate processing through this court mandated that there be at least 15 of these judges who would be family court committed judges only. The purpose was to keep or to repair the prior circumstance where these matters were distributed to the full 58 judges in the ordinary course of business. By segregating these matters out, these matters involving families and children, we sought to see to it that they were handled quickly and efficiently.

Congress never intended, however, to reduce the number of judges available to important criminal and civil matters, but in fact the cap has had that effect. So we have had an anomalous situation where the President of the United States, seeing a vacancy in the superior court unrelated to the family court, simply goes ahead and does what he is supposed to do; he nominates somebody to in fact fill that vacancy. But because of the cap which says you have got to have at least 15 of the judges to be family court judges, and with no increase in the number of judges, that person is sitting out there or standing out there, as you may, waiting for a vacancy to occur in the superior general part of the court as opposed to the family court.

What this bill does is to recognize what Congress intended in the first place, and that is to do no harm to either section. So, there would be a full cadre of family court judges, but certainly to do no harm to the processing of civil and criminal court judges. Therefore, to retain the kind of balance we had before, we would have to raise the number of judges available to the superior court; and that would mean, instead of 58 as the at-now raise reads, you would have 61.

Importantly, Mr. Speaker, you will note that there is no cost to the Federal Government. And both the chairman and I went to great lengths to make sure that we were not talking about increased appropriations. The court has assured us, and we have done our homework to assure ourselves, that the amount is already available in the appropriations that come to the Superior Court. All that is needed is for us to free up, if I may say so, the President of the United States so his nominees can in fact take their seats when in fact they are nominated.

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

I will be brief. I think Ms. NORTON outlined the history of this and why we are where we are today.

Unlike a lot of legislation that comes to the floor on the District of Columbia, this actually emanated in the Senate, with Senators AKAKA, LIEBERMAN, and VOINOVICH joining hands to bring this. This legislation, S. 550, increases the total number of judgeships on the Superior Court from 58 to 61.

In response to reports of abuse and neglect in child family services cases pending in the D.C. Superior Court in 2001, Congress created the family court in the district and assigned a dedicated cadre of judges to handle child and family cases. The legislation before us today is essentially a technical correction to the Family Court Act we enacted in 2001, increasing the cap on the number of judges in the D.C. superior court to accommodate the creation of this new family court.

I want to thank Chairman WAXMAN and Subcommittee Chairman DAVIS for moving this legislation so expeditiously to the floor. I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of S. 550, which reserves existing judgeships on the Superior Court of the District of Columbia by increasing the cap on the number of judges that can serve on the court. Senate Bill 550 would increase the number of associate judges permitted to serve on the D.C. Superior Court from 58 to 61.

In accordance with the terms of the National Capital Revitalization and Self-Government Act of 1997, Congress now wields legislative and funding authority over the District of Columbia court system. Under the terms of this arrangement, section 11–903 of the District of Columbia Official Code established an overall limit of 58 on the number of judges that may be seated on the Superior Court. The current limit of 58 is in addition to a chief judge.

However, in 2001, Congress passed the D.C. Family Court Act, and included in the Act a new provision that allowed the previously established limit on the number of judges to be exceeded only to appoint additional family court judges. As a result of this provision, the current number of associate superior court judges, combined with the 15 judges now seated on the D.C. Family Court, the cap of 58 has now been exceeded. This means that judgeship vacancies in the superior court cannot be filled unless additional retirements occur, which has led to delays in judicial proceedings, increased costs from prolonged litigation, and case backlogs. S. 550 would address these issues by increasing the number of associate judges from 58 to 61.

S. 550, which was first introduced by Senator DANIEL AKAKA, passed the Senate under unanimous consent on February 4, 2008, and on March 11, 2008 the Subcommittee on Federal Workforce Postal Service in the District of Columbia held a hearing to examine aspects of the legislation. The bill was then considered by the Committee on Oversight and Government Reform, where it passed by voice vote. Mr. Speaker, I am hopeful that we, too, can approve Senate Bill 550 with overwhelming support from both sides of the aisle.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 550.

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

A motion to reconsider was laid on the table.

## ESTABLISHING MARCH 2008 AS NATIONAL CRIMINAL JUSTICE MONTH

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 945) raising awareness and promoting education on the criminal justice system by establishing March 2008 as ''National Criminal Justice Month''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 945

Whereas there are approximately three million Americans employed within the justice system;

Whereas approximately seven million adults are on probation, parole, or are incarcerated;

Whereas millions of Americans have been victims of crime and, consequently, lost income, incurred medical expenses, and suffered emotionally;

Whereas the cost of crime to individuals, communities, businesses, and the various levels of government exceeds the billions of dollars spent each year in administering the criminal justice system;

Whereas, in 2006, fifty percent of Americans admitted they fear that their home would be burglarized when they are not home; thirty-four percent of American women feared that they would be sexually assaulted; and forty-four percent of Americans feared they would be a victim of a terrorist attack;

Whereas approximately thirty-five percent of Americans have very little or no confidence in the criminal justice system and the negative effects of crime in regard to confidence in governmental agencies and overall social stability are immeasurable;

Whereas crime rates have dropped since the early 1990s, but most Americans believe that the rate of crime is increasing;

Whereas Federal, State, and local governments increased their spending for police protection, corrections, judicial, and legal activities in fiscal year 2005 by 5.5 percent or $204 billion; and

Whereas there is a need to educate Americans and to promote awareness within American society as to the causes and consequences of crime, as well as the strategies and developments for preventing and responding to crime: Now, therefore, be it

*Resolved*, That—

(1) it is the sense of the House of Representatives that—

(A) National Criminal Justice Month provides an opportunity to educate Americans on the criminal justice system; and

(B) Americans should be aware of the causes and consequences of crime, how to prevent crime, and how to respond to crime; and

(2) the House of Representatives urges policymakers, criminal justice officials, educators, victim service providers, nonprofits, community leaders, and others to promote awareness of how to prevent and respond to crime through National Criminal Justice Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Mr. Speaker, Members of the House, the measure before us calls attention to a critically important issue, the state of our Nation's criminal justice system. We do this by designating March as National Criminal Justice Month, because it will serve to raise awareness of the causes and consequences of crime, as well as our crime prevention efforts. It is a subject and an area that, for too long, we have not paid close attention to, and it is our feeling that this designation will have a great impact upon our work.

Millions of Americans have been victimized by crimes, and many millions more pass through our criminal justice system. We have more than 2 million Americans behind bars, I am sad to say. This means that almost one out of every 100 Americans is incarcerated. Among African American men between the ages of 20 and 34, one in nine are behind bars. What a tragedy. What a waste of human life and potential.

The New York Times observed, ''We have become a prison nation.''

[From the New York Times, Mar. 10, 2008]

PRISON NATION

After three decades of explosive growth, the nation's prison population has reached some grim milestones: More than 1 in 100 American adults are behind bars. One in nine black men, ages 20 to 34, are serving time, as are 1 in 36 adult Hispanic men.

Nationwide, the prison population hovers at almost 1.6 million, which surpasses all other countries for which there are reliable figures. The 50 states last year spent about $44 billion in tax dollars on corrections, up from nearly $11 billion in 1987. Vermont, Connecticut, Delaware, Michigan and Oregon devote as much money or more to corrections as they do to higher education.

These statistics, contained in a new report from the Pew Center on the States, point to a terrible waste of money and lives. They underscore the urgent challenge facing the federal government and cash-strapped states to reduce their overreliance on incarceration without sacrificing public safety. The key, as some states are learning, is getting smarter about distinguishing between violent criminals and dangerous repeat offenders, who need a prison cell, and low-risk offenders, who can be handled with effective community supervision, electronic monitoring and mandatory drug treatment programs, combined in some cases with shorter sentences.

Persuading public officials to adopt a more rational, cost-effective approach to prison policy is a daunting prospect, however, not least because building and running jailhouses has become a major industry.

Criminal behavior partly explains the size of the prison population, but incarceration rates have continued to rise while crime rates have fallen. Any effort to reduce the prison population must consider the blunderbuss impact of get-tough sentencing laws adopted across the United States beginning in the 1970's. Many Americans have come to believe, wrongly, that keeping an outsized chunk of the population locked up is essential for sustaining a historic crime drop since the 1990's.

In fact, the relationship between imprisonment and crime control is murky. Some portion of the decline is attributable to tough sentencing and release policies. But crime is also affected by things like economic trends and employment and drug-abuse rates. States that lagged behind the national average in rising incarceration rates during the 1990's actually experienced a steeper decline in crime rates than states above the national average, according to the Sentencing Project, a nonprofit group.

A rising number of states are broadening their criminal sanctions with new options for low-risk offenders that are a lot cheaper than incarceration but still protect the public and hold offenders accountable. In New York, the crime rate has continued to drop despite efforts to reduce the number of nonviolent drug offenders in prison.

The Pew report spotlights policy changes in Texas and Kansas that have started to reduce their outsized prison populations and address recidivism by investing in ways to improve the success rates for community supervision, expanding treatment and diversion programs, and increasing use of sanctions other than prison for minor parole and probation violations. Recently, the Supreme Court and the United States Sentencing Commission announced sensible changes in the application of harsh mandatory minimum drug sentences.

These are signs that the country may finally be waking up to the fiscal and moral costs of bulging prisons.

Each year, we on all of our criminal justice systems spend more than $200 billion. The Pew Center Report states that Connecticut, Delaware, my own State of Michigan, Oregon, and Vermont spend as much or more money on corrections as they do on higher education. I think this is a disgraceful circumstance, and the policies of simply incarcerating increasing numbers of Americans without real opportunities for rehabilitation fail those who go through the criminal justice system, but, more than that, it hurts and diminishes every American.

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

□ 1445

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

I appreciate Mr. CONYERS, chairman of the Judiciary Committee, for whom I have great respect. This bill was on the calendar to take up in weeks past, but it was pulled a number of times, resulting in it being taken up at this time. We are grateful that it has been allowed to come to the floor.

I rise in support of House Resolution 945, and I want to commend my good friend and fellow Texan, and also fellow recovering judge, TED POE, the original sponsor of this legislation, for his dedication and commitment to the issue of criminal justice.

The goal of this resolution is to raise awareness and promote education of the criminal justice system by establishing March as the National Criminal Justice Month. It is important that Congress encourages Americans to learn more about the criminal justice system, and the approximately 3 million Americans who work within the system.

As a former prosecutor, judge and chief justice, I have been honored to be involved with some of our Nation's best who work in the criminal justice system for some time. Throughout that experience, I have been consistently impressed with the professionalism and the ability of the public servants who work in the field of criminal justice. These brave and dedicated Americans work every day to make our country safe for ourselves and for our families.

Further, it is important to recognize the gains that have been made in combating crime across the Nation. Crime rates began dropping within the last 20 years as more tools were given to law enforcement and the more dangerous criminals have been locked up for longer periods of time, though there are some who are working to reverse that decade-long trend.

I have great respect, as I said, for the Judiciary Committee chairman, who mentioned the reference to this being called a prison nation; and it is tragic that we have so many people who are locked up. I must say that one of the things that concerned me and drove me from the bench were having an increasing number of people who ended up in the criminal justice system before me as a district judge, having allegedly committed felonies, and in the cases I

am talking about where they admitted them, told about their background, had testimony about it in court, but it began to break my heart.

Back in the 1960s, we had legislation called The Great Society legislation that was well intentioned. There were single mothers that were seen to be trying to survive with only a deadbeat father to help. And the Federal Government looked, saw the need and said let's help these people. They began giving checks to women for each child born out of wedlock. And I began having more and more young mothers, some older mothers, who would have a child out of wedlock, many times encouraged to do so by people they respected and loved, and they found out rather quickly that check will not allow the individual to live a decent living and take care of the child. So they would have another child, thinking that two checks would help, and then three.

It broke my heart that our Federal Government had lured people into a rut and not given them a way out. So it is important that we be careful in considering legislation that we pass. Of course, everybody has to be responsible for their own actions, but the legislation we pass is important, and I think it is wonderful that my friend, Mr. POE, has sponsored this legislation, and that our chairman, Mr. CONYERS, has encouraged this and supported it, in establishing March as the National Criminal Justice Month.

Congress will provide an opportunity now to educate Americans through this designation about the criminal justice system, and will make Americans more aware of causes and consequences of crime, as well as how to prevent crime and how to respond to crime. This resolution will also recognize and applaud the efforts of law enforcement officials, judges, court staff, and the many probation and parole officers who work with offenders to help them reintegrate into the community. Those are all important positions. We appreciate them all. I urge my colleagues to support the resolution.

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

Mr. CONYERS. Mr. Speaker, I only have a little bit more to add, and so I yield myself a little more time.

This measure is a good one even though it comes a little late. Some may have noticed that this is for a celebration in March, and this is April. The reason is that we couldn't get it on the schedule before now, but there were many celebrations in connection with this matter that occurred.

I want to commend the judge and distinguished member of the Judiciary Committee from Texas who is managing the bill for his personal comments that he has brought to this matter today. I can imagine the kinds of things that not only him but members of the judiciary across this country are seeing, heartbreaking incidents, circumstances and experiences.

There are so many people that are incarcerated, they are in prison because of nonviolent offenses, of sentencing procedures that are really out of the hands of the court. People think of the unlimited powers of the judiciary. Many times they are restricted in terms of what it is they can do and how they can handle the matters that come before their courts.

I am impressed that our colleague would tell us of some of the things that move him in his experience in the judiciary. Now I don't want to think that he was driven from the judiciary to the Congress because that is like jumping out of the frying pan into the fire; but I am happy that he serves on the committee with great distinction, and we always are pleased to be able to work together on these kinds of matters.

In that spirit, I urge the support of H. Res. 945.

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

Mr. GOHMERT. Mr. Speaker, I yield such time as the right honorable Judge POE may consume.

Mr. POE. Mr. Speaker, I want to thank the gentleman for yielding, and I also want to thank the chairman for moving this piece of legislation.

I introduced this legislation to declare March as National Criminal Justice Month, and the purpose is to educate Americans on how important our justice system is and encourage discussion on how to prevent and respond to criminal conduct.

Our criminal justice system employs over 3 million Americans at the local, State and Federal levels of the government. And the word and the emphasis should be on the phrase ''justice system'' because it involves the cooperation of law enforcement and prosecutors, courts, correctional officers, and many other persons.

In my former life, I spent 8 years as a prosecutor in the Houston area, and then I spent 22 years on the criminal court bench in Houston, hearing over 25,000 felony cases.

When I came to Washington, D.C., I established the bipartisan Victims Rights Caucus to advocate on behalf of crime victims and law enforcement. It is apparent to me that victims need a voice in Congress. They don't have high paid and high-dollar lobbyists; they expect Members of Congress to be their advocates.

Each year, millions of Americans become victims of criminal conduct, everything from stealing to homicide, and these individuals do not choose to become victims. They are thrown into the criminal justice system without ever having a say. The devastating consequences of crime remain with the victims long after the crime is over with; and the purpose of the criminal justice system is to provide closure for victims and punish people who commit crimes against the rule of law, which is society's rules of law.

I hope this resolution encourages communities to discuss the causes and the consequences and long-term effects of criminal conduct. When a crime occurs, a community must respond by apprehending the individual and ensuring appropriate punishment if that person is found guilty, and, of course, helping the victim that is in need.

According to the Bureau of Justice Statistics, 35 percent of Americans have little or no confidence in our criminal justice system. It is unfortunate that one-third of the people in this country feel that way. If you turn on your local news each night, the first thing that most local newscasts have is the latest crime that has been committed in a neighborhood. It is mostly bad news, and much of that bad news is about criminal conduct. Americans should have more confidence in our criminal justice system. I am convinced that our criminal justice system is the best system in the world.

I had the opportunity to visit the former Soviet Union. They don't have a criminal justice system. They just have a system. The same is true with China, when I visited their system on how they administer their laws. There is no justice in that system. It is just a system.

And here in the United States, we do have the best criminal justice system in the world on determining the guilt of an individual and giving defendants and victims of crime certain rights in the court, and maintaining the worth of the individual. Every year individuals, communities, businesses, and all levels of government spend millions and billions of dollars administering our justice system. The cost of crime is not cheap, and the aftermath of crime is not cheap either. Yet the price is worth it because of the price we pay to ensure our order, safety and appropriate punishment for those who fail to follow our laws.

As my fellow Texan and former judge, Judge GOHMERT, has mentioned time and time again, there are numerous cases where we both have seen individuals who have come to the criminal justice system that have been victims of criminal conduct. And long after that trial is over with, even if the offender is convicted and sent to the Texas penitentiary for the maximum period of time, they suffer the repercussions of criminal conduct. Many of them are never able to cope with that conduct, and spend the rest of their lives in desperate hope, and wishing that crime had not occurred against them.

We as Americans need to be sensitive to those individuals. We need to be sensitive to the people who live among us who have crime committed against them.

So I hope this resolution gets more communities talking about the best way to prevent and respond to crime, and I want to urge its adoption.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 945, raising awareness and promoting education on the criminal justice system by establishing March

2008 as "National Criminal Justice Month," introduced by my distinguished colleague from Texas, Representative TED POE. This important legislation calls on policymakers, educators, criminal justice officials, community leaders, victim service providers, nonprofits, and others to promote awareness of how to prevent and respond to crime through the creation of a National Criminal Justice Month.

A country's criminal justice system is often a reflection of what values the society deems to be important. Our criminal justice system serves as a means for society to enforce the standards of conduct necessary to protect individuals and the community. During this month we need to be mindful of the need for criminal justice reform. Currently, there are approximately seven million adults on probation, parole, or are incarcerated causing the cost of crime to individuals, communities, businesses, and the various levels of government to be well into the billions. I have sought to alleviate a number of the sentencing disparities responsible for such frivolous government spending through various pieces of legislation, including my "The Second Chance Act" and "The Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2007" that will help to lessen some of the economic and social burden. Our focus should be to educate Americans and to promote awareness within American society as to the causes and consequences of crime, as well as the strategies and developments for preventing and responding to crime.

The American people deserve to have a knowledge of the criminal justice system; thus, allowing society to feel safe in their homes as well as on the streets. In 2006, fifty percent of Americans admitted they feared that their home would be burglarized when they are not home, thirty-four percent of American women feared that they would be sexually assaulted, and forty-four percent of Americans feared they would be a victim of a terrorist attack. That is unacceptable. Americans need to be educated about the criminal justice system and how it works to protect all Americans.

During this month there has to be a joint effort between policymakers, criminal justice officials, educators, victim service providers, nonprofit organizations, community leaders, and others to promote awareness of how to prevent and respond to crime. It is imperative that we reach out through all the above names avenues to ensure that each and every American knows just how their criminal justice system operations protect them.

This important legislation creates an avenue through which to educate the American people about the criminal justice system as well as the causes and consequences of crime, how to prevent crime, and how to respond to crime. I strongly support this important legislation and urge all my colleagues to do the same.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 945.

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

A motion to reconsider was laid on the table.

□ 1500

## ARTS REQUIRE TIMELY SERVICE (ARTS) ACT

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1312) to expedite adjudication of employer petitions for aliens of extraordinary artistic ability, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1312

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Arts Require Timely Service (ARTS) Act''.

**SEC. 2. EXPEDITED ADJUDICATION OF EMPLOYER PETITIONS FOR ALIENS OF EXTRAORDINARY ARTISTIC ABILITY.**

Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended—

(1) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''; and

(2) in paragraph (6)(D)—

(A) by striking ''(D) Any'' and inserting ''(D)(i) Any'';

(B) by striking ''Once the'' and inserting ''Except as provided in clause (ii), once the''; and

(C) by adding at the end the following:

''(ii) The Secretary of Homeland Security shall adjudicate each petition for an alien with extraordinary ability in the arts (as described in section 101(a)(15)(O)(i)), an alien accompanying such an alien (as described in clauses (ii) and (iii) of section 101(a)(15)(O)), or an alien described in section 101(a)(15)(P) (other than an alien described in section 214(c)(4)(A) (relating to athletes)) not later than 30 days after—

''(I) the date on which the petitioner submits the petition with a written advisory opinion, letter of no objection, or request for a waiver; or

''(II) the date on which the 15-day period described in clause (i) has expired, if the petitioner has had an opportunity, as appropriate, to supply rebuttal evidence.

''(iii) If a petition described in clause (ii) is not adjudicated before the end of the 30-day period described in clause (ii) and the petitioner is an arts organization described in paragraph (3), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code for the taxable year preceding the calendar year in which the petition is submitted, or an individual or entity petitioning primarily on behalf of such an organization, the Secretary of Homeland Security shall provide the petitioner with the premium-processing services referred to in section 286(u), without a fee.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, Members of the House, H.R. 1312 is a bipartisan measure intended to address the extended delays in visa processing faced by nonprofit arts organizations when they invite foreign artists to perform in the United States.

Hosting a performance by a foreign artist or arts group requires, obviously, a great deal of planning. And the host organization has to calendar the event, advertise it, and sell tickets far in advance. And these efforts are made with the expectation that the visa petitions filed by the guest performers will be adjudicated in time for their arrival in the United States. If their adjudication is delayed, it causes a tremendous disruption and has led some arts organizations in the world to stop engaging foreign artists altogether because they can't risk the expensive canceling of performers.

Performances by foreign artists give American audiences the opportunity to experience a variety of arts traditions. And when they're called off, it's not just the host organization and the audience that bears the cost, the cancelled show impacts the local economy as well.

Current law requires the Department of Homeland Security to process petitions for O and P visas within 2 weeks of receipt of a completed petition. And the Department has implemented a premium 15-day processing for a $1,000 fee, but when a visa is required to be processed in 14 days, it seems particularly unreasonable to ask a nonprofit entity to pay $1,000 for a 15-day service. So, what we do in this measure is strike a balance by giving the Department 30 days, more than twice the current processing time, and if the visa is not processed in 30 days and the petitioner is a nonprofit organization, the bill requires the Department to provide premium processing for no additional fee.

I'm happy to say that my colleagues, the former Judiciary Committee Chair, JAMES SENSENBRENNER, and the current ranking member, LAMAR SMITH of Texas, have tried and worked with us to arrive at a solution similar to the one laid out in this bill.

At this point, Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, first of all, I want to thank the chairman of the Judiciary Committee, the gentleman from Michigan (Mr. CONYERS) for his generous comments a while ago, and I certainly appreciated working with him on this bill as well.

Performing arts organizations use O and P visas to bring many talented foreign artists to our country to perform

before American audiences. Despite the fact that the Immigration Nationality Act provides that the Department of Homeland Security shall adjudicate O and P visas within 14 days, adjudication of up to 180 days has been reported. These long delays create the risk that performances involving international artists must be cancelled, creating high economic risks to arts institutions and the local economies they support.

Henry Fogel, President of the American Symphony Orchestra League, has stated that, ''nonprofit arts organizations confront long waits and uncertainty in gaining approval for visa petitions for foreign guest artists. This degree of uncertainty can prove too risky for many performing arts organizations and is having a direct impact on their ability to present foreign guest artists. Orchestras must sell tickets in advance, creating a financial obligation to their audiences. Performances are date, time and location specific, and the nature of scheduling, booking and confirming highly sought after guest soloists and performing groups requires that the timing of the visa process be efficient and reliable.''

The INA does provide that the Department of Homeland Security can charge a fee of $1,000 to provide premium processing for employment-based visa petitions, adjudication within 15 days. However, many nonprofit arts organizations cannot afford to pay this extra amount either because they are a small, cash-strapped institution, or because they sponsor many foreign artists over a year's time. The Arts Required Timely Service, ARTS, Act provides that if a nonprofit organization's petition for an O visa or for a P visa is not adjudicated within 30 days, it will receive premium processing free of charge.

I support this bill. And I want to thank the chairman and Mr. BERMAN for their bipartisan amendment in committee that clarified that only arts organizations that are qualified as tax exempt under 501(c) of the Internal Revenue Code can receive the fee waiver, and that organizations petitioning for athletes do not qualify for this waiver.

Mr. KING, the gentleman from Iowa and the ranking member of the Immigration Subcommittee of the Judiciary Committee, offered a number of amendments in the Judiciary Committee markup of this bill. For example, one provided that only small and nonprofit arts organizations should be eligible for the fee waiver. These amendments would have, in fact, improved the bill. Unfortunately, they were not adopted.

On the whole, however, this is a good bill, and I urge my colleagues to support it.

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

Mr. CONYERS. Mr. Speaker, although there is great support for this bill, I have no other requests for time. And in full confidence and trust of the other side, I return the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I want to assure the chairman that I will not take advantage of his yielding back the time. I do, however, yield 4 minutes to Mr. KING, the gentleman from Iowa, the ranking member of the Immigration Subcommittee of the Judiciary Committee.

Mr. KING of Iowa. I thank Mr. SMITH, the ranking member of the Judiciary Committee, and the chairman for his graciousness.

I appreciate the privilege to address this issue under these circumstances. And I make no pledge about taking advantage of the situation, but I will stay with the attitude and the comity that the chairman demonstrates always, and that is that I come to the floor here to rise in opposition to this bill.

First I want to explain that premium processing is in the event that the normal application for the visa isn't processed in time, then the performing arts organization, which is a 501(c) nonprofit organization, can then apply. If they want to pay $1,000 premium to turn that around quickly, they can do that today.

So, I'm looking at this thing from the perspective of this is a fee-based system that we have. We fund USCIS through fee-based, and we had hearings in the committee and we brought that forward and it's clear. So, it becomes a zero sum game. If you decide that you're going to provide a premium processing service for one organization, that means the burden of the cost of that gets distributed across all the other applicants.

So, I'm stuck with this image of, let me just say the Metropolitan Museum of Art. I'm very convinced, and have not been there, that people arrive there in limousines wearing tuxedos and formal gowns, and at the same time, I know that they have a foundation that is quite significant. For example, assets of $2,424,000,000 in the foundation, an annual revenue stream of $326 million. Now, out of $326 million in annual revenue or $2.4 billion in the foundation, it seems to me that those kind of very wealthy, not-for-profit wealthy organizations could come up with the extra thousand dollars, particularly because people are arriving in tuxedos and getting out of limousines at the expense of the poor person who is in blue jeans and sneakers. And that's my argument here.

I yield to the chairman.

Mr. CONYERS. I thank the gentleman, STEVE KING, for yielding to me.

In other words, you're recommending that we should have had a two-tier system, because there are some aspiring jazz performers in Europe who want to come over, and they have considerably less than $2 billion in accumulated assets.

Mr. KING of Iowa. Reclaiming my time, I would submit that the wealthy foundations have the revenue to be able to provide for the premium processing in the event that they didn't plan far enough ahead to get their application in on time. I would think those with the highest wealth should be the ones that have the most ability to plan ahead or to pay if they fail to plan ahead.

Mr. CONYERS. Well, it's so uncharacteristic of you to want to sock the rich and not just charge everybody the same amount.

Mr. KING of Iowa. I thank the chairman and I appreciate his remarks. And there is probably some basis for him to make that argument.

Just to close this argument, I will argue first that I offered a series of amendments which Mr. SMITH addressed, and I exempted those foundations with less than $1 million in annual revenues. Then I went up the line to $10 million and then $50 million. I was trying to find that place by which it would get to somebody's conscience on the Judiciary Committee or in this Congress that we should say, you have enough money to manage this yourself. We never found that plateau. I actually wrote one that would have been a googolplex, kind of an unlimited number, but I'm confident it would have been rejected as well.

So, I would just submit that the one organization that I've singled out here, Metropolitan Museum of Art, would have revenue in the 5 minutes we've discussed this to be able to pay for the premium processing of a single artist and accumulate in that hour about enough for 14 artists.

So, I think we should have drawn the line at taking care of our small foundations, and for that reason I am opposing this bring. And I appreciate the sentiment that brings it to the floor.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. LUNGREN) who, like Mr. KING, is a member of the Immigration Subcommittee. He will be our last speaker.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for the time, and I rise in support of this bill.

I was with my 90-year-old mother on Sunday back in Sacramento. And I remember when my mom used to drag me and my six brothers and sisters off to the Long Beach Symphony Orchestra. And I remember when she worked with the leaders of the orchestra to bring other performers over to perform. It's not an easy thing when you have an organization like that. I know the gentleman from Iowa is talking about some of the more expensive organizations, but we're talking in this bill about all of these nonprofits being able to have the flexibility to bring foreign artists over here.

Interestingly, the Congress, a number of years ago, asked the agency involved to have a flexible system which would allow them to make the request up to 1 year before. And what happened was the agency turned it around and

said well, you couldn't do it unless it was at least 6 months or a year before. So, it sort of defeated the very flexibility Members of Congress asked for to allow this to happen.

We should understand that what we've been trying to do is get the agency to deal with these applications in a timely fashion. And the idea that you would get premium service is really kind of an interesting idea, to ask the government to do what it should do, but to do it on time we now charge you for it. Well, we do that in some circumstances because we do have difficulty with budgets, but here we're talking about only nonprofit art organizations.

So many times on this floor, it seems to me, we do more than we should; we go out and we solve problems that aren't there. We often pass legislation in search of a problem. This is not that case. This is a problem that does exist. These organizations, the Alabama Symphony Organization, the Florida West Coast Symphony, the Fort Wayne Philharmonic, the Hubbard Street Dance in Chicago, the Louisville Orchestra, the New Mexico Symphony Orchestra, Opera of Cleveland, Paul Taylor Dance Company, Pittsburgh Opera, Sarasota Opera, Florida Grand Opera, I mean, you can go down and down and down, and you see this is all over the country, a request of community organizations that are not profit that are just asking for the flexibility to be able to bring foreign artists here, which also creates an environment for U.S. artists to go overseas. And I'm old enough to recall during the Cold War that was one of the things we thought was a good thing. In fact, if you think about it, the Soviets, that's one of the things they didn't want, they didn't want American artists over there and they didn't want their artists over here. Why? Because it really began to open the eyes of many people as to some of the greatness that we have and the freedom that we have and the artistic merit that exists in a country such as ours.

So, I would just hope that we would support this bill. It should not be controversial. Hopefully, it will be a unanimous vote.

Mr. BERMAN. Mr. Speaker, the chairman of the Judiciary Committee has explained the problem addressed by H.R. 1312. I just want to add a short history of the bipartisan work on this issue. I also want to express my appreciation to Chairman CONYERS for moving the bill and to some of my colleagues who have been advocating for this solution for quite some time.

For several years now, a bipartisan group of Members has been urging USCIS to find and administrative remedy for lengthy processing times experienced by arts organizations petitioning for O and P visas. In October 2003, I was joined by 15 Members in sending a letter to USCIS Director Aguirre encouraging him to implement a number of reforms in the processing of arts-related visas. At the time, arts organizations filing for O and P visas were in a real catch-22. They were not allowed to file visa petitions earlier than 6 months before a performance, but USCIS was routinely taking longer than 6 months to adjudicate the petitions.

To their credit, USCIS did what they could to remedy the problem by regulation. But USCIS could not do administratively what we recommended, which was to create a consequence for failing to meet the required processing time for O and P petitions. That was the impetus for this bill.

The only remedy available without the bill was to pay for premium processing. Telling a nonprofit arts organization to pay $1,000 for expedited process is in effect saying: "You've paid $390 to file this petition that we're required by law to process in 14 days, but for an extra $1000, we might process in 15 days." That just doesn't make any sense.

What we've done in this bill is create an incentive for timely processing.

Solving this problem has been a joint effort. We have had the benefit of input from the Department of Homeland Security, as well as the cooperation of Ranking Member LAMAR SMITH, who worked with us to tighten the language of the bill at markup. I want to express my appreciation for the collaboration of my colleagues Mr. LUNGREN, Mr. NADLER, Mr. CHABOT, our former colleague on the Judiciary Committee, Mrs. BLACKBURN, and the many other Members who joined in the efforts leading up to this legislation.

International arts exchange is, in a sense, cultural diplomacy. Just a few weeks ago, the New York Philharmonic made a historic trip to Pyongyang. I understand that the 300-member delegation was the largest U.S. presence in North Korea since the end of the Korean war. The Philharmonic's musical director called the visit "a gesture of friendship and goodwill from one people to another." These exchanges may not resolve the world's conflicts, but they create bonds that can pay substantial dividends in years to come.

The ARTS Act is meant to encourage and facilitate these exchanges, and I urge my colleagues to support it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1312, the "Arts Require Timely Service, ARTS, Act," introduced by my distinguished colleague from California, Representative BERMAN. This important legislation amends the Immigration and Nationality Act to allow for the expedited adjudication of an employer petition for an alien of extraordinary artistic ability, an alien accompanying such alien, or an alien who is an athlete or entertainer.

Mr. Speaker, to paraphrase President John F Kennedy, the true greatness of a nation can be measured by its accomplishments in the domain of the arts and culture. America has always benefited from the free flow of foreign artistic talent, some of which has served this country with great distinction, to mention but the late great cellist and Soviet dissident Mstislav "Slava" Rostropovich. Our immigration system is an important gateway for artists and musicians from abroad and as such it should serve the broader cultural goals of our Nation.

Mr. Speaker, by inviting foreign artists to perform, arts organizations in the United States provide American audiences the opportunity to experience a variety of artistic talent and encourage a supportive climate for American artists to perform abroad. In the last several years, nonprofit arts organizations have confronted dramatic delays and uncertainties in the processing of visa petitions for foreign guest artists. These delays not only impact the immediate availability of foreign artists to perform alongside American artists, but also threaten to impede the ability of U.S. artists to perform abroad.

When a nonprofit arts organization invites a foreign performer, or an entire symphony for that matter, the organization must calendar, advertise, and ticket performances far in advance, all on reliance that they will successfully petition for a visa for their guest performer. In the last several years, delays in processing have led many smaller arts organizations to stop engaging foreign artists altogether because they cannot risk the potential expense of canceling a performance as a result of slow visa processing. Those organizations that have persevered have seen increasingly frequent situations in which performances involving foreign guest artists must be cancelled because the U.S. Immigration and Citizenship Services, USCIS, cannot process visa petitions within a 6-month period before the performance. This is an issue not only for the arts organizations bringing in a foreign artists, but also American artists who are slated to be part of these performances, as well as all of the support staff employed by the organizations as a result of a performance.

Most nonprofit arts organizations cannot afford the current $1,000 fee for premium processing, a program that was adopted primarily at the request of for-profit corporations. Yet, regular visa processing can now take up to 180 days—too long for arts organizations to accommodate. These delays in the visa process can harm nonprofit institutions and the local economies in which they exist.

Since 2003, a bipartisan group of Members has urged USCIS to remedy this problem administratively. In October of that year, 16 members sent a letter to the USCIS Director encouraging him to implement a number of reforms including reducing processing for O and P petitions filed by or on behalf of nonprofit organizations to 30 days or automatically remove those petitions to premium processing at no additional fee. To date, these reforms have not been made administratively, and in discussions, USCIS has represented that they are not certain they could make such changes without legislative action.

The ARTS Act would address visa processing delays facing nonprofit arts organizations by amending section 214(c) of the Immigration and Nationality Act to require USCIS to shift to premium processing without additional fees any O or P visa that is not processed within 30 days of filing a complete petition if the petitioner is or is filing on behalf of a qualified nonprofit organization.

Mr. Speaker, it is not by accident that I wrote a letter on this subject to then USCIS Director Eduardo Aguirre. This act exemplifies the bipartisan spirit in which we should approach this important matter so that our Nation could continue to shine in the cultural field as it shines in other domains.

Mr Speaker, this legislation speaks directly to principles of cultural and intellectual exchange that our great Nation was founded upon. I am proud to support this legislation and I urge my colleagues to join me in supporting H.R. 1312.

Mr. NADLER. Mr. Speaker, I rise today in support of H.R. 1312, the Arts Require Timely

Service Act, or the ARTS Act, and I thank Congressman BERMAN and Chairman CONYERS for their leadership on this important issue.

Under immigration law, foreign artists or groups must obtain a visa in order to perform in America. However, over the last few years, this process has been severely delayed, leading some nonprofits to stop planning events that include foreign artists altogether. These delays not only impact the immediate availability of foreign artists to perform alongside American artists, but also threaten to impede the ability of U.S. artists to perform abroad.

The ARTS Act would address these delays by requiring the Government to expedite—without any additional fees—visas for foreign artists that are not processed within 30 days of filing, if the visa petition is filed on behalf of a qualified nonprofit organization.

The ARTS Act will help end the delays and uncertainties in the processing of visa petitions for foreign guest artists coming to the United States.

America is a great land of opportunity for artists, and in my district, this is particularly true. New York City prides itself as being an international center for the arts, yet the current system is failing it. It is becoming increasingly difficult for too many foreign artists to come to America to perform. Foreign artists bring to America their own unique artistic abilities, and every time they are essentially prevented from performing in America, we do a disservice to the arts and to ourselves.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1312, as amended.

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

A motion to reconsider was laid on the table.

□ 1515

## COMMEMORATING THE 40TH ANNIVERSARY OF THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1061) commemorating the 40th anniversary of the assassination of Dr. Martin Luther King, Jr., and encouraging people of the United States to pause and remember the life and legacy of Dr. Martin Luther King, Jr., and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1061

Whereas 40 years ago on April 4, 1968, Dr. Martin Luther King, Jr., the moral leader of America, was taken from us all too soon by an assassin's bullet, while standing on the balcony of his motel room in Memphis, Tennessee, where he was to lead sanitation workers in protest against low wages and intolerable working conditions;

Whereas Dr. Martin Luther King, Jr., while just one man, changed America forever in a few short years through his preaching of nonviolence and passive resistance;

Whereas Dr. King was the preeminent civil rights advocate of his time, leading the civil rights movement in the United States during the 1950s and 1960s and earning world-wide recognition as an eloquent and articulate spokesperson for equality;

Whereas Dr. King dedicated his life to securing the fundamental principles of the United States of liberty and justice for all United States citizens;

Whereas Dr. King was a champion of nonviolence who fervently advocated nonviolent resistance as the strategy to end segregation and racial discrimination in America, and in 1964, at age 35, he became the youngest man to be awarded the Nobel Peace Prize in recognition for his efforts;

Whereas through his work and reliance on nonviolent protest, Dr. King was instrumental in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965;

Whereas Dr. Martin Luther King, Jr., broke down walls of racial segregation and racial discrimination in places of public accommodation;

Whereas Dr. Martin Luther King, Jr., opened doors to the participation of all Americans in the political process;

Whereas the work of Dr. King created a basis of understanding and respect and helped communities, and the United States as a whole, to act cooperatively and courageously to restore tolerance, justice, and equality between people;

Whereas in the face of hatred and violence, Dr. King preached a doctrine of nonviolence and civil disobedience to combat segregation, discrimination, and racial injustice, and believed that people have the moral capacity to care for other people;

Whereas Dr. King awakened the conscience and consciousness of the United States and used his message of hope to bring people together to build the ''Beloved Community'', a community of justice, at peace with itself;

Whereas Dr. Martin Luther King, Jr., through his persistence, raw courage, and faith brought about a nonviolent revolution in America without firing a single bullet; and

Whereas our country and our society are better because of what he did and what he said: Now, therefore, be it

*Resolved*, That the House of Representatives encourages all Americans to—

(1) pause and remember the life and legacy of Dr. Martin Luther King, Jr., on this, the 40th anniversary of his death;

(2) commemorate the legacy of Dr. King, so that, as Dr. King hoped, ''one day this Nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident; that all men are created equal''; and

(3) remember the message of Dr. King and rededicate themselves to Dr. King's goal of a free and just United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on House Resolution 1061.

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

There was no objection.

Mr. CONYERS. I thank the Speaker, and I yield myself as much time as I may consume.

Mr. Speaker, Members of the House, this Friday, April 4, will mark the 40th anniversary of Dr. Martin Luther King, Jr.'s assassination in 1968.

I note that, once again, our distinguished colleague from Georgia, JOHN LEWIS, has introduced a bipartisan House Resolution calling upon all Americans, on this anniversary, to pause and remember the life and legacy of Dr. Martin Luther King, Jr. and I'd like to acknowledge the many members of the Judiciary Committee supporting this resolution, LAMAR SMITH, GERALD NADLER, ZOE LOFGREN, BOBBY SCOTT, KEITH ELLISON, STEVE COHEN and others.

Dr. King was not only our greatest civil rights leader, but he was also the person that personally has given me the political, philosophical undergirding to attempt to transfer his belief system into some of the objectives of the United States through the Congress. What a leader he was.

I shall be in Memphis this Friday celebrating, with the distinguished gentleman from New York, Harry Bellefonte, and many others, the work that he has done in trying to bring justice, understanding, full employment, an economic system, and end the war in this country and in this world.

He addressed, on the night before his assassination, the sanitation workers in Memphis at the Mason Temple. And I don't know about you, but it seemed to me that he had a premonition that he was spending the last days of his life on earth in this cause. He seemed to have projected his understanding of how fleeting his life may have been.

Of course, I'm also connected to Dr. King by his family, Coretta Scott King and their children, and of course, the unbelievably courageous Mrs. Rosa Parks, who later came to Detroit and honored my office by working there for many, many years.

And so I'm very pleased to join in with this re-examination and remembrance of our great leader, to me, one of the greatest leaders of the 20th century. And so I'm proud to stand before you as the chairman of the Judiciary to bring this resolution forward.

I reserve the balance of my time.

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

This bill commemorates the 40th anniversary of the tragic assassination of Dr. Martin Luther King, Jr. Dr. King was the leader of a historic, nonviolent revolution in the U.S. Over the course of his life he fought for equal justice and led the Nation towards racial harmony.

While advancing this great movement, Dr. King's home was bombed, and he was subjected to relentless personal and physical abuse. Despite this violence, Dr. King responded in peace

with strong conviction and sound reason. And as a preacher, Dr. King's religious beliefs were essential to the success of his nonviolent efforts. It is doubtful that such a long and enduring movement of peace could have survived in the face of such violence without the power of religious inspiration behind it.

From 1957 to 1968, Dr. King traveled over 6 million miles and spoke over 2,500 times about justice and equal freedom under the law.

On August 28, 1963, Dr. King led a peaceful march of 250,000 people through the streets of Washington, D.C. And it is here, in this city, where he delivered a speech that spoke for all Americans, regardless of the color of their skin. In his ''I Have a Dream'' speech, Dr. King called the march the ''greatest demonstration for freedom in the history of our nation,'' and he was right.

''I have a dream,'' he said, ''that my four little children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character.''

Dr. King not only lived the American dream, but he opened that same door of opportunity for millions of Americans. He lived for the causes of justice and equality.

On the evening of April 4, 1968, while standing on the balcony of his hotel room in Memphis, Tennessee, Dr. King was assassinated. But a single vicious act could not extinguish Dr. King's legacy, which endures to this day. And America is a better, freer Nation because of his legacy.

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

Mr. CONYERS. Mr. Speaker, I am pleased now to yield as much time as he may consume to the one person in the House of Representatives and the United States Senate that knew Martin King, Jr., better than any of us here. He's a distinguished civil rights leader in his own right, but he worked closely with Dr. King and the SCLC and SNCC and other civil rights organizations. I am pleased to recognize the gentleman from Georgia, John Lewis, for as much time as he may consume.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and my colleague, Chairman CONYERS, for yielding.

Mr. Speaker, I think it is fitting and appropriate that we pause, as a Nation and as a people, to remember the life of Dr. Martin Luther King, Jr., a man who changed America forever.

Dr. Martin Luther King, Jr., was assassinated in Memphis, Tennessee on April 4, 1968. He had emerged as a leader, not just for a people, but for a Nation. His leadership and commitment to a truly interracial democracy played a key role in ending legal segregation in America. He led the first major nonviolent campaign in modern America when he emerged as the leader of the Montgomery bus boycott that lasted 381 days.

He inspired thousands and thousands of people to follow the way of nonviolence. In doing so, he inspired other movements and had an effect on so many young people and some not so young.

Just think, a few short years ago, in America, there were signs that said, ''White women, Colored women,'' ''White men, Colored men,'' ''White waiting, Colored waiting.'' There was segregation in public accommodations and transportation. Men and women of color could not even register to vote.

Dr. King created a climate, created an environment that the power of the courts, the power of Congress, and the President of the United States couldn't look the other way; they couldn't say no.

In his short life, he led the American people on a journey that is ongoing even today.

Mr. Speaker, I will never forget coming to Washington with him in early June, 1963. We met with President Kennedy and other leaders in his administration. Dr. King informed the President that there was a crisis in our country and that he had to act.

Later, Dr. King came back to Washington to speak and to march on Washington. This time he was able to bring 250,000 Americans, Black and White, and people of all faiths and backgrounds. On that day, he transformed the steps of the Lincoln Memorial to a modern-day pulpit. On that day, he shared his dream of the Beloved Community, a truly interracial democracy.

I can still hear him saying, ''I have a dream today, a dream deeply rooted in the American dream.''

Mr. Speaker, today we encourage all citizens, especially our young people, to take time to reflect on the teachings and the leadership of Martin Luther King, Jr. Our Nation is a better place, and we are a better people because of him.

Mr. SMITH of Texas. Mr. Speaker, I don't have any other speakers at this time. I will yield the balance of my time to the gentleman from Michigan (Mr. CONYERS), the chairman of the Judiciary Committee.

Mr. CONYERS. I thank the gentleman from Texas, the ranking member, Mr. SMITH.

I would like now to recognize STEVE COHEN, our distinguished colleague from Memphis, Tennessee, for 2 minutes.

Mr. COHEN. Thank you, Mr. Chairman.

This Friday, our Nation will recognize the 40th anniversary of a most infamous day in our country's history, the assassination of the great Reverend Martin Luther King, Jr.

It's impossible to speak about Dr. King without remembering his eloquence and powerful oratory. Dr. King brought his brilliant mind and God-given speech to bear against mighty forces, forces which were entrenched and interwoven so powerfully in the very fabric of our country that the task to overcome seemed nearly impossible. But he was not deterred. And even from the distance of 40 years, what Martin Luther King, Jr., accomplished in his short number of years on this earth is awe-inspiring. He started a march to justice that he still inspires and which moves toward fulfillment.

An assassin's shot rang out in Memphis, silencing a most beautiful and eloquent man, but it didn't silence his dream. He was a man who worked with Bayard Rustin to take Gandhi's principles of nonviolence and change a country through different forms of civil disobedience that had not been seen in this country successfully.

He brought a march to Washington that's still the greatest march known to this day, a collection of individuals demanding a change of course for this country. And he changed this country and changed, his force made this Congress and the President of the United States, at that time, Lyndon Johnson, change its course and bring about great civil rights legislation.

A man whose life and death continues to define our country and our world, his dream survives his death, and will continue to survive as long as we know what is good and just about our Nation.

The man could be killed, but not the dream. The dream lives in each of us. Though the fires of progress sometimes seem to dwindle to embers, each time we declare that all people are equal, each time we fight against discrimination and intolerance, and each time we speak truth to power, each time we do those things we fan the flame of Martin Luther King's dream and his purpose and his passion lives on in us.

Martin Luther King spoke truth to power, and that is a great thing.

Mr. CONYERS. Mr. Speaker, I'm pleased now to recognize the distinguished gentleman from Georgia, Mr. DAVID SCOTT, and I recognize him for 3 minutes.

□ 1530

Mr. SCOTT of Georgia. Thank you, Chairman CONYERS. It's so good to be here with my good friend Mr. LEWIS from Georgia and Mr. COHEN from Tennessee.

Mr. Speaker, today, we gather to pay tribute and to recognize an extraordinary life on the 40th anniversary of the assassination of Dr. Martin Luther King, Jr.

Mr. Speaker, in the book of Genesis in the 37th chapter, in the 19th verse, it says these words: Lo, here cometh the dreamer. Let us slay him and then we shall see what will become of his dream.

I think that is a most fitting way to enter my remarks this afternoon about Dr. King, for his was truly a dream, but that dream was built on three strong pillars. One was public accommodations. The other was voting rights. But the other, and perhaps the tougher, was economic rights, how do we get the lever to make the dream a reality. Dr.

King knew full well it didn't matter if we could sit anywhere on the bus if we don't have money to get on the bus. It doesn't matter if we could live anywhere we wanted if we didn't have money to buy the house and to keep the house.

So, as we reflect today on that economic right, it is so fitting that so much is still to be done. For as we look at the front page of the New York Times yesterday, we find that there are more people who are on food stamps percentage-wise in this country than 40 years ago when Dr. King died. What has happened to his dream after he was slain?

It's so fitting that if we start to think for a moment what Dr. King was doing in those moments and hours before his death. He was grappling with the economic question, moving back and forward from Washington, D.C., to Atlanta, Georgia, to Memphis, dealing with the poor people's campaign, the war on poverty, and, most significantly, dealing with the most basic of economic rights, a livable wage for jobs for the sanitation workers in Memphis, Tennessee.

And so he knew that the work had not been done. His prophetic words, as Chairman CONYERS referred, it's almost as if he was preaching his own funeral when he said he had reached the mountaintop and had looked over and seen the promised land. I may not get there with you, but I want you to know tonight that we, as a people, will get to the promised land. And all the threats that were on his life, it was as if he knew that the bullet in 24 hours was out there waiting for him.

And he said in his immortal words: I fear no man, for mine eyes have seen the glory of the coming of the Lord.

So, as we gather here, let us understand that that dream is still not the reality; although the pillars that he planted, part of them are. It is the tough bucket of the economic issues that we are grappling with on the floor of this House of Representatives as we speak, keeping people in their homes, getting people so they can work and have employment and jobs, opening up the economic system so that people will have businesses and participate in a livable way.

So, as we reflect, let us remember those words from Genesis: Lo, here cometh the dreamer. Let us slay him and then we shall see what will become of his dream.

We in this House of Representatives can make that dream a reality by finishing that final plank, the economic plank.

Mr. CONYERS. Mr. Speaker, I'm pleased now to recognize the gentleman from Maryland, the Honorable ELIJAH CUMMINGS, who is not only an attorney but a person of deep religious persuasions, a leader in the church. He has worked continually in the area of civil rights, voter activity, and I yield him as much time as he may consume.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding, and I associate myself with the words that have already been spoken by all of my colleagues.

My last colleague who spoke, I just want Mr. SCOTT, as I listened to him I could not help but think about the first chapter of Habakkuk, fifth verse, and in that verse it says that God says that He will do miracles and He will do it during our time, and if He were to tell us what those miracles would be, we would not believe Him.

I rise in support of this resolution, sponsored by the distinguished gentleman from Georgia, commemorating the legacy of Dr. Martin Luther King on the 40th anniversary of his assassination.

Mr. Speaker, young Americans of this time are the third generation to come of age since Representative JOHN LEWIS and other brave young Americans worked with Dr. King to lead America from inequity towards justice and from violence toward a more peace-filled world.

We have been inspired and heartened to witness the young people of our time engaged in the democratic process this year like no other. They are renewing Dr. King's message and are crying out to us in Dr. King's voice, through the often harsh realities of their lives.

I must submit to you, Mr. Speaker, that whatever their ethnic backgrounds may be, far too many of these idealistic young Americans are being subjected to the most crippling segregation of all, the segregation from opportunity that is the inevitable result of poverty. I've often said that our children are the living messages we send to a future we will never see.

And Mr. Speaker, this new, energized, and determined generation is also challenging the foreign policies of this great Nation, even as Dr. King challenged American foreign policy four decades ago.

In this spirit, Mr. Speaker, I join Representative LEWIS, a true American hero who put his own life and safety on the line for these American principles, and I ask that my colleagues join me in supporting this resolution. In doing so, we honor Dr. King and his legacy to America through our actions, as well as through our words.

And as it was said in Habakkuk, miracles will happen. The question is whether we will believe in them and do as Dr. King did. Dr. King looked out, and he was not blinded by what he saw, but he saw things that others did not see, but more significantly, he took his vision and put it in the form of a mission and accomplished much.

Mr. CONYERS. Mr. Speaker, it's now my high privilege to recognize the majority leader, the gentleman from Maryland (Mr. HOYER) who many years ago had me bring to one of his meetings Rosa Parks, and that was the beginning of a very important relationship between Mrs. Parks and STENY HOYER and myself.

Mr. HOYER. I thank my friend for yielding.

JOHN CONYERS is a distinguished leader of the civil rights movement, whose leadership and commitment and tenacity and steadfastness led to declaration of a holiday, a holy day in many respects, a day of recommitment when we remember the life, legacy, and teaching of Martin Luther King, Jr. I did not know Dr. King. I met him but didn't know him.

But I have known JOHN CONYERS and I have known JOHN LEWIS, and I know them both and they are giants themselves. JOHN LEWIS, of course, is the sponsor of this resolution, who represents Atlanta, who came from Alabama, who marched across the Edmund Pettis Bridge, confronted by troops who wanted to stop him from doing what is basic to the United States of America, the right of every citizen to express their view on how their government ought to be peopled and run, the right to vote.

As a result of his courage, the leadership of Dr. King and JOHN CONYERS and so many others, we passed a Voting Rights Act. I am honored to stand with these two giants.

I understand that Mr. SMITH, the ranking member of the committee, helped bring this bill to the floor.

I am of that generation that remembers the dark day in April of 1968, followed too closely by another dark day on June 6, just two-and-some-odd months later.

Mr. Speaker, 40 years ago this Friday, Martin Luther King, Jr., was murdered. He was an American prophet. He called us to love justice, to love our brothers and sisters of every color, of every race, of every nationality, of every religion, of every gender. He spoke the truth, but on April 4, 1968, he was taken from us. But his lesson was not taken from us nor his example.

In this flawed and fallen world, hate and rage and violence will have their day, but if we can find even a sliver of good in that crime, it must be this: Dr. King died on a balcony, an open place, a public place. Dr. King showed us, he proved with his own body, that a just cause is worth dying for, as our Founding Fathers had done, as frankly, in my religion, Jesus did.

It is worth living for, too, he showed us. This resolution, even though I will vote for it wholeheartedly, even though I trust it will pass unanimously, even though it's offered by my good friend JOHN LEWIS, who ''toiled, and wrought, and thought'' with Dr. King, is just words on paper, unless we match it with the resolve of our lives. That is what Dr. King wanted us to do.

Our conduct, our actions, are the only honors we have worth giving. These words on paper take on value when, and only when, they spur us toward what Dr. King called ''a committed life.''

After the autopsy, which showed that his 39-year-old body held the strained and tired heart of an elderly man; after two brown mules pulled his casket in a

wooden cart through the streets of Atlanta; after tens of thousands assembled to put him to rest, Dr. King spoke at his own funeral.

The loudspeakers played a tape of one of his old sermons, and these were the words that echoed through the Ebenezer Baptist Church. ''I don't want a long funeral. I'd like somebody to mention that day that Martin Luther King, Jr., tried to give his life serving others. I'd like for somebody to say that day that Dr. Martin Luther King, Jr., tried to love somebody. I want you to say that day that I tried to be right on the war question. I want you to be able to say that day that I did try to feed the hungry. And I want you to be able to say that day that I did try in my life to clothe those who were naked.''

We can say all of it, with truth, about Martin Luther King, Jr., a great American, a great leader, a great man and, yes, a citizen revered, respected, and honored by the world, for he saw himself not just as an American, proud though he was of this Nation's promise, but also he saw himself as a part of all mankind.

May we do our best to live by his example as we remember the sad day when his body was taken from us, but they could not take his lessons.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1061,''Observing the 40th anniversary of the assassination of Dr. Martin Luther King, Jr. and encouraging the people of the United States to pause and remember the life and legacy of Dr. Martin Luther King, Jr. and for other purposes,'' introduced by my distinguished colleague from Georgia, Representative JOHN LEWIS. This praiseworthy legislation will commemorate the 40th anniversary of Dr. King's assassination by expanding his legacy and honoring his paradigm of nonviolence, courage, compassion, dignity, and public service.

On April 4, 1968, Martin Luther King, Jr. was assassinated while on the balcony of the Lorraine Motel in Memphis, Tennessee. In remembering the 40th anniversary of Dr. King's assassination, we should take a moment to reflect upon the purpose for which Dr. King and other civil rights pioneers so resiliently fought. Through his philosophical words and fortified stance against racial injustice, Dr. King provided a road map for all to unite and share in the prosperity of this great democracy. While we acknowledge that our Nation has come a long way, Dr. King's dream has yet to be realized in its entirety. Martin Luther King's contributions to our history place him in this unparalleled position. It is Dr. King who represents the best in all of us and it is in his memory that we continue to devote ourselves to his vision.

In his short life, Martin Luther King was instrumental in helping us realize and rectify those unspeakable wrongs which tarnished the name of America. African Americans needed a Martin Luther King, but above all, America needed him. The significant qualities of this special man cannot be underestimated nor taken for granted. Within a span of 13 years, from 1955 to his death in 1968, he was able to expound, expose, and extricate America from many wrongs. Dr. King's inspiring words filled a great void in our nation, and answered our collective longing to become a country that truly lived by its dignified principles. And so we memorialize this man of action, who put his life on the line for freedom and justice every day.

Reverend Dr. Martin Luther King's ''I Have a Dream'' Speech, delivered on August 28, 1963, was a clarion call to each citizen of this great Nation that we still hear today. His request was simply and eloquently conveyed—he challenged America to live up to the true meaning of its creed, to make real the words written in its Declaration of Independence and to have a place in this Nation's Bill of Rights. It is with this goal in mind that we strive to provide equal opportunity to all.

Dr. King spoke about his contentment with the end of his mortal life in his last speech, ''I've Been to the Mountaintop,'' on April 3, 1968 at Mason Temple. Even then he lifted up the value of service as the hallmark of a full life and reiterated the importance of continuing the struggle for human rights. ''We've got some difficult days ahead. But it doesn't matter with me now because I've been to the mountaintop.'' We must continue to pay homage to the valor of a man who endured harassment, embarrassment, beatings, and bombings. We commemorate the man who went to jail 29 times to achieve freedom for others, and who knew he would pay the ultimate price for his leadership, but kept on marching and protesting and organizing anyway. Dr. King's vision of equality under the law should never lose its vigor despite times of unevenness in our equality. For without that vision—without that dream—we can never continue to improve on the human condition.

During these difficult days when the United States is bogged down in a misguided and mismanaged war in Iraq, which has claimed the lives of over 4,000 men and women, we should also remember that the Rev. Dr. Martin Luther King, Jr. was, above all, a person who was always willing to speak truth to power. There is perhaps no better example of Dr. King's moral integrity and consistency than his criticism of the Vietnam War being waged by the Johnson Administration, an administration that was otherwise a friend and champion of civil and human rights. He stated, ''We are adding cynicism to the process of death, for they must know after a short period there that none of the things we claim to be fighting for are really involved.''

Dr. King was taken from us too soon at the tender age of 39 years old. Many people remember that Dr. King died in Memphis, but few remember why he was there. On that fateful day, the 4th day of April in 1968, Dr. King came to Memphis to lead a strike by the city's sanitation workers.

The death of the Rev. Dr. Martin Luther King, Jr., will never overshadow his life. He was both a dreamer and a man of action. Forty years after his death, Dr. King continues to teach us all. He leaves a legacy of hope, tempered with peace; although, it is a vision not yet fulfilled.

Mr. Speaker, words cannot convey or adequately repay the debt that is owed. We cannot sufficiently articulate the feelings of sorrow that are still universally felt; however, we can pay Dr. King and other civil rights pioneers no greater tribute than to carry on the work they believed in and paid the ultimate sacrifice for. The contributions that Dr. King provided are priceless and will never be forgotten. As we recognize the 40th Anniversary of the slaying of a martyr, let us remember to commemorate his vision, remember his message, and rededicate ourselves to his goal of a free and just United States. I hope every person here rededicates his or her life to fulfilling his legacy—that all of us here highly resolve that Dr. King's dream never dies but becomes a living reality for all the children of this great nation and the world.

I strongly urge my colleagues to join me in supporting this important legislation, and, in-so-doing, giving Dr. King the respect that he so greatly deserves.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would first like to thank my colleague from Georgia Mr. JOHN LEWIS for introducing this resolution which honors the life and legacy of one of America's greatest citizens, Dr. Martin Luther King, Jr.

Today, nearly 40 years after he was tragically taken from us, we are still striving to create a society of equal opportunity which he so eloquently called for. We still have a long way to go before his goals will be achieved, but at least he left for us a beacon of hope toward which we can all strive.

I am privileged to represent the Thirtieth District of Texas in the Congress and would note that there are many in North Texas who have endeavored to maintain the legacy of Dr. King. Indeed, in their everyday actions, the clergy, elected officials, students and community in the district strive to implement Dr. King's philosophy.

In 1964, King became the youngest person to receive the Nobel Peace Prize for his efforts to end segregation and racial discrimination through civil disobedience and other nonviolent means.

It is ironic that his life was taken so prematurely at the hands of violence as he visited Memphis, Tennessee to help lead sanitation workers in a protest over black workers being sent home with no pay because of bad weather when white workers remained on the job. This tragic incident happened the day after he gave his ''I've been to the Mountaintop'' speech during which he seemed to almost prophetically foreshadow his impending death.

Dr. King stood for the common man and for social and political justice in every facet and echelon of life. As a man of vision and determination to do God's will, King was truly destined to lead the people to the ''promised land.''

Sadly, like Moses, Dr. King was not able to go into the promised land of opportunities with those he led so far through the wilderness of injustice, hatred, and bigotry. Still today, there are many that have been left to rough their way through the thicket of discrimination and racism. Therefore, it is our responsibility to carry on the beacon he left for us that lights the way to true equality and justice.

Mr. Speaker, we can honor Dr. King by bowing our heads in memory of him, but only for a moment. For we must then lift our heads, hold each other hands, look ahead, heads high, and continue the fight for his sacrifice for this Nation which was freedom, equality and opportunity for all.

Mr. VISCLOSKY. Mr. Speaker, I rise today in support of H. Res. 1061, a measure that observes the 40th anniversary of the assassination of Dr. Martin Luther King, Jr., and encourages the people of the United States to

pause and remember the life and legacy of Dr. Martin Luther King, Jr. This Friday, April 4, 2008, marks the tragic 40th anniversary of Dr. King's assassination. Dr. King's work for civil rights has remained an inspiration to all those committed to liberty and freedom throughout the world.

While April 4 marks a sad day in American history, it is my hope that, as a nation, we will continue to reflect on the actions and accomplishments of Dr. King. Let April 4th be a day on which we celebrate Dr. King's life, study his teachings, and honor his legacy.

Dr. Martin Luther King, Jr., was born on January 15, 1929, and grew up in Georgia, attending segregated schools throughout his early education. Overcoming these unjust beginnings, King went on to receive a Bachelor of Arts from Morehouse College in 1948, a Bachelor of Divinity from Pennsylvania's Crozer Theological Seminary in 1951, and a Ph.D. from Boston University in 1955 before becoming pastor at the Dexter Avenue Baptist Church in Montgomery, Alabama.

Dr. King was actively involved in the National Association for the Advancement of Colored People (NAACP) and championed efforts for racial equality. In 1955, after Rosa Parks refused to give up her seat to a white man on a Montgomery bus, Dr. King led the historic Montgomery Bus Boycott, the first nonviolent demonstration of the Civil Rights Movement. There, his steadfast adherence to nonviolence and unwavering devotion to the struggle for equality in the face of threats to his life propelled him to the leadership of the Civil Rights Movement.

In 1957, Dr. King was elected President of the Southern Christian Leadership Conference (SCLC), where he drew inspiration from Christianity and the teachings of Ghandi to be a major leader in the Civil Rights Movement. In the ensuing decade, Dr. King was feverishly active in the struggle for racial equality, constantly traveling the country to orchestrate and participate in demonstrations and delivering the inspirational addresses for which he is renowned. In that time he also penned five books and many essays, consulted to Presidents Kennedy and Johnson, and became the youngest person to receive the Nobel Peace Prize. Unfortunately, Dr. King was assassinated on the evening of April 4, 1968, on the balcony of his motel room in Memphis, Tennessee, where he planned to lead a protest march to show solidarity with striking garbage workers the next day.

The nonviolent manner in which Dr. King fought for fundamental freedoms, such as desegregation and the right to vote, has had a lasting impact on the psyche of this country. Perhaps the greatest example of Dr. King's leadership and legacy is his "I Have a Dream" speech, which he gave in front of the Lincoln Memorial during the March on Washington in 1963. In that speech, Dr. King spoke about his dream for a nation where his four children would not be judged by the color of their skin, but by their character.

Mr. Speaker, Friday may be the anniversary of the death of one of our nation's greatest citizens, but I also hope it is a day on which we can reflect on the positive changes that were set in motion due to Dr. King's work. Dr. Martin Luther King, Jr. raised the conscience of America. He made our nation reexamine our commitment to freedom and liberty, and he did so with a message of peace and nonviolence. To this day, Dr. King's work, message, and legacy remain imprinted on the minds of those who carry on his noble cause across America, from Montgomery, Alabama, to Northwest Indiana.

Mr. BISHOP of Georgia. Mr. Speaker, I rise in support of H. Res. 1061, authored by my good friend from the Georgia delegation, Mr. JOHN LEWIS.

Since his death 40 years ago, Dr. Martin Luther King, Jr. has come to be known as a visionary who drove political and social change in our country. And, as the Civil Rights movement evolved, he was an indispensable figure who made historic progress toward fulfilling the country's promise of freedom and justice for all.

As a student at Morehouse, I was greatly influenced by his faith-oriented philosophy—something which still guides me today. I remember meeting him on the Morehouse campus, where he had been a student himself a few years before and where he often returned.

Before deciding on Emory Law School, I entertained the notion of going to seminary just as Dr. King did. In the end I decided to become a lawyer, in part because I realized that every time Dr. King went to jail, he needed a lawyer to help to get him out.

Unfortunately I never had the privilege of helping him get out of jail. Forty years ago this month, I marched behind the mule-drawn wagon that carried his coffin, and I sang at his funeral as a member of the Morehouse Glee Club. It was an experience that will always remain vivid in my memory.

Of course, Martin Luther King, Jr. was not a perfect person. He never claimed to be. Like all of us, he was a human being. But he possessed an abundance of qualities that ultimately made him an heroic and patriotic figure.

He had unwavering faith not only in God, but also this country. He possessed limitless courage and sacrifice in the name of that faith, and endured numerous beatings, jailings, and dangers. He showed tremendous organizational skill by bringing people together and forging a consensus when no one else could.

And his brilliant oratorical skill—eloquence and logic coupled with an appeal to better ourselves.

In his eulogy for Dr. King, Dr. Benjamin Mays said:

"[Dr. King] had faith in this country. He died striving to desegregate and integrate America to the end that this great nation of ours, born in revolution and blood, conceived in liberty and dedicated to the proposition that all men are created free and equal, will truly become the lighthouse of freedom . . ."

Martin Luther King, Jr. will be remembered this week as a great leader of the civil rights era, a humanitarian, a man of God, a crusader, and by his family, as a loving husband and father.

Additionally, many of us remember a man who lived his life in pursuit of this country's founding principles. So as we commemorate his life with this resolution in the United States House of Representatives—I would also like to remember him as one of America's great patriots.

Mr. HONDA. Mr. Speaker, I rise today in remembrance of the assassination of one of the most prominent leaders of the American Civil Rights Movement, Dr. Martin Luther King, Jr. Dr. King made the ultimate sacrifice advocating for civil rights when he was assassinated on this day 40 years ago while standing on the balcony of his motel room in Memphis, Tennessee. His untimely death gives our nation impetus to realize the dream he espoused, and carry on his legacy.

Dr. King fought to raise the moral and political consciousness of all Americans. As a Baptist preacher, philosopher, and activist, he was most interested in creating a world where he could peacefully and righteously raise his own children. He was passionate about ending poverty and war, both in this country and abroad. Though he is revered for his role within the African American community, he believed that the struggle he led was ultimately for the liberation of the United States and all those who believed in freedom. In this time of global uncertainty and conflict, his wisdom and foresight should resonate with us all.

I would like to share an excerpt from his speech given on April 4, 1967 at a meeting of Clergy and Laity Concerned at Riverside Church in New York City:

"Somehow this madness must cease. We must stop now. I speak as a child of God and brother to the suffering poor of Vietnam. I speak for those whose land is being laid waste, whose homes are being destroyed, whose culture is being subverted. I speak for the poor of America who are paying the double price of smashed hopes at home and death and corruption in Vietnam. I speak as a citizen of the world, for the world as it stands aghast at the path we have taken. I speak as an American to the leaders of my own nation. The great initiative in this war is ours. The initiative to stop it must be ours. . . .

The only change came from America as we increased our troop commitments in support of governments which were singularly corrupt, inept and without popular support. All the while the people read our leaflets and received regular promises of peace and democracy—and land reform. Now they languish under our bombs and consider us—not their fellow Vietnamese —the real enemy."

Dr. King believed in our collective potential to stand for justice and peace everywhere. On this day, we honor his life and legacy by protecting his dream, and living up to our inherent potential.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 1061.

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

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res. 310, by the yeas and nays;

H. Res. 1005, by the yeas and nays;

H. Res. 1021, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

□ 1545

## EXPRESSING SUPPORT FOR A NATIONAL DAY OF REMEMBRANCE FOR HARRIET ROSS TUBMAN

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 310, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 310.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 14, as follows:

[Roll No. 150]

YEAS—416

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

NOT VOTING—14

Andrews
Cubin
Fossella
Granger
Jefferson
Pryce (OH)
Reynolds
Rothman
Rush
Schwartz
Shuler
Tauscher
Udall (NM)
Waxman

□ 1611

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCING THE PASSING OF FORMER REPRESENTATIVE BILL DICKINSON OF ALABAMA

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

Mr. EVERETT. Members, it is my sad duty to notify the House that a former colleague, Bill Dickinson, passed away last night at age 82. Bill represented Alabama's Second District prior to me, from 1964 to 1992. He served as the ranking Republican on the House Armed Services Committee during the Reagan military build-up years.

His death marks a loss to Alabama and to the Nation, and I now ask for a moment of silence from the body.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Members will rise and observe a moment of silence.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

## SUPPORTING THE GOALS AND IDEALS OF BORDERLINE PERSONALITY AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1005, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1005, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 16, as follows:

[Roll No. 151]

YEAS—414

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

NOT VOTING—16

Andrews
Calvert
Cubin
Granger
Jefferson
Pryce (OH)
Reynolds
Rothman
Rush
Schwartz
Shuler
Tauscher
Terry
Udall (NM)
Wamp
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1621

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''Resolution supporting the goals and ideals of Borderline Personality Disorder Awareness Month.''.

A motion to reconsider was laid on the table.

## SUPPORTING THE GOALS, IDEALS, AND HISTORY OF NATIONAL WOMEN'S HISTORY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1021, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1021, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 17, as follows:

[Roll No. 152]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
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
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
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
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali

Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—17

Andrews
Calvert
Cubin
Granger
Jefferson
McCaul (TX)
Pryce (OH)
Renzi
Reynolds
Rothman
Rush
Schwartz
Shuler
Tauscher
Udall (NM)
Wamp
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left to vote.

□ 1628

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5501, TOM LANTOS AND HENRY J. HYDE UNITED STATES GLOBAL LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA REAUTHORIZATION ACT OF 2008

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110–562) on the resolution (H. Res. 1065) providing for consideration of the bill (H.R. 5501) to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1630

## ELECTING CERTAIN MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. SCHIFF. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1066

*Resolved,* That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON FINANCIAL SERVICES.—Mr. Foster, Mr. Carson.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 3547

MR. SCHIFF. Madam Speaker, I ask unanimous consent that Representatives ROYBAL-ALLARD, LINDA SÁNCHEZ, SOLIS, and BERMAN be removed as cosponsors of H.R. 3547, and instead be added to H.R. 5477. These members were listed as cosponsors on one bill when they should have been listed as cosponsors on the other due to a clerical error.

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

There was no objection.

## 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.

## APRIL FOOL'S DAY AT THE WHITE HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, today is April the 1st, a day that also goes by the nickname April Fool's Day. For most of us, this is a day of trickery that only comes once a year. For the White House, it is a day that comes all too often. The mistruths, the lies, the deceptions, whatever you want to call them, keep flowing out of the White House and from its cronies.

Just the other day, our very own ambassador to Iraq said, and I quote him, ''I think there has to be an honest discussion of the consequences of Iraq.'' An honest discussion. Now? Why didn't the administration do that 5 years ago, I ask you? Just now we need to put on our thinking caps and get serious about Iraq? We are in the sixth year of this occupation, and Ambassador Crocker thinks now is the time to contemplate what is going to happen in Iraq? This is far beyond a day late and a dollar short. They are 5 years late and one-half trillion dollars short.

But this never ending April Fool's Day goes on and on. How about these oldies but goodies:

In July 2002, then Secretary of Defense Donald Rumsfeld had a one-word answer for reporters who asked whether Iraq had relationships with al Qaeda terrorists. His answer was, ''Sure.''

Vice President DICK CHENEY in August 2002 simply stated, ''There is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt he is amassing them to use against our friends, against our allies, and against us.''

On January 28, 2003, in his annual State of the Union, the President asserted that the British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa. He continued, ''Our intelligence sources tell us that he has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production.''

The administration, which has racked up one-half trillion dollars in debt, even made the claim that Iraqi oil would pay for the war and that we would be met with cheers and flowers.

Remember that old proverb: Fool me once, shame on you. Fool me twice, shame on me. But, you know what? The American people were not fooled by these statements, and this Congress mustn't be fooled, either. That is why 92 Members of this House have sent a clear message to the President. We signed a letter stating that we will not support any more blank checks. In fact, we said we will only support appropriating additional funds for U.S. military operations in Iraq during fiscal year 2008 and beyond for the protection and safe redeployment of our troops out of Iraq before President Bush leaves office.

There is absolutely nothing funny about these tricks that the administration has played on this Nation. April Fool's Day ends today. We must not take any more nonsense from the White House, and we must not sign one more blank check.

## HONORING JOHN MONTGOMERY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, I rise today to honor a public servant who has given a great deal not only to the State of North Carolina but to the country as a whole.

Since 1972, Mr. John Montgomery has served the Department of Veterans Affairs on behalf of our Nation's veterans. Later this month, he will retire from his position as director of the VA regional office in Winston-Salem in North Carolina.

Born in Providence, Rhode Island in 1944, Mr. Montgomery is an Army veteran who served in an artillery unit in Vietnam from January 1969 to April of 1970. He earned a bachelor's degree from Brown University in 1967 and a law degree from Boston University in 1972. Mr. Montgomery began his VA career in Hartford, Connecticut regional office as a claims examiner in 1972. In 1975, he transferred to the VA central office in Washington, D.C. as a legal consultant, and 2 years later, he was

selected as the adjudication officer at the VA Medical and Regional Office Center in Togus, Maine. Mr. Montgomery was named director of the Providence, Rhode Island VA Regional Office in 1980.

In February of 1995, he traveled to North Carolina to begin work in his current position as director of the VA Regional Office in Winston-Salem, North Carolina. In this position, he has been responsible for administering federal benefits to 790,000 veterans and their families living in North Carolina. These services total more than $1.2 billion in annual benefit payments.

The Winston-Salem Regional Office provides benefits and services in all program areas to veterans, servicemembers, and reservists residing in North Carolina. These programs include compensation, pension, loan guarantee, and vocational rehabilitation.

From 1995 to 2007, Mr. Montgomery oversaw the growth of the Winston-Salem Office from 240 employees to 530 employees. During this period, the office grew to the second largest disability office in the United States.

In 2005, he was successful in having Winston-Salem selected as one of only two national benefits delivery at discharge sites at regional offices. This achievement created an additional 55 professional full-time positions and helped to ensure that the regional office would be a key player in the VA for many years to come.

As director, Mr. Montgomery has supported the veteran community in hiring practices as well as in claims disability work. Of the 516 employees hired at the regional offices in the last 10 years, 260 were veterans, and of that number, 127 were disabled veterans.

Each year, I visit the Winston-Salem Regional Office to learn about the work being done there and, more importantly, to personally thank the VA employees for all they do on behalf of our Nation's veterans. It was during one of these visits that I was struck by a letter I saw hanging on the wall of Mr. Montgomery's office. His family had received a letter from President Franklin D. Roosevelt after losing a loved one in World War II. And I quote President Roosevelt's letter.

''He stands in the unbroken line of patriots who have dared to die that freedom might live and grow, and increase its blessings. Freedom lives, and through it, he lives, in a way that humbles the undertakings of most men.''

I am so grateful that my friendship with Mr. Montgomery led me to this wonderful quote, which I have since shared in my own letters to families who have lost a loved one in Afghanistan or Iraq.

During my visits, Mr. Montgomery has generously acted as my guide and has introduced me to employees and visiting veterans. I have witnessed firsthand all of the great work being done by Mr. Montgomery and his staff to take care of our Nation's veterans. They have excelled in their efforts to reduce the number of pending claims while still maintaining the accuracy of their case audits.

In closing, Madam Speaker, I wish to congratulate Mr. Montgomery on his retirement and his long and successful career of service with the Department of Veterans Affairs. Through his work on behalf of our Nation's veterans, he has earned the respect of so many people, and I know he will be missed.

John Montgomery, thank you for a job well done. I wish you all the best for a long and happy retirement. May God bless you and your family in the years ahead, and may God bless our men and women in uniform, and may God bless America.

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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.)

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## THE HOUSING STIMULUS PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, The Politico, a newspaper that is published and distributed here in the Congress, has an article today about how hard the Democrats are working to address the housing stimulus plan that the American people are waiting for.

In places like Ohio, the mortgage foreclosure rate is at all-time highs, and Washington seems to be frozen. There was a program passed here that I voted for for housing counseling to try to help workouts a few months ago; and then I learned that, in a community as hard struck as northern Ohio is, it yielded $60,000. $60,000 in a region where hundreds and hundreds of people are losing their homes.

□ 1645

Washington doesn't seem to be able to match the reality of what is happening across this country.

A newspaper today reports that Senator CHRIS DODD from the other body stated that ''Congress needs cooperation. This is not a partisan issue. Our economy is in trouble. We need people to step up and recognize it is Americans that are at risk, and it is America that is at risk.''

The figures state that in another sign of distressed housing markets, home equity dipped below 50 percent, an historic low for our Nation. Home mortgage volume fell by 17.5 percent last quarter, and pending home sales also are reaching new lows. We know what the reality is. And yet today, all the major papers had lead stories about the resignation of the Secretary of Housing and Urban Development, Mr. Alphonso Jackson. USA Today reports: ''HUD chief departure a blow to President.

''For the first time in President Bush's tenure, one of his Cabinet members is stepping down amid a criminal investigation.''

The article continues: ''The FBI has been investigating the ties between Mr. Jackson and a friend who was paid $392,000 by the U.S. Department of Housing and Urban Development as a construction manager in New Orleans, according to the Associated Press.'' It is quite a long story about that resignation.

And then in the Washington Post, the same sort of story, ''Jackson Resigns as HUD Secretary, Longtime Bush Friend is Facing Cronyism Investigation.''

Mr. Jackson announced his resignation yesterday, leaving the Bush administration without a top housing official in the midst of this vast mortgage crisis which has shaken not just the American economy but the global economy.

The New York Times lead editorial today: ''Put the Housing Back in HUD.'' Boy, can we underline that.

It talks about what a sad commentary it is on the Bush administration's low regard for HUD's mission that Mr. Jackson was permitted to remain in office for so long. And it points out in 2006, an inspector general's report found Mr. Jackson had urged his staff members to favor Mr. Bush's supporters when it awarded contracts. And more recently, the Philadelphia Housing Authority sued Mr. Jackson, charging he had threatened to take away $50 million from that authority because its president would not turn over valuable property to a developer with ties to Mr. Jackson. He has refused to answer the Senate's questions about the matter, and the Times ends with this admonition: ''Mr. Jackson's resignation clears the way for President Bush to name a top caliber successor, given the seriousness of the mortgage crisis.'' It should also be an occasion to reflect on the cost of appointing HUD secretaries whose priorities are politics and patronage rather than housing and urban development, which was the mission of HUD from the very beginning.

We are celebrating the 40th anniversary of the Kerner Commission Report; and as we look at the disaster we are facing in housing across this country that demands a national response, to have the major official here in our Nation's capital have to step down under a cloud of wrongdoing, and to have no one in place, a team of people who can really reach out to the American people and help as many of them as possible hold onto their largest form of savings, which is their home, is an absolute national disgrace.

It seems like the organizations that are here in our Nation's capital aren't really serious about helping the American people to hold onto their most prized possession after their family, their home, for heaven's sake.

You really wonder what has been going on inside that administration,

what has been going on on Wall Street with people walking away with tens of millions of dollars in fees, and the American people's equity just being washed down the drain.

I recommend to the President that he go beyond appointing a person of high repute to the office of Secretary of HUD and have a strike team in the White House that can deal with every region of this country being so hard hit in this mortgage crisis.

Madam Speaker, I will include the articles for the RECORD.

[From the USA Today, Apr. 1, 2008]

HUD CHIEF DEPARTURE A BLOW TO PRESIDENT

(By David Jackson)

WASHINGTON.—For the first time in President Bush's tenure, one of his Cabinet members is stepping down amid a criminal investigation.

Housing Secretary Alphonso Jackson, a longtime Bush ally from Texas, said Monday he'll leave his post on April 18. He announced his departure on the fourth anniversary of his Senate confirmation.

The FBI has been investigating the ties between Jackson and a friend who was paid $392,000 by the U.S. Housing and Urban Development Department as a construction manager in New Orleans, according to the Associated Press. Jackson's friend got the job after Jackson allegedly asked a HUD staffer to pass along his name to the Housing Authority of New Orleans.

Other Bush Cabinet members, such as former Attorney General Alberto Gonzales, have left office under political clouds. But Jackson, 62, is the highest ranking Bush official to depart in this manner. Last June, former deputy Interior secretary Steven Griles was convicted and sent to prison for lying to a congressional panel about the access and favors he gave to lobbyist Jack Abramoff.

James Thurber, who directs the Center for Congressional and Presidential Studies at American University, said Jackson's resignation is not good news for Bush as he seeks political leverage with Congress and tries to stay relevant during an intense presidential campaign to succeed him.

''This is the last thing that he needs,'' Thurber said.

Separately, Jackson and HUD still face a federal lawsuit by the Philadelphia Housing Authority, accusing Jackson of retaliating against that agency because it refused to turn over land to one of his developer friends.

Carl Greene, executive director of the Philadelphia agency, told USA TODAY that Jackson ''orchestrated a series of procedural and enforcement actions'' designed to deprive his agency of federal funds.

Greene said his lawyers still may want to question Jackson, but his main goal is to get the department ''to allow us to continue carrying out our mission.''

HUD official Mark Studdert said in a March 19 letter the federal government was not retaliating against the Philadelphia agency, but was citing it for not being in compliance with federal law on tenants with physical disabilities.

Jackson did not mention the federal investigation or the lawsuit during his brief announcement. ''There comes a time when one must attend diligently to personal and family matters,'' said Jackson, without taking questions from reporters.

The resignation came 10 days after Democratic Sens. Patty Murray of Washington and Chris Dodd of Connecticut urged Bush to remove Jackson, citing ''the clouds of justice Department investigations and reports of an empanelled grand jury'' at a time of nationwide mortgage failures.

Bush, who flew early Monday to Kiev, Ukraine, issued a statement saying he accepted Jackson's resignation with regret. A friend of Jackson since they both lived in Dallas in the early 1990s, Bush said, ''I have known him to be a strong leader and a good man.''

In 2006, the Dallas Business Journal reported Jackson said that he rejected a contract with one man who told him he did not like Bush. That led to a report by the HUD inspector general that Jackson told employees to consider political affiliation when deciding contracts. The inspector general said there was no evidence that contracts were actually awarded on such a basis.

Jackson told the inspector general that the report of his comments in Dallas was not true.

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[From the Washington Post, Apr. 1, 2008]

JACKSON RESIGNS AS HUD SECRETARY

(By Dan Eggen and Carol D. Leonnig)

Embattled Housing and urban Development Secretary Alphonso Jackson announced his resignation yesterday, leaving the Bush administration without a top housing official in the midst of a vast mortgage crisis that has shaken the global economy.

Jackson, a longtime friend and former neighbor of President Bush, departed after the White House concluded he had too many controversies swirling around him to be an effective Cabinet member, several HUD officials said privately.

Jackson has been accused of favoritism involving HUD contractors for two years, and the FBI and the Justice Department are investigating whether he steered business to friends.

Several Democratic lawmakers demanded Jackson's resignation last month after he refused to answer questions about the accusations including a lawsuit filed by the Philadelphia Housing Authority against HUD that alleged Jackson and his aides used the department to punish the authority for refusing to transfer valuable property to one of Jackson's friends.

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[From the New York Times, Apr. 1, 2008]

PUT THE HOUSING BACK IN HUD

As relieved as we were to see Alphanso Jackson resign on Monday as the secretary of housing and urban development, it was a sad comment on the Bush administration's low regard for HUD's mission that Mr. Jackson was permitted to remain in office so long.

Mr. Jackson offered the usual excuse for resigning; his family, apparently, needs to see more of him. It's evident, though that his resignation has something to do with the ongoing investigation of Mr. Jackson for allegedly using his position for partisan politics and to reward friends. Even this administration, with its high tolerance for that sort of behavior, no doubt considered it uintenable—finally—to have such a dubious housing chief when home mortgages are in crisis.

Mr. Jackson made little impression in either housing or urban development. He did make headlines in April 2006, however, when he boasted that he had taken a contract away because the contractor had been critical of President Bush. ''Why should I reward someone who doesn't like the president, so they can use funds to try to campaign against the president?'' The Dallas Business Journal quoted him as saying in a speech.

Mr. Jackson later said that he was lying when he talked about awarding contracts for political reasons, but an inspector general's report later that year found that Mr. Jackson had urged his staff members to favor Mr. Bush's supporters when it awarded contracts.

More recently, the Philadelphia Housing Authority sued Mr. Jackson, charging that he had threatened to take away $50 million because its president would not turn over valuable property to a developer with ties to Mr. Jackson. He has refused to answer the Senate's questions about the matter.

Federal authorities are also reportedly investigating whether he steered housing contracts in New Orleans and the Virgin Islands to friends.

HUD has a long history of mismanagement and corruption, which has been particularly pronounced in Republican administrations. That is most likely because with rare exceptions, like former HUD Secretary Jack Kemp, Republicans do not seem to believe in the agency's mission. Samuel Pierce, the HUD secretary for all eight years of Ronald Reagan's presidency, defended Mr. Reagan's sharp cuts in subsidized housing. He presided over a department mired in scandals, including ones that led to criminal convictions of several of his aides.

President Bush consistently backed Mr. Jackson, as recently as last month after Senators Patty Murray, Democrat of Washington, and Christopher Dodd, Democrat of Connecticut, called for his dismissal. But questions kept mounting about Mr. Jackson's integrity at a time when his department's Federal Housing Administration has an important role to play in trying to stave off foreclosures.

Mr. Jackson's resignation clears the way for Mr. Bush to name a top-caliber successor, given the seriousness of the mortgage crisis. It should also be an occasion to reflect on the cost of appointing HUD secretaries whose priorities are politics and patronage rather than housing and urban development.

## SUNSET MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this body with yet another Sunset Memorial.

It is April 1, 2008, in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand—just today. That is more than the number of innocent American lives that were lost on September 11th, only it happens every day.

It has now been exactly 12,853 days since the travesty called Roe v. Wade was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of our own children.

Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over their vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common.

They were each just little babies who had done nothing wrong to anyone. Each one of them died a nameless and lonely death. And each of their mothers, whether she realizes it immediately or not, will never be the same. And all the gifts that these children might have brought to humanity are now lost forever.

Yet even in the full glare of such tragedy, this generation clings to a blind, invincible ignorance while history repeats itself and our

own silent genocide mercilessly annihilates the most helpless of all victims to date, those yet unborn.

Madam Speaker, perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here.

Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government."

The phrase in the 14th amendment capsulizes our entire Constitution. It says: "No state shall deprive any person of life, liberty or property without due process of law." Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. It is our sworn oath.

The bedrock foundation of this Republic is that clarion Declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world. It is who we are.

And yet Madam Speaker, another day has passed, and we in this body have failed again to honor that foundational commitment. We failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection that we should have given them.

Madam Speaker, let me conclude, in the hope that perhaps someone new who heard this sunset memorial tonight will finally embrace the truth that abortion really does kill little babies, that it hurts mothers in ways that we can never express, and that 12,853 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi 1Holocaust, is still courageous and compassionate enough to find a better way for mothers and their babies than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of the innocent unborn. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

It is April 1, 2008—12,853 days since Roe v. Wade first stained the foundation of this nation with the blood of its own children—this, in the land of free and the home of the brave.

## THANK YOU, PAT SALBERG

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. Madam Speaker, I rise today to bid a fond farewell to a long-time member of my district staff, Pat Salberg. Pat recently retired after 23 years of dedicated service to the people of Illinois' 13th Congressional District.

Having served as a caseworker on the staff of my predecessor, Representative Harris Fawell, Pat was kind enough to agree to stay with my office—only temporarily, she said—to aid the transition. That was 10 years ago.

It seems her retirement plans just kept getting pushed back by an untiring love of helping others. From seniors with Social Security questions to a homeless mom looking for shelter for her child, Pat never hesitated to go above and beyond to find a solution for those in need.

Were you to ask her colleagues about it, they would tell you that her love for others is rivaled only by her love of animals, both cuddly and otherwise. In fact, members of my staff in the district are to this day forbidden from stepping on spiders or other insects that might be roaming around the office. Pat insisted that they be scooped up to safety and set free outside.

One time she even tried to save a live lobster that someone had unwittingly given her as a gift. Pat didn't rest until it had been set free in a co-worker's pond.

Needless to say, it is little surprise to any of us who know Pat that Pat plans to spend some of her newly acquired free time volunteering at the Brookfield Zoo. I expect she will also spend more time gardening and playing bridge with friends.

Madam Speaker, Pat is a wonderful colleague and will always remain a part of our team in the 13th Congressional District. As she turns to new, more leisurely pursuits in life, I would like to wish her good health and great happiness. I know her two daughters, Wendy and Debbie, as well as her grandchildren, Megan, Scott, and Collin, will be glad to have Pat around even more. And I thank them for letting us borrow her for as long as they did.

Finally, Madam Speaker, I would like to thank Pat Salberg for all she has done for the community and for me. We will miss her dearly.

## HONORING CHARLIE ARA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, this afternoon I rise to recognize Mr. Charlie Ara, the recipient of the First Annual Cesar Chavez Humanitarian Award for the 56th Assembly District of California, for over 50 years of community service and activism in the field of human and civil rights.

Mr. Ara was ordained a Roman Catholic priest by Cardinal James Francis McIntyre on April 25, 1956, at St. Vibiana's Cathedral in Los Angeles, California.

From 1956 to 1970, he served as associate pastor in five large parishes in the Archdiocese of Los Angeles: St. Lawrence Martyr in the South Bay area; St. Finbar's in the Burbank-Glendale area; Visitation in West Los Angeles; All Saints in El Sereno; and St. Cecilia's in the Tustin-Santa Ana area of Orange County.

On August 28, 1963, Mr. Ara participated in the March on Washington, along with over 250,000 people, and experienced Martin Luther King Jr.'s ''I Have a Dream'' speech. Mr. Ara has carried Mr. KING's message of equality throughout his career.

Mr. Ara became a strong advocate for social justice, including support for farm workers, anti-Vietnam War activists, and fair housing legislation for Mexican-American families living in public housing projects in East Los Angeles.

In 1970, Mr. Ara married. He and his wife, Shirley, were blessed with five wonderful children: Martin John, Jose Anthony, Rana Annette, Dawna Gibrana, and Matthew Charles.

Mr. Ara became the chief executive and administrator of anti-poverty programs funded by the California Community Services Administration, the U.S. Department of Labor, and the City of Long Beach Department of Rehabilitation.

Through these programs, Mr. Ara assisted Latinos and other ethnic minorities by directing men and women to job training programs. Mr. Ara also established English classes for the Spanish-speaking community, served as a liaison with the welfare department, and sought assistance for the elderly.

Mr. Ara also wrote and obtained the first mental health government grant for the Asian American community in Long Beach serving widows of fallen military servicemembers.

In addition to his advocacy work, Mr. Ara holds a doctoral degree in psychology and has been a marriage and family counselor for 36 years. He has written a best-selling marital success guide titled, ''The Grass is Greener Where It is Watered.''

Mr. Ara has prepared many thousands of couples for marriage, and has made numerous appearances on national television and radio programs to discuss his work.

Most recently, Mr. Ara led an effort with the Hubert Humphrey Democratic Club of Cerritos and the African-American community to observe the Martin Luther King Jr. Holiday in the city of Cerritos.

Madam Speaker and distinguished colleagues, please join me in recognizing Charlie Ara for his many years of service to the community, and for his many years of social justice advocacy. He is a great man who does great work in our community. We respect him tremendously, and he deserves this honor.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## TWO MICHELLES, TWO AMERICAS & SHAME V. PRIDE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Madam Speaker, an article came across my desk earlier today which I believe needs and deserves the attention of this House. It is titled, ''2 Michelles, 2 Americas & Shame v. Pride.'' It was written by Michelle Malkin.

She writes: ''Like Michelle Obama, I am a 'woman of color.' Like Michelle Obama, I am a working mother of two young children. Like Michelle Obama, I am member of the 13th generation of Americans born since the founding of our great Nation.

''Unlike Michelle Obama, I can't keep track of the numbers of times I have been proud—really proud—of my country since I was born and privileged to live in it. At a recent speech in Milwaukee, Mrs. Obama remarked, 'For the first time in my adult lifetime, I am really proud of my country, and not just because Barack has done well, but because I think people are hungry for change.'

''Mrs. Obama's statement was met with warm applause from those who also are apparently devoid of pride in their country during their adult lifetimes. Or maybe it was a Pavlovian response to the word 'change.' What a sad, empty, narcissistic, ungrateful, unthinking lot.

''I am just 7 years younger than Ms. Obama. We have grown up and lived in the same era. And yet, her self-absorbed attitude is completely foreign to me. What planet is she living on? Since when was now the only time the American people have ever been 'hungry for change'?

''We were both adults when the Berlin Wall fell. That was an earth-shattering change. We lived through two decades of peaceful, if contentious, election cycles under the rule of law, which have brought about change and upheaval, both good and bad. We were adults through several launches of the space shuttle, in case you were snoozing. And as adults, we've witnessed and benefited from dizzyingly rapid advances in technology, communications, science, and medicine pioneered by American entrepreneurs who yearned to change the world and succeeded.

You want 'change'? Go ask the patients whose lives have been improved and extended by American pharmaceutical companies that have flourished under the best economic system in the world.

''If American ingenuity, a robust constitutional republic, and the fall of communism don't do it for you, then how about American heroism and sacrifice? How about every Memorial Day, every Veterans Day, every Independence Day, every medal of honor ceremony? Has she never attended a ''welcome home ceremony'' for the troops? For me, there is a thrill of the Blue Angels roaring over the cloudless skies, and there is the somber awe felt amid the hallowed waters that surround the sunken USS *Arizona* and Pearl Harbor Memorial.

□ 1700

Every naturalization ceremony I've attended where hundreds of new Americans raise their hands to swear an oath of allegiance to this land of liberty has been a moment of pride for me, so has the awesome display of American compassion at home and around the world when millions of Americans rallied to help victims of the 2004 tsunami on Southeast Asia, including members of the USS *Abraham Lincoln* Carrier Strike Group that sped from Hong Kong to assist the survivors. My heart filled with pride. It did again when the citizens of Houston opened their arms to Hurricane Katrina victims and folks across the country rushed to their churches and offices of the Salvation Army and Red Cross to volunteer.

How about American resilience? Does it not make you proud? Only a heart of stone could be unmoved by the strength, the valor and determination displayed by New York, Washington, D.C. and Shanksville, Pennsylvania on September 11, 2001.

I believe it was Michael Kinsley who quipped that a gaffe is when a politician tells the truth. In this case, it's what happens when an elite Democrat politician's wife says what a significant portion of her party's base really believe to be truth: America is more a source of shame than pride.

Michelle Obama has achieved enormous professional success, political influence and personal acclaim in America. Ivy League educated, she's been lauded by Essence magazine as one of the 25 Most Inspiring Women, by Vanity Fair as one of the ten World's Best-Dressed Women, and named one of 'The Harvard 100' most influential alumni. She has an amazingly blessed life, but you wouldn't know it from her campaign rhetoric or her griping about her and her husband's student loans.

For years we've heard liberals get offended by any challenge to their patriotism. And so they are again aggrieved and rising to explain away Ms. Obama's remarks. Lady Michelle and her defenders protest too much.

Madam Speaker, I am proud of America for many reasons, not the least of which is because it helped shape the character of Michelle Malkin.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## COMMENDING ULYSSES BYIS ELEMENTARY SCHOOL STUDENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Madam Speaker, I rise today to recognize the good works of the students of the Ulysses Byis Elementary School in Roosevelt, Long Island, in my district.

On Tuesday, March 18, I visited the students at the school to honor their hard work in raising awareness and funds for humanitarian efforts helping those suffering from the conflict in Darfur, Sudan. The students worked to help achieve and support the mission of the U.N. Millennium Development goals in bringing aid and awareness to health, education, poverty, and sustainable living needs in Africa.

Under the guidance of educators Ms. Hazelton, Ms. Warfield, and Principal Lillian Coggins-Watson, the students got involved with the national network of O Ambassador's clubs, a part of Oprah's ''Angel Network,'' with the goal of working to find solutions to global challenges through active learning, idea sharing, and taking action.

The students worked diligently and raised $1,100 in just 2 days to benefit relief agencies in the East African Nation of Sudan. These students made an extraordinary effort to help a problem that is very far away from them, and their work and contributions need to be acknowledged.

Considering the volume of money Congress manages every single day, $1,100 might sound like a small amount, but the effort by the children of Ulysses Byis Elementary School was massive, considering that many of the families in the Roosevelt School District face harsh economic challenges of their own.

The fact that these students worked as hard as they did to raise the money that will help save the lives of people thousands of miles away speaks not only of their extraordinary character, but what a terrific job the teachers and parents in the Roosevelt School District are doing in instilling in the children the qualities that make our citizens and Nation great.

The students have not stopped in their efforts to raise money and attention to the difficulties facing the people of Darfur. In fact, since I visited the school just 2 weeks ago, the students have raised over $600 more and have the goal of reaching $5,000 by the end of the school year. They plan to sell scratch-off tickets, hold a walk-a-thon, and continue to collect the pocket change that students bring with them to school. These children will not let any obstacle prevent them from achieving their goal to help the Sudanese people.

Some of the money raised by the students will go towards the purchase of mosquito bed nets, which have been shown to dramatically lessen the spread of malaria. The seemingly simple technology of insecticide treated

bed nets has proven to be remarkably effective and can save thousands of lives a year by minimizing one of the region's most deadly diseases.

As has been mentioned many times here on the House floor, the situation in Darfur is dire, and financial aid is crucial in helping to manage the humanitarian crisis that is being faced there every day.

While we are still working to find ways to help eliminate the violence and brutality of genocide that has become synonymous with Darfur, we need to take a lesson from the students and work to help them manage the health and well-being of the country's population. Each year, thousands of Sudanese will fall victim to disease and famine. What makes these deaths even more tragic is that so many could have been prevented by the use of the kind of bed netting that the money raised by the students will go towards purchasing.

Additionally, this week we will vote on H.R. 5510, the Tom Lantos and Henry J. Hide United States Global Leadership Against HIV/AIDS, Tuberculosis and Malaria Reauthorization Act of 2008. The bill will provide much-needed funds that will be useful in advancing the causes that the children are working toward. This bill will help impact one of the most important issues of our time, helping to stem the spread of deadly and potentially preventable diseases.

It is absolutely vital that the United States Government and Members of this Congress continue to decry the outrageous horrors of genocide and Darfur. And we must continue to find ways, as the children have, to help the Sudanese people survive.

I would like to extend my congratulations and deepest gratitude to the students of the Ulysses Byis Elementary School, and their teachers, principals and parents for their tremendous efforts and their spirit of giving and generosity.

I would also like to thank and recognize the efforts of Oprah Winfrey for offering the tools and inspiration for the children at the Ulysses Byis School and students throughout the Nation through her Angel Network and O Ambassadors program to take action and to do the hard work necessary to help those less fortunate.

Finally, I would just like to tell the students of the Ulysses Byis School to keep up their good work. Don't quit. I know that you will reach and exceed your goals. The people of Darfur need your help, and we are all behind you. I thank the students for the work they have done.

## SARAH TERRY/RELAY FOR LIFE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. GOODE) is recognized for 5 minutes.

Mr. GOODE. I rise to salute the Prince Edward County and Longwood University Relay for Life for their fundraising efforts for the American Cancer Society.

Cancer affects millions of families across the United States each year. The 2008 Prince Edward/Longwood Relay for Life is particularly special because this year's walk will honor Sarah Terry, a long-time community activist and a manager of my Farmville office. Sarah served on the Virginia Board of Corrections, the Longwood University Board of Visitors, and as Executive Director of the Farmville Area Chamber of Commerce.

Sarah battled breast cancer for almost a decade before succumbing to the illness on December 1, 2007. Even while ill, Sarah continued to fight diligently for the Farmville/Prince Edward community in many capacities to promote the local economy, outdoor recreation and tourism.

I commend the Relay for Life for honoring an inspirational figure and community leader in Sarah Terry.

## NAME DISPUTE BETWEEN GREECE AND FORMER YUGOSLAV REPUBLIC OF MACEDONIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Madam Speaker, I rise today to discuss the name dispute between Greece and the Former Yugoslav Republic of Macedonia (FYROM). We call it FYROM for short. FYROM is located just north of present day Greece, and its capital is Skopje. It is one of the countries formed from the breakup of the former Yugoslav Republic, Yugoslavia.

FYROM is an interim name. The U.N. oversees a framework where Greece and FYROM have agreed to negotiate a mutually agreeable permanent name for this new nation. As the founder and cofounder of the Congressional Caucus on Hellenic Issues, this is an issue of tremendous importance to Greece and the Caucus.

All historical and archaeological evidence demonstrates that the ancient Macedonians were Greek. Macedonia is a Greek name that was designated in the northern area of Greece for 2,500 years.

In 1944, the name of Skopje region was changed to Macedonia as part of Tito's imperialistic campaign to gain control of the Greek province of Macedonia. The United States opposed Tito's use of the name Macedonia at that time, but in November 2004, unilaterally and without warning, this present administration decided to recognize the former Yugoslavia Republic of Macedonia as Macedonia, using the Greek name. It was a shock and a disappointment to the Greek American community, and myself and many others, that the White House went against prior U.S. policy to recognize FYROM as Macedonia just 2 days after the 2004 presidential election, and before talks were completed among the nations most directly affected by the outcome.

Along with former Representative Bilirakis and 68 of our colleagues, we sent a letter to the former Secretary of State, Colin Powell, expressing our concerns about this decision. We also organized meetings with the American Ambassador and other officials in the State Department. We believe that the name ''Macedonia'' properly belongs to Greek culture and, therefore, should not be used by any other country. Greek Macedonia is one of the oldest civilizations known to man, and the history of this name should be recognized and respected.

Along with my colleagues, BILIRAKIS, SARBANES and SPACE, we have introduced legislation, H.R. 356, which expresses the sense of the House of Representatives that the FYROM should stop the utilization of materials that violate provisions of the U.N.-brokered interim agreement between FYROM and Greece regarding hostile activities or propaganda, and should work with the U.N. and Greece to achieve longstanding U.S. and U.N. policy goals of finding a mutually acceptable name. Our bipartisan resolution now has over 114 cosponsors.

I just want to say that, in a major good will gesture, Greece has already agreed with the word Macedonia in the name. And they say it would be acceptable as long as it is combined with some type of qualifier to make clear that there are no designs on the historical boundaries of the provinces of Macedonia. But Skopje keeps doing sort of antagonistic things. This week, they erected a billboard in Skopje that depicts the Greek flag, but in the area where the cross is, they have put in a swastika. I would like to say to my colleagues, if someone erected billboards with the American flag and put a swastika where our stars are, we would be somewhat upset.

Also, in their textbooks, and I have examples here, they print maps that show that Skopje includes territories of Greece. They have also printed on their currency the symbol of Greece; the white tower was on their currency. We have since had them remove it. But I would say to my colleagues, if at the height of the power of the USSR, if they started printing maps that showed their boundaries, including Alaska, and decided to take our Statue of Liberty and put it on their flag, I think we would be a little upset that our symbols and our territory had been used in such a way.

I bring this to my colleagues today because just this week the North Atlantic Treaty Organization (NATO) will hold a Heads of State and Government summit in Bucharest, Romania. One of the major issues considered will be the expansion of NATO and the possible extension of membership invitations to Albania, Croatia and to the FYROM. In this context, I will submit for the record the March 27th article in the Huffington Post entitled, ''NATO Enlargement—the View from Athens,''

written by Greece's Ambassador to the U.N., Alexandros Mallias.

NATO ENLARGEMENT—THE VIEW FROM ATHENS

An important NATO summit will take place next week in Bucharest, Romania. Our discussion will focus on two main issues: the first, NATO enlargement and developments in the Western Balkans; the second, an evaluation of the Alliance's operations in Afghanistan (ISAF) and Kosovo (KFOR). In both of these U.N. mandated operations, there is an important Greek contribution of 2,000 men.

Greece, for over 15 years now, has held the position that the future of Southeastern Europe lies in its integration into the Euroatlantic Institutions. On the basis of this strategic choice, we support NATO's ''open door'' policy. An open door policy, however, must be based on the principles of good neighborly relations and allied solidarity.

Greece supports the enlargement of NATO in the Western Balkans, with the invitations to Croatia and Albania. It is ready also to welcome the Former Yugoslav Republic of Macedonia (FYROM), provided that our northern neighbor shifts from their nationalistic logic and agree to a mutually agreeable name for international use that differentiates the new Balkan state from the Greek province of Macedonia; a name that will not be a vehicle for propaganda and irredentism against a neighboring NATO member.

Athens has shown its good will towards Skopje in many ways. It has supported its neighbor, both politically and economically, ranking as the number one foreign investor in that country, with $1 billion invested capital that has generated 30,000 new jobs. Most recently, we went the extra mile, or rather the most important mile, when we expressed our readiness to agree to a composite name with a geographic qualifier. This is a major shift from Greece's initial position, which excluded any use of the term ''Macedonia'', in the name of our neighbor.

Some have questioned our stance on the name issue and the possibility of a Greek veto at the NATO summit, if the name issue is not resolved by then. Some are suggesting that we are re-fighting old battles, not seeing the ''big picture'', that we are drawn into the past.

My answer to these claims is that the name issue is not a bilateral one. It is an international issue, which concerns our broader region. Directly, or indirectly, it concerns NATO and the U.N. And, if not resolved now, it may fester to poison future generations, undermining stability and cooperation in the 21st century.

We hope that with active U.N. mediation and U.S. involvement, a resolution of this issue will be achieved before the Bucharest summit.

On this issue, we are not alone. 115 members of the U.S. Congress, from both parties, support House Resolution 356, expressing the ''sense of the House of Representatives that FYROM should stop hostile activities and propaganda against Greece, and should work with the United Nations and Greece to find a mutually acceptable official name''.

A similar resolution, S.R. 300, was introduced in the Senate by Senators Menendez, Obama, Snowe.

The immediate settlement of the name issue before the NATO Summit in a mutually agreeable way, will allow Greece, the U.S.'s strongest ally in the Balkans, to support FYROM's membership to NATO and ultimately to the European Union, a strategic goal also shared by the U.S.

A prerequisite for a proper relationship as allies and partners is that of good neighborliness. We have lived together through good and bad times, we have shared tragedy, but also share hope for a bright future. Let's leave behind the former and invest in the latter.

Greece has called upon FYROM's leadership to act responsibly and show political courage and meet Greece half way. It will be a responsible move on the part of an aspiring candidate, a move that will win them a European future, a future of stability, peace and economic prosperity, based on the principles upon which NATO and the European Union are founded.

Alexandros P. Mallias is Ambassador of Greece to the United States.

Greece has consistently stated its desire to have the FYROM admitted into NATO provided that they cease the use of the name ''Republic of Macedonia'' and adopt a mutually acceptable name for both parties. Along with the 114 cosponsors, we urge them to take this into consideration.

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.)

## HUGE COST OVERRUNS AT PENTAGON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Madam Speaker, the front page of the Washington Post today carries a story about $295 billion in cost overruns at the Pentagon; $295 billion. That is a mind-boggling, almost incomprehensible figure to anyone who stops to think about it. The headline reads, ''GAO Blasts Weapons Budget.''

Listen to this story. Government auditors issued a scathing review yesterday of dozens of the Pentagon's biggest weapons systems, saying ships, aircraft and satellites are billions of dollars over budget and years behind schedule. The story continues, ''The Government Accountability Office found that 95 major systems have exceeded their original budgets by a total of $295 billion, bringing their total cost to $1.6 trillion and are delivered almost 2 years late, on average.

□ 1715

Apparently, there are no fiscal conservatives at the Pentagon. Apparently they believe that the Congress will just keep giving them more money, no matter how wasteful or inefficient they become. Of course, almost all the defense contractors hire plenty of admirals and generals, so almost all of these contracts are sweetheart deals anyway.

It is what the International Herald Tribune a few years ago called the ''revolving door'' at the Pentagon. $1.6 trillion in total costs, and $295 billion in cost overruns, and this was just on the major systems. No telling how much more was wasted on the smaller contracts.

$295 billion would run the entire government of Tennessee, schools, health care, roads, prisons, parks, and on and on for the next 11 years.

Then, on top of all this waste, the request for the Iraq War for the coming fiscal year is $189 billion, or over $500 million a day. Apparently we are having so much success over there that we have to give them more money, more troops and more contractors than ever before.

There is nothing fiscally conservative about the war in Iraq. Conservatives, above all, should realize that any gigantic government bureaucracy is always going to ask for more money and always find reasons to justify it.

And Congress is afraid to cut the Defense Department for fear of being seen as unpatriotic. Yet, it is a very false and very blind patriotism that allows the Pentagon to continually waste mega billions and allows the Defense Department to spend like there is no tomorrow.

In a few short years, we will not be able to pay all of our Social Security, Medicare, veterans' pensions, veterans' health care and many other things if we do not bring Federal spending under some type of control.

In a newsletter I sent to my constituents in Tennessee a few weeks ago I wrote these words before I knew about these cost overruns I've spoken about today. ''Jonah Goldberg wrote in a recent issue of National Review that the 'insight that involvement abroad fuels the expansion of the state was central to the formation of the modern conservative and libertarian movements.'

''In other words, perpetual war leads to bigger government and goes very much against traditional conservatism.

''Yet some conservatives have fallen into a trap of never questioning any military expenditure even though there is great waste and overspending in the military just as there is in any giant government bureaucracy.

''Our Constitution is a very conservative document, and our founding fathers felt very strongly that we should have civilian control of the military:

''Service in our military is very honorable and patriotic, but we need strong national defense, not international defense.

''We simply cannot afford to be the policeman of the world, and with the speed of communication and transportation today, we do not need our military in so many countries.

''Conservatives should support an efficient, fiscally conservative military, but it should not believe in turning the Department of Defense into the Department of Foreign Aid as it is in many ways today.''

## HONORING DENNIS KING ON THE OCCASION OF HIS RETIREMENT FROM PUBLIC SERVICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HARE) is recognized for 5 minutes.

Mr. HARE. Madam Speaker, I rise today to recognize my Chief of Staff, Dennis King, who is retiring from the House of Representatives after 33 years of distinguished public service.

Dennis, a native of Miami, Florida, first came to Congress as a Special Assistant to the late Representative Dante Fascell. He then served as Chief of Staff for my friend and predecessor, Representative Lane Evans.

When I asked Dennis to continue in the same role on my staff, he enthusiastically accepted, saying he felt like he had ''unfinished business to take care of.'' Dennis' decision to extend his service shows his dedication, not only to the people of the 17th District of Illinois, but to working families and to veterans everywhere.

Dennis and I have been very close friends for over 25 years. We share the same values. Some might wonder how Dennis, a Duke University graduate with a Georgetown law degree, could form such a close bond with me, a factory worker from West Central Illinois. It's simple. Dennis cares about the people of the 17th District as much as I do.

When Congressman Evans hired me to be his District Director and Dennis was my supervisor, he had faith in me from day 1, serving as a mentor and pulling me from the edge of the cliff during the times I lost my way. I will always be grateful for the chance Dennis gave me.

And Dennis is also a congenial and friendly person. Current and former staff say they will miss sitting in his office talking about everything from politics to family to sports. No matter what time of day or how busy Dennis was, he always put down whatever he was doing the minute someone walked into his office. The care and attention he gave to every single person is one of the major reasons he's so beloved.

Another trait I admire in Dennis is his brilliant political mind. I asked him to be my Chief of Staff because, as a new Member of Congress, I knew I needed someone who understood Capitol Hill inside and out, and whom I could trust to keep me on the right path. Dennis has amazed me with his intuitions, decision-making and loyalty, always choosing the right course for the people of my district and this Nation.

It cannot go without saying that when one thinks of Dennis King, one thinks of Lane Evans and vice versa. The two men were like brothers, a friendship that started when they attended law school at Georgetown University. And together they made history fighting for veterans and working families across our Nation.

Dennis often mentions how much he learned from Lane, but the truth is that Dennis taught Lane so much as well. He was an integral part of all the great things Lane was able to accomplish.

I want to also acknowledge Dennis' family, his wife, Nancy, and his two sons, Steven and Jeffrey. As most of you know, the job of Chief of Staff can take a toll on one's family. The time commitment is great and the stress can be overwhelming. Nancy has demonstrated remarkable patience over the years and remains an incredible source of support for Dennis. Next year Dennis and Nancy will celebrate their silver wedding anniversary, a true testament to their love and respect for each other. I wish them both the best in whatever life brings them.

And Dennis, although I say this with a heavy heart, congratulations on your retirement. Thank you for your service, your laughs, your hard work. Your efforts and advice have allowed us to accomplish many great things in my first term and have ultimately made me a much better Member of this body. Your spirit, humor, intelligence and the ease by which you led the Hare team will be missed.

Best of luck, and please keep in touch.

God bless.

## COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

Mr. WELLER of Illinois. Madam Speaker, I submit for the RECORD an editorial from yesterday's Washington Post in support of the U.S.-Colombia Trade Promotion Agreement, as well as a column by Edward Schumacher-Matos, a former foreign correspondent for the Times, as well as a visiting professor of Latin American Studies at Harvard, a column that was published in yesterday's New York Times as well.

[From the Washington Post, Mar. 31, 2008]

### FREE COLOMBIA: A TRADE PACT EVERYONE CAN LOVE

Sometime after Congress returns from Easter recess this week, President Bush is likely to present the Colombia Trade Promotion Agreement for the approval of the House and Senate. As we have said, the proposed pact is good policy for both Colombia and the United States. Colombia has long enjoyed periodically renewable tariff-free access to the U.S. market; the agreement would make that permanent. In exchange, U.S. producers would, for the first time, get the same tariff-free deal when they export to Colombia. Meanwhile, the agreement contains labor and environmental protections much like those that Congress has already approved in a U.S.-Peru trade pact. A vote for the Colombia deal would show Latin America that a staunch U.S. ally will be rewarded for improving its human rights record and resisting the anti-American populism of Venezuela's Hugo Chávez.

Sending the agreement to the House of Representatives without the prior approval of Speaker Nancy Pelosi (D–Calif.) would be risky for the president; usually, the executive and legislative branches tee up such votes cooperatively. But months of Democratic resistance to the Colombia deal may have left Mr. Bush no choice. The agreement is being held hostage by members of the House (and Senate) who argue that Colombia—despite a dramatic drop in its overall murder toll under the leadership of President Álvaro Uribe—hasn't done enough to protect trade union activists or to punish past murders of labor leaders. It's a spurious complaint: Actually, in 2006, union members were slightly less likely than the average Colombian to be murdered. But the human rights issue has served as cover for many Democrats whose true objections are to free trade itself.

Once the agreement arrives on the Hill, Congress will have 90 legislative days to vote yes or no—no amendments and no filibusters allowed, because special ''fast track'' rules apply. The Bush administration is betting that enough Democrats would support the pact to ensure its passage in the House, if it ever comes up for a vote. Of course, Ms. Pelosi could make an issue of the president's failure to get her approval to submit the pact and then could have her caucus shoot down the deal. But she could also engage the White House in serious negotiations. The president has signaled a willingness to consider reauthorizing aid for workers displaced by trade, legislation that is dear to the Democrats' labor constituency and that he has heretofore resisted.

Ms. Pelosi recently said that no Colombia deal could pass without trade adjustment assistance—without also mentioning the bogus trade unionists issue. Perhaps she is realizing that talking to Mr. Bush about swapping a Colombia vote for trade adjustment assistance might actually lead to a tangible accomplishment. At least we have to hope so.

### KILLING A TRADE PACT

(By Edward Schumacher-Matos)

President Bush has been urging Congress to approve a pending trade agreement with Colombia, an ally that recently almost went to war with Venezuela and Hugo Chávez. Even though the agreement includes the labor and environmental conditions that Congress wanted, many Democrats, including Senators Hillary Clinton and Barack Obama, now say that Colombia must first punish whomever has been assassinating the members of the nation's trade unions before the agreement can pass.

An examination of the Democrats' claims, however, finds that their faith in the assertions of human-rights groups is more righteous than right. Union members have been assassinated, but the reported number is highly exaggerated. Even one murder for union organizing is atrocious, but isolated killings do not justify holding up the trade agreement.

All sides agree that trade-union murders in Colombia, like all violence, have declined drastically in recent years. The Colombian unions' own research center says killings dropped to 39 last year from a high of 275 in 1996.

Yet in a report being released next week, the research center says the killings remain ''systematic'' and should be treated by the courts as ''genocide'' designed to ''exterminate'' unionism in Colombia. Most human-rights groups cite the union numbers and conclude, as Human Rights Watch did this year, that ''Colombia has the highest rate of violence against trade unionists in the world.''

Even if that is true, it was far safer to be in a union than to be an ordinary citizen in Colombia last year. The unions report that

they have 1 million members. Thirty-nine killings in 2007 is a murder rate of 4 unionists per 100,000. There were 15,400 homicides in Colombia last year, not counting combat deaths, according to the national police. That is a murder rate of 34 citizens per 100,000.

Many in Congress, moreover, assume that ''assassinations'' means murders that are carried out for union activity. But the union research center says that in 79 percent of the cases going back to 1986, it has no suspect or motive. The government doesn't either.

When the Inter American Press Association several years ago investigated its list of murdered Colombian journalists, it found that more than 40 percent were killed for nonjournalistic reasons. The unions have never done a similar investigation.

There are, however, a growing number of convictions for union murders in Colombia. There were exactly zero convictions for them in the 1990s, Colombia's bloodiest decade, when right-wing paramilitaries and leftist guerrillas were at the height of their strength. Each assassinated the suspected supporters of the others across society, including in unions.

With help from the United States, in 2000 the Colombian military and the judicial system began to reassert themselves. Prosecuting cases referred by the unions themselves, the attorney general's office won its first conviction for the murder of a trade unionist in 2001. Last year, the office won nearly 40.

Of the 87 convictions won in union cases since 2001, almost all for murder, the ruling judges found that union activity was the motive in only 17. Even if you add the 16 cases in which motive was not established, the number doesn't reach half of the cases. The judges found that 15 of the murders were related to common crime, 10 to crimes of passion and 13 to membership in a guerrilla organization.

The unions don't dispute the numbers. Instead, they say the prosecutors and the courts are wasting time and being anti-union by seeking to establish motive—a novel position in legal jurisprudence.

The two main guerrilla groups have an avowed strategy of infiltrating unions, which attracts violence. About a third of the identified murderers of union members are leftist guerrillas. Most of the rest are members of paramilitary groups—presumed to be behind two of the four trade unionist murders this month. The demobilization of most paramilitary groups, along with the prosecutions and government protection of union leaders, has contributed to the great drop in union murders.

President Álvaro Uribe, who has thin skin, can be unwisely provocative when responding to complaints from unions and human rights groups. Still, the level of unionization in Colombia is roughly equal to that in the United States and slightly below the level in the rest of Latin America. The government registered more than 120 new unions in 2006, the last year for which numbers are available. The International Labor Organization says union legal rights in Colombia meet its highest standards. Union leaders have been cabinet members, a governor and the mayor of Bogotá.

Delaying the approval of the trade agreement would be convenient for Democrats in Washington. American labor unions and human-rights groups have made common cause to oppose it this election year. The unions oppose the trade agreement for traditional protectionist reasons. Less understandable are the rights groups.

Human Rights Watch says that it has no position on trade but that it is using the withholding of approval to gain political leverage over the Colombian government. Perversely, they are harming Colombian workers in the process. The trade agreement would stimulate economic growth and help all Colombians.

Madam Speaker, I rise in support of the U.S.-Colombia Trade Promotion Agreement. I urge the Speaker of the House to bring this important agreement to the floor for a vote, an agreement that was, where negotiations were completed 2 years ago, where an agreement that was signed 18 months ago and has been waiting for a long time. This agreement is a good agreement for America. It's a good agreement for Illinois. It's also a good agreement for Colombia.

Illinois is a major exporting State. My district is dependent on exports to grow jobs. And last year my State of Illinois exported $214 million worth of Illinois products to Colombia, and that's just the beginning because under the U.S.-Colombia Trade Promotion Agreement, 80 percent of all tariffs, and tariffs are taxes, on U.S. and Illinois products are eliminated immediately when the trade agreement goes into effect.

And I would note today that Colombian products come into the United States duty-free, without taxes. But we suffer taxes when we export to Colombia.

And I would note that the facts have shown that exports grow 50 percent faster with nations like Chile and Peru and Central America, where we have trade agreements, than those where we do not.

Who is Colombia? Well, Colombia is our most reliable partner and best friend in Latin America. Colombia is our most reliable partner in counter-narcotics and counter-terrorism. It's the longest standing democracy in all of Latin America. And they have a popular president, President Uribe. The reason President Uribe has been so popular is he's reduced violence; he's brought security to the entire country.

People today feel secure traveling between cities, where five and 10 years ago they feared to go. In fact, 71 percent of Colombians today say they feel more secure under President Uribe. 37 percent say President Uribe respects human rights. Homicides are down by 40 percent; kidnappings are down by 76 percent. In fact, the murder rate today in Colombia is lower than Baltimore or Washington, D.C.

No wonder President Uribe is the most popular elected official in this entire hemisphere. And compare that 80 percent approval rating President Uribe enjoys with the 18 percent that this Congress suffers and the difference in approval.

Now those who oppose the U.S.-Colombia Trade Agreement say, well, Colombia just hasn't done enough. They need to keep doing more before we'll give them the privilege of having this agreement with the United States. And they say that there's been violence against labor leaders.

Well, let's look at the facts. President Uribe has made major changes in how they prosecute those who commit murder and violent acts. He's added 418 new prosecutors, 545 new investigators, 2,166 new posts overall in the Prosecutor General's office. And he's increased prosecution funding by 75 percent.

A respected labor leader in Colombia said, Carlos Rodriguez, President of the United Workers Confederation said about these new posts and this funding, never in the history of Colombia have we achieved something so important. $39 million was spent this past year providing bodyguards and protection for 1,500 labor leaders and activists. No other group enjoys this special kind of protection. And it's been successful. I would note no labor leader has suffered an attack or lost his life who's participated in this program.

The International Labor Organization has removed Colombia from its labor watch list. Colombia has agreed to a permanent ILO representative in Colombia. That helps explain why 14 major labor leaders in Colombia have endorsed this trade agreement.

Colombia is our best friend in Latin America. It's our most reliable ally. Colombia deserves a vote.

Think about it. 2 years this trade agreement has waited; 18 months since it was signed by the leadership of both countries.

Latin America is undergoing some challenges, and those who are not friends of the United States have made it very clear they want to defeat the U.S.-Colombia Trade Agreement because they think that's in their best interest, and they've also said that if the Congress defeats the trade agreement, it will send a powerful signal to all Latin America that the United States can't be trusted, and that if you're a friend of the United States, in the long run they'll let you down.

Well, President Uribe and the government of Colombia, the democratically elected government of Colombia, are our best friends, our most reliable allies in all Latin America, and all Latin America is watching on how we treat our best friend.

This agreement is good for America. It's good for Illinois. If you're an Illinois worker, an Illinois manufacturer, an Illinois farmer, you win under the U.S.-Colombia Trade Promotion Authority.

Madam Speaker, I urge that this House schedule soon a vote on the U.S.-Colombia Trade Agreement and ratify this agreement so important to democracy, freedom and economic growth in our own hemisphere.

□ 1730

## THE CURRENT HOUSING CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. CLARKE) is recognized for 5 minutes.

Ms. CLARKE. Madam Speaker, today I rise to express my dismay regarding

the housing crisis. It's a multifaceted housing crisis. It's a mortgage crisis for home buyers. It's an inventory crisis for the affordable rentals. It is an investment crisis for public housing.

Two top executives at Countrywide Financial are expected to receive a combined golden parachute totaling $19 million, and while these top executives cash out their stock options, hardworking Americans are left struggling, trying to prevent the loss of their homes and ultimately their financial ruin.

It is truly incredible how the Bush administration, SEC Chairman Cox, Treasury Secretary Paulson, and Federal Reserve Chairman Bernanke have seen fit to extend billions of dollars for a Wall Street bailout but won't provide additional, adequate aid to borrowers fighting every day to save their properties.

Today, we are looking at one of the biggest financial catastrophes since the Great Depression.

Brooklyn, New York, has five of the top 10 neighborhoods with the highest subprime lending rates, including East Flatbush, which is located in my district.

Madam Speaker, after analysis and examination, the sharp increases in foreclosures are connected to predatory lending practices from abusive lending institutions. New York City will likely see more than 10,000 foreclosures this year, which is roughly double the number of foreclosures in 2004.

But while Washington is concerned about the impact of the subprime mortgage crisis on Wall Street, on Main Street many hardworking people are getting left behind. Hardworking families and individuals like those I represent in central Brooklyn have for far too long been targets of predatory lending practices; yet this administration comes to the rescue of the high-profile executives and leaves the very people who they are sworn to serve, defend, and protect to fend for themselves.

We must not forget that there is another dimension to the housing crisis occurring in communities less traveled by many, in the community where many are suffering from the affordable rental housing crisis. These families are being squeezed out of their homes as landlords convert their apartments to high-priced condominiums, earning double-digit rent increases or opting out of Federal subsidy programs such as Mitchell-Lama or project-based section 8 as more affordable rental apartments are being lost while the demand increases.

Let's not forget as well public housing's vital role in this housing crisis. Public housing is home to more than 400,000 New Yorkers. The New York City Housing Authority, which has a running deficit of more than $200 million every year, has been severely reducing their spending on security, maintenance, sanitation, and repairs, leaving many residents living in uninhabitable conditions.

NYCHA had to lay off employees and close youth centers in an attempt to preserve its core services, and in housing projects located in neighborhoods such as Brownsville, Brooklyn, crime continues to reach into the lives of our families.

Public housing is essential to New York City, and this negligence simply cannot continue.

So, in conclusion, Madam Speaker, the Bush administration's actions, or lack thereof, clearly demonstrates that instead of preventing the devastating loss to our communities by providing financial assistance to homeowners, providing full funding to reduce the affordable housing stock from dwindling, and preventing public housing units from deteriorating, our President has taken the path of least resistance by bailing out corporate fat cats and turning a blind eye and a deaf ear to the hard-working families of my district and of our Nation.

Madam Speaker, I look forward to working with my colleagues to turn this devastating condition around and restoring the pride and dignity of responsible, thriving communities.

## THE MURDER OF TWO TEENAGE GIRLS

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, the year was 1993, 15 years ago, when two teenage girls, Jennifer Ertman and Elizabeth Pena, 14 years of age and 16 years of age, were walking home one evening. Unfortunately for them, when they took a shortcut, they came across a gang by the name of the Black and Whites. Their gang leader was Jose Ernesto Medellin.

He and his fellow gangsters kidnapped these two teenage girls, brutally assaulted them, taunted them, raped them for over an hour, and then with the shoelaces from the tennis shoes of these two girls, they made a noose and strangled both of these girls.

The brutal killing that took place, Madam Speaker, as you are aware being from Houston, incensed the people of the Houston area, especially the way in which these two girls met their death. But 5 days later, Jose Medellin was arrested, and in his possession, he had on his wrist a Mickey Mouse watch that he had stolen from Jennifer Ertman, his token of the murder of a little girl. He was proud of what he had done. He was so proud of it he even bragged about it and confessed to the Houston Police Department of raping and killing these two girls after he was properly warned.

He was tried for capital murder. The State was seeking the death penalty, and 12 jurors in a court in Houston, Texas, convicted him and gave him the death penalty, which he earned and deserved for what he did to these two teenage girls. He appealed his case all the way to Supreme Court, and the Supreme Court of the United States upheld his conviction saying it was lawful. But that was not the end of the story.

Because, you see, 15 years later Jose Ernesto Medellin is still alive. And back when this trial occurred 15 years ago, I met the families of these two teenage girls, and they to this day continue to suffer and wonder if justice will ever be served. And the reason that he has not met his just reward is because he appealed his case again to the Supreme Court, and the Supreme Court right down the street last week upheld the conviction for a second time.

His second appeal was somewhat unique because, you see, it turns out Jose Ernesto Medellin, who was fluent in English, apparently is illegally from the nation of Mexico, and he was an illegal immigrant when he committed this homicide. Back in the days of 1993, the Houston Police Department didn't even ask people what nationality they were when they arrested them, but be that as it may, the Mexican Government then decided to sue the United States of America in the World Court, claiming that the State of Texas should have told Jose Ernesto Medellin that he had the right to consult with the Mexican consulate before he confessed. Of course, the Houston Police Department never told him he couldn't consult with the Mexican consulate. He was warned properly under Federal law and under State law.

But the Mexican Government was not satisfied with that after the conviction was upheld, and 10 years later, they filed this lawsuit in the World Court. And the World Court ruled that the State of Texas had to retry Jose Ernesto Medellin for capital murder because he was not told he should have been allowed to talk to his Mexican consulate.

Of course, this gets more complicated because, you see, the President of the United States intervened on behalf of the nation of Mexico. After this decision was made in the World Court, the President of the United States told the courts in Texas to follow the World Court order, retry Jose Ernesto Medellin for capital murder, and the Texas courts, in all due respect to the administration, ignored the President's request because, as they said, the judicial branch is independent of the executive branch, and the President has no jurisdiction over telling any court, much less Texas courts, what to do.

It turns out that Jose Ernesto Medellin is not the only Mexican national on death row in the United States. There are 54 others who have been tried throughout the country, most of them in Texas, and have been given the death penalty for heinous crimes committed against people in the United States.

So, after that second case came before the Supreme Court, the issue was, after being sued in the World Court by

Mexico, whether or not the State of Texas must abide by a World Court decision telling them to retry a case. And the second issue was, does the President, any President, have the authority, as the executive branch of government, to order a State court to do anything, including retry somebody for a case where they have been found convicted.

Well, the Supreme Court ruled 6–3 that the World Court opinion has no bearing in Texas courts and that the President of the United States, the executive branch, has no jurisdiction over Texas courts to tell them what to do. The International Court of Justice, as the World Court is called, lacks jurisdiction in this case to order the courts of Texas to do anything because, you see, part of the problem was Jose Ernesto Medellin never complained for over 10 years that he didn't have the chance to talk to his Mexican consulate, and as most lawyers know in the legal profession, and as a former trial judge, if you don't object at the trial, you've waived that right indefinitely.

So, Madam Speaker, maybe justice will be served in this case if Jose Ernesto Medellin will meet the fate he deserves, and maybe our Federal Government will stop taking the wrong side of this issue of supporting illegal immigrants over people in the United States, like little girls who are murdered.

And that's just the way it is.

## IMPORTANCE OF ISSUES DEBATED IN SUSPENSIONS

The SPEAKER pro tempore (Ms. CLARKE). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, as we debate various issues here in the United States Congress and in this House, it is sometimes important to remind Members of the history of this Nation and the importance of matters that Members discuss. They are called suspensions, but they're no less important and speak eloquently to the history and the diversity of this Nation.

I would quickly like to acknowledge my support for the Civil Rights Act of 1964 commemorative coin and support my colleague JOHN LEWIS for offering this very important initiative, for a country that does not remember its history is doomed to repeat the past. We've gained much from the Civil Rights Act of 1964, and I support the legislation.

As we speak today about honoring our history, I am also reminded that this is the week of the 40th anniversary of the assassination of Dr. Martin Luther King. This past Friday, I was able to stand in front of the hotel in which he was assassinated, walk out on to the balcony and be reminded of this peaceful giant. And so it is important for us to take a moment, of which we will do on this coming Thursday, to remember not so much his death and the violence of his death, but his love for humanity and the ability to bring people together. He truly was a leader of a movement.

Today, I stood with my colleagues, Congressman BACA and others, to support the national holiday for Cesar Chavez because they were brothers, Martin King and Cesar Chavez.

I think it is important as we look at Women's History Month that we recount not only our national figures as I support the debate that reminded us this past month, March 2008 was Women's History Month, how exciting it is to see the historic opportunities that women have had and are increasingly having, knowing that they just gained a vote in 1920.

I was very honored to be able to bring to the attention of my colleagues Ramona Tolliver, a champion and a fighter for empowerment of those in the Fifth Ward area; Nellie Joyce Punch, again from Houston, a fighter for those in the Fifth Ward area and educator and a lover of providing equal opportunity to young people; Dr. Deason, a long-standing principal in Houston of the High School for Health Professions. There is certainly no greater lover of education and helping our children than Dr. Deason. And certainly I think it is important to acknowledge Commissioner Sylvia Garcia in Houston who has turned the corner as the first woman commissioner in Harris County. Then, of course, I salute Shirley Chisholm and Carole Mosley Braun, women who ran for President, and my former predecessor Barbara Jordan.

Women are on the move, and it is certainly important to acknowledge their history in this country, and it should not be ignored that women have struggled to overcome, and that is, of course, the women who get up every morning and ride the buses and teach the schools and work for us in restaurants and in hospitals and are doctors and lawyers and others. Women deserve the honoring of this month.

□ 1745

And one who certainly deserves it is a Civil Cross winner, a young 19-year-old from Texas, Monica L. Brown.

Which brings me to the upcoming testimony of General Petraeus and Ambassador Crocker. Having just come back from Iraq, let me simply say that the legislation that I have offered, which I will discuss over the next couple of days into the testimony of the two individuals that will be coming, first of all, let me thank them for all of their service and offer my concern for the public servants and U.S. personnel in the Green Zone, of which we have stayed, who have been bombed in the last couple of days. It is the very clarity of what I saw that says to me it is time to bring our troops home. We serve no large purpose to engage in, if you will, the civil war that may be going on in Iraq. We can serve as technical advisers and counselors, and we can bring other nations together to assist in a peaceful transition. We can, as my bill says, bring our soldiers home in honor and begin a diplomatic surge; make the Maliki government engage in nonsectarianism, as the Sunnis told me face to face; eliminate the sectarianism, Shiite and Shiite, Kurds and Sunnis; and begin to talk about a stable Iraq. That is not America's task; it is a task of the Iraqi government, the Iraqi people. And it certainly is a task that we must charge Iran for them to stop sending mortars and ammunition to create the havoc that is going on. But that is not the war. That is not the resolution. That is not the war of America. It is clearly a time to transition.

Those are the hard questions that we will pose to our heroes, Ambassador Crocker and General Petraeus. We appreciate that they have been trying to serve America in the best way possible, but it is now time to serve not only America and our sons and daughters but the American people who deserve an investment in their country, a rebuilding of the military, and an acknowledgment and celebration of the heroes of the Iraq War and certainly a recognition of those who still fight in Afghanistan for it is time now to focus our attention there.

With that, Madam Speaker, we look forward to saving America.

## THE NATIONAL RAMIFICATIONS OF U.S. AIR FORCE'S DECISION TO AWARD TANKER CONTRACT TO EUROPEAN AEROSPACE CONSORTIUM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes as the designee of the majority leader.

Mr. INSLEE. Madam Speaker, Mr. TIAHRT of Kansas and I, and others may join us later, have come tonight to talk about an important issue with large national ramifications, and that is the decision by the United States Air Force to decline a contract for our next extremely important tanker and to give it to a consortium, a very significant portion of which will be manufactured in Europe through a consortium in part with EADS and the Airbus company in Europe.

I represent an area north of Seattle with thousands of Boeing workers; so obviously this is an important issue in my district. Certainly the hometown team is Boeing.

But our discussion tonight will be about why all America ought to be very concerned about this decision for several reasons. And it is an obvious situation where there is very significant employment in my district that any Congress person would be concerned about that, but what we want to

talk about tonight are the national ramifications and why we believe this is a very, very injurious decision that needs to be reversed one way or another.

For background in this regard, the very able and really spectacularly performing aircraft, the KC–135, that for decades have provided the very backbone of our United States Air Force capability, will soon be at some point entering their obsolescence. Herculean efforts have been put forward to keep those great airplanes in the air, but at some point we've got to have a new airplane, and we know that that is the case.

So we have been engaged in an effort to provide another replacement. A good United States product, Boeing, competed with subcontractors across the United States for a 767 airframe that we believed was perfect for the task, and by all information provided, the Air Force would provide the capability that was needed by the Air Force.

Unfortunately, the Air Force has decided to reject an American contractor on this extremely important contract. And obviously it's important for dollars. It's a $40 billion contract, with a ''b.'' That is a significant contract. But of more importance to Americans are the job and employment prospects, and obviously that's important in the aircraft industry. If we see what has happened recently in the last decade, we know why it's important to think about this issue.

If I can refer to a chart showing the decline in teal or blue, this shows United States aerospace industry employment from 1979 to 2007. We have suffered a very, very significant decline, just about 50 percent of employment jobs in the United States compared to what we had in 1983, a peak year. Now, that has corresponded with the rise of the Airbus aircraft deliveries that have gone up, as indicated in these red bars, pretty much every year since about 1979. So we have had a significant loss of employment in the United States already in our aerospace industry. It has been in sync with the rise of Airbus sales. And we respect competition in America and should not decry or shrink from competition, and we would congratulate Airbus in a legitimate competition in any of these sales. But we point this out to show that we have already suffered a significant decline of thousands of jobs in the United States. So now we have a situation where that loss will be exacerbated by this decision should it stand.

Now, what is at stake here potentially could be 44,000 American jobs. Predictions are in that range of jobs that would have been involved in this contract. We know that we get different stories about where the Airbus employment will be. I want to point out one of the curious things, if I can. We get certain different viewpoints about where the jobs would be if, in fact, this contract is ultimately granted to Airbus. I note a newspaper article here in Les Echos, and I may mispronounce that, in Europe when Airbus talked about the employment on this contract. The article says that 76 percent of the employment associated with this tanker contract would be European and only 21 percent would be combined United States and Canadian content. That's in the article as publicized in France. In the United States, the rather large public relations effort that has gone on through Airbus, in fact, says it will be 50 percent in the United States. So it appears, at least in one instance, Airbus suggests that only 21 percent of the product in this tanker will be in the United States, and in America they suggest it will be about 50 percent. Some could chalk that up to hyperbole, salesmanship, but it means tens of thousands of jobs to Americans across this country, not just in the Seattle area where I reside but contracts across this country. We think that's significant and it's unfortunate. So this is a very significant thing that we are here to talk about tonight. It's not only employment but it's capability as well.

So we are going to talk tonight about the ramifications of this decision, why we think it was inappropriately made, and what we may consider to reverse this decision.

And with that I would like to yield to the gentleman from Kansas (Mr. TIAHRT), who been a stalwart and a champion on educating our colleagues about the importance of this, something we are going to talk about tonight at some length, which is the favorable treatment of Airbus by the European governments and why this has skewed this particular contract.

Mr. TIAHRT. I thank the gentleman from Washington for yielding. And I also want to thank Mr. INSLEE for his leadership in trying to bring some common sense to the procurement process down at the Department of Defense.

Madam Speaker, Americans are outraged by the Air Force outsourcing our national security to the French. This contract award to a foreign manufacturer is wrong, and it makes us less, not more, secure.

As my chart to the left here shows, we should have known that we had a problem when the President's helicopter replacement, the VH–71, went to a foreign manufacturer. We should have suspected it again when the light utility helicopter went to a foreign manufacturer. And now with the KC-X program going to be a manufacturer, it's as plain as the nose on your face. We have three of the last four major contract awards now going to foreign suppliers.

Here's how this works: The Department of Defense and the Air Force really have bent over backwards to give this contract to the French, but they've been very sly. They first, as a foreign supplier, find an American front company, and then they employ tactics like waiving regulations that our Department of Defense gladly awards them. They use illegal subsidies. They employ illegal subsidies. And then they buy into defense contracts, knowing that further on down the line, there won't be the ability to have an American manufacturer beat them out in any competitive bid. And then further, as was pointed out by Mr. INSLEE, they make promises in their proposals, and then the contracts are awarded by the Department of Defense, but they change their mind about the work content and they keep the work in Europe.

Let me just talk for a brief minute about why this was such a shock when this contract went to a foreign supplier. The Air Force tanker roadmap is a chart that was given to us by the Air Force. I sit on the Defense Subcommittee of Appropriations, and in December of last year, December of 2007, this was the chart that they said was their roadmap to replacing the tankers. On the left-hand side here, we have 2006. This is where this chart begins, fiscal year 2006, and it runs out to fiscal year 2007.

They have two tankers in our stock now. They have two versions of the KC–135. They have the older KC–135Es, which are the first ones to go out of the inventory. Next we're going to replace the KC–135Rs. ''R'' stands for the re-engine version of the KC–135. And at the bottom, we have our very largest tankers, the KC–10s, built on a DC–10 airframe, almost as large as a 747. But that's the larger airframe. This is the medium-range tankers, according to the Air Force.

The KC–135s, as you can see, in 2006 we started to take them out of the inventory. And as time goes on, you can see this little yellow triangle getting smaller and smaller. That means the KC–135s are going to Davis-Monthan Air Force Base into what we call the ''bone yard.'' They're no longer flying.

We're still flying the KC–135s. The average age is about 45 years of age, and they need to be replaced. We have then the KC–10s. They're the newer version and the larger tanker.

So what the Air Force told us is that they were going to replace this KC–135 medium-sized tanker over the next 15 years. Actually, it's going to run about 20 years with all that's said and done on the current schedule. But we were supposed to start out here in 2011 by having them first delivered.

So when the contract was awarded, did we get a replacement for the KC–135? No. The Air Force bought an airplane larger than the KC–10. So, naturally, everybody was shocked all across America. And then when they found out that the KC–10 replacement is the KC–30, a variation of the Airbus A330, a French airplane, they were shocked and outraged. We're outsourcing our national security to the French.

So what is behind this decision? How could this possibly have happened? Well, if you look at the contract scenario, we find out that there were waived regulations, waived regulations

by our own Department of Defense. They waive them for our NATO allies. And if you go to the Defense Federal Acquisition Regulations, paragraph 225, it will tell you which of the 20 nations have waived regulations when they bid on defense contracts. Those 20 nations include the four ownership nations of Airbus and the parent company of EADS. They include the United Kingdom. They include Spain. They include France, and they include Germany. These are the regulations that are waived, and they're very costly, very expensive.

Let's just look at the first one on the list here: Cost Accounting Standards. Now, Cost Accounting Standards say basically that you have to include all the costs that it takes to make a product that you're going to supply to the Department of Defense. And if you miss a cost or shift costs in and out of a contract, it could be a violation of the Cost Accounting Standards with very high penalties. It could be determined that it was fraud, and people could go to jail. Or it could be determined that you tried to give the government the slip on some data, and you would be barred from doing business with the Federal Government.

□ 1800

You can't shift cost on cost accounting standards. They are very costly to comply with. You have to have people hired to keep track of all costs. They must track them, compare them, report them as far as their relationship with schedules. If you don't have to do it, like EADS, in the case of this tanker, then it's much cheaper as far as your proposal. So cost accounting standards were waived by the Department of Defense for EADS, but they were required by the Boeing Company.

Now what does this mean for the Boeing Company? It means they have to include all their costs, including health care costs. Health care costs that they pay for their employees, workmen's compensation costs that they pay to cover the employees are all included in these costs. They have to be included in their proposal. If you don't do it, it is a violation of the cost accounting standards.

But those costs are not in the EADS proposal. Health care costs, workmen's compensation costs are picked up by the government, so they don't have to pay for those. Again, that gives a lower bid to EADS for this kind of a cost.

Mr. INSLEE. Will the gentleman yield just for a minute?

Mr. TIAHRT. I would be glad to yield.

Mr. INSLEE. I want to point out about this cost. Even under the Air Force's own accounting, even with these what you may consider rigged accounting standards that Mr. TIAHRT talked about, even under the Air Force's accounting standards, they concluded that the 767 is about 24 percent more fuel efficient than the Airbus product. You're going to save massive amounts on fuel over the lifetime. In fact, the Air Force estimated the Airbus product will burn $30 billion more fuel over the lifetime, even under the rigged accounting standards.

So the point is that we need the Air Force from a taxpayer standpoint to be looking at the operational cost. We just had the executives of the five biggest oil companies today. Those oil prices are not going down any time soon. If anywhere, they are going up.

So this is why we are saying that the country, not just the place these planes are made, but the whole country has a stake in this to really look at the operational costs on that.

Thanks for yielding, Mr. TIAHRT.

Mr. TIAHRT. You make a very good point about the net cost to the taxpayer. Getting back to these accounting standards which you are pointing out, the net cost is very high to the taxpayer. If EADS violates the cost accounting standards, we will never know it because they don't have to report it. And the cost of reporting this, the Boeing Company had to include. So it's really a difficult time for any American company to compete with a European company when you waive this first standard.

The next standard is a specialty metal standard, called the Berry amendment. This is where our manufacturers are required to track from the time a metal is mined from the ground and processed, until it's riveted onto an airplane. Tracking. That means people are sitting somewhere at a desk and they are spending time trying to keep track of who is processing this and what procedures were put in place. It's very costly. But it was waived for the European manufacturers by our Department of Defense in DFARS 225, that's the Defense Federal Acquisition Regulations again.

The next one that was waived by the Buy American provisions. Buy American provisions basically say 50 percent of this product has to be made in America. Now the goal in this proposal for Northrop Grumman, the EADS proposal, said 58 percent was their goal. If you look at previous contracts with the Department of Defense, like the light utility helicopter, which EADS also won, their goal there was 65 percent. But they had some American suppliers in there that were included in the bid, and as a second thought EADS said, well, we have got a production line in Europe. Things are going pretty well. We think we will just keep this work here.

So there are companies in Kansas that were cheated by this. There was a Spirit Aerospace Manufacturing, which lost the fuselage of the helicopter. There was Command Aerospace, which lost the floor board of the helicopter. Then there was ICE, Incorporated, which lost the wire harnesses for the helicopter. All American work content in the proposal that was then awarded as a contract and then that work was pulled back to Europe.

When I asked the Army about this in an open hearing, their response was, well, we have no enforcement mechanism to make sure that these jobs remain in America. No enforcement mechanism. So we waive these kind of standards and regulations that would allow us the knowledge of where these jobs are actually going. And we will never know.

Mr. INSLEE. If the gentleman will yield.

So do I take it that in the current situation we would be issuing a contract for up to $40 billion with no enforcement mechanism to enforce the American content situation. Is that a fair statement?

Mr. TIAHRT. That is exactly right. This is a question that has been put directly to not only the Army, but also the Secretary of Air Force and the head of procurement for the Air Force. It's common knowledge over in the Pentagon they tell us these things and we evaluate them based on these jobs being in America, and low risk, but then there is really no way of enforcing if these companies decide to keep the jobs in Europe.

If you look at this very same contract, the air refueling tanker contract, the first five airplanes are currently planned to be built in Toulouse, France. Then they are going to change the manufacturing procedure and start taking parts and shipping them to Mobile, Alabama, to assemble them. This is a similar scenario to the light utility helicopter. When it came time to ship those jobs to America, they decided to keep them in Europe.

There's no guarantee in this contract that has been awarded by the Air Force that says, yes, you plan on doing this in Mobile, Alabama, but there's no enforcement mechanism to make sure the jobs actually come to America.

Mr. INSLEE. That's most disturbing because of that experience and because of reading that in France, they tell the French they are going to have 76 percent of the jobs in Europe. Then they come over in America and tell us they will maybe have 50 percent. This is one reason, just one of the reasons this contract has to be reviewed.

I want to mention one now just before I yield to Mr. LOEBSACK for a moment. There is another aspect of this that is outraging Americans, and certainly is in my State, and that is that we are issuing this $40 billion contract to a company that essentially one of the partners that the American Government itself says is acting illegally. Because according to our U.S. Trade Representative, who has initiated a legal action against these companies for receiving illegal subsidies, illegal subsidies that violate international law, and by extension, violate United States law, at the same time we have taken this almost unprecedented action to bring a case in the world courts, the World Trade Organization, against their illegal subsidies. That is one agency of the United States Government. Sort of the ''cop on the beat''

blowing the whistle. And at the same time, another agency, the Air Force of the United States Federal Government is bailing them out of jail and giving them a $40 billion contract.

That is hard to explain to any American, particularly those in the 300 companies around this country in 40 States that are going to be losing jobs as a result of this. If this isn't a case of the left hand not knowing what the right hand is doing, one hand attempting to sanction these illegal subsidies, and I think anybody who reviews this would conclude there would have been billions of dollars of illegal subsidies to Airbus over the years, we will talk about those in detail, and then to turn around and reward them with $40 billion. They ought to be receiving a sanction from America, a punishment from America, some type of slap on the wrist, at least. Instead, they get $40 billion of taxpayer money. This is wrong by any sense, the code of the West, international trade treaties. This is something we all ought to be united about.

With this, I would like to yield to Mr. LOEBSACK from the great State of Iowa, who has a concern about this.

Mr. LOEBSACK. Thank you very much. I would like to thank the gentleman from Washington for organizing this Special Order hour on the award for the contract to build the next generation of air refueling tankers. I want to thank everyone who's here at this point speaking on this issue.

Needless to say, I was deeply disappointed that the KCX refueling tanker contract was not awarded to the Boeing team. Rockwell Collins of Cedar Rapids, Iowa, is a part of the Boeing bid and would supply the aviation and electronic sub systems on the KC–767 advanced tanker. The State of Iowa has a well-earned reputation, I believe, as a leader in innovation, and Rockwell Collins is at the forefront of the cutting edge technological development for which our State is known.

With 9,200 employees in the Cedar Rapids-Iowa City corridor, Rockwell Collins is the largest employer in the Second Congressional District in Iowa. The Boeing bid would bring 1,600 high-paying jobs to Iowa, most of them in the Second Congressional District, and would invest over $60 million annually in the State.

Equally important, it would put a program that is absolutely vital to our national security and the readiness of our armed forces in the hands of highly skilled Iowans and American innovators and manufacturers. I think that is an absolutely critical point to make.

Rockwell Collins employees are hard-working, they are dedicated, and they are highly qualified workers. They work each day to provide the men and women who wear our country's uniform with the equipment and the tools they need to safely carry out their mission. I am a member of the Armed Services Committee and I know the importance of the aerial refueling tanker to our ability to support, equip and provide medical care to our deployed men and women in uniform.

As the Representative of Iowa's Second Congressional District, I know firsthand the impact of putting thousands of jobs and tens of millions of dollars into Iowa. In light of this and our country's current economic state, I find it difficult to believe that the Air Force has elected to ship thousands of jobs overseas by awarding a key component of the United States Air Force to a heavily subsidized European industry.

The aerial refueling tanker contract award must serve the interests of the American people and American national security. I repeat that. It must serve the interests of the American people and American national security. The awarding of the tanker contract to Northrop Grumman and EADS will force the Iowa Air National Guard to use scarce resources to construct new hangars in order to accommodate the larger size of the EADS planes. The estimated cost for the construction of the new hangars would be roughly $45 million.

Moreover, the runways currently used by the Iowa Air National Guard are not able to withstand the weight of a fully loaded EADS tanker. Thus, new ramps and runways would have to be constructed. The total cost incurred by the Iowa Air National Guard to house the Northrop Grumman EADS plane would be roughly $50 million to $60 million.

I fear that the awarding of this contract to a non-U.S.-based company would not only send tens of thousands of American manufacturing jobs to Europe, it would put important defense manufacturing expertise in foreign hands. I am especially concerned that this would leave our country perilously dependent on foreign contractors for our most important national security needs. And this is unacceptable.

The aerial refueling tanker is critical to our national security. We all know that. I strongly believe that American defense should be in the hands of American workers. I urge the GAO to carefully evaluate Boeing's petition and to assure that our men and women in uniform have the best value and the best performing equipment.

I thank the gentleman from Washington for allowing me to speak.

Mr. INSLEE. We thank the voice of Iowa. This is important across the country. The jobs that Mr. LOEBSACK is talking about losing would not have been lost if the Air Force had considered the fact that these companies are receiving these illegal subsidies. And it's not just we three Congressmen talking about it, it is the executive branch of the United States, which has fully evaluated this and come to the conclusion these were illegal subsidies.

These were not just small. They received $1.7 billion in launch aid to develop the new A–350. They received $3.7 billion in launch aid for the A–380. That is why our U.S. Trade Representative has started this enforcement action, blown the whistle on these illegal subsidies. Frankly, it has been years later than it should have been. But we have finally done it. It's one of these great sort of black comedies to think in the year period when we finally blew the whistle after all of these years of abuse of these illegal subsidies that disadvantage American workers, that that same year the Air Force ends up giving a contract for $40 billion.

These subsidies are not just an issue of dollars, they are jobs in Iowa as well. I want to thank Mr. LOEBSACK. I would like to yield to Mr. TIAHRT.

Mr. TIAHRT. I thank the gentleman from Washington and the gentleman from Iowa. He is representing one of the 42 States that is impacted by this decision. Getting back to the statement that the gentleman from Washington, Mr. INSLEE, said about cleaning up the act, there is a report that really highlights why it is so important that it is such a travesty that foreign corrupt practices is one of the regulations that is waived.

We can't track what EADS is doing when it comes to their interface with foreign suppliers and foreign countries. But there is a report that was put out by the Center for Security Policy in April 2007. The name of the report is: ''EADS is Welcome to Compete for U.S. Defense Contracts—But First It Must Clean Up Its Act.'' Then it goes through and highlights some of the corrupt practices that EADS has been known for across the globe, and their problematic issues.

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Issue number one, espionage, bribery and other dirty practices; issue number two, Russian ownership and influence of EADS; issue number three, trying to supply America's adversaries with weapons.

The report goes on, but in the section called ''Bottom Line,'' it says the six things that EADS must do before they should be allowed to bid on government contracts.

Madam Speaker, those six issues are: Number one, resolve espionage problems; number two, correct the bribery problem; number three, remove the Kremlin from the company; number four, prevent other ambiguous or known bad actors from owning EADS stakes; number five, resolve the proliferation problem; and, number six, resolve anti-American workforce problems.

This is what the Center For Security Policy suggests to the Department of Defense and to Congress, it is a public document, that we should do before we should allow this European manufacturer to supply products for our defense. And we won't ever know what they are doing right, because the foreign corrupt practices regulations are waived by our own Department of Defense. That is another reason why this is such an outrageous practice.

Mr. INSLEE. We should point out that this law, this international law against subsidization, has not been waived by Congress. This is sort of a backdoor way to waive an international agreement.

We have an agreement that now we are attempting to enforce that would prohibit this illegal launching. ''Launching'' basically is a situation where a European government assists the private manufacturer, in this case Airbus, by giving them essentially loan guarantees or essentially free money. You give them a loan that they don't have to pay back if the airplane doesn't do well. That is an enormous subsidy, to give free capital, in essence, or low cost capital, when you are manufacturing an airplane. Of course, when you develop an airplane, there are billions of dollars in development costs. Well, if a company like Airbus can go to their governments in Europe and say give us a loan we don't have to repay if the airplane doesn't perform as expected, we don't make money on it, that is an enormous subsidy.

Europeans with Airbus have been doing this for years. We have international laws against that, and those laws are in effect national laws in America. But somehow it is just like we ignored these. It is like they didn't exist.

Congress certainly never waived those laws, the courts have never waived those laws, the President has never waived those laws, the American people have never waived those laws. But somehow the Air Force did not take into consideration these enormous subsidies, and that is why this thing, this contract, has an odor about it, where we don't take into consideration that violation of international and American law.

But I want to talk, if I can, about the capability of these aircraft too, because obviously we want the best possible airplane for the job. There is possibly no more critical infrastructure, certainly to our Air Force, than the ability to refuel our planes. This is the absolute spine of the whole skeleton of the Air Force, to have this refueling capability.

There has been sort of a propaganda war that has been waged by the Airbus folks to sort of suggest that the Boeing airplane wasn't up to the job, and I just want to point out some of the facts about this aircraft that I think it is important to realize.

First off, if you want to look at the only company in this bidding that has essentially ever built an air tanker and has been building them for 50 years for America, it is Boeing. This is the hometown team that has been doing it for decades successfully, and I think we should maybe start the discussion from that point.

Second, the airplane that Boeing bid has some very distinct advantages that somehow were not considered, one of which is that the Boeing airplane can service about twice as many airfields as the competitor. The reason is it can land in shorter, not quite as equipped airfields. It can land fully loaded in 811 airfields around the world, compared to the competitor at 408. This is a distinct advantage, considering we don't know why where the next conflict is going to be. We don't know what sort of developing world airfield we are going to use. The airplane that Boeing proposes can be serviced and can essentially use twice the number of airfields.

Second, and this is critically important, the Boeing 767 is 24 percent more fuel efficient. In these days of a crunch with fuel and global warming we have to be concerned with and the enormous increase in costs that the Air Force is experiencing, this ought to be taken into consideration. That adds up to $30 billion, a distinct advantage.

Third, and this is one that I think is worth mentioning, this sort of propaganda effort that was started by the Airbus folks to suggest that the Boeing Company didn't score well just simply doesn't comport with the facts.

There were several factors, the first of which is called mission capability. When they compete these, there is a very sophisticated way of evaluating these. On mission capability, the Boeing airplane scored blue, which means exceptional, and low risk in the area of mission capability. That is the highest possible rating and I think can be considered the most critical factor in the whole competition. The Air Force concluded that the Boeing airplane met or exceeded all key performance parameters, which are also called thresholds and objectives. The Air Force concluded that the Boeing product actually had significantly more strengths, also called discriminators, than the competitor.

So you had Boeing receiving the highest rating possible for mission capability, it met or exceeded all of what is called KPP thresholds and objectives, and it was graded as having significantly more strengths than the competition, and somehow came up on the short end of the stick.

This deserves not only GAO review, but it deserves Congress reviewing this. As folks know, this is being evaluated now under the protest consideration, and we know it will be looked at carefully. But, frankly, if this does not get the thorough review we want, Congress is going to be looking at this, because these numbers just don't add up to say this was the right decision.

On factor two, proposal risk, just kind of from a commonsense standpoint perhaps we can look at the fact that we have one bidder, Boeing, that has been doing this for decades. They have an airplane, the 767, in the air, providing tanker services, ready to go, against a product that is going to be manufactured in this multi-nation system. To me, that would create significant confidence in the folks that have been doing it and have a plane that is in the air. In fact, the Air Force rated Boeing's risk as low, as it should be.

Surprisingly, the competitor was also rated as low, despite to me obvious risk where you have a multi-country, multi-facility, multi-build approach, contrasted with Boeing's integrated approach to design, build and certify with the existing facilities. So, at worst it seems to me that there is certainly no advantage of the competitors in that regard.

I would like to yield to Mr. TIAHRT. I have several more factors, but I want to yield to Mr. TIAHRT because I know he has a great idea.

Mr. TIAHRT. I thank the gentleman from Washington.

When talking about risk, the Air Force has done studies as to what is the best manufacturing technology that we have when we are building a complex, single point of failure system like the tanker. They say the best way to do it is to have an integrated production line, where you build your commercial off-the-shelf item and integrate in that very same production line those things that you need to make this a unique product for the Department of Defense. That was what was employed by the Boeing company in their proposal to the Air Force for the KC–767 tanker.

What we find out after looking at and listening to the Airbus or the EADS proposal is that they had this disjointed thing, as the gentleman from Washington pointed out very well, multi-country, multi-manufacturing sites, starting four new facilities that have to be FAA certified and they have to find qualified workers for. This develops a tremendous amount of risk in the proposal that the EADS company was putting forward, as compared to what the Air Force actually asked for in their own studies.

Somehow in this convoluted process of trying to decide which product to buy, they overlooked the fact that the Air Force said this is what we wanted, an integrated production line. We didn't want a multi-facility operation in multi-countries. We wanted it all to happen in one place, where we could keep track of the product and the quality. And yet when it came time to risk, they gave an equal amount of risk to both companies. It just doesn't make any sense.

The other point that the gentleman from Washington made that I would like to add to is what is the net cost to taxpayers? There are some things that the Air Force follows in their Federal acquisition regulations as part of their cost evaluation process, but there are some things they don't consider. For example, they didn't consider outsourcing our national security. They are just based on their rules and regulations. They look at cost and their key performance characteristics, et cetera.

But if you look at other things that need to be taken into consideration in Congress, like how do we secure the national defense industry, the defense base, well, we have to take these things into consideration.

If you look at the $35 billion contract and say what is the real net cost to the taxpayers, the $35 billion contract we know is what was awarded. But if you looked at the fuel savings that was pointed out by the gentleman from Washington, the KC–767 is 24 percent more fuel efficient, and that saves taxpayers $30 over the life of this program. So you take your $35 billion contract and you have to subtract that from the Boeing bid. So what is the net cost to taxpayers? It is $5 billion.

Then you take the comparison of American jobs versus French jobs. One thing unique about French jobs is they don't pay any American income taxes, but American workers do. So you take the 19,000 lost aerospace jobs in America and say what would they have paid the Federal Government over the life of this program in the form of income taxes? Well, 19,000 workers, which is the difference between the two proposals, times about $11,000 a year, which is the average that an aerospace worker pays in federal income taxes, and you take that over the life of this program, it comes out to $8 billion.

So you have got $35 billion. You take away $30 billion worth of savings on the fuel and you get down to a $5 billion net cost to the taxpayer. Then you add back what you would get from the lost American jobs paying taxes if they were employed with the American contract than they would have gotten to pay these taxes. That is $8 billion. So the net cost is actually a $3 billion advantage.

In other words, if we would have issued this to a American company with American workers paying American Federal income taxes, and you take into consideration the fuel savings, it would have actually brought in $3 billion more in revenue in the net cost to the taxpayer than what it had under the circumstances that they had given it to the foreign supplier. Then you look at the lost revenue from corporate tax by having 90 percent of this airplane built in France instead of built in America, and you get another $1 billion.

So what is the true cost to the taxpayers? It is positive $4 billion for the American company employing American workers to make an American tanker, versus $74 billion if you add all these costs up to the foreign supplier using foreign manufacturing workers.

So what would you do if you were a taxpayer? For me, a $74 billion cost or a $4 billion savings, I would take the $4 billion savings, and that says we buy an American tanker made by an American company with American workers. So this decision doesn't make sense just on the net cost to taxpayers, let alone all these other things that we are talking about.

Mr. INSLEE. Coming back, it is not just cost, it is capability. Bigger is not always better, and I am very concerned here that the Air Force has been lulled into the sense that bigger is always going to be better.

Frankly, when I found out that the Boeing tanker can serve in twice as many airfields, it can refuel the V–22, which is our tilt rotor aircraft, this aircraft they have can't refuel one of our aircraft, we are going with a company that has no boom experience, they have never built an airplane commercially with a boom.

We have decided to reject a company, Boeing, that delivered a 767 to Japan, one February 19, 2008, a second one March 5, 2008, they are flying, they are in the air, they are a known quantity. And we are taking this risk, an uncertain risk, just for this apparent decision that all of a sudden bigger became better, which is very interesting, because Boeing could have competed a larger airplane, an airframe of the Boeing 777, and didn't, essentially because they understood that this was a satisfactory size component to deliver.

It made sense when Boeing made that decision and when Air Force led them to that decision, because when you look at the loading, the range of loading and what it has done historically, the Boeing 767 is a perfect fit. If you look at the offloading potential, the Boeing 767 is significantly greater than the average offloading in any of either the Vietnam, the Iraqi Freedom or the Southwest Asia conflicts.

So we are concerned that this decision of this deciding bigger was better was, A, not fair to a bidder, Boeing, which was not told that that apparently was now the Air Force's brand new criteria; B, exposes American taxpayers to greater risk with an uncertain contractor, with an uncertain plan in multiple locations; C, causes significant loss of jobs; and, D, violates international law, or at least awards folks who are receiving illegal subsidies violating international law.

This is not a good thing for the American warfighter, the American taxpayer or the American worker, and that is why we are here tonight suggesting that this contract has to be redone one way or another, and we are going to be talking about ways to do that.

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Mr. TIAHRT. Another thing Congress must consider in this whole scenario is, looking back over history and saying, when we do have a difference of opinion between our European allies and our own country and we employ our young men and women to carry out the will of this country, will our foreign suppliers be there to supply us in our time of need?

During the Gulf War, we had allies that disagreed with what we were doing and they failed to supply the parts that we needed to keep our young men and women safe while they carried out the will of this Nation so they could come home safely to their families. During Operation Iraqi Freedom, again, our European allies failed to support us when, in our time of need and through great diplomatic strains and a lot of harsh words, finally we were able to find suppliers that were going to give us the parts that we needed so that our young men and women could carry out the will of this country and come home safely to their families.

Once again, in this system, it is a single point of failure system. It is a system that, if it is down, everything does not function. We cannot transport aircraft from the East Coast to the West Coast for our military without tankers. We cannot supply our troops or carry our troops anywhere outside the continental United States without aerial refueling tankers. If we are going to respond to a natural disaster like the tsunami in southeast Asia, we have to have air refueling tankers. So, we cannot have such a critical item that is so vulnerable to our foreign suppliers when they may disagree with us politically and withhold the parts we need to have this very critical, single point of failure weapons system.

So if you look at our ability to protect our families, like my chart has here, it is an immeasurable cost. What is the dollar value when we have to protect our families and our military doesn't have the supplies they need to carry out that task? What about the loss of defense workers? That is another immeasurable cost. Once we lose part of our national defense industry base, it is gone apparently forever.

For example, if this contract goes through, never again in America will we rebuild an air refueling tanker. I can give you the technical reasons why, but basically aircraft are built on an improvement curve. And the thought of an improvement curve is a theory, which is reality, is that the second unit costs less time to build than the first unit; the fourth unit costs less time than the second unit; and the eighth unit costs less time than the fourth unit, and on down. Every time it doubles, there is less time to build that next aircraft. After you build 179 aircraft, like in this air refueling tanker contract, you are bidding for the follow-on procurement at unit 180. In other words, you are 180 units down the improvement curve. It is a lot cheaper than if you are building the first unit. An American manufacturer bidding on the follow-on contract would have to bid a number one unit. They cannot keep up, once again, with our foreign suppliers because they are bidding a number one unit and our foreign would be bidding the 180th unit. So we never again will build air refueling tankers here in America if this contract goes forward.

And what does that do? It is a loss to defense workers; it compromises our ability to protect our families; and, it is a loss of defense manufacturing capability. Those are things that are immeasurable in cost, but it is something that Congress must consider when we vote on whether this contract should go forward or not.

Mr. INSLEE. And I hope we don't have to vote. I hope this protest is successful. But we will be looking at the

right ways for Congress to exercise the will of the American people through the appropriation or authorization process. And the reason we intend to do that is that we think there were several mistakes made in this contract that essentially resulted in the Air Force selecting a larger, more expensive, and more operationally limited tanker, despite the fact that the domestic Boeing tanker met the requirements of the Air Force.

So, we intend to go forward. We hope that our colleagues will join us in this effort. It is the right thing to do. It may take some time to do, we regret that, but America deserves this and deserves better than what happened here.

Mr. TIAHRT. If you look at all the data involved, from the employment of illegal subsidies that you pointed out so clearly and how our United States trade representative is taking the European companies to task for these illegal subsidies, when you take into consideration the lost tax revenue, when you consider the costly one-sided regulations that are granted by our own Department of Defense and the loss of our industrial base and the loss of our national security, this is a bad decision, and it appears that the Air Force had to bend over backwards to give this work to the French company EADS. And it is heartbreaking in one sense, outrageous in another. But, for me, it came in the form of outrage.

I know that one of the Senators from Washington State has set up a Web site where you can fill out a survey. I know, on my own Web site at www.house.gov/tiarht, you can get on my Web site and fill out a survey about your feelings on us outsourcing our national security to the French. It is I think a bad decision. It is one that needs to be reviewed by Congress. I am hopeful that the Government Accountability Office will look at these inequities, these disparities, this unlevel playing field, and correct this before we have to take action on the floor of the House.

But I think it is clear from the people that we have spoken with here in the 42 States that have lost workers because of this contract going awry, that there will be something happening on this contract this year, either through the Government Accountability Office or through actions of the Congress, because it is too outrageous to allow our national security to be outsourced to the French.

Mr. INSLEE. I want to thank Mr. TIAHRT and Mr. LOEBSACK.

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

## THE WAR IN IRAQ

The SPEAKER pro tempore (Ms. TSONGAS). Under the Speaker's announced policy of January 18, 2007, the gentleman from Connecticut (Mr. SHAYS) is recognized for 60 minutes as the designee of the minority leader.

Mr. SHAYS. I thank the gentlelady for taking her time to allow me and my colleagues to be able to address the chamber. Thank you very much. And I appreciate her husband's service to this country both in Congress and in the Senate.

I am taking this opportunity to talk about the conflict in Iraq, the war in Iraq, and I want to do it based on my 20 visits to Iraq when I first was there in April of 2003 to the trip that just concluded last week. I want to speak very frankly about this war and our presence there and what I think we should do and why I think we should do what we need to do.

September 11 clearly was a wakeup call, from hell, that forced us to address the fact that for such a long time we had a blind eye to what was happening in the Middle East and what was happening particularly as it related to the extreme Islamists who were seeking to get the world's attention by attacking our troops in Lebanon, our Marines, our Soldiers, and Air Force men and women in Saudi Arabia attacked three times, our embassy employees in two countries in Africa, the Cole where we lost 17 Navy personnel and 33 injured.

I was somewhat surprised that, in spite of all this, that we would keep turning the other cheek and ignoring what was confronting us. So when September 11 happened, it was a huge wakeup call. And the issue is, did we respond in the right way?

We created a Department of Homeland Security. Before September 11, when we talked about such a department, people said, ''What are we, Great Britain?'' It was difficult for Americans to conceive that we should do that. We passed the Patriot Act; and clearly we could have given it some other name, but we wanted to make sure that we had modernized our capability to infiltrate cells that needed to be infiltrated. We created a much stronger intelligence structure by establishing a Director of Intelligence that would coordinate these 16 agencies. And we also went into Afghanistan, where there was uniformed consensus that we should do it. But we also went into Iraq, and that obviously was very controversial.

I remember, as I tried to debate whether we should do this, visiting with the Brits, the French, the Turks, the Israelis, and the Jordanians. They all said Saddam had weapons of mass destruction. But the French said, he has them, but won't use them. And we discounted the French because we knew even then, about the Oil for Food Program, that they had been pretty much bought off, and we knew that they would probably not support using the U.N. as the instrument to remove Saddam from power. So we went in. And, we made sure our troops had the one thing that we felt they needed: Protective chemical gear. We really believed that Saddam had both a nuclear program and a chemical program, and we were very adamant that we shouldn't go in before our troops had that protective chemical gear.

But it became very clear early on that Saddam not only didn't have an active chemical weapons program that he could readily use, and there was no nuclear program. So, the very basis for going into Iraq proved to be false.

I voted to go into Iraq based on what I believed was the right thing to do. I am struck by some Members who somehow blame their decision on someone else. I did what I thought was due diligence. I was impressed by Iraq's neighbors. I was impressed by, frankly, Bill Clinton and HILLARY CLINTON and others who had reason to be skeptical but believed as well that Saddam had weapons of mass destruction.

But what surprises me most, and I want to make this point. I remember when George Romney, the former governor of Michigan, not Massachusetts, Governor Romney from Massachusetts's dad, said: I believed we needed to go into Vietnam, but I was brainwashed by the generals. And there was instant ridicule, and he was forced to drop out of the race for President because he wasn't taking ownership for his own decision, and was blaming someone else.

I blame no one for my vote. It was my vote based on my best conclusions. And I would like to think that every Member would own up to their own vote, but somehow some who voted to go into Iraq now act like they didn't, and blame others for their vote. And I think that is wrong. So the question is, we are there, and we were there under false pretenses but very much believed to be true. So what do we do now?

When you go to Israel, Israel had the best intelligence in the region, and they were wrong and they empanelled a commission to try to determine how they could be wrong. They didn't blame their political leaders, they didn't say people lied. What they concluded was that, based on the knowledge that they had, it was reasonable to assume that Saddam had these weapons. That was their conclusion.

It is a fact that even his own troops, his generals, in December were stunned, as we learned from the debriefing of Tariq Aziz and others of the Iraqi politicians, that Saddam told his own generals in December of 2002: We don't have a nuclear program and we don't have a viable chemical program. And they were stunned.

I was so troubled by this that I went to see Hans Blix in Stockholm and I said, ''Why would Saddam want us to think he had weapons of mass destruction?'' And he said, because Saddam thought it was a deterrent to his neighbors, and that he believed there was no consequence because he thought there would be no way the United States would seek to remove him from power if the French and the Russians and the Chinese would not allow the U.N. to be involved.

Well, the fact is that Saddam misread us the first time in Kuwait. Because of Vietnam, he thought we would never go in because of that experience,

and we did, and he misunderstood our intentions a second time, which is an incredible lesson about making sure that our adversaries know our true intent and believe our true intent.

We were wrong. But being wrong does not mean we need to get out, get out right away because of our original purpose for being there.

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The fact is once we disbanded the Army, the police and the border patrol, we owned Iraq; and there is no way of getting around it. There is no way to say that we can get rid of all Iraqi police, border patrol and Army, and then say, well, you know, we achieved our objective, good-bye. That would be a cruelty to the Iraqis that they don't deserve, and it would be a huge invitation to the Iranians to just walk right in. We can't allow that to happen.

In my first visit to Iraq, I went just as the war was ending. I actually had to get in with the help of the State Department because the Defense Department said I couldn't go in. I remember speaking to Muhammed Abdul-Assan. He was telling me the things that we were doing that troubled him, like throwing candy on the ground. He said, Our children are not chickens; they are not animals.

He talked about how our troops seemed to be offended when they extended a hand, and an Iraqi woman put her hand to her heart and would not shake the soldier's hand. She was saying, thank you for honoring me, but we don't shake hands with strangers.

He basically put his hands on my shoulders and said, You don't know us, and we don't know you. He told me an incredible story. He told me a story that he had been in an Iranian prison and hadn't made the first exchange of prisoners because the Iranians had more Iraqis than the Iraqis had Iranians in their war with each other. I said to him, You have had an incredibly difficult life, and I started to go on. And he looked at me and said, No different than any other Iraqi.

Well, after my first visit I couldn't get back soon enough to say we need Arabic speakers and we need to understand their culture. These are tough people.

The second time I went in, I went to Basra and I went again outside the umbrella of the military and spent two nights in Basra with Save the Children. I began to hear things like why are you putting my son, my uncle, my brother, my cousin, my nephew, my husband, my father, out of work? Why can't they at least guard the hospitals? He was talking about the fact that we put a half a million men out of work, and basically said you have no future in this new government.

And so I couldn't wait to get back home and say: Why are we doing this? And the poignant thing to this is the very first death in the 4th Congressional District Connecticut was Wilfredo Perez. He was guarding a hospital.

Try to imagine what we did when we disbanded their Army, their police and their border patrol. We left them totally and completely defenseless. It is a country of 24-plus million people left with no security.

Let's take New York State. New York State has 19 million people. It is two-thirds the size of Iraq or maybe even smaller. It has 19 million versus 24 million. Imagine New York State with no police, no police in New York City, no police in the subways, no police in Albany, Rochester, Buffalo, Syracuse, no police in any of the towns in between, no security whatsoever. Oh, and by the way, to be consistent with what Saddam Hussein did, he released all his prisoners. We are going to release the prisoners from Attica and Riker's Island and make sure that they are in the community, and then say don't worry, we are going to bring 150,000 Iraqis who speak Arabic to keep the peace throughout all of New York State.

Well, you don't have to be a genius to realize we had created a huge problem. We were basically saying we would provide all of the security in Iraq, but we didn't have enough men and women to do it. We didn't speak their language or know their culture. Are we surprised that militias were formed? Are we surprised that when we put half a million people out of work, that they would go to the other side?

And then there is the looting. They were dumbfounded. Iraqis love their antiquities. They love their history. If you go to an Iraqi and somehow suggest it is not a real country, they will look at you and say, Let me get this straight. You did not learn in your school, about the Fertile Crescent where the two rivers met, the cradle of civilization? You never studied about us Iraqis? They are stunned that we would think them not a country, and they were particularly stunned, when the Senate voted to divide Iraq into three parts, they said aha, it just goes to show what we have been saying. You want to divide and conquer us, and then take our oil.

We made huge mistakes and we didn't correct them and we didn't deal with the reality on the ground. The reality is that we needed to train more Iraqi troops than we were, and we needed to have more American troops there given we had gotten rid of a half million security forces for all of Iraq.

When you go to an Iraqi and you ask, Are you a Sunni? They will say, I am a Sunni but I am married to a Shia.

I will go to a Shia and say are you a Shia, to try to understand their perspective, and they will say, I am a Shia, but my tribe is Sunni.

I will go to someone I suspect to be a Kurd, and ask, Are you a Kurd? They will say, Yes, I am a Kurd; but you do know Kurds are Sunnis? They are constantly lecturing me about understanding what they are and the significance of what they are.

We have the fear of sectarian violence in Iraq, and it is often compared to Bosnia. In Bosnia, you had fathers who literally raped their child's best friend. So a father is raping a 14- or 12-year-old child because she happens to be Christian and he is Muslim or she is Muslim and he is a Christian. I remember going to Bosnia and seeing a house filled with garbage, garbage filled all of the way to the top. It was a message, don't come back to your home, you are not wanted.

That kind of violence is not what has happened in Iraq. What has happened in Iraq is when there were Sunnis and Shias living together, they were not kicked out by their neighbors, they were kicked out by outsiders who came in and tried to have it be one ethnic group, which is very different than Bosnia.

Now that is not to suggest that Sunnis and Shias will agree on everything. But again, it is not like Saudi Arabia where Sunnis there don't like Sunnis in other countries if they are not Wahhabbis. We sometimes tend to judge the Middle East, I think, on what we see in Saudi Arabia. Saudi Arabia is another issue we are going to have to have a frank conversation about. It is not Iraq.

When I go to Turkey, the Turks say to me, We used to run this place for 402 years; why don't you pay attention to us?

When I go to Egypt, they say, We have been a country for 4,000 years, why don't you pay attention to us?

When I go to Jordan they say, We are direct descendants of Mohammed, why don't you pay attention to us?

When I go to Iraq, they say, We are the cradle of civilization, why don't you pay attention to us?

So we are starting to. We are starting to pay more attention to them. We are certainly paying attention to the ambassadors that come from countries near Iraq. And they say, we may not have wanted you to go in, are there, for you to leave now would be an outrage. And they are right.

Now that we stirred everything up and we created significant dislocation in Iraq, we have a moral obligation to set Iraqis in a place where they can govern themselves; or failing to govern themselves, it will be their failure. But they need the security to do it.

So what do I see and what have I seen over the course of 20 times in Iraq?

If this is April 2003, we could have gone in an upward direction. It could have been an amazing experience. We could have kept their military. We could have listened to them. We could have had Arabic speakers. We could have found that rather than digging a deep ditch, we could have gone in the other direction. But as soon as we allowed the looting, as I made reference to earlier, they really believed that was our message to them that we had only contempt for them. That is what they believed. They thought, You could have stopped it and you didn't. The thing we cherished the most, our antiquities, you allowed those looters to

just desecrate, and you were the security.

We then put them out of work and left them with no security. We dug a deep hole.

I began to feel, though, that we were turning the situation around when we transferred power in June of 2004. Mr. Bremer left, and Iraqis were being invited to make some major decisions. And they did something extraordinary. I was there for the first election. They put our elections to shame.

What did they do? They had far more people who voted, and they were honest votes. The U.N. will tell you, these elections were very well run. I was in Arbil for the first election, and I saw men following their wives because their wives were determined to vote, dressed up with their kids in their arms or following them. I was there as an observer, and I saw them come and vote for local, regional and national elections. They came and got all three ballots and filled them out in a protected area, and then they came and put them in the ballot box. But before they could do that, they had to stick their finger in the ink jar. I watched that for awhile, and then I went and quietly asked, as an observer, Do you mind if I put my finger in that ink jar? I wanted to bond with them; and I, frankly, wanted to come home and show people that there was something pretty monumental going on in Iraq.

The woman looked up at me, looked down, and then she said, No! you're not an Iraqi! Everybody looked at me. I clearly wasn't an Iraqi. I was first embarrassed, and then I thought this was amazing. I was in a Kurdish area. And she didn't say, No, you're not a Kurd. She said, You're not an Iraqi.

Well, that election established a government that then created a constitution. And in October of 2005, they voted on that constitution. And more people came out to vote, including Sunnis that had not participated the first time. They had establish a constitution, and then they had an election in December of 2005. I thought in 2003 we had dug a deep hole, but now we and the Iraq's were getting back up there. Things are looking much better.

And they had an election in December, and then nothing happened. January, no leader was chosen. February, no leader was chosen. March, no leader was chosen. By April they had decided on a very slim vote that Mr. Maliki would be the prime minister.

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And so, they had literally delayed for 4 months choosing a leader. And when you're swimming upstream and you stop swimming, you go way downstream. And they dug a deep hole again. You had the Samarra bombings; that was horrific. That was a Shi'a Mosque that was bombed and destroyed, intended to bring out the Shi'as in a total civil war with Sunnis. That almost happened, but didn't happen.

When I came back to Iraq and met with Mr. Maliki after 6 weeks in office, there was a sense on my part that he wasn't going to do any heavy lifting. And so I decided, rather than come back 3 months from now as I usually did, I came back 6 weeks later. And one ambassador told me then, it was in June, he said to me, ''I fear that Prime Minister Maliki does not have the political will to do what he needs to do.''

So, I went back in August. There were 6 more weeks that had passed. Now he had been in office about 12 weeks, and I didn't see hardly any positive change. I concluded that the only thing that would get him to move was to have a timeline. And I demanded to see him. I said, I've been here more than anyone else, I want to meet with Mr. Maliki. And I said it can be a stand-up meeting, but I want to meet him. I want him to look me in the face and tell him what I believe after being in Iraq so often.

So, a meeting was set up. He was meeting with others and we went to a side of the room, and I said, take a good look at me, you're not going to see me after November, and you're not going to see a majority of Republicans that had been supporting our presence in Iraq. You're going to see a change in government because you aren't doing the heavy lifting you need to. You need timelines like you had in '05, where you had one election, then the constitution, then another election, to select a government. He said, no, we moved too quickly; we can't move that quickly.

I came home believing we need a timeline, and I believe that to this day. But it's a timeline that doesn't say we get out tomorrow. It's a timeline that says we leave when the Iraqis can be ready, and we can pretty much predict when that is. And we know it's going to take more Iraqis troops to do it. We know they have to be trained.

With all due respect to my colleagues in the majority who sincerely believe this was a mistake and we need to get out, a timeline that gets us out sooner than we can replace their army, police and border patrol and leaves them in a place where they can protect themselves is a timeline that makes no sense. But a timeline that says we're there forever in this capacity makes no sense either. We need a logical timeline.

Now, one thing I never argued for that turned out to be very important, I never argued that we needed a surge. That was the one area where I didn't feel I had the expertise. So, after that election, I went to Iraq in December of 2006, and frankly, things were worse than ever. The generals told me that they had given up on Anbar Province, the largest Sunni province. In fact, they said it's almost like a mini Afghanistan within Iraq, no one is in charge except al Qaeda. And that was a pretty disappointing bit of news to be told.

When I went back in April of '07 they said we're winning Anbar Province. Now, this was after we started to begin the surge, but that hadn't really taken effect yet. They were doing something that I had argued for for a long time, and that was, we were engaging the Iraqi tribes. The Sunni Iraqi tribes had become totally fed up with al Qaeda for all the reasons that most people know. They wanted to set up the kind of shari'a government that Iraqis want no part of, and they were killing the young Sunni tribal leaders who were not cooperating. And so, the leaders came to us and said, we want to be with you.

So, I went in April, and we're winning Anbar Province. I go back 2 months later and they say, we've really won Anbar Province. I go back in August, and we're starting to win other areas. We're starting to clean out other areas.

And we've started to have al Qaeda be in small little enclaves. And why? Because before the surge they struck us at will. After the surge, they can't get above the water line to take a breath because our daytime troops went after them, and our nighttime troops went after them, and then our daytime troops went after them. They never have a chance to regroup. The surge has enabled us to clean out areas and bring the Iraqi police, which aren't the best of Iraq, but they are good enough to do what police do, and that is, once an area is clean, keep the peace.

This past year, I've been able to go without armor into so many different marketplaces, places they would never have taken me before. And I come back and I say things are getting better, and then people say yes, but there were the rockets on the Green Zone. Well, there are going to be rockets on the Green Zone and there are going to be men and women who wear vests that basically are filled with explosives and they're going to blow themselves up. There are women who have lost their husbands who see no future. There is obviously al Qaeda, that still has some influence. There will be those kinds of attacks, but there are going to be different kinds of attacks than has existed in the past.

So, I have seen the surge is working. The tribal leaders have made a huge difference. We are now going into other areas. We've cleaned up our two-thirds of Iraq. Mosul is going to be a very difficult area. It's a very mixed community of Sunnis, Shias, Turkmen, and others.

The other reason why we're seeing an improvement beside the surge and support of tribal leaders is the Iraqi troops have become competent, in some cases very competent. And I'm sure there may be some who will criticize me for saying it, but I believe the Iraqis are actually beginning to like us, or at least respect us, and in some cases trust us. And why would that be? Well, they were raised for 30 years to hate Americans and love the Russians. So, in comes this government, Americans,

and we attack them, and we put a lot of their loved ones out of work. And they were convinced that we would take their oil. But it's been 5 years, and they've come to realize that there is a country so good that it would spend nearly a half a trillion dollars, have more than 20,000 of its American forces wounded, some very severely, have 4,000 of its troops killed and not take a drop of its oil, not a drop of its oil. We're beginning to gain credibility that we actually meant what we said and that there is a country so good in the world that it would do that for something far more important.

We want a world of peace. We want a world where people can live their lives as they want to. We want a world where commerce can flow back and forth freely. And we're willing to give a lot and spend a lot to do that.

Now, I want to say something to my colleagues that may not believe we should ever have been in Iraq. I fear that there are some in this Chamber who fear that if we ultimately win in Iraq, and by winning, I mean restore a security force of Iraqis that can fend for themselves and where they can govern for themselves and where there is a significant movement towards a more democratic form of government, and a government that, unlike its neighbors, allows its women to be educated, allows its women to be part of commerce, if we do that, it justifies the war.

We may say at the end, we spent a trillion dollars, we lost 4,000 to 5,000 men and women, and we have this result which is pretty spectacular, but in the end, it may not justify what we have done. But where we all should be united, it seems to me, is that we leave Iraq in a place that the void is not filled up by the Iranians.

Now, we haven't taken a drop of their oil, but one thing is very clear, Iraq has a lot of oil and gas. In fact, Bunker Hunt came to my office, rolled out a map that would cover this desk, and he said, I believe Iraq has more energy than exists in Saudi Arabia. The world says it has 10 percent. He told, I believe it may have as much as 20 percent of the world's reserves. And then he showed me this map with markings throughout Iraq indicated a real potential for either gas or oil. He said, to an oil man, this is a candy store of opportunity. Well, it belongs to the Iraqis. And my hope and prayer is that they will someday be able to enjoy it and share it with the rest of the world.

And the thing that's stunning is, it's not just in Sunni areas, it's not just in Shi'a areas and it's not just in Kurdish areas, it's throughout Iraq. This is a nation that doesn't believe in shari'a law. It's a nation that is very secular. It's a nation where Sunni and Shi'as have, in particular, gotten along with each other. It's a nation that has so much oil as a resource, and gas, but almost as importantly, it has so much water. When I fly over it, you see these magnificent rivers, not just the Tigris and Euphrates, but the others that join it, but all the canals and the irrigation that exists. This is a country that will be able to export and feed parts of the world.

This is a country that will educate both its men and women. This is a country that has significant resources. This is a country we hope to be friends with for a long, long time. And this is a country that deserves some patience from Americans. We need to understand that they didn't have the head start we had in the United States. And even then, think about it, we knew democracy before we became these United States. We had democracy in our colonies.

We had the Declaration of Independence in 1776. And it took us 13 years to have the Constitution of the United States, 13 years. And even then, as perfect as we would like to think our Constitution is, but in our Constitution as Condoleezza Rice points out, she was three-fifths a person, and a slave. So, we certainly didn't get it all right.

I'll conclude by saying, we've seen the most progress on the part of the military. We've seen not the kind of progress we want to see from the politicians. But even then, we need to give them credit. They have voted out retirement for ba'athists, Saddamists. That was hugely important. While they don't have an oil law that formally distributes the oil to the different regions of Iraq, they are doing it in spite of that without the formal agreement.

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They have a de-Baathification law that's coming into place so that they're hiring people that, in the past were told they couldn't be part of this new Iraqi government.

And they're going to have provincial elections. The significance of that is the local elections were the first of the three elections, and Sunnis didn't participate, so we have some Shiias who run Sunni areas. This means that these leaders are willing, and know that they have to give up power to the predominant group within their regime of Iraq.

No one knows how history is going to judge our involvement in Iraq. But the one thing I do know is that we finally have the kind of leadership in Iraq that I've been hungry for, some real honest talk from Mr. Petraeus. He'll tell you what's going right and what's going wrong. We've had, I think, good military leaders, but I think he's learned a lot, and I think he's clearly the best.

We needed to make a change with Secretary of Defense, and since then I've seen significant progress. It took Abraham Lincoln 9 generals before he got the generals that finally started to win some battles, Sherman and Grant.

We're starting to see a difference in Iraq because of this leadership. We're even starting to see Mr. Maliki show some guts by confronting his own political base, Shiias, in Basra.

They haven't been given the opportunity that we had of having 13 years before a true government was established under our Constitution. They've had five.

We have American time. We want them to act more quickly. But, at the same time, in terms of Middle East culture, they're moving a lot faster than some people give them credit.

Madam Speaker, I really appreciate your willingness to allow me this opportunity, and I want to just repeat that everyone in this chamber loves our troops. I'm addicted when I go back to Iraq, to meet with the men and women who serve, those who are content we're there, those who would go back and again and again, and some who wish they weren't there. But every one of our troops are real patriots. I can't tell you what an honor it is to interact with them. And with that, Madam Speaker, I yield back the balance of my time.

## OMISSION FROM THE CONGRESSIONAL RECORD OF FRIDAY, MARCH 14, 2008, AT PAGE 1769

## SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 71. Concurrent resolution authorizing the use of the rotunda of the Capitol for the presentation of the Congressional Gold Medal to Michael Ellis DeBakey, M.D., the Committee on House Administration.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. HARE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, April 8.

Mr. MORAN of Kansas, for 5 minutes, April 2.

Mr. JONES of North Carolina, for 5 minutes, April 8.

Mrs. BIGGERT, for 5 minutes, today.

Mr. TANCREDO, for 5 minutes, today.

Mr. WELLER of Illinois, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. GOODE, for 5 minutes, today.

Ms. CLARKE, for 5 minutes, today.

## ADJOURNMENT

Mr. SHAYS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 2, 2008, 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:

5761. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 02-08, which informs of our intent to sign Project Arrangement Number Five concerning Apache Attack Helicopter Modernized Target Acquisition and Designation Sight and Pilot Night Vision Sensor Infrared Weather Performance Analysis, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

5762. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 01-08, informing of an intent to sign the Project Agreement between the Department of Defense of the United States and the Ministry of Defence of the Republic of Singapore Concerning Development of Fuel Cell Power Systems, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

5763. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses, as required by Section 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6), as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, and pursuant to Executive Order 13313 of July 31, 2003, pursuant to 22 U.S.C. 6032; to the Committee on Foreign Affairs.

5764. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that effective February 17, 2008, 25% Danger Pay Allowance for Chad has been established based on the unsettled security situation that could endanger lives of U.S. Government civilian employees, pursuant to 5 U.S.C. 5928; to the Committee on Foreign Affairs.

5765. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

5766. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

5767. A letter from the Acting 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. 08-44 concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services; to the Committee on Foreign Affairs.

5768. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Department of the Army's proposed extension of a lease of defense articles to the Government of Denmark (Transmittal No. 09–07); to the Committee on Foreign Affairs.

5769. A letter from the Under Secretary for Policy, Department of Defense, transmitting the Department's FY 2009 Cooperative Threat Reduction Annual Report, pursuant to Public Law 106-398, section 1308; to the Committee on Foreign Affairs.

5770. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of Germany (Transmittal No. RSAT-02-08); to the Committee on Foreign Affairs.

5771. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of the United Kingdom (Transmittal No. DDTC 015-08); to the Committee on Foreign Affairs.

5772. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of the United Kingdom (Transmittal No. DDTC 022-08); to the Committee on Foreign Affairs.

5773. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to sections 36(c) and 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment and the export of defense articles and services to the Government of Russia (Transmittal No. DDTC 040-08); to the Committee on Foreign Affairs.

5774. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to the Government of Georgia (Transmittal No. DDTC 033-08); to the Committee on Foreign Affairs.

5775. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Republic of Korea (Transmittal No. DDTC 007-08); to the Committee on Foreign Affairs.

5776. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed manufacturing license agreement for the export of defense articles and services to the Government of Turkey (Transmittal No. DDTC 026-08); to the Committee on Foreign Affairs.

5777. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 006-08); to the Committee on Foreign Affairs.

5778. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of an application for a license for the export of defense articles and services to the Governments of the United Kingdom and France (Transmittal No. DDTC 032-08); to the Committee on Foreign Affairs.

5779. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Russia (Transmittal No. DDTC 028-08); to the Committee on Foreign Affairs.

5780. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed manufacturing license agreement for the export of defense articles and services to the Government of Canada (Transmittal No. DDTC 037-08); to the Committee on Foreign Affairs.

5781. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of an application for a license for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDTC 019-08); to the Committee on Foreign Affairs.

5782. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Mexico (Transmittal No. DDTC 008-08); to the Committee on Foreign Affairs.

5783. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Australia (Transmittal No. DDTC 115-07); to the Committee on Foreign Affairs.

5784. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Government of Mexico (Transmittal No. DDTC 017-08); to the Committee on Foreign Affairs.

5785. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Governments of Russia and Kazakstan (Transmittal No. DDTC 029-08); to the Committee on Foreign Affairs.

5786. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 3 of the Arms Export Control Act, as amended, detailing an unauthorized retransfer of U.S.-granted defense articles; to the Committee on Foreign Affairs.

5787. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Arms Traffic in Arms Regulations: North Atlantic Treaty Organization (NATO) — received March 18, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5788. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting extension of the waiver of Section 907 of the FREEDOM Support Act, Pub. L. 102-511, with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Affairs.

5789. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report providing information on steps taken by the U.S. Government to bring about an end to the Arab League boycott of Israel and to expand the process of normalization between Israel and the Arab League countries, as requested in Section 635 of the Department of State, Foreign Operations, and Related Programs Appropriations Act for Fiscal Year 2008 (Pub. L. 110-161); to the Committee on Foreign Affairs.

5790. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with section 1(a)(6) of Executive Order 13313, a report prepared by the Department of State on the progress toward a negotiated solution of the Cyprus question covering the period December 1, 2007 through January 31, 2008; to the Committee on Foreign Affairs.

5791. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2008-13, ''Waiver of Restrictions on Providing Funds to the Palestinian Authority,'' pursuant to Section 650(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008, Pub. L. 110-161; to the Committee on Foreign Affairs.

5792. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-323, ''Clean Cars Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5793. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-324, ''Accrued Sick and Safe Leave Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5794. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-325, ''College Savings Program Increased Tax Benefit Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5795. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-326, ''Omnibus Executive Service System, Police and Fire Systems, and Retirement Modifications for Chief of Police Cathy L. Lanier and Fire Chief Dennis L. Rubin Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5796. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-327, ''Producer Licensing Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5797. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-328, ''Special Election Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5798. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-329, ''Prohibition of Discrimination on the Basis of Gender Identity and Expression Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5799. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-330, ''Fire-Standard-Compliant Cigarettes Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5800. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-331, ''Fire Hydrant Inspection, Repair, and Maintenance Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5801. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-332, ''Department of Transportation Establishment Temporary Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5802. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-333, ''Extension of Time to Dispose of the Old Congress Heights School Temporary Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5803. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-334, ''Inclusionary Zoning Implementation Temporary Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5804. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-335, ''Conversion Fee Clarification Temporary Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5805. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-336, ''Supplemental Appropriations Clarification Temporary Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

5806. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-337, ''Local Rent Supplemental Program Temporary Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

## 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. RAHALL: Committee on Natural Resources. H.R. 2016. A bill to establish the National Landscape Conservation System, and for other purposes; with an amendment (Rept. 110–561). Referred to the Committee of the Whole House on the State of the Union.

Mr. McGOVERN: Committee on rules. H. Res. 1065. A resolution providing for consideration of the bill (H.R. 5501) to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes (Rept. 110–562). 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. McCOTTER (for himself, Mr. ROHRABACHER, Mr. WALSH of New York, Mr. WAMP, Mr. BURGESS, Ms. BERKLEY, and Mr. DeFAZIO):

H.R. 5668. A bill to prohibit Federal government officials and employees from attending the opening ceremonies of the 2008 Summer Olympic Games held in communist China based upon communist China brutalizing protesters in Tibet, supporting and enabling Sudan's genocidal regime, forcing a one child policy upon Chinese families, persecuting Chinese citizens for freely exercising religion, repressing free and independent labor unions, engaging in wanton environmental degradation, and systematically denying the Chinese people their basic freedoms; to the Committee on Foreign Affairs.

By Mr. TOWNS (for himself and Mr. TERRY):

H.R. 5669. A bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States; to the Committee on Energy and Commerce.

By Mr. FOSSELLA (for himself and Mr. PASCRELL):

H.R. 5670. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases; to the Committee on Ways and Means.

By Mr. HERGER (for himself and Mr. BLUMENAUER):

H.R. 5671. A bill to amend the laws establishing the Whiskeytown-Shasta-Trinity National Recreation Area and the Columbia River Gorge National Scenic Area, units of the National Forest System derived from the public domain, to authorize the Secretary of Agriculture to retain and utilize special use permit fees collected by the Secretary in connection with the operation of marinas in the recreation area and the operation of the Multnomah Falls Lodge in the scenic area, and for other purposes; to the Committee on Natural Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 5672. A bill to establish the Commission on Women's Business Ownership; to the Committee on Financial Services, and in addition to the Committees on Oversight and Government Reform, and 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. McCARTHY of California (for himself, Mr. EHLERS, and Mr. DANIEL E. LUNGREN of California):

H.R. 5673. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to direct the Secretary of Defense to collect absentee ballots of absent overseas uniformed services voters for elections for Federal office and deliver the ballots to State election officials prior to the time established for the closing of the polls on the date of the election, and for other purposes; to the Committee on House Administration.

By Mr. MEEK of Florida (for himself, Mr. RYAN of Ohio, and Mr. ELLSWORTH):

H.R. 5674. A bill to amend title 18, United States Code, to require the Bureau of Prisons to provide secure storage areas in prison facilities for employees authorized to carry a firearm; to the Committee on the Judiciary.

By Mr. MEEK of Florida:

H.R. 5675. A bill to amend the Harmonized Tariff Schedule of the United States to revise the classification of certain cigars; to the Committee on Ways and Means.

By Mr. MILLER of Florida:

H.R. 5676. A bill to designate the historic Federal Building located at 100 North

Palafox Street in Pensacola, Florida, as the ''Winston E. Arnow Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. McCOTTER (for himself, Mr. LEVIN, Mr. FERGUSON, Mr. SHULER, Mr. KNOLLENBERG, Mrs. MILLER of Michigan, and Mr. BROWN of South Carolina):

H. Res. 1064. A resolution recognizing Gordon ''Gordie'' Howe on the occasion of his 80th birthday, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. EMANUEL:

H. Res. 1066. A resolution electing certain Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. COURTNEY (for himself, Mr. SKELTON, Mr. SHAYS, Ms. DELAURO, Mr. LARSON of Connecticut, Mr. MURPHY of Connecticut, Mr. LANGEVIN, Ms. BORDALLO, Mr. DOYLE, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. COHEN, Mr. BARTLETT of Maryland, Ms. HIRONO, Mr. HARE, Mr. OLVER, Mr. GONZALEZ, Mr. DONNELLY, Mr. HOLDEN, Mr. SESTAK, and Mr. SCOTT of Virginia):

H. Res. 1067. A resolution recognizing the 50th anniversary of the crossing of the North Pole by the USS Nautilus (SSN 571) and its significance in the history of both our Nation and the world; to the Committee on Armed Services.

By Mr. BRADY of Pennsylvania (for himself and Mr. EHLERS):

H. Res. 1068. A resolution permitting active duty members of the Armed Forces who are assigned to a Congressional liaison office of the Department of Defense at the House of Representatives to obtain membership in the exercise facility established for employees of the House of Representatives; to the Committee on House Administration.

By Mr. CROWLEY (for himself, Mr. KIRK, and Mr. MAHONEY of Florida):

H. Res. 1069. A resolution condemning the use of television programming by Hamas to indoctrinate hatred, violence, and anti-Semitism toward Israel in young Palestinian children; to the Committee on Foreign Affairs.

By Mr. PASCRELL (for himself, Mr. SOUDER, Mr. POMEROY, Mrs. MILLER of Michigan, and Mr. ENGEL):

H. Res. 1070. A resolution expressing strong support for Albania, Croatia, and Macedonia to be extended invitations for membership to the North Atlantic Treaty Organization at the April 2008 Bucharest Summit, and for other purposes; to the Committee on Foreign Affairs.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 89: Mr. McCOTTER.
H.R. 241: Mr. GERLACH.
H.R. 281: Mr. KILDEE and Mr. HINOJOSA.
H.R. 351: Ms. JACKSON-LEE of Texas and Mr. CONYERS.
H.R. 406: Mr. HODES and Mr. SCOTT of Georgia.
H.R. 471: Mr. YOUNG of Alaska and Mr. ROGERS of Kentucky.
H.R. 503: Mr. MEEKS of New York and Mr. MEEK of Florida.
H.R. 636: Mr. WESTMORELAND.
H.R. 741: Mr. BARROW.
H.R. 784: Mr. HOLT.
H.R. 901: Mr. GONZALEZ, Mrs. BOYDA of Kansas, Ms. HERSETH SANDLIN, and Ms. WASSERMAN SCHULTZ.
H.R. 1032: Mr. KLEIN of Florida.
H.R. 1188: Mr. HOLT.
H.R. 1264: Mr. MURTHA, Mr. PLATTS, Mr. DAVIS of Alabama, Mr. BONNER, and Mr. GRAVES.
H.R. 1295: Mr. HERGER, Mr. ROGERS of Michigan, and Mr. KING of Iowa.
H.R. 1399: Mr. MITCHELL.
H.R. 1436: Mr. McCAUL of Texas.
H.R. 1464: Ms. SUTTON.
H.R. 1565: Mr. SCOTT of Virginia.
H.R. 1621: Ms. SLAUGHTER.
H.R. 1646: Mr. HINOJOSA.
H.R. 1667: Ms. JACKSON-LEE of Texas.
H.R. 1687: Mrs. TAUSCHER.
H.R. 1742: Mr. McDERMOTT and Mrs. LOWEY.
H.R. 1921: Ms. CORRINE BROWN of Florida and Mr. WYNN.
H.R. 1927: Mr. MICA and Mr. KLEIN of Florida.
H.R. 2014: Mr. SAM JOHNSON of Texas.
H.R. 2045: Mr. BUTTERFIELD.
H.R. 2049: Mr. CROWLEY.
H.R. 2165: Mr. WHITFIELD of Kentucky and Ms. BORDALLO.
H.R. 2210: Mr. PASTOR.
H.R. 2329: Mr. LAMPSON and Mr. ELLISON.
H.R. 2417: Mr. FALEOMAVAEGA.
H.R. 2470: Mr. RYAN of Ohio.
H.R. 2516: Ms. SUTTON.
H.R. 2550: Ms. SCHWARTZ, Mr. RODRIGUEZ, Mr. SMITH of Texas, and Mr. LYNCH.
H.R. 2634: Mr. HODES.
H.R. 2702: Mr. TIM MURPHY of Pennsylvania and Mr. LINCOLN DAVIS of Tennessee.
H.R. 2762: Mr. LANGEVIN.
H.R. 2784: Mr. SKELTON.
H.R. 2864: Mr. ANDREWS.
H.R. 2922: Mr. ALLEN and Mr. GERLACH.
H.R. 2965: Ms. JACKSON-LEE of Texas and Mr. LEWIS of Georgia.
H.R. 3010: Mr. MARKEY.
H.R. 3089: Mr. McCAUL of Texas and Mr. SESSIONS.
H.R. 3098: Mr. LAHOOD and Mr. BLUNT.
H.R. 3132: Mr. PASTOR, Mr. BERMAN, Ms. GIFFORDS, Ms. HIRONO, Mrs. DAVIS of California, and Mr. COHEN.
H.R. 3191: Mr. BOSWELL and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 3229: Mr. CRAMER, Mr. DONNELLY, Ms. HARMAN, Mr. POMEROY, Mr. SPACE, Mr. TANNER, Mr. WILSON of Ohio, and Mr. TAYLOR.
H.R. 3282: Ms. ESHOO.
H.R. 3416: Mr. FARR.
H.R. 3434: Mr. BOREN.
H.R. 3439: Mr. PASTOR, Ms. McCOLLUM of Minnesota, Mr. FRANK of Massachusetts, and Mr. ROTHMAN.
H.R. 3457: Mr. COHEN.
H.R. 3622: Mr. BOOZMAN.
H.R. 3652: Mr. ARCURI and Ms. BALDWIN.
H.R. 3658: Mr. ENGEL.
H.R. 3700: Ms. VELÁZQUEZ.
H.R. 3769: Ms. SLAUGHTER and Mrs. MALONEY of New York.
H.R. 3799: Mr. MORAN of Virginia and Ms. SCHAKOWSKY.
H.R. 3822: Mr. ROSS.
H.R. 3865: Mr. DELAHUNT and Mr. JOHNSON of Georgia.
H.R. 3876: Mr. ABERCROMBIE.
H.R. 3881: Mr. MICHAUD.
H.R. 3934: Ms. WASSERMAN SCHULTZ.
H.R. 3990: Mr. WEINER and Mr. SESTAK.
H.R. 4002: Mr. BOREN.
H.R. 4044: Mr. DELAHUNT, Mr. COHEN, Mr. FILNER, and Mr. JOHNSON of Georgia.
H.R. 4054: Mr. DOYLE, Mr. BUTTERFIELD, Mr. HARE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SCOTT of Georgia.
H.R. 4102: Mr. PAYNE.
H.R. 4130: Mr. GOODE.
H.R. 4202: Ms. MOORE of Wisconsin.
H.R. 4236: Mr. RAHALL and Mr. HALL of New York.
H.R. 4318: Mr. KIND.
H.R. 4544: Mr. McCAUL of Texas.
H.R. 4959: Ms. HARMAN, Mr. WU, and Mr. COHEN.
H.R. 5028: Mr. WALZ of Minnesota, Mr. KLEIN of Florida, and Mr. LAMPSON.
H.R. 5032: Mr. HUNTER, Mr. BURTON of Indiana, Mrs. SCHMIDT, Mr. McCAUL of Texas, Mr. WILSON of South Carolina, Ms. FALLIN, Mr. SMITH of Texas, and Mr. HAYES.
H.R. 5038: Ms. LINDA T. SÁNCHEZ of California.
H.R. 5057: Mr. REICHERT.
H.R. 5060: Mr. SCHIFF.
H.R. 5109: Mr. KUHL of New York, Mr. BURGESS, and Mr. GARY G. MILLER of California.
H.R. 5134: Mr. MARSHALL and Mr. VISCLOSKY.
H.R. 5148: Mr. BOUCHER and Mr. DOOLITTLE.
H.R. 5173: Mr. ROSS and Mr. BRADY of Pennsylvania.
H.R. 5178: Mr. LEWIS of Georgia.
H.R. 5268: Ms. DEGETTE, Mr. HASTINGS of Florida, Mr. ARCURI, Ms. MATSUI, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. DAVIS of Alabama, and Mr. MARKEY.
H.R. 5315: Mr. HODES.
H.R. 5450: Mr. HILL, Mr. BURGESS, Mr. KUHL of New York, and Mr. McDERMOTT.
H.R. 5462: Mr. CULBERSON.
H.R. 5477: Mr. GALLEGLY and Ms. WOOLSEY.
H.R. 5481: Mr. WITTMAN of Virginia.
H.R. 5490: Mr. FLAKE.
H.R. 5493: Mr. EHLERS and Mrs. MYRICK.
H.R. 5506: Mr. PASCRELL.
H.R. 5541: Mr. YOUNG of Alaska, Mrs. NAPOLITANO, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. HINCHEY, Mr. SARBANES, Mr. SHULER, Mr. BAIRD, Mr. CHANDLER, and Mr. ALLEN.
H.R. 5561: Mr. KUHL of New York and Ms. GINNY BROWN-WAITE of Florida.
H.R. 5566: Mr. GALLEGLY.
H.R. 5580: Ms. WATSON, Ms. JACKSON-LEE of Texas, and Mr. MORAN of Virginia.
H.R. 5585: Mrs. CAPPS.
H.R. 5587: Mr. BOYD of Florida.
H.R. 5602: Mr. HILL and Mr. BOSWELL.
H.R. 5609: Ms. SUTTON.
H.R. 5611: Mr. CAPUANO, Mr. KIND, and Mr. HOLDEN.
H.R. 5613: Mr. PALLONE, Mr. ALLEN, Ms. SCHAKOWSKY, Mr. ENGEL, Mr. KING of New York, Mr. WAXMAN, Mr. TOWNS, Mr. BOUCHER, Mr. ROSS, Ms. ESHOO, Mr. GORDON, Mrs. MALONEY of New York, Mr. HARE, Ms. SUTTON, Mr. McDERMOTT, Mr. BOSWELL, Mr. MARKEY, Mr. GOODE, Mr. HOLT, Mr. HOEKSTRA, Ms. BERKLEY, Mr. McNULTY, Mr. BRALEY of Iowa, Mr. FARR, Mrs. CAPPS, Mr. GENE GREEN of Texas, Mr. REYES, Mr. RUPPERSBERGER, Mr. SARBANES, Mr. INSLEE, Ms. HARMAN, Mr. FERGUSON, Mr. CAPUANO, Mr. WELCH of Vermont, Mr. DOYLE, Mr. CUMMINGS, Ms. MATSUI, Mr. WU, Mr. STARK, Ms. DEGETTE, Mr. MARSHALL, Ms. SOLIS, Ms. CASTOR, Mr. RODRIGUEZ, Mr. JOHNSON of Georgia, Mr. VAN HOLLEN, and Mr. FRANK of Massachusetts.
H.R. 5627: Mr. McCOTTER and Mr. MILLER of Florida.
H.R. 5635: Mr. DAVIS of Alabama and Mr. MEEK of Florida.
H.J. Res. 9: Mr. COLE of Oklahoma.
H. Con. Res. 81: Ms. ZOE LOFGREN of California.
H. Con. Res. 235: Mr. MANZULLO, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. KLEIN of Florida, and Mr. ENGEL.
H. Res. 102: Mr. SPACE.
H. Res. 146: Mr. WEXLER and Ms. MOORE of Wisconsin.
H. Res. 163: Mr. CONYERS.
H. Res. 356: Mr. McNERNEY.
H. Res. 638: Mr. WILSON of South Carolina.
H. Res. 896: Mr. BARTLETT of Maryland.
H. Res. 925: Mr. MARIO DIAZ-BALART of Florida.
H. Res. 988: Mr. ISRAEL, Mr. SHULER, Mr. DOYLE, and Mr. TANNER.

H. Res. 992: Mr. WYNN and Mr. CRAMER.

H. Res. 997: Mr. DAVIS of Illinois, and Mr. WALSH of New York.

H. Res. 1008: Mr. FRANK of Massachusetts.

H. Res. 1011: Mr. HUNTER, Mrs. DAVIS of California, Mrs. TAUSCHER, Mr. SIRES, Ms. BORDALLO, Ms. WOOLSEY, and Mr. WEXLER.

H. Res. 1026: Mr. NEUGEBAUER.

H. Res. 1054: Ms. BERKLEY, Mrs. GILLIBRAND, Ms. SCHWARTZ, and Mrs. MALONEY of New York.

H. Res. 1056: Mr. CHANDLER.

H. Res. 1061: Ms. LEE, Mr. AL GREEN of Texas, and Mr. WATT.

H. Res. 1062: Mr. LARSEN of Washington.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, TUESDAY, APRIL 1, 2008 No. 50

# Senate

*(Legislative day of Thursday, March 13, 2008)*

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. WEBB).

The ACTING PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Elliot Foss, the national chaplain of the American Legion.

## PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

God, bless America. You have shined Your face on us before, and we need Your guidance and protection, now more than ever.

God, bless America. Bless our President, our leaders in Congress, and our State and local leaders, as they all seek to serve those who have entrusted them to their offices. May Your light shine in their hearts always.

God, bless America. And for these men and women here today, I ask You to give them wisdom, courage, and hope for the future. Give them Your grace and Your peace; that as they seek Your face, You would impart to them Your wisdom, Your courage, and Your hope, that they will do Your will at all times.

Please, God, bless America and our citizens who seek to live in peace and harmony with one another in this country of ''One nation under God.'' Encourage them to ''Do unto others'' that we all might be prosperous in all we do, by helping those in need and less fortunate.

May Your love surround our citizen soldiers, sailors, airmen, marines, Coast Guard personnel, and their families each and every day throughout this world, and please, God, bless America and bring our troops safely home when all is done. Amen.

## PLEDGE OF ALLEGIANCE

The ACTING PRESIDENT pro tempore 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.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if he chooses to make remarks, there will be a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each. The Senate will recess from 12:30 p.m. until 2:15 p.m. for our normal weekly caucus luncheons. Following the recess, the Senate will resume consideration of the motion to proceed to H.R. 3221, which is the housing bill. At approximately 2:30 p.m., the Senate will proceed to vote on the motion to invoke cloture on the motion to proceed to this legislation. The last 15 minutes is set aside for the two leaders, and if we choose to use that time, that is equally divided. The vote will occur, as I have indicated, at 2:30 this afternoon.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 12:30 p.m., with the time equally divided between the two leaders or their designees and with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Georgia.

## WELCOMING THE GUEST CHAPLAIN

Mr. CHAMBLISS. Mr. President, I rise this morning to recognize the Reverend Elliot Foss, who is our guest Chaplain this morning. Reverend Foss is quite a unique individual. He is currently the national chaplain of the American Legion. He was appointed by Commander Martin Conaster on August 30, 2007, to that position.

Reverend Foss is a retired U.S. Navy command master chief and hospital corpsman, having served in the Submarine Service. He served in the Navy during Vietnam and through the Persian Gulf war.

He attended Candler Seminary and School of Ministry at Emory University in Atlanta, GA. He served as a pastor in the States of Maine, Virginia, Connecticut, Florida, and Georgia.

He currently resides in Kingsland, GA, with his wife Arlene. He is an ordained Southern Baptist minister. He is a member of American Legion Post 317 in the coastal area of Georgia, where he serves as post commander. He also has served as the Eighth District vice commander and as Post 9 commander in Brunswick, GA. He has served as the American Legion Department of Georgia chaplain for the past 7 years.

I think in this difficult time our country is faced with right now, where we all are very cognizant of the fact that we have a number of men and women in harm's way as well as a number of veterans who have served our country so valiantly in the past, it is

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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very appropriate that we have the current chaplain of the American Legion in this great country of ours to stand before us and ask for blessings upon all Members of this body as well as the other leadership from a civilian standpoint as well as a military standpoint.

Reverend Foss is a terrific individual. I happened to be with him last week in Kings Bay, GA, which is the home of a submarine fleet. We had the USS *Georgia*, which is a converted nuclear submarine, return to Kings Bay, where it is going to be stationed now. We had a very great ceremony on Friday of last week at Kings Bay, and Reverend Foss was very much involved in the planning for that ceremony.

So I say to him, thanks for coming and for extending that great blessing to us, and congratulations on serving as the national chaplain of the American Legion.

With that, Mr. President, I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

## HOUSING CRISIS

Mr. BOND. Mr. President, as I think we all know, far too many families in America are seeing the American dream of owning their own home slip away.

Over the Easter break, I toured the State of Missouri. In every community around the State I met with people who are struggling under the threat of foreclosure, neighborhood groups concerned about the impact of foreclosure on their families and on their communities, mayors, city council leaders who are seeing their communities threatened seriously by this spate of subprime foreclosures, and most of all mothers and fathers with children who are facing the loss of their home.

I did not talk with speculators, investors, or the folks on Wall Street, but the people I talked to did have a number of thoughts—thoughts they believe would help them keep the promise of keeping their home. They did not want a Federal bailout. But they were looking for ways to make the system work for them.

Some of the suggestions they made were at the macro level and, among others, they said there ought to be regulation—probably Federal regulation—of those who originate mortgages. Now, many of the bricks-and-mortar lending institutions—banks, and savings and loans in the community—are regulated, but there are many mortgages, subprime mortgages, that were sold over the Internet and by fax. Whenever I go home, my fax machine is filled with 1 percent mortgage teaser rates.

They also want to see HUD be able to move more quickly in getting the FHA secured loans. That is a good idea—to go in and to help homeowners whose mortgages have reset and caused them to lose their homes—but it is too narrow. They think that ought to be reformed.

I believe that through FHA, we, as taxpayers, should not be put at risk by insuring loans where there is zero downpayment. Regrettably, zero downpayment too often means the homeowner can't afford that mortgage and they walk away. The often cited program, the Nehemiah Program, which provides charitable contributions to take care of the downpayment requirements, has an appalling 30 percent default rate. That is a raid on the Federal Treasury. We ought not to be doing that. Before people make a loan, they ought to have counseling and education to make sure their finances, their income will support the mortgage payments.

Also, when you buy a home, you might have to support the replacement of a furnace that blows or a leaky roof, things that renters don't have to pay. If they can't afford to buy a home, we want to see them in a good home that could be a rental home.

But the most important thing they said we could do now is provide counseling, to bring together those homeowners whose homes are in foreclosure or who are facing foreclosure, to sit down with the lenders and see if they can work out an agreement before they go to foreclosure. Everybody says: Well, what interest does a lender have in avoiding foreclosure? Well, foreclosures are expensive. They drive down the value of the property and potentially put at risk the value behind other mortgages they may own in the same community.

Last fall, Senator DODD and I agreed to include $180 million in the Housing and Urban Development Appropriations bill to begin counseling. The first $130 million has gone out. We are beginning to see the results of that. Those counseling dollars can help homeowners, if they will go to a counseling entity such as The United Way or local governments to get counseling, before they wind up on the courthouse steps.

In addition, there need to be dollars available to buy down mortgages where the mortgage rates have skyrocketed because of the subprime crisis. That is why, in the SAFE Act which I have introduced with my colleagues—the Security Against Foreclosure and Education Act—we make sure there is money available through the State Housing Finance agencies. I know well the Housing Finance Agency in Missouri—the Missouri Housing Development Corporation—and they have a great plan. If they can have more money, maybe $160 million to $180 million, possibly $200 million in Missouri, they could go in and buy out mortgages where the private mortgage holder has had to increase substantially the rate because of the overall market conditions. If these HFAs can sell paper, tax-exempt paper, they can bring back the mortgage rates to the level that was affordable initially.

It is very important for fixed-income homeowners to count on a certain mortgage payment. Some have seen it go up 50 percent, and too many of them are being forced to the choice of walking away because they can't meet it. We need to get HFAs to have the ability to go in and refinance those mortgages.

In addition, with Senator ISAKSON, we have included in the SAFE Act a measure to provide a tax credit for families willing to buy a home in foreclosure or going into foreclosure. In other words, it would be a $5,000 tax credit for each of 3 years for families who would move into one of these homes either in foreclosure or facing foreclosure. That not only gives a boost to first-time home buyers, but the most important thing it can do for communities is avoid the problem of having a community with 20 percent of the homes in foreclosure.

This isn't a problem for just the 20 percent of the families who are facing foreclosure; that is a potential disaster for the other 80 percent of the homeowners because what it does to the value of their homes and to the value of every house in that community is to drive the values down significantly, so they may find their home is worth less than the value of the mortgage.

Finally, we want loan transparency. As a former lawyer, I have had the dubious pleasure of going through home purchasing documents several times recently. They give you a stack of paper this high that has all been written by lawyers, God bless them, and it has every contingency spelled out. But most people who go through the purchase process spend 40 minutes signing the papers without knowing what is in them. What we want is a very simple disclosure on top, which is binding on the lender and on the borrower, that says what the rate will be, if it is adjustable, how high it can adjust, when it can adjust, if there is a prepayment penalty, and what are the other terms that might cause significant economic distress to the home buyer. They need to know that in advance. Also, there ought to be counseling to help those prospective home buyers measure their financial ability, their ability, through their income, to buy a home and to make sure they can afford the mortgage they are seeking.

I hope this is the basis on which almost all of us in this body can agree. We have heard a lot about what is going on at the macro level. There are important things happening with the Fannie Mae and the Freddie Mac, such as getting $200 billion more that they can loan, and the Federal Reserve moving in. All these things are important on a large national scale.

This is not only, however, a national and international problem; most of all, it is a community problem. The proposals we have set forth in the SAFE Act are designed to help build up from the community level the solutions we need for home buyers and homeowners, particularly those threatened with foreclosure. We are only going to solve

this problem if we work community by community. The SAFE Act is designed to help homeowners, counselors, and local government officials deal with the problem in their communities and build, community by community nationwide, the solutions to the problem that affects not just homeowners but affects our entire country.

I invite our colleagues to look at this legislation. I hope we can discuss it, as our leader has said, and come to agreement on some things we can pass, and pass right now, because too many homeowners are facing a crisis and need help.

I thank the Chair and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I thank the Senator from Missouri for his words. I was reminiscing, as I was listening to him, about my work as the HUD Secretary, and many times getting good counsel and advice from my main appropriator, a man who knows a great deal about this whole problem and about this issue, and I thank him for his comments. I think he is exactly right when discussing how the problem we are seeing today is hurting families.

When I had the good fortune to be at HUD, it was in the good times. We were talking about ever-increasing rates of home ownership, particularly among minority families; more and more people getting into home ownership. It was a good thing because as we were doing that, we were building communities. Streets were getting stronger and families were getting stronger and cities and communities were getting stronger. Now we are seeing the reverse of that. That is why it is so important to take the steps the Senator from Missouri suggested and to move forward aggressively on this problem.

Let me talk a little bit about what I saw in Florida during the last few days when I was there. I think in Florida it is a microcosm of the problem. The state of the market is one in which we see increasingly, at the level of the homeowner, that people are more and more distressed and more and more in trouble about holding onto the home they have. You drive around and see signs about a foreclosed home for sale. In addition to that, you know people are having a problem making ends meet.

The second situation related to that is the fact that many people are now staying away from the market. They are simply not buying homes. The reason for that is there is a sense of insecurity about where we are today in this very difficult moment. So as a result, we find that homes are not being purchased. This is having an impact on market prices, where home prices are in a decline and fewer and fewer buyers are in the marketplace. As a result of all these things, there have been significant economic impacts on the State of Florida. So what begins as a problem for a family—and a significant problem, a heartbreaking problem—becomes a compounding problem when it impacts the entire economy of a State such as Florida.

The State of Florida is greatly dependent on homebuilding for its economy, and that is a fact. When speaking these past few days to people in the industry, I am hearing from homebuilders who are saying: I have had to lay people off. I had to lay off substantial numbers of the workforce. Large homebuilders have laid off hundreds and hundreds of people. The impact on the economy is significant.

So the Florida situation is somewhat revealing of what is happening across the country, which is why I come back here more determined than ever that we have to act; that this is a time for the Congress to take strong and significant action to try to have an impact on what is a deteriorating situation.

Everybody keeps talking about whether we have hit bottom or when the housing market is going to hit bottom. Well, I am not sure if we have hit bottom yet. I hope we have, and I hope we are beginning the situation of ascending back. But the bottom line is we have to act, and there are things we can do in certain areas where we must act.

I suggest we act in three areas. One is the area that impacts the homeowners themselves. That is what Senator BOND was talking about: About home counseling, about getting people help, about workouts. The fact is, it is in the best interests of a financial institution to work out a loan with a hurting homeowner rather than to turn that into foreclosure. Nobody wants to have a foreclosed home on their inventory; what they want is the homeowner continuing to make their payments.

We have to work on housing counseling. We also have to do FHA modernization. I see the Senator from Connecticut, my chairman. We have worked hard to get FHA done. We have to get that done. That is going to help families by making the FHA a more active player in this current marketplace. It is going to bring FHA into play by allowing them to do larger loans, by allowing them to be more flexible in the loans they do.

FHASecure is a good first step. We need more flexibility in FHASecure. We need to make sure families who have already gotten in trouble but who are not desperate yet—who have not gotten yet to foreclosure but who have gotten behind—are able to utilize FHASecure. Why do we do that? Because it will allow families to get into an FHA mortgage that will allow them to be in a mortgage they can carry and keep out of trouble.

We need to stabilize values. We need to make sure the decline in home values stops, because as that happens, the equity in homes continues to decline, and that is not good for the economy as a whole.

How can we help with these ideas? One I like a lot is Senator ISAKSON's idea to provide a tax credit to try to lower the inventory of unoccupied homes. If these homes are unoccupied, as has happened in Florida—many were built that are today not being bought. We need to get the market going again. We need to get people back into buying homes. We need to make sure they have an opportunity to do so. The encouragement of a tax credit I think will go a long way toward doing that.

A second related problem is liquidity. I have talked to homebuilders who are telling me they have some buyers who cannot find loans. Banks are not lending money. Money has tightened. So as money has tightened, we need to provide those things which will create more liquidity in the marketplace. Which is why I am fearful that cramming down mortgages is not a good idea; in fact, it will work against providing more liquidity.

I also wish to look at the long-term effects. There is a need for regulatory reform. I have talked about the regulation of the government-sponsored enterprises Fannie Mae and Freddie Mac home loan banks.

We need a stronger, more effective regulator. I have been preaching this since I was at HUD. This is an important concept. We have increased loan limits and lowered capital requirements to 20 percent. As we have done that, it is necessary that we look at a stronger regulator. The rules today are not up to par for what we need. These are trillion dollar companies of incredible importance that will play a significant role in getting us out of the market dilemma we are in. In order for them to be stronger and for them to have the kind of investor confidence they must have, I think a stronger regulator would be a great step forward.

I commend the Secretary of the Treasury for the proposal he made on a broader regulatory scheme for our financial world. I think some of these ideas that are also being discussed in Congress are important. We need to consider them and many need to be adopted. They may be on a second tier.

I am looking at more immediate things we can do to prop up the housing market and look forward in that regard. I want to touch on the importance of working in a bipartisan fashion. Chairman DODD and I have had conversations. It is important we work together and come together with something that will help the American people. The people of Florida desperately need help. This is a problem not only relating to the end consumer, the homeowner—the family who tasted that dream of home ownership and got into a loan and is now seeing the nightmare of losing it—but also to those people who have lost a job or are fearful of losing one.

The economy depends so much on housing. That is what we need to address. I hope we will come to some understanding of how to move forward in a bipartisan fashion and work toward a solution that will help the American

people get back to the strong, vibrant economy we have known in recent years, and also continue to grow that dream of homeownership for more and more American families.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Connecticut is recognized.

## HOUSING CRISIS

Mr. DODD. Mr. President, I say amen to my colleague from Florida. I didn't hear everything he said; I missed the opening few sentences, but I think I heard about 99 percent of his comments. We have had good conversations privately over the last number of days. What the Senator from Florida probably didn't tell you is that in a previous life he was the Secretary of Housing and Urban Development, the person responsible for a lot of the housing issues in the country. Prior to that, he was involved in the State of Florida in housing issues. He has had a wonderful record of caring deeply about homeownership for those who would not have had the opportunity to acquire homes. So there is a history in his private life, as well as public life, as well as understanding and caring about these issues.

The last point the Senator made is the one I will address as well. This is not a time for partisan politics. We need to get the job done and start working on this immediately. We should have been at this weeks ago, in my view. There is nothing I can do about that, but there is something we can do about this today. I hope that in the coming hours we will do just that. No other issue is as important as this one.

The Senator from Florida outlined in a broad way some of the very issues that need to be addressed. I agree with him and I thank him for his commitment to this and his willingness to see if we can pull together a package, and it may not solve every problem.

I was talking earlier to some folks, saying that the word missing is ''confidence''—the confidence of that family in Florida, the confidence of the investment banker, the confidence of the person involved in the equity markets globally—the word ''confidence.'' How do we restore that and give people a sense of confidence about where we are going.

While I want to be careful about drawing too tight comparisons there is a key period that history has written volumes about, from March of 1933 to June of 1933—the first 100 days of the Roosevelt administration—and there was nothing orderly about it. It was rather chaotic. During the Roosevelt administration, in the midst of a major economic crisis, on the very day of his inaugural, banks were closing their doors all across the country. We think of that line: ''There is nothing to fear but fear itself.'' That administration was trying everything they could to restore confidence. While a lot of their ideas didn't work, or were ill-conceived in some cases, there was a sense in the country that their Government was working on their problems, that the people in charge were trying to make a difference in their lives.

We are not in a great depression, we are in a recession. We could end up in a very similar set of circumstances if we don't begin to act. The American people want to know we are acting, that we understand what they are going through, and that their Government, the legislative and executive branch, is worried about them and doing their best to make a difference in their lives. That is what this is all about.

This morning I want to lay out, if I can, as chairman of the Banking Committee, what we are doing and trying to get done. I hope in this pivotal week we can make a difference in stepping forward. I thank Senator KIT BOND of Missouri. He and I have worked together on so many issues over the last number of years. We worked together on The Family and Medical Leave Act many years ago, and recently we coauthored the $180 million of counseling dollars to assist families who got themselves into a bad deal—whether it was their fault or the fault of a broker. We are trying to work that out so they can stay in their homes. That has made a huge difference. I thank Senator BOND for his understanding of this very early on, and for the importance of that significant step. He has pointed out—and I agree—this issue is no longer just a housing issue, a foreclosure issue. You only need to pick up this morning's business section to read this headline: ''Worst Quarter for Stocks Since '02.'' The first paragraph says:

> U.S. stocks ended the first quarter with the steepest loss in nearly six years as turmoil in the financial markets showed increasing signs of spilling over into the wider economy and debate turned from whether a recession was coming to how deep it would be.

That is a very accurate statement. This is spilling over. The contagion is no longer limited to housing and foreclosures. It is spilling over into every aspect of our economy, spilling over the shores of our country and having global implications. The time is now to come together and make a difference on this issue.

About a month ago, Majority Leader REID brought a bill to the floor, the Foreclosure Prevention Act. Unfortunately, progress on the bill was blocked and we were unable to even debate the bill, let alone vote on it. Since then, the challenges facing American homeowners have only grown worse. In the month of February alone, 223,651 more Americans entered foreclosure, according to RealtyTrac, a company that collects real estate-related data in the country. That amounts to 7,712 foreclosures on a daily basis—over 7,700 today, yesterday, and tomorrow. That is roughly 8,000 people who will be in the process of losing their homes in America—8,000 people every single day—unless we act to do something about it. We gathered to listen to people, who managed to get together over the weekend, on the Bear Stearns-JPMorgan deal, where $29 billion of taxpayer money will go to that deal with that issue. I would like to know there is as much concern about these ordinary people as there is about the shareholders in Bear Stearns. I feel badly that they lost a lot of money, but they are not losing their homes. These people—almost 8,000 every day—are.

So I am going to come to the floor every single day and recite the number on a daily basis of people losing their homes, until we do what I think we ought to do to step up to the plate and make a difference for them. If that foreclosure rate continues—and all indications are that it is actually increasing—almost 240,000 more Americans will have been foreclosed on during the month of March. UBS reports that foreclosures of this magnitude are on par with the severity of foreclosures during the Great Depression.

These foreclosure rates are not simply high in relative terms; they are at record levels, according to the Mortgage Bankers Association. The Mortgage Bankers data shows that more than 1 in every 50 homes with a mortgage in this country is in foreclosure. Foreclosure rates have been growing at record levels for some time, unfortunately.

Foreclosures are increasing because people are continuing to struggle to make their payments. The data tells us that 1 in every 13 homes with a mortgage has fallen behind on their mortgage. Every day that goes by without action means more families are losing their homes.

Compounding the problem, nationally, home prices continue to fall. Home prices are down over 10 percent nationwide over the past 12 months, and they continue to fall. This is the first time we have experienced such a deep and widespread decline—a national decline—in home prices since the Great Depression.

Merrill Lynch is predicting that home prices will fall by 15 percent this year and another 10 percent next year. It is quite possible that over the past month, since the Senate last debated this issue, an American who owns a $200,000 home has seen the value of that home fall by $5,000 in 1 month. I will repeat that. If you have a home worth $200,000, in the last month that home has lost $5,000 in value and may do that every month for the coming months. That is $5,000 of wealth that American families have lost while we in this body have been waiting to even discuss potential legislation to address these problems.

While we have waited, our country lost more jobs as well. We learned in the month of February that the American economy lost over 100,000 private

sector jobs. We have lost private sector jobs in each of the last 3 months. With job losses mounting at the same time mortgage payments are rising, families are falling further and further behind in their ability to pay the mortgage, to make car payments, and to buy groceries and educate their children. At the same time, the cost of these essentials is rising.

Inflation has risen by 4 percent over the past year, far outstripping growth and wages. American families have to do a lot more with a lot less. They have to find a way to pay the bills that keep rising, while the value of their home keeps falling. Their job prospects continue to decline. It is no wonder that consumer confidence continues to fall, reaching record lows that have not been seen, by some measures, since the early 1970s.

We are clearly in the midst of a recession. It hasn't been called that yet by the professionals, but that is what it is. The only question we have is how deep it is and how long it will run. The answer to that question lies, in part, in what we do in this body to confront the challenges we face.

The legislation before us, which our colleagues and the majority leader brought to the floor, will help address the problems we are facing in the housing and mortgage markets in a number of ways. Senator MARTINEZ outlined the parameters briefly. I will go over them once again. These are not revolutionary or new ideas. Many of them already enjoy very broad bipartisan support, at least based on articles written by the American Enterprise Institute, comments by the Chairman of the Federal Reserve, comments by the Secretary of the Treasury, and comments by colleagues here and in the other body as well. So we are not talking about some radical new proposals here, untested, without much thought going into them.

The question is whether we can sit down over the next few hours and package something together and speak with one voice to the American people, saying we hear you. For those 8,000 people, you deserve at least as much of our attention as Bear Stearns and JPMorgan get. If we cannot do that, then every day, those numbers go up—8,000 a day, every day, people losing homes and falling into foreclosure. That is what I hope we will be able to do. These ideas involve counseling services and I thank Senator BOND for his efforts. We joined together to provide resources that are working.

Last week, I spent the week back home in my State. This issue was the dominant issue. We have in one city alone in my State, Bridgeport, Connecticut, where according to the mayor, there are between 5,000 and 6,000 foreclosures—in one of the largest cities in my State. I had to read the most bizarre headlines on the same day in my State, saying that Connecticut ranks No. 1 in per capita earnings in the country, and No. 2 with 6,000 foreclosures in the city of Bridgeport. There is great affluence, on one hand, because some have done very well, and on the other hand, some people are struggling to keep their noses above water. I listened to people at an event in Bridgeport, with the mayor, talking about how counseling services have been helpful, where they can work out a financial arrangement with the lender so they can stay in their homes, pay a mortgage they can afford, and the lender is getting its money—not as much as they would have liked, but more than getting a foreclosed property. So counseling works. It can make a difference for people. That is one of the provisions we are talking about here. I thank Senator MARTINEZ for highlighting that important issue. I thank Senator BOND for his earlier efforts. We need to do more. That is part of the leader's package.

We are also dealing with bankruptcy reform, improving disclosures, increasing the availability of mortgage revenue bonds, and appropriating emergency funds for local communities struggling with foreclosed and abandoned properties.

I commend the majority leader for his leadership in putting this kind of a package together. But I know there are other ideas out there. In fact, some of these ideas need to be moderated or fixed in some way. But that only happens when we work together, when we sit down and try to iron out these differences and then step up with our proposals and allow others who want to offer some ideas to this to be heard as well. It takes time, it is laborious, but that is the job of this body, not to sit there and walk away and do nothing. That is not an option, and failure ought not be an option either. So we need to roll up our sleeves and go to work.

These provisions can make a real difference for homeowners and the communities in which they live and our national economy as well. They are meaningful proposals, but they are also, I might add, modest, particularly in relation to some of the administration's actions.

The administration just took the historic action to support the takeover of Bear Stearns by JPMorgan Chase. This action was a major commitment of taxpayers' money—almost $30 billion. The Senate Banking Committee will conduct a hearing later this week on this particular arrangement and other recent actions by the Treasury, the Federal Reserve, and other Federal agencies to address the recent turmoil in the financial markets.

Without prejudging the outcome of our oversight and investigation of this unprecedented commitment of taxpayers' money, one thing is clear: It is now time to turn our attention to Main Street. As bold as the action was to help Wall Street, we must be bold to help millions of Americans who live on Main Street. Inaction, as I said a moment ago, is not an option, and failure is not either. Every day that passes creates new risks for the financial future of our Nation. We cannot hope this problem is going to go away and solve itself. Our competitors in the global economy are the only ones who will benefit if we do nothing to stem the rising tide of foreclosures that is hurting communities, families, the credit markets, and the overall economy.

The question is not whether we should act, but how. The majority leader has laid out what I believe is a series of responsible policies that will help American families to keep their homes and help communities throughout our Nation deal with the foreclosure crisis. Let me briefly describe several of these critical elements of the package.

The legislation increases funding for foreclosure prevention counseling. I have already addressed this issue. Again, we appropriated $180 million before. There is $200 million in the proposal before us that can make a huge difference to these nonprofit organizations out there working with lenders and borrowers, bringing them together for these workouts.

In addition to effectively fighting foreclosures, we must limit the damaging impact that foreclosures inflict on our communities. That is why we need to help our local communities cope with the serious economic and social problems that vacant properties create. Every one of my colleagues understands this point. I don't need to go through a long description of what happens when we have vacant properties in our towns, communities, and neighborhoods. It is axiomatic what happens. Everyone understands. First, we understand the value of the neighbors' houses goes down immediately. As I mentioned earlier, we are watching a $5,000 decline on a house worth $200,000 in a month alone, merely because of what is happening to declining prices. Throw a foreclosed property into that mix, and obviously you get a further deterioration. Property values for each home located within one-eighth of a square mile of one foreclosed house fall significantly. An average city block, in most of our cities, is one-eighth of a square mile. That is a rough calculation. If you have one foreclosure in that one city block, even though every other home on the block is current on their mortgage obligations, the value of every home on that block declines immediately by 1 percent and crime rates go up in that neighborhood by 2 percent. That happens immediately. Property values decline on an average of $5,000 with one foreclosure in that neighborhood.

We have 44.5 million homes adjacent to subprime foreclosed properties—44 to 50 million adjacent properties next to foreclosed properties. Let me repeat the statistic again. Every day, almost 8,000 people in this country are going into foreclosure—more than 220,000 in the month of February and at least, if not more, that number in the month of

March. When that happens, other property owners suffer. So it is not just the family in the foreclosed property who is affected, it is that hard-working family who lives down the block who is also paying a price for this situation because we are not acting to try to come up with a way to get people to work out something that allows them to stay in their homes.

Localities are losing close to $4.5 billion in property taxes. Again, this is axiomatic. You end up with foreclosed properties, and you end up losing your tax base. Fire protection, police, social services, and schools all pay a price as well. There is a domino effect in this situation, and that is what Senator BOND was talking about earlier. This is no longer just a foreclosure problem. It is far deeper, far wider, and growing by the day. This is exactly what happens when we end up with foreclosures in a neighborhood, what can happen to other properties in that area.

That is why the issue of providing some additional assistance makes sense. I recommended $4 billion to go out to the community development block grants targeted specifically for restoring abandoned properties, making them more marketable, providing assistance to the communities. That is a lot of money, $4 billion. It is not $30 billion. That is what we are on the line for in the Bear Stearns-JPMorgan Chase deal. That deal was cut over the weekend. We never voted on it in this body; that is just a deal they cut. The Federal Reserve has the authority, apparently, to do that. I am not asking for $29 billion or $30 billion; I am asking for $4 billion to go back to our cities and communities to help mayors and towns in urban areas and rural areas where this is happening to provide help for them so they can put these properties in better shape so they can be sold.

The leader's bill also includes a Finance Committee provision that would allow State housing finance agencies to use proceeds from mortgage revenue bonds to help extend mortgage credit to people now trapped in predatory loans, as well as to new homeowners. It would also help expand affordable rental housing, helping people who need a place to go if they cannot hang on to their homes.

This provision, by the way, is one I heard over and over again, and you hear it in every State you go. They reached the max and they need relief, if that housing finance authority is going to be able to provide the kind of relief they need. This is an idea which has broad bipartisan support. I am told the Finance Committee—Senator BAUCUS and Senator GRASSLEY care about it. They believe it is the right step to take. Senator JOHN KERRY of Massachusetts has talked about this issue.

Mr. President, I ask for 5 additional minutes.

Mrs. BOXER. Mr. President, reserving the right to object, and, of course, I will not object, I just want to make sure that when Senator DODD finishes, I be recognized for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, others have made this recommendation as well. It has some value.

Senator DURBIN's banking provision is a controversial provision. Simply let me state what it is. Under an agreement reached in the 1970s, in order to get lending institutions to provide more credit to risky borrowers, there was an agreement struck that would not allow a workout to occur in bankruptcy when the primary residence is involved. You can have a workout where your secondary residence or farm is involved.

Senator DURBIN, I believe, rightly says: Why should that be the case? In bankruptcy, shouldn't the courts be able to work out something that allows people to stay in their homes or to afford a new mortgage? There is a lot of resistance to this issue, and there is an argument on the other side. I am not going to suggest there is not. My hope is we can work something out in this area. This cramdown, as it is called, this one provision has provoked a lot of objection to this bill, but I am committed to do everything I can to work it out, to allow a vote to occur and allow us to do something in this area.

Senator JACK REED of Rhode Island has a provision in the legislation that will improve disclosures to borrowers and make those disclosures available sooner in the mortgage shopping process. This provision will help borrowers avoid the kinds of abusive loans that are leading to so many foreclosures. I commend Senator REED for this proposal. Again, I think it is a pretty noncontroversial provision.

I understand there are other ideas as well. This is not comprehensive.

Again, Senator MARTINEZ mentioned one idea that JOHNNY ISAKSON has argued for, and I think it has value, to incentivize people to move into foreclosed properties by giving some kind of tax credit to lure people in. This is where the property has been foreclosed, the owner who occupied it is out, and we need to get the property owned and occupied. I think that idea has some value, and we should be able to debate and include that in a package as well.

I wish to mention a few other steps we might consider as well, in addition to the Isakson proposal.

We need to finish the job and enact legislation to modernize FHA. Senator SHELBY and I are working on this issue. BARNEY FRANK, a Congressman from Massachusetts, the chairman of the House Financial Services Committee, has been doing a great job, along with his committee members. I hope we can resolve the few remaining issues on modernization of FHA. We have 19 States that are high-cost States. We want to make sure FHA can do business in those States as well. I hope we can work out something to the satisfaction of all. That bill passed this body 93 to 1 late last year, and we have been working with the House to resolve our differences in that area.

I believe we need to enact comprehensive reform of the GSEs. Senator MARTINEZ mentioned this point, and I agree with it. A strong regulator is necessary, and we are going to get that job done to make sure Fannie Mae and Freddie Mac and Federal Home Loan Banks will be well regulated and can expand.

In addition, I believe we need to establish a new way to deal with the unprecedented wave of foreclosures. This is the legislation I have offered called the Hope for Homeowners Act of 2008. The legislation closely mirrors the approach recommended by the Chairman of the Federal Reserve, Ben Bernanke, and it has been approached by people across the ideological spectrum, including the American Enterprise Institute and the Center for American Progress. This legislation is not a bailout at all. It would provide no windfall to anyone. It says the lender takes a haircut, but you are going to keep people in their homes. The Presiding Officer liked the ''haircut'' analysis, I see. The borrower would end up paying a price by paying insurance on the property. They have to stay in the home to qualify for this provision. It is not going to be easy on them, but nonetheless we believe it allows for a bottom to be achieved, a floor. We think this will help some people facing foreclosures, but, as importantly, it provides a floor. And until we get to a floor of the foreclosure crisis, we are not going to find capital beginning to flow again. This idea of a voluntary program, only going to owner-occupied residences—not speculators and, frankly, not people who never should have gotten into a mortgage in the first place—it is targeted, designed to keep people in their homes and provide that floor we are looking for.

I hope something such as that can be included in this bill as well because we need to deal with the problem of credit. If we do not address the credit issue, we are not addressing the core of this problem. To only address the effects of the problem is not to address the underlying issue, and that is on seizing, if you will, the capital that needs to flow again. This idea, we believe, could do just that. So my hope is, in the coming days, we can enact something very much like that. It is an idea about which Congressman FRANK and I have talked.

I raised this idea several months ago, and I am delighted so many people across the spectrum have said this is a good idea. It was tried, actually, 40, 50 years ago in a different form than we are suggesting but, nonetheless, could make a difference.

There are a number of other ideas we could consider, but more importantly, as Senator MARTINEZ said, we need to get together on this issue. We cannot wait another day. There are almost 8,000 foreclosures a day—8,000 yesterday, 8,000 tomorrow, and every single

day may be worse if we do not act. That is what this chart points to. It requires our attention and our serious energy to make a difference.

I hope in the coming hours we can reach an agreement to go forward to allow us to debate these issues and offer some sound ideas that will offer the American people and others involved in this issue the word ''confidence,'' that their Congress, their Senate, their Government is not sitting idly by and hoping the problem miraculously will go away. We are working on their problem. We understand what they are going through. We care about it, and we want to make a difference for them. That is the challenge for us. I believe we can do this. This is not that heavy a job to get done—a simple amount of will in deciding it is deserving of our time and attention. If we do that, I am confident we can resolve these issues and set a very high standard for the action of this body in helping to step forward and make a difference in people's lives.

I yield the floor, and I thank my colleague from California.

The PRESIDING OFFICER. The Senator from the California.

Mrs. BOXER. Mr. President, I thank Senator DODD so much for his great leadership on this issue. The reason I very much wanted to speak this morning is because California is on the front lines of this crisis. We have about 25 percent of all the foreclosures in our State. I want to show Senator DODD where we rank in terms of the cities.

We make up 7 of the top 10 highest foreclosure filing rates nationwide. First is Stockton, Modesto, Merced—Merced is No. 4, actually. These are very much in the farmland countryside. Riverside-San Bernardino, which is east of Los Angeles and one of the fastest growing areas—and by the way, the place where all of the freight goes through to get to the rest of the country as it comes in from Los Angeles. Bakersfield is No. 7, Vallejo-Fairfield, 8, and Sacramento, right near our capital, 9.

We have 7 of the top 10 highest foreclosure filing rates nationwide. And the reason I stress it is because the things I am about to say are not theoretical. I have seen them happening. I held five roundtable discussions in various parts of my State, in many of these communities, and everything Senator DODD is saying about what occurs in a community is right on target because when you start with one foreclosure, and a house gets boarded up, and then someone else puts their house up for sale and it sits, suddenly you have a circumstance where crime is going up and properties are going down. It is a vicious cycle. Suddenly people owe more on their home than the home is worth, and it is a very dangerous circumstance.

The way I would describe it, Senator DODD, in thanking you so much, is this: This crisis keeps getting away from us because while this administration definitely cares about Wall Street—and, by the way, I used to work on Wall Street, and I think what they did makes sense—the question is, where are they when it comes to my communities, to your communities, to the communities all over the country that are struggling? Why don't they bring that same sense of purpose?

Today, we are going to see if our Republican friends have a change of heart because, of course, they stopped us the last time we tried to do this. But the commonsense things that are in your bill, and now I guess it is the leadership bill as well—and I thank you, Senator, I know you need to rush off—are just so sensible.

It provides $200 million in additional funding for housing counselors. And let me tell you anecdotally what I know from having spoken to counselors. When the counselors sit down with the mortgage lender and they sit down with the homeowner, miracles happen, and anecdotally I can tell you about 50 percent of the cases are resolved.

Now, times have changed. In the old days—and I would say that is when I bought my house, the old days—you had the banker down the street. If you wanted to refinance, you visited the banker down the street, and you told him the purpose of the refinance. Maybe you wanted to borrow on the equity of the home because you wanted to send a child to school. Maybe you wanted to add a new bedroom, expand the house, do some landscaping. It was very much a face-to-face situation. But because of the way the markets have changed, a lot of people don't even know who holds on to their mortgage. That mortgage may have been securitized, may have been put inside a big package of other things and may be sitting somewhere in a hedge fund. They do not know who actually holds their mortgage.

So you get a counselor who understands how to go about following this trail, and it makes a huge difference.

One would think, and I certainly would, that it is to everybody's benefit to save a home, not only for the lender and the homeowner but the community. So counselors are important.

We provide $4 billion in community development block grants for localities so they can get involved as part of the solution. We are in Washington, but the city council people, the mayors, the county supervisors, the Governors and the rest, they are on the ground where all this is happening. Give them some tools and give them some standards and let them have a chance to resolve some of this.

Allow bankruptcy judges to modify loans on principal residences. Right now—and I was struck to find this out, as most of my constituents are—if you declare bankruptcy and go to court, the judge can do a lot of refinancing to straighten you out, but he can't touch the principal home. If you have a second home, a third home, a yacht, a car, all that can be refinanced. But the judges have been blocked.

Now, I know there are some on the other side of the aisle who don't like this provision. Well, if you don't like it, please explain why because it doesn't make sense. They say it will raise interest rates. It is just not true the way this provision has been modified. But if you want to change it, then vote to proceed to this bill and then fix that provision. Don't stop us from going to this bill.

We provide an additional $10 billion in tax refunds for housing refinance agencies to refinance subprime loans. This is just another very good way to set up an agency that can help you out of your mess. If you want to stay in your home and you prove that you can stay in it, that you have the financial wherewithal, you can go to this to get these funds.

This increases transparency and accountability by simplifying disclosure on mortgage documents. We all know that is key. And we allow struggling companies to apply current losses to tax returns from prior profitable years.

This has hit home builders very hard, this downturn, and they need this help with Uncle Sam and the Tax Code.

So I want to say to my colleagues who may be listening—maybe there is one or two—that to stop us from going to this bill is very hurtful to the American people. It is very harmful to the American people. Experts are predicting that over 2 million Americans with subprime loans, including more than 460,000 Californians, will lose their homes. Let's grab this crisis finally by the tail and pull it toward us and resolve it. Don't let it get away further.

I can tell you, since we are in many ways at ground zero of this crisis, it is a very sad thing to watch what is happening. We have the ability to do a lot, and this is a modest bill. It is a good bill. It certainly doesn't spend as much as the bailout of Wall Street, which, again, I think was a good idea, but we certainly need to know more facts about it, and we certainly need to give the same attention and concern to the middle class of this great country.

From all the meetings I held around my State, I can tell you that people are looking to us, and they are not going to understand it when a colleague votes no to proceed to a bill because they didn't like one out of the six things in it. It just doesn't make any sense.

Let me give you from this chart one more look at the crisis in my State. This shows you nationwide that there have been 223,000-plus filings for foreclosure. That is 1 in every 557 homes nationwide. That is a 60-percent jump from 2007. In my State, which is a huge State, about 37 million, 38 million people now, we saw 53,000-plus filings, or 1 in every 242 homes, for an increase of 131 percent from 2007 to 2008. And then we break it down by counties here and we see the desperate situation that some of our counties and cities are going through.

We have already made some progress, and I want to thank my colleagues for

the stimulus package where we did a few things that helped our State. One of them, in particular, was raising the conforming loans by Fannie and Freddie. That was very helpful. We also have moved to work to get more counselors out there. But there is not enough counselors out there.

So there is no question it is time but for us to act. We have faced, I don't know what it is now, 60, 70 filibusters by my Republican friends, and they have every single right to do it, but they also know—I know they know this—they will take the blame for this if nothing gets done. So I say to my friends, I understand you don't like everything on our list. I totally get it. By the way, there are things that are missing from this list that I would like to add. But I am not going to vote no to go to solving this crisis because there is something on here that I feel is missing.

In conclusion—the words everybody waits for when a Senator speaks—it is our turn to step forward, and if we fail to do so, we are irrelevant to this country. If we cannot have the courage to cast a vote to go to solving the housing crisis, we are irrelevant to this country when every leading economist tells us that it is the housing crisis that is at the heart of this recession.

I thank the Chair for this chance to speak. We need this bill to help our families stay in their homes.

Mr. LEVIN. Mr. President, I am hopeful that we can proceed to a debate on this important Foreclosure Prevention Act without further delay. Homeowners across the country are suffering, and there are a number of things Congress could do to improve the worsening situation. We need to put aside partisan bickering and work together to keep families in their homes and keep this crisis from further weighing down our economy.

Since we last voted on whether to take up this measure in February, it has become even more obvious that the mortgage crisis is triggering a domino effect that threatens to weaken and undermine substantial portions of our financial system.

The situation is dire. In Michigan alone, nearly 80,000 homes are expected to be lost to foreclosure by 2009. My State has seen an increase in the number of foreclosure filings of 282 percent since 2005.

Michigan is not alone in this crisis, nor are homeowners facing foreclosure and declining housing values the only ones being affected. Over the past few weeks we have seen the near collapse of investment bank giant Bear Stearns and an unusually active Federal Reserve working overtime to ease widespread concerns over our financial markets. At the root of these concerns is the fact that there is a long chain of investors and lenders relying on American homebuyers to pay what, in many instances are, shaky home loans.

It is urgent that we move forward on this bill to provide immediate help. Since we last tried to take up this bill, I have continued my series of roundtable meetings in Michigan communities. I have met with leaders from local and State government as well as organizations who are in the trenches working with families facing foreclosure to discuss practical ways to help homeowners and protect our economy from further damage. When I have asked for their feedback on this bill, they think it would help address a number of the problems they highlighted.

Across Michigan, everyone recognizes that declining home values affect not just those who are being forced into foreclosure or to sell at a loss but everyone who owns a home and the neighborhoods in which those homes are located. Many communities would like to rehabilitate abandoned and foreclosed properties so that surrounding property values do not continue to fall. But currently there are not funds to meet the growing demand. This bill provides $4 billion in Federal block grants to areas with the highest foreclosure rates and filings to help rehabilitate abandoned or foreclosed properties and prevent further damage to local housing values and neighborhoods.

I am encouraged by the work of many counseling organizations, such as those I met with during my roundtable meetings in Michigan, that are trying to help families avert foreclosure. But across Michigan, foreclosure prevention counselors are overwhelmed, and a lack of funds is tying the hands of local groups trying to help keep families on track. This bill would provide $200 million for this much needed pre-foreclosure counseling.

Because each new foreclosure affects the value of properties around it, in Michigan and across the Nation, there are also many homeowners who are facing the financial pressures of owing more on their mortgages than the current dollar value of their houses, a situation known as being ''underwater.'' There is a critical need for more affordable loans to be made available to help these families refinance and stay in their current homes. Most homeowners do not want to uproot their children and leave their community behind, even if the balance of their mortgage is greater than the current market value of their home.

This bill would help address this problem by authorizing States to issue $10 billion in new tax-exempt bonds to help homeowners refinance adjustable rate mortgages. Providing refinancing options for homeowners in potentially solvent situations is an important component in the effort to reverse the current tide of foreclosures.

Ending the foreclosure crisis will require a team effort among Federal, State, and local governments, community and neighborhood organizations and lenders, brokers, and borrowers. This bill recognizes that fact. It provides an opportunity to help keep struggling families in their homes. It provides an opportunity to help restore our housing markets by keeping declining property values stable. It will protect neighborhoods from a glut of vacant homes. We need to take up this bill now, debate it, consider amendments, and then pass it. To not do so would be to sit idly by while too many needlessly suffer.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I understand I have 30 minutes, and I now ask unanimous consent that it be formalized.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JUDICIAL CONFIRMATIONS

Mr. SPECTER. Mr. President, I have sought recognition today to speak about three subjects: One, judicial confirmations; secondly, the budget resolution; and thirdly, the housing situation.

First, as to the confirmation of judges, through staff, I have notified the distinguished chairman of the Judiciary Committee that I intended to address this subject, and the theme of my comments is that we ought to be moving ahead on judicial confirmations.

We have a situation where there has not been one confirmation of a Federal judge this year. Since September 25th of last year, there has only been one hearing for a circuit judge, and that was on February 21, in the midst of a recess. There have only been two hearings that included district court judges, the one on February 12 and one other. Six nominees have been heard; four are on the agenda for this week's executive business meeting.

The comparison between what has happened with President Bush and President Clinton shows a decisive imbalance which requires prompt action by the Senate on the confirmation of President Bush's judges. During the last 2 years of President Clinton's administration, 15 circuit judges were confirmed compared to six for the last 2 years, so far, of the Bush Administration. During the last 2 years of President Clinton's administration, 57 district judges were confirmed compared to only 34 during the Bush Administration.

On the 8-year cycle for President Clinton, 65 circuit judges were confirmed and 305 district judges. And so far, during President Bush's two terms, 57 circuit judges have been confirmed and 237 district judges have been confirmed.

Now, the statistics can be argued in many ways, but I think it is hard to overcome the basic conclusion that it is unacceptable to have no confirmations of a Federal judge in the entire year, so far, in 2008. Three months have expired. It is unsatisfactory to have only one hearing for a circuit judge in the past 6 months, and last year only four circuit judges were given hearings.

Now, regrettably, this pattern has evolved over the past two decades. During the last 2 years of President Reagan's administration, the Senate was controlled by the opposite party and there was a stall. Then, during the last 2 years of President George H.W. Bush, the first President Bush, again during the last 2 years of his administration, judges were stalled. Republicans retaliated with gusto during the last 6 years of President Clinton's administration and exacerbated the warfare on judges following what the Democrats had done.

And, as we have seen in 2005, this Chamber was virtually cast asunder by the battle on the Democratic filibusters and the threat of a nuclear option or constitutional option to change the filibuster rules. It was open warfare in this Chamber, until it was finally worked out through the so-called Gang of 14. Now we have a desperate situation where judicial emergencies exist in many of these courts, and the Senate is not acting to confirm judges to fill those seats.

The Washington Post has editorialized on the subject to this effect. In December of 2007, the Post said:

> [T]he Senate should act in good faith to fill vacancies—not as a favor to the president but out of respect for the residents, businesses, defendants and victims of crime in the region the 4th Circuit covers. Two nominees—Mr. Conrad and Steve A. Matthews—should receive confirmation hearings as soon as possible.

The Post further editorialized about another Fourth Circuit nominee:

> [B]locking Mr. Rosenstein's confirmation hearing . . . would elevate ideology and ego above substance and merit, and it would unfairly penalize a man who people on both sides of this question agree is well qualified for a judgeship.

What we are dealing with is not just politics in the Senate. We are dealing with the rights of residents—as noted by the Washington Post, of businesses, of defendants and victims of crime—who are affected by the failure to move ahead and confirm judges. That, I suggest, is totally unacceptable.

I emphasize the blame rests on both parties, as this pattern has unfolded over the past two decades. Each time it has been exacerbated, it has intensified. I supported qualified judges during the administration of President Clinton because I thought it was inappropriate to tie them up. I thought the Democratic President was correct in seeking confirmation of his judges. Now I believe the Republican caucus is correct in saying it is inappropriate to block the confirmation of Federal judges, especially when no judge has been confirmed yet this year to the Federal courts and only one circuit court nomination hearing has been held in the past 6 months.

It is my hope that we will find a way to declare a truce. We have an election coming up in November. It may well be that there will be a change of parties—or not. It may well be that, unless a truce is declared, the opposite party will have sufficient votes through filibusters or otherwise to stop judicial nominations. It hurts the country. It hurts the people who are trying to get their cases decided. It hurts litigants.

The judicial process is fundamental in our society, and it is being thwarted by the tactics which have become business as usual in the Senate. I hope we will be able to resolve this matter. I hope we will be able to declare a truce. There is consideration being given to a variety of responses to this kind of conduct by the majority, and we all know any one Senator can tie up this body unilaterally because this place functions on unanimous consent and waivers of a lot of technical rules. That would be, perhaps, even more disastrous. But, we have to find a way out of this, I suggest, because it is totally unacceptable to continue as it is running today.

Mr. President, I now ask that the CONGRESSIONAL RECORD contain a separate caption for what I am about to say, under a resolution which I am about to submit to change the budget process.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SPECTER pertaining to the submission of S. Res. 493 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

## HOUSING CRISIS

Mr. SPECTER. We are scheduled to have a vote at 2:15 this afternoon on a motion to invoke cloture on the motion to proceed to legislation that has been filed at the desk by the majority leader. This legislation contains a number of proposals, the most important of which is under consideration by the Judiciary Committee at the present time. I have filed alternative legislation, captioned S. 2133, which offered relief to homeowners who have so-called variable rate mortgages and who are facing bankruptcy.

Home buyers who have variable rate mortgages are sometimes surprised to find their payments, after a period of time, jump from—illustratively—$1,200 a month to $1,900 a month, an enormous change that they had not expected because they have a variable rate mortgage.

I believe that in these situations, there is a good basis to give bankruptcy courts authority to inquire into the circumstances of such mortgages and to roll back or reduce the interest rates. The rate of foreclosure for these types of mortgages has more than doubled in the past year while foreclosure among homeowners with fixed-rate mortgages has increased only modestly. Frequently, the person taking out a mortgage doesn't understand there is a risk that there will be a large increase in the interest rates on variable rate mortgages. Sometimes there is deception on the part of the lender or mortgage broker. Sometimes it may even constitute fraud. I believe the best policy would be to allow the bankruptcy courts to consider these matters on an individual basis. The lender is still going to receive, ultimately, the full amount of the principle but not with interest rates that put the home buyer in a precarious position, or even foreclosure.

Senator DURBIN has introduced legislation captioned S. 2136 that goes much further by authorizing the bankruptcy court to reduce the principal amount of the mortgage. I am opposed to that approach because it will increase the risk associated with mortgage lending and discourage lenders from providing capital for home mortgages. The Bankruptcy Code currently does not allow for the modification of mortgages because Congress did not want to discourage lenders from giving mortgages to future homebuyers. There is an excellent statement by Justice Stevens in Nobelman v. American Savings Bank in which he gives that precise reason for the provision barring modification of mortgages. Congress must be cautious about making changes to the Bankruptcy Code that will leave consumers worse off in the long run. I believe Senator DURBIN's proposal would have that effect.

I believe we ought to be acting on the issues confronting us on housing, but I am concerned that given the current state of affairs, the procedures to be followed will preclude amendments, such as my interest in offering an amendment with the substance of my bill, S. 2133. The better practice would be to work through the Judiciary Committee, which is now considering the Durbin legislation, with my legislation offered in Committee as a second-degree amendment. We are scheduled to have a markup on that on Thursday. Regular order would suggest that is a better practice to have it come out of the Committee, where we are in the process of having a markup. We will later have a committee report, and it would be much more conducive to appropriate deliberation than having a measure filed under Rule XIV, where it is lodged at the desk, where there has not been analysis and a markup, and there has not been a committee report.

If it is possible to offer amendments, I would consider supporting the cloture motion. However, if the majority leader is going to fill the tree and not allow amendments, then I am opposed to that procedure and would oppose cloture. The practice of so-called filling the tree is highly undesirable. The essence of Senate procedures is to allow Senators to offer amendments.

In February of last year, more than a year ago, I introduced a resolution, S. Res. 83, to change the standing rules so the same person could not offer both a first-degree and a second-degree amendment. This change of the rules would preclude the majority leader, who has priority of recognition, from so-called filling the tree to prevent anyone else from offering amendments.

The Rules Committee has not acted on that resolution, but I think that is an important piece of business, that our rules ought to be changed so the majority leader could not be in a position to fill the tree and preclude other Senators from offering amendments.

I am open as to what is going to happen on the cloture vote this afternoon. But certainly, if there is not an opportunity for me to offer my amendment or for others on this side of the aisle to offer amendments, I will oppose it.

I believe I have some time left on my order. How much time do I have remaining? I have been asked to yield some time to my distinguished colleague from Utah. I believe this is Republican time at the moment. Parliamentary inquiry: Are we still on Republican time?

The PRESIDING OFFICER. The time is evenly divided until 12:30, a little less than 23 minutes.

Mr. SPECTER. I don't wish to step in front of the distinguished Senator from Colorado, his having waited on the Senate floor. But at any rate, I will not utilize the last 5 minutes of my time so it will be available to the Senator from Utah, either now or after the Senator from Colorado finishes his time because he has been waiting.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask unanimous consent that I follow the distinguished Senator from Colorado.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

## ORDER OF PROCEDURE

Mr. SALAZAR. Mr. President, I ask unanimous consent that after I speak for up to 15 minutes, Senator HATCH be recognized for up to 15 minutes, and then following Senator HATCH, Senator DURBIN for 15 minutes, and then Senator REED of Rhode Island for the remainder of the Democratic time; if there is a Republican to speak between Senator DURBIN and Senator REED, that Republican Senator be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I come to the floor once again to urge my colleagues to begin serious work that is needed to address the housing crisis. The news keeps getting worse. Home prices continue to decline steeply. Home sales are reaching record lows, and the resulting shock to our broader financial system keeps getting worse. In the 2 weeks since we adjourned, we saw the Federal Reserve act to bail out a major investment bank by facilitating the purchase of Bear Stearns by JPMorgan. This marked the first time in history the Fed had acted to rescue a financial institution of this kind. It did so because of the impact a Bear Stearns collapse would have had on the entire economy.

Last week, it was reported home prices in the 20 largest metropolitan statistical areas suffered their largest drop in history, over 10 percent in 1 year. In some cities, such as Miami, Las Vegas, and Phoenix, the drop is as high as 18 or 19 percent. Yet because of the Republican filibuster in this Chamber 2 weeks ago, the Senate has failed to act to deliver meaningful solutions to this crisis which is at the center of the economic storm pummeling the middle class.

When we look at the headlines, they keep coming: From USA Today, ''Battered Home Prices Keep Toppling;'' from the New York Times, ''Slump Moves from Wall Street to Main Street;'' from the Wall Street Journal, ''Housing, Bank Troubles Deepen;'' from the Washington Post, ''Mortgage Foreclosures Reach All-Time High.''

We voted on the Foreclosure Prevention Act several weeks ago. The bad news since then has, in fact, gotten worse. This is a scene all too familiar across the States. All across America families are feeling the pain of the housing crunch. Price-reduced homes are on sale because they have been foreclosed upon. It is not just families who are being foreclosed upon; it is their neighbors whose home values have declined steeply as a result of foreclosures in the neighborhood. Again, it was reported last week that home prices in the 20 major metropolitan areas declined over 10 percent between January of 2007 and January of 2008. Price reduced, price reduced, price reduced—that is not a sign any homeowner wants to see on their lawn or on their neighbor's lawn or on their street. These are not just families who found themselves in financial situations they could not afford to climb out of; these are families who bought houses between 2002 and 2006, stayed current on their payments, and hoped to see the value of their homes continue to appreciate. But through no fault of their own, these families have seen their homes, their single most valuable asset, decline precipitously in value.

The next chart demonstrates how widespread the problem has become in my own State of Colorado. These are figures from the Center for Responsible Lending which has projected that we can expect to see troubles ahead in terms of the continuing tide of foreclosures over the next several years and how these foreclosures will affect not only owners of the foreclosed homes but entire neighborhoods and, in fact, most homeowners across the State of Colorado.

The Center for Responsible Lending projects that in Colorado we will experience nearly 50,000 additional foreclosed homes in 2008 and 2009, as the adjustable rate mortgages reset and as home values continue to plummet.

As stated on this chart, which is a map of my wonderful State of Colorado, we see expected foreclosures are going to be right at about 50,000. The spillover impact for surrounding homes that will suffer decline during that same period is almost 750,000 homes. That is more than a third of the homes of the State of Colorado are going to see this declining spiral. We are going to see a decline in home values in the aggregate of $3.2 billion in my State in the loss of home ownership value.

The situation is clearly getting worse. Many middle-class families whose budgets are already stretched thin cannot afford such a steep decline in the value of their most important asset. Congress has a responsibility to act aggressively to help families stay in their homes and to stem the tide of foreclosures that continues to serve as a serious drag on our overall economy. That is why we are here again today, working to move on the Foreclosure Prevention Act of 2008, legislation introduced by Senator REID, in consultation with the chairs of the committees of jurisdiction. That legislation would take several steps to provide meaningful and immediate assistance to families and communities affected by foreclosures and to prevent other families and communities from finding themselves in the same situation in the future.

The legislation does three simple things. First, it seeks to help families facing foreclosure to stay in their homes by expanding State authority to issue tax-exempt mortgage revenue bonds, increasing funding for credit counseling, and allowing bankruptcy judges to restructure mortgages. Second, it provides critical help to communities across the country that have been affected by foreclosure by increasing funding under the Community Development Block Grant program. Third, it takes steps to help families and communities avoid foreclosures in the future by requiring simplicity and transparency on mortgage documents. I am especially glad these provisions are included in the legislation.

The two tax-related provisions reported out of the Finance Committee on a bipartisan basis as part of the bipartisan economic stimulus proposal represent important steps that provide low-interest loans to homeowners seeking to refinance their mortgages and to allow ailing businesses, including those in the home construction industry, to carry back their losses a longer period of time to average out their good and bad years.

I also support funding increases for credit counseling, which will go a long way toward helping families understand the financial burdens associated with taking out a long-term home loan and to avoid foreclosure. In my State of Colorado, we have already seen how beneficial these kinds of services can be. Last fall, a consortium of government, private sector, and nonprofit organizations launched the Colorado foreclosure hotline which connects borrowers with nonprofit housing counselors who can provide information on a borrower's options when facing foreclosure. Counselors can facilitate communications between lenders and borrowers. The hotline itself has already

received over 10,000 calls in the last 6 months.

This is a sign from the foreclosure hotline in Colorado. Since it was first formed, this consortium between the government, the private sector, and nonprofit organizations, more than 29,000 people in Colorado have called this hotline.

This legislation will go a long way toward helping us implement this kind of program all the way across the country. The American dream of home ownership is today a dream which is becoming nebulous for the people of our country because of the huge foreclosure crisis we have seen across the country which has caused such a decline in home values all across America.

I believe it is our responsibility in the Senate to move forward to provide relief to these middle-class families who are in danger of losing value in their homes and in danger of losing their homes. This is an economic stimulus program which I think is timely for us to act upon. I hope our colleagues will join us in voting aye on the motion to proceed to the housing legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

## THE CONFIRMATION PROCESS

Mr. HATCH. Mr. President, the American people sent us here to get things done. One of the most important things we do is consider and vote on the President's nominations to the Federal bench and the Department of Justice.

I can put it simply: We are failing to do our duty.

Let me first address the judicial confirmation process. The Constitution gives to the President the authority to nominate and appoint Federal judges. The Constitution gives to the Senate the role of advice and consent as a check on the President's appointment power.

The Senate gives the President advice about whether to appoint his judicial nominees by giving or withholding our consent. We are supposed to do so through up-or-down votes. That is what the Constitution assigns us to do and what the American people expect us to do.

That is what we are failing to do.

For the record, since I was first elected, I have voted against only 5 of the more than 1,500 nominees to lifetenured judicial positions the Senate has considered on the floor. Some of my Democratic friends, including those with far less seniority, have voted against more than three times as many nominees of the current President alone.

I have strongly opposed all filibusters against judicial nominees, both Democrats and Republicans. Some of my Democratic friends opposed filibusters of Democratic nominees but heartily supported filibusters of Republican nominees.

I have not taken a partisan approach to judicial confirmations. But I must say that today this body is failing to do its confirmation duty.

At both stages in the confirmation process—in the Judiciary Committee and on the Senate floor—Democrats are failing to meet not only historical standards but their own standards as well. Democrats have vowed not to treat President Bush's nominees the way Republicans treated President Clinton's nominees. Democrats are keeping that promise. Let me refer to this chart.

In the past 10 months, for example, the Judiciary Committee, under Democratic control, has held a hearing on only three appeals court nominees. During the same period under President Clinton, the Judiciary Committee held a hearing on 12 appeals court nominees—four times as many. And by the way, every one of those Clinton nominees was confirmed, 11 of them within an average of only 48 days after their hearing, and 9 of them without a single negative vote.

When I chaired the Judiciary Committee under President Clinton, we held no less than 10 hearings that included more than 1 appeals court nominee—10. While Democrats have controlled this body under President Bush, the Judiciary Committee has not held a single one—not one. Ten to zero. Democrats are certainly not treating Bush nominees the way Republicans treated Clinton nominees.

The Democrats are not only failing to meet historical standards in the Judiciary Committee, they are failing to meet even their own standards. When I chaired the committee, Democrats complained about every nomination hearing that did not include an appeals court nominee. With Democrats in charge under President Bush, the Judiciary Committee has held nearly a dozen nomination hearings without a single appeals court nominee.

There has already been one confirmation hearing this year without an appeals court nominee, and another one will take place on Thursday.

The picture is the same on the Senate floor, where Democrats are failing to meet either historical standards or their own standards.

President Bush is the fourth President in a row to face a Senate controlled by the other party during his last 2 years in office.

Under his three predecessors, the Senate confirmed an average of 75 district court nominees during their last 2 years in office. More than half of them were confirmed in the final year.

Fifteen months into the current 110th Congress, we have confirmed only 31—only 31—district court nominees for President Bush.

Similarly, under the previous three Presidents, the Senate confirmed an average of 17 appeals court nominees during the President's final 2 years in office. So far in the 110th Congress, we have confirmed only six appeals court nominees for President Bush.

Now, to meet the historical average, we will have to confirm 44 district court and 11 appeals court nominees in the next several months. If anyone believes that will happen, I have some oceanfront property in the Utah desert I would like to sell them.

Even if we did the completely unexpected, President Bush would still leave office with a much smaller impact on the Federal bench than his predecessor.

President Bush has so far appointed 295 life-tenured Federal judges, well behind President Clinton, who appointed 346 at this same point in his presidency.

Now, some around here spin a yarn about a supposed Republican blockade against President Clinton's judicial nominees. Some blockade. It allowed President Clinton nearly to set the all-time judicial appointment record.

On the Senate floor, Democrats are not only failing to meet historical standards, they are also failing to meet even their own standards. Eight years ago, when Democrats were in the minority during the last year of President Clinton's tenure, they were crystal clear about what the judicial confirmation standard should be.

One senior Democrat on the Judiciary Committee, for example, came to this floor often in 2000, insisting over and over that Democrats had set the proper standard back in 1992. This is what he said:

> I say let us compare 1992, in which there was a Democrat majority in the Senate and a Republican President. We confirmed 11 court of appeals court nominees . . . and 66 judges in all. In fact, we went out in October of that year. We were having hearings in September. We were having people confirmed in October.

Today, as in 1992, a President Bush is in the White House.

Today, as in 1992, Democrats control the Senate.

Today, Democrats do not have to badger the majority to meet their judicial confirmation standard. They are in the majority. All they have to do is meet their own standard, and thus far they have failed to do so.

After all, if the Judiciary Committee is not holding hearings on appeals court nominees now, if the Senate is not confirming nominees now, what makes anyone think we are going to be doing so in September or October as Democrats once said we should?

We will no doubt hear any number of rehearsed responses, retorts, and rejoinders. We will hear, for example, that the White House has not sent us a nominee for every existing judicial vacancy. True, but beside the point. Lacking nominees for vacancies X, Y, and Z is no excuse for failing to hold hearings and votes on nominees to vacancies A, B, and C.

We have already heard about the so-called Thurmond rule, supposedly justifying grinding the confirmation process to a halt in this Presidential election year. The Thurmond rule neither is a rule nor can it be attributed to the late Senator Strom Thurmond, a former Judiciary Committee chairman.

Here is what the Democrats said about the so-called Thurmond rule in 2000, when a Democrat was in the White House:

We cannot afford—

The Democrats said—

to follow the ''Thurmond Rule'' and stop acting on these nominees now in anticipation of the presidential election in November.

Well, today is only April, but it already looks as if Democrats are stopping action on judicial nominees in anticipation of the Presidential election.

Now, that same Democratic leader spoke on the Senate floor on October 3, 2000, a month before the election. He once again rejected the so-called Thurmond rule and used 1992 as the judicial confirmation standard, even in a Presidential election year. This is what he said:

Do you know how long the Democrat-controlled Senate was confirming judges for a Republican President [in 1992]? Up to and including the very last day of the session; not up to and including 6 months before the session ended.

That was then. I wonder how long this Democratic-controlled Senate will be confirming judges for this Republican President.

We will no doubt continue to hear the cute but misleading phrase ''pocket filibuster,'' a blurb created by the Democratic spin machine to somehow blame Republicans for unconfirmed Clinton judicial nominees.

Our constituents may not know it, but my Democratic colleagues certainly do, that every President has nominees who do get confirmed for a host of different reasons. But why let the facts get in the way of a good sound bite?

The unconfirmed Clinton nominations include many President Clinton himself withdrew or chose not to renominate. They include others who were nominated too late in a session to even be processed. They include others who did not have the support of their home State Senators.

The current Judiciary Committee chairman insists he is not responsible when nominees lacking support from their home State Senators do not get hearings. When he follows this policy, he blames it on Senate tradition and senatorial courtesy. When a Republican chairman follows this policy, he calls it a pocket filibuster.

When you sort out the real reasons that Clinton nominees were not confirmed, you find this Democratic sound bite has a margin of error of about 500 percent.

One of my Democratic friends was recently quoted as saying that facts are stubborn things. They are indeed.

None of this explains, let alone excuses, Democrats' refusal to holding hearings or votes on judicial nominees who do have their home State Senators' support.

The U.S. Court of Appeals for the Fourth Circuit, for example, is one-third empty—one of the most important circuit courts in the country. President Bush has sent us nominees to four of the five vacancies on that court. One of them, Robert Conrad, has the support of both home State Senators, our distinguished colleagues from North Carolina. He has been nominated to a position that has been open for 14 years. The Administrative Office of the U.S. Courts has designated it a judicial emergency position.

This body confirmed Robert Conrad to the U.S. district court a few years ago without even having a rollcall vote. Yet he has been waiting for more than 250 days without a hearing.

Steven Matthews, likewise, has the support of his home State Senators, our distinguished colleagues from South Carolina. He has been waiting for more than 200 days without a hearing.

The American people sent us to do our duty, and that includes giving a hearing and a vote on these nominees.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter, dated February 13, 2008, signed by more than 50 grassroots organizations, urging us to do our judicial confirmation duty.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 13, 2008.

Hon. PATRICK J. LEAHY,
Hon. ARLEN SPECTER,
Hon. JOSEPH R. BIDEN, Jr.,
Hon. SAM BROWNBACK,
Hon. BENJAMIN L. CARDIN,
Hon. TOM COBURN,
Hon. JOHN CORNYN,
Hon. RICHARD J. DURBIN,
Hon. RUSSELL D. FEINGOLD,
Hon. DIANNE FEINSTEIN,
Hon. LINDSEY GRAHAM,
Hon. CHARLES E. GRASSLEY,
Hon. ORRIN G. HATCH,
Hon. EDWARD M. KENNEDY,
Hon. HERB KOHL,
Hon. JON KYL,
Hon. CHARLES E. SCHUMER,
Hon. JEFF SESSIONS,
Hon. SHELDON WHITEHOUSE,
*U.S. Senate, U.S. Capitol,*
*Washington, DC.*

DEAR SENATORS: We write both to express our deep concern about the lack of progress in 2007 in reporting judicial nominees—particularly circuit court nominees—out of the Judiciary Committee, and to discuss reasonable expectations for progress on this issue in 2008.

The remarkably low approval ratings for the 110th Congress are a testament to Americans' concern that their representatives are more interested in partisan politics than in serving the people. The American people want you to do your job, and among the most important responsibilities of the Judiciary Committee are processing and voting on the President's judicial nominees.

The impact of the judges issue on Senate campaigns over the last six years demonstrates that the public is watching. Your constituents may not pay close attention to the details of the confirmation process, but they cannot help but notice the personal attacks on nominees, the emphasis on politics over progress, and the basic unfairness of denying qualified nominees a fair up-or-down vote by the committee and full Senate.

A year into the 110th Congress, the Judiciary Committee has held hearings for only four appeals court nominees and has voted on only six. As a result, the full Senate has fallen far short of the confirmation pace necessary to meet the historical average of 17 circuit court confirmations during a president's final two years in office—an average maintained during the Reagan, Bush I, and Clinton presidencies despite opposition control of the Senate.

Instead of seeing progress, the American people are watching judicial nominees stack up in the Judiciary Committee. Ten appeals court nominees—seven of them waiting to fill vacancies declared ''judicial emergencies''—and nearly twenty district court nominees languish in committee. Several nominees have been waiting more than a year and a half.

Given the long delays in the federal courts, the American people are unsympathetic to the claim that certain nominees cannot even get a hearing because of the Judiciary Committee's arcane ''blue slip'' policy. That policy exposes the Senate at its worst and is rightfully perceived as serving senators rather than the public. Consider the senators whose only reason for blocking two circuit court nominees is a decade-old personal grudge, or the senators who can do no better than argue that the nominee they are blocking is so good at his current job that he should be kept there. In the end, responsibility for the resulting delays lies with the Judiciary Committee, because the ''blue slip'' policy exists entirely at the committee's discretion.

Fortunately, the new year presents the Judiciary Committee with the opportunity for a fresh start. If you and your colleagues are willing to eschew partisan politics, focus on your constitutional duty, and treat nominees in a dignified manner, the Senate can meet or come close to the historical average of 17 circuit court confirmations.

Specifically, there are four pending circuit nominees—Robert Conrad, Steve Matthews, Catharina Haynes, and Gene Pratter—who have the support of home state senators, which Chairman Leahy has said is key to approval by the Judiciary Committee. Including D.C. Circuit nominee Peter Keisler, that makes five appeals court nominees for whom there is no excuse for denying them a committee vote. And, given the outstanding qualifications of these five nominees, there is no reason why the committee should fail to report them to the full Senate for a fair up-or-down vote.

Assuming at least two new nominees to the Fourth and Ninth Circuits in the next several months, that leaves seven circuit nominees in addition to the aforementioned five. Even if the Judiciary Committee meets only a very minimal standard by reporting just four of those seven to the full Senate, the Senate will have an opportunity—contingent on Majority Leader Reid scheduling up-or-down votes—to confirm fifteen appeals court nominees in the 110th Congress. Fifteen confirmations would fall short of the historical average, but would match the number of circuit court confirmations in President Clinton's final two years. Anything less and the members of the Judiciary Committee will be remembered for presiding over historic levels of obstruction.

Lest the individual nominees get lost in a discussion of numbers, we want to draw your attention to the truly exceptional qualifications of D.C. Circuit nominee Peter Keisler,

who has inexplicably languished in committee without action since his hearing a year and a half ago. Keisler has been given the American Bar Association's highest rating—''unanimously well-qualified''—and has the enthusiastic support of leading legal scholars and practitioners from across the ideological spectrum, including Yale Law School Dean Anthony Kromnan, Professor Neal Katyal of Georgetown, Professor Akhil Amar of Yale, Carter Phillips of Sidley Austin, former D.C. Bar President George Jones, and several former law clerks of Supreme Court Justices Thurgood Marshall and William Brennan. In addition, both the Washington Post and Los Angeles Times have called for Keisler's confirmation.

This impressive array of supporters surprises no one familiar with Keisler's unmatched credentials. A graduate of Yale Law School, Keisler served as Associate Counsel to President Reagan and clerked for Supreme Court Justice Anthony Kennedy before joining Sidley Austin. At Sidley, he was quickly promoted to partner and argued cases at every level of the federal court system, including the Supreme Court. In 2002, he left Sidley to serve his country at the U.S. Department of Justice, where he was promoted to Assistant Attorney General for the Civil Division a year later. When Attorney General Alberto Gonzales resigned last year, Keisler postponed his plans to leave government service so that he could see the Department and the nation through a difficult transition period as Acting Attorney General.

The least the Judiciary Committee can do to thank Peter for his service to the nation is to report him to the full Senate for an up-or-down vote. There is no rational reason why, after a year and a half of waiting, this exceptional nominee should remain on hold. If his nomination is allowed to die in the Judiciary Committee, it will be a loss to both the federal bench and the reputation of the committee. His confirmation is our highest priority, and it should be yours as well.

President Bush fulfilled his constitutional duty by nominating the men and women who await action in the Judiciary Committee. We respectfully request that you fulfill your responsibility as well, by ensuring that each and every judicial nominee is given a hearing and a vote in committee. If you cannot support a particular nominee, vote him or her out of committee without a positive recommendation, or vote against confirmation on the Senate floor. The full Senate must be allowed to carry out its constitutional duty of advice and consent by providing each nominee with a timely up-or-down confirmation vote, and you should not stand in the way. We ask only that you do your job by putting statesmanship above politics and special interests. The American people expect no less.

We would be happy to speak with you in person about this critical matter.

Respectfully,

Curt Levey, Executive Director, Committee for Justice; James L. Martin, President, 60 Plus Association; Gary L. Bauer, President, American Values; Roger Clegg, President, Center for Equal Opportunity; Jeff Ballabon, President, Center for Jewish Values; Jim Backlin, Vice President for Legislative Affairs, Christian Coalition of America; Paul M. Weyrich, National Chairman, Coalitions for America.

Kay R. Daly, President, Coalition for a Fair Judiciary; Wendy Wright, President, Concerned Women for America; Kent Ostrander, Executive Director, Family Foundation (Kentucky); Tom McClusky, Vice President of Government Affairs, Family Research Council; Brian Burch, President, Fidelis; Tom Minnery, Senior Vice President of Government and Public Policy, Focus on the Family; Ron Shuping, Executive Vice President of Programming, Inspiration Networks.

James Bopp, Jr., General Counsel, James Madison Center for Free Speech; Gary Marx, Executive Director, Wendy E. Long, Counsel, Judicial Confirmation Network; Day Gardner, President, National Black Pro-Life Union; Chris Brown, Executive Vice President, National Federation of Republican Assemblies; Raymond J. LaJeunesse, Jr., Vice President and Legal Director, National Right to Work, Legal Defense Foundation; Linda Chavez, President, One Nation Indivisible; Dr. Randy Brinson, Chairman, Redeem the Vote.

Joyce E. Thomann, President, Republican Women of Anne Arundel County, MD; Dr. Rod D. Martin, Chairman, TheVanguard.Org; Rev. Louis P. Sheldon, Chairman, Traditional Values Coalition; Dr. Keith Wiebe, President, American Association of Christian Schools; Susan A. Carleson, Chairman and CEO, American Civil Rights Union; Donald E. Wildmon, Founder and Chairman, American Family Association; Micah Clark, Executive Director, American Family Association of Indiana.

Rev. John C. Holmes, Ed.D., Director, Government Affairs Association of Christian Schools International; Larry Cirignano, Founder, CatholicVOTE.org; Jeffrey Mazzella, President, Center for Individual Freedom; Samuel B. Casey, Executive Director and CEO, Christian Legal Society; Tom Shields, Chairman, Coalition for Marriage and Family; Professor Victor Williams, Columbus School of Law, Catholic University of America; Karen Testerman, Executive Director, Cornerstone Policy Research.

Ron Pearson, President, Council for America; Brad Miller, Director, Family Policy Council Dept., Focus on the Family Action; Bryan Fischer, Executive Director, Idaho Values Alliance; Curt Smith, President, Indiana Family Institute; J. C. Willke, M.D., President, International Right to Life Federation; Phillip Jauregui, President, Judicial Action Group; Anita Staver, President, Liberty Counsel.

Mr. Kelly Shackelford, Chief Counsel, Liberty Legal Institute; Mathew D. Staver, Dean and Professor of Law, Liberty University School of Law; Dr. Patricia McEwen, Director, Life Coalition International; Bradley Mattes, Executive Director, Life Issues Institute; Steven Ertelt, Editor and CEO, LifeNews.com; Gene Mills, Executive Director, Louisiana Family Forum; Leslee J. Unruh, President and Founder, National Abstinence Clearinghouse.

Steven W. Fitschen, President, National Legal Foundation; Len Deo, Founder and President, New Jersey Family Policy Council; Fr. Frank Pavone, M.E.V., National Director, Priests for Life; David Crowe, Director, Restore America; Dr. William Greene, President, RightMarch.com; Dane vonBreichenruchardt, President, U.S. Bill of Rights Foundation; Al Laws, Jr., CEO, WIN Family Services, Inc.

Mr. HATCH. Mr. President, let me briefly turn from the judicial to the executive branch and, in particular, to the Department of Justice.

My Democratic colleagues have helped drive from office several top Justice Department officials and yet are now slow-walking confirmation of their replacements.

On March 11, the Judiciary Committee held a hearing on the nomination of Grace Chung Becker to be Assistant Attorney General of Civil Rights.

Grace served as a counsel on my staff when I chaired the Judiciary Committee and has been a Deputy Assistant Attorney General in the Civil Rights Division for the past 2 years. She currently heads the division in an acting capacity.

My Judiciary Committee colleagues will remember Grace as a talented, brilliant, and dedicated lawyer, a person of the highest character and integrity—one of the most likable people who ever served on the committee, one who served both sides, I think, graciously and well.

She received her law degree magna cum laude from Georgetown, where she was associate editor of the Georgetown Law Journal. That was after receiving her B.A. magna cum laude from the University of Pennsylvania and her B.S., once again magna cum laude from the Wharton School of Finance.

I think I see a pattern here.

After clerking for judges on the U.S. District Court and the U.S. Court of Appeals in the District of Columbia, Grace spent a year in private practice before entering Government service. For the next decade, Grace served in such positions as Special Assistant U.S. Attorney, Assistant to General Counsel at the U.S. Sentencing Commission, Special Adviser to the Assistant Secretary of the Army, and Associate Deputy General Counsel of the Defense Department.

The PRESIDING OFFICER. The Senator's 15 minutes has expired.

Mr. HATCH. I ask unanimous consent for another 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. At the Justice Department, Grace has been supervising hundreds of lawyers in cases regarding civil rights, housing discrimination, religious land use, education, and fair lending practices.

Grace is a special person. She is the child of Korean immigrants whose parents and siblings are all entrepreneurs in New York and New Jersey. She and her husband Brian have been married for 14 years and have 2 wonderful children. Grace is living the American dream and making the most of the opportunities she has found in this great country. She is dedicated to making these opportunities available to others.

She has served the community on the board of the Korean American Coalition and on the Fairfax County School Board's Human Rights Advisory Committee.

She has finally had her hearing, but now I hear disturbing reports that she has been given literally hundreds of written questions, many about matters occurring long before her tenure or decisions and policies she had absolutely nothing to do with.

I urge my colleagues to do the right thing, to do our confirmation duty, not only for Grace but also for these qualified judicial nominees as well. I ask my colleagues to do what the American people sent us here to do, and that includes giving timely consideration and up-or-down votes to the President's nominees for the judiciary and the Department of Justice.

Mr. President, I thank my colleague for allowing me the extra 2 minutes, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, this Senate is an institution which was central to the decision to become a Nation. I have been watching this John Adams documentary on HBO—I recommend it to everybody—talking about the earliest days of America. This great Constitution which guides our Nation almost didn't happen but for a compromise which said that even the smallest States would at least have two Senators, the same as the largest States. On the Senate floor that tradition continued, allowing even minorities, small groups, and even individual Senators certain rights which are not afforded to those across the Rotunda in the House of Representatives.

One of these is a filibuster where Senators can take to the floor and can hold the floor, objecting to what is going on. It takes an extraordinary vote—a large vote, more than a majority in the Senate—to take the floor back from that single Senator or group of Senators and to proceed with business. These filibusters have stopped what are so-called ''cloture motions,'' closing down the debate and moving on with business. It takes 60 votes for a cloture vote. In other words, 60 Senators have to agree to stop a filibuster and move forward.

In the history of the Senate, the record number of filibusters for any 2-year period of time has been 62—62 filibusters in a 2-year period. Last year, the Republican minority broke that record, smashed that record by initiating 62 filibusters in 1 year. Sixty-two times the Republican minority stopped our efforts on the floor of the Senate to move forward to try to change things in America—62 times.

The Republican Party is known as the Grand Old Party—the GOP. It turns out that when it comes to Senate Republicans, GOP stands for Graveyard Of Progress. That is what they are trying to make the Senate.

On February 28 we brought up a measure here to deal with America's housing crisis. Is it a serious issue? Is it something the Senate should take the time away from our wonderful patriotic speeches and try to address? I think it is. More than 2 million Americans face foreclosure. In my home State of Illinois, we are facing record numbers of foreclosures. In States such as Nevada and California and all over the United States, foreclosures are at record numbers on mortgages of homes.

Is it an important issue for more than 2 million families? It is. Because when a home goes into a foreclosure and is sold at lower than fair market value, it affects the value of the homes in the neighborhood. So when they ask you: What is the value of your home, Senator DURBIN, in Springfield, IL, you say: Well, let's look and see some of the recent sales in his neighborhood—comparable values, as they call them. If, around the block, one of my neighbors has lost a home in foreclosure, that has a negative impact on the value of my home. So 2 million mortgage foreclosures have a ripple effect across the housing economy and diminish the value of 44 million homes, 22 homes for every home in foreclosure. One says: Well, 44 million homes in a nation of 300 million people, it is still not that big a deal, is it? It is. Forty-four million private residences reflect one-third of all of the private residences owned in America. Two million mortgage foreclosures and one out of three homeowners who dutifully make their mortgage payments every single month without a problem see the value of their home go down. In fact, we are seeing a rising number of people in America holding a mortgage on their home at a value that is higher than the actual value of their home. They are under water, as we say. They have a debt, a mortgage, which is greater than the value of their home.

This has an impact on our overall economy. Over 70 percent of the people in America today, when asked if they will buy a home, say no. You say: Is that because you can't find a mortgage for your home? They say: No, I can find a mortgage. I just don't think it is a good investment.

Think about that statement. For as long as I have been around, a home was always your best investment. I can remember when my wife and I stretched and squeezed and sacrificed to get our first home, how proud we were. We weren't sure we could make those monthly payments. It was a stretch to do it. But we knew it was the right thing for our kids, for our family, for our neighborhood, and for ourselves, because a home is going to go up in value. At least that was the theory until recently. Now homes are going down in value and people are not buying. Homes sit vacant, not only foreclosed homes but other homes where people are trying to sell them to move on to a different location or to a better place. You see the signs all over America: For Sale, For Sale. It is a reminder that the housing crisis which brought us into this recession is still very much an issue today.

On February 28, the Democratic majority said to our friends on the Republican side: Let us act as Senators. Let us deal with an issue that has relevance to today's economy and to families all over the Nation. We have a plan. We have a proposal, a housing stimulus package, with four or five key points in it which I will mention in a moment. We want to bring that bill to the floor and we want our friends on the Republican side—and even Democratic Senators if they wish—to offer amendments about housing so their best ideas can be considered.

What I have described sounds dangerously like the tradition of a deliberative body such as the Senate; we would actually take an important American issue, bring it to the floor, debate it, open it to amendment, do our best to come up with something that will pass, match what the folks do in the House of Representatives, and maybe end up with a law—a law that can strengthen our economy. That is the normal way we do business—or at least normal until this Republican minority came to power.

What happened on February 28? Well, we needed about nine Republicans to join the Democrats so we could move forward in the debate. Only one stepped up, so we didn't have enough votes. So the housing stimulus package died on February 28. The Republican minority refused to even debate it. They wouldn't even bring it up on the floor. Nothing was going to stop them from offering relevant amendments to this housing package. They didn't even want to have an opportunity to offer those amendments. They didn't want the debate.

I think I know why. They are doing their best to make sure that this Congress, under the Democrats, ends up in the same position as the previous Congress, under Republicans, of doing nothing about the issues that count for America.

But we are not giving up. We are coming back today. In about 20 minutes we will break for lunch and after that, we will come back for a vote on the floor and we will try to return to this housing stimulus package. We will give the Republicans a chance to join us. I say to my friends on the Republican side who may be watching this on C–SPAN in their offices or other places: Don't be afraid of a debate. Don't be afraid of amendments. Isn't that why we ran for office, to address the important issues facing America, to debate the merits of a good idea or a bad idea, and to take a vote to be on record. If we are going to run away from an issue as central to the economy as the housing crisis, we are becoming irrelevant. It is little wonder that the approval rating of Congress is as low as it is when the Republicans continue to filibuster, continue to stop us from even debating something as critical as the housing crisis facing America.

So what does the bill do? The basic bill we are talking about here does several things in an attempt to reduce foreclosures. One of the first is to make an investment in more counselors. It has to be a scary moment when you receive that letter after you have missed your mortgage payment that says you

are now in default. You are facing foreclosure. We can take your home away from you. Some people go through a period of denial. They won't look at the mail. They won't answer the phone. They hope it will all go away. But it won't. It gets worse. Others wisely say: I need to talk to somebody. How did I get into this mess? How can I get out of this mess? The people available to talk to them are counselors who sit down and say: OK, don't panic. Do you have an income? How are you doing otherwise? Do you have a lot of debt? Maybe we can call the bank. Maybe we can find a way to change the terms of your mortgage so you can stay there.

These counselors are valuable. In fact, they are invaluable to deal with this mortgage foreclosure crisis. So one of the first things we do is to put more funds into counseling so there are people available to help those facing mortgage foreclosures.

We expand refinancing opportunities so that if you can't make it on your old mortgage—let's say you have what is called an ARM, an adjustable rate mortgage, and let's say it has hit its reset point—1 year, 3 years, 5 years—and now you have a new interest rate and your monthly payment shot up so high you can't make it. So what are you going to do? Well, in this bill we set up some refinancing opportunities across the Nation so that people who have an income, who are responsible, who want to keep their homes, have a chance.

We also provide to communities funds through the Community Development Block Grant Program to purchase foreclosed properties. People ought to see what I have seen repeatedly on the west side of Chicago, over by the United Center where the Chicago Bulls play basketball. There is a great little area on the west side just getting a start that has been rebuilding neighborhoods that have been kind of beaten up for a long time with nice homes. Smack dab in the middle of these nice homes is this boarded-up home, with trash in what used to be a nice front yard. It looks awful. Right next door to it live two families who clearly care about their homes, and there sits that foreclosed home smack dab in the middle. It is up for auction. When it goes up for auction, it is not likely to even get fair market value, and it is going to hurt the value of all of the other homes in the neighborhood.

One of the things we try to do is offer communities some funds to step in on foreclosures before that house is abandoned and run down in value and hurts the whole community. We also expand a carryback period for businesses, particularly to help those in the housing industry who have had a rough go of it kind of weather the storm so they can survive.

JACK REED of Rhode Island, my colleague, passed the Truth In Lending disclosure requirement for real estate closings.

If you have ever sat through a real estate closing, you know there are a stack of papers like this, and they turn the pages and say: Keep signing. And in 20 minutes you walk out the door and say: What the heck did I just sign? Senator JACK REED wants to have a cover sheet that has the basics on it so everybody initials it and signs it so they know their interest rate, what the term of the loan is, how much they are borrowing, if the interest rate can change, what the monthly payment is, what it could be—the high and low points—and is there a penalty for prepayment—basic things, so they don't walk out in a mystery as to what they just signed.

Then there is a provision I have in there which the mortgage bankers hate like the devil hates holy water. Why do mortgage bankers hate this provision? First, let me introduce you to this group. The mortgage bankers were the industry that brought us this mess of subprime mortgages.

They were the ones who started peddling mortgages that made no sense, convincing people who were caught off guard, or deceived, saying: Oh, of course you can afford this home; these are interest-only payments. Don't worry about it. Just look at the monthly payment, don't worry about it. And, listen, when it is supposed to reset and the payment goes up, you come back to me and I will refinance it. You know these homes will keep going up in value forever.

A lot of unsuspecting people signed on to these mortgages. Some of them were elderly, and most of them were without advanced degrees in finance, and some were duped into this by come-on deception advertising. But the fact is, they signed on for the so-called subprime mortgages.

Well, those are the folks who are going through trouble now. There are about 2.2 million of them. About one-third of them will end up in Bankruptcy Court. They will go into chapter 11 where you walk in and say to the judge: I am making an income, I am not out of work, but I have all these debts. Under chapter 11, the bankruptcy judge can start restructuring your debts, try to find a way through the mess so that at the end of the day you can get it back together again. About one-third of the people facing foreclosure will be in that position.

Now, let's assume you walk into that bankruptcy court and you have a number of things you own. I will give you some examples; some are unusual. You own your home, you own a ranch, a vacation condo, and you own a yacht. I know most people don't own yachts, but let's use this example. Maybe it is just a big boat. What can that bankruptcy judge do when it comes to what you owe? Well, he can take your ranch and modify the terms of the mortgage. He can take your vacation condo in Florida and modify the terms of the mortgage. He can take your yacht, or big boat, and modify the terms of what you owe on your yacht.

What about your home? No way. The law says the bankruptcy court cannot modify the terms of your mortgage on your home. It is prohibited by law. What is that all about? This is a graphic illustration of a yacht—and I don't know any Senator who owns one. But here is a yacht and here is a home. The bankruptcy court can renegotiate the terms for the yacht but not for the home. My bill says you will have a chance to renegotiate the terms of your home, but there are strict limitations.

First, this doesn't apply to everybody. You have to have an existing mortgage, not anything that you could enter into at a future date. Second, it has to be a home, not a property you bought for speculation. Third, you have to qualify to go into bankruptcy court. Fourth, when they modify the mortgage, they cannot lower the principal below the fair market value of the home. Many foreclosure proceedings don't end up at fair market value. Fifth, the interest rate they can impose on the new mortgage cannot be anything less than the prime rate, plus a premium for risk. Sixth, if the home you have refinanced goes up in value in the next 5 years, the bank, the lender, gets the increase in value. You are protecting the lender on both ends—no lower than fair market value and any increase in value goes to the lender.

Now, the mortgage bankers, God bless them, say this is the end of Western civilization as we know it. If these people are able to stay in their home under these circumstances, interest rates will go up all across the country. The Georgetown Law Center said this:

> Taken as a whole, our analysis of the current historical data suggests that permitting bankruptcy modification of mortgages would have no or little impact on mortgage markets.

I have talked to these bankers. This doesn't make sense. Unregulated, unsupervised, without oversight, they dragged us into this mortgage crisis with millions of people and their homes on the line, and our economy is teetering on recession, the values of homes across America are in peril, and now they will not even allow us to help these families who will end up in bankruptcy court.

I would like to have a vote on that. I would like to ask my friends on the Republican side of the aisle to, at 2:15 or 2:30, have a vote on this issue. If you don't want to fight fires, don't be a firefighter. If you don't want to cast a vote on an important issue in America today, don't run for the Senate. If you want to be in the Senate and be part of this national debate, for goodness sakes, vote to proceed to this bill. Let's not litter this graveyard of filibusters with this important housing stimulus bill.

I urge my colleagues to vote for the motion to proceed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, let me first recognize the contribution of my colleague from Illinois with respect to the bankruptcy provision. He explained it extremely well. What it does is give homeowners a chance to get out from underneath a collapsing housing market in the United States. It has been well tailored and it is responsible and I think we should adopt it quickly in this package that is going forward.

The whole housing crisis is a reflection of a much deeper economic malaise that is gripping the country. We are seeing skyrocketing prices in terms of energy and foodstuffs. On the recess I visited two Italian bakeries in Rhode Island. They have been family-owned companies for over 100 years, and they have never seen the runup in prices of wheat they have seen over the last several weeks and months.

The final thing is that we are losing jobs now. In the last 2 months, we have lost many jobs. We lost 63,000 jobs last month. That is the largest monthly decline in jobs in 5 years. The national unemployment rate is 4.8. In Rhode Island it is 5.8 percent. We are seeing an economy sliding into recession. Key to this, in my view, to reconcile and try to stop the erosion of economic opportunity in this country is to stabilize the housing market. That is what the package of proposals that we will vote on this afternoon attempts to do.

We have a situation in this country where incomes have been flat for the last 8 years for most Americans—unless you were extraordinarily compensated at the highest levels. But if you are a working man or woman, low income, middle income, or even upper middle income, your income has been relatively flat. You have seen accelerated costs. The last thing people had in their tool kit, if you will, was the value of their homes. They could draw on that in emergencies and use it to help children go to college. They could use it if there was an unexpected expense.

Now, with declining housing values, American families are being squeezed dramatically—job losses, increasing prices, flat incomes, and now declining housing values. In fact, it has been estimated that today in the United States the value of homes fell below 50 percent of equity—the ratio of equity fell below 50 percent for the first time in a long time.

We are also looking at a situation where there is a record number of foreclosures. Just this morning, coming into work and listening to the radio, I heard in Montgomery County, MD, there is a huge acceleration of foreclosures in that suburb. It is also happening across the country. In the Providence Journal in Rhode Island, there used to be maybe two, three pages of foreclosures on a high number. Now there is a whole section devoted to foreclosures.

This is becoming a problem not just for individual households but for communities because the value of a foreclosed home brings down the value of the surrounding homes. It is a cascading effect. It ruins communities as well as impairs the credit and lives and the opportunities of individual families. We have to do much more to stem this decline, particularly with respect to housing values.

Yesterday, I noted that Secretary Paulson announced significant steps, he proclaimed, to begin to revise the regulation of financial institutions, and part of it is prompted by the subprime mortgage crisis, the securitization of these loans. There is nothing in his blueprint that dealt with the most important aspect of the problem, and that is home values. The administration has been very keen and quick to help Wall Street. The reality is we have to help Main Street, individual homeowners across this country. If we do I think that will provide a surge of confidence to the economy, which is the key factor in beginning a recovery from what looks like the beginning of a recession, and perhaps a long recession, unless we act promptly.

I have joined my colleagues to introduce this legislation, the Foreclosure Prevention Act of 2008, which builds on the economic stimulus package. It is a complement to it. I hope we can move today, despite previous opposition by my colleagues on the Republican side, to take up this legislation and begin the debate and modify it, if necessary, but move forward deliberately and quickly to address the issue of housing in the United States.

This legislation, if enacted, would help families keep their homes by providing counseling for foreclosures, by expanding refinancing opportunities, and by getting the services and the counselors together to attempt to allow people to stay in their homes. One aspect of this, as mentioned by my colleague from Illinois, is the Bankruptcy Code modification that would allow these residences to be subject to a bankruptcy judge's determination of a different workout plan for the home. It also helps communities withstand the impact of foreclosures, as there is a cascading effect. If one home is foreclosed, the value of other homes begins to decline automatically. This would provide community development block grants to cities to purchase some of these homes. We have to move quickly because one of the other aspects is when these homes in urban areas are empty for a matter of weeks, or even, in some cases days, they are stripped—the siding is ripped off, or the copper plumbing is taken out. Unless there is someone to go in there and keep it in use or to board it up and protect it, then these homes are going to be a loss not just temporarily but for a longer term.

This is going to help businesses by expanding the carry-back period from 2 to 5 years to utilize losses incurred in 2006 and 2007 and 2008. It is going to help, I hope, avoid foreclosure in the future. It will deal with the issue of clear disclosure of a maximum amount of a loan and maximum monthly payment legislation that I authored. This will give a bumper sticker or a big warning label on a mortgage to individual borrowers and tell them the maximum amount of money they have liability for. So the introductory teaser rate of $1,000 a month might be attractive, but if people realize that within a year or 2 years they will be paying two or three times that, it will give them the information they need to make a better judgment about signing up for that loan.

So this legislation is critical to families, and it is particularly critical, I think, to ensure that we begin to work our way out of the looming recession and an economy that is deeply troubled. I hope all my colleagues will vote to go forward with this measure and, I hope, pass this measure.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, The Senate, at 12:29 p.m., recessed and reassembled at 2:15 p.m. when called to order by the Presiding Officer (Mr. CARPER).

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT AND THE RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to H.R. 3221. The motion to reconsider is agreed to, and there will now be 15 minutes of debate equally divided prior to a vote on cloture on the motion to proceed to H.R. 3221, with the majority leader controlling the second half of that time.

The Republican leader.

Mr. MCCONNELL. Mr. President, the majority leader and I have had good conversations this morning, and a few moments ago, we reached an agreement on how to go forward on the housing bill. That agreement is as follows: that Senator DODD, the chairman

of the Banking Committee, and Senator SHELBY, the ranking member, would come together after we invoke cloture on the motion to proceed and come up with a bipartisan substitute to be offered as an amendment to the bill upon which we are about to invoke cloture to proceed. That would be the underlying bill that would enjoy the confidence and support of the two leaders of the Banking Committee.

Most of my conference is very comfortable with that proposal. We understand fully there will be amendments after that, but that will at least give us an opportunity to get off on a bipartisan footing, reminiscent of the good work we were able to do earlier this year not only on the foreign intelligence surveillance bill but also on the economic stimulus package where we were able to come together and, by significant bipartisan majorities, pass the legislation.

We all know we have problems with housing in this country. Most of us believe we need to enact legislation to try to improve this situation. Many of these proposals are supported by people on both sides of the aisle. So this would give us a chance to begin in a way that is comforting to both sides before we open the process to amendments.

The majority leader has also assured me he has no intention of filling up the tree or employing any of the other techniques the majority is certainly free to do but which have a way of locking down the process on the minority side.

This has been a very good discussion, leading up to a process by which I think we can go forward and hopefully get something important for the country—I see my good friend, the leader of the Banking Committee, on the floor—get something important for the country accomplished in the Senate this week.

I thank the majority leader for his approach to this issue. I think it is entirely appropriate and gives us a good opportunity to move forward.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the smoke is housing crisis foreclosures. The fire is the general economy because the housing crisis has caused the economy to be in a state of distress.

The chairman of the Banking Committee, Senator DODD, made such an outstanding presentation this morning where he talked about almost 8,000 homes every day—today, tomorrow, and the foreseeable future—will be foreclosed upon, not the beginning process of foreclosure, but the termination of foreclosure. Someone by the name of Jones, Smith—whatever their name might be—will lose their home, a family home.

What does that do to the neighborhood? Every time there is a home foreclosed upon, it immediately causes the rest of the neighborhood to be worth less money. What does it do to the government entity where that home is located? The government entity loses the ability to get tax money. No one benefits from foreclosures.

This is a step in the right direction. In Nevada, for example, 1 out of every 165 homes was in foreclosure in February. Can you imagine that, 1 out of every 165 homes. That is the highest rate in Nevada. We are fortunate we have a lot of construction that is not housing related that is going to pull us through this situation. It is important that we move forward on this legislation.

The underlying bill is a so-called Democratic bill. This bill, if we are able to accomplish something, will be a Senate bill. Democrats and Republicans can go home and take credit for doing something to help the problem.

Are we going to be able to resolve all the problems in housing? Of course not. But we can make a tremendous step forward, and that is what we intend to do.

I have worked with Senator SHELBY from the time we were in the House together. We shared office space. His office in the Longworth Building was next to mine. I have the highest regard for him. I spoke with him this morning. I believe he and the chairman of the committee, Senator DODD, are going to be able to come up with something that I hope I can support, but it is going to be bipartisan. They are going to agree on this and offer it as the first amendment when we get to this legislation. If something goes wrong, if someone is being mischievous about that legislation, Senator MCCONNELL and I will meet again.

The goal is to do something about housing. We are not going to solve the problems of Iraq on this bill. We are not going to solve the tax policy of this country on this bill. We are not going to solve global warming on this housing bill. But we need to do something the American people recognize is bipartisan as it relates to housing, and we are going to do everything we can.

I believe the time has come for us to start legislating and stop talking about the need to legislate.

Mr. President, a vote has been called for 2:30. If there is someone else who wishes to speak, they certainly have the opportunity for the next few minutes.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank the distinguished majority leader and the Republican leader, as well, for their efforts. I thank Senator SHELBY, who is not here. We will do our very best over the next number of hours to pull together a package that reflects——

Mr. REID. Will my friend yield?

Mr. DODD. Yes.

Mr. REID. One of the points I did not talk about with the distinguished leader is that I think it would be appropriate that we, after the vote is completed, go into a period for morning business until 12 o'clock noon tomorrow to see, if, in fact, we can get the two distinguished Senators to come up with a substitute. We need some deadline. That is as good as any, unless my friend has a better time tomorrow.

Mr. MCCONNELL. Mr. President, I say to the majority leader, that makes sense. I am convinced we are all operating on good faith and Senator SHELBY and Senator DODD will work hard to come up with a proposal they will come forward with.

Mr. REID. During this afternoon and in the morning, people can talk about housing or anything else they want. We will be in a period for morning business.

Mr. DODD. Mr. President, I thank the leaders. That will be our goal and job, to begin that process immediately. We will keep the leadership informed as it progresses. We all thank the two leaders immensely. I thank Senator REID for his efforts going back months ago. This is a problem that is growing by the hour. It demands our attention. This is the contagion effect we read about now spreading far beyond the housing issue, per se. It is now leaching into all aspects of our economy. It has even gone beyond our shores, obviously, to other nations that are deeply affected by what happens here economically. This is a moment when we have to come together as a body and come up with some responsible answers.

I will say in advance that none of us can say with any certainty that which we offer will solve the problem, but I think we bear an obligation to try, to do one thing that is more important than any specific idea we proposed, and that is help restore the confidence of the American people and those directly involved in the financial well-being of our Nation and that is to restore confidence, which is missing; we need to get that confidence back. The very fact our leaders have called upon us to pull together is going to be a confidence-building measure. It will be complemented by what we do, but it begins with the offer made by the distinguished majority leader, accepted by the Republican leader, that we sit down and try to work this situation out.

I can tell you in advance that the American people will react favorably to this effort, and hopefully we will offer a product that will complement that effort but beginning with the idea we will work on this problem together. That I commend the majority leader for. I thank the Republican leader as well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 340, H.R. 3221.

Harry Reid, John D. Rockefeller, IV, Russell D. Feingold, Max Baucus, Charles E. Schumer, Kent Conrad, Patty Murray, Amy Klobuchar, Jeff Bingaman, Richard Durbin, Mark L. Pryor, Carl Levin, Edward M. Kennedy, Patrick J. Leahy, Bernard Sanders, Debbie Stabenow, Byron L. Dorgan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3221, an act moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 1, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—94

| | | |
|---|---|---|
| Akaka | Craig | Landrieu |
| Alexander | Crapo | Leahy |
| Allard | DeMint | Levin |
| Barrasso | Dodd | Lieberman |
| Baucus | Dole | Lincoln |
| Bayh | Domenici | Lugar |
| Bennett | Dorgan | Martinez |
| Biden | Durbin | McCaskill |
| Bingaman | Ensign | McConnell |
| Bond | Enzi | Menendez |
| Boxer | Feingold | Mikulski |
| Brown | Feinstein | Murkowski |
| Brownback | Graham | Murray |
| Burr | Grassley | Nelson (FL) |
| Byrd | Gregg | Nelson (NE) |
| Cantwell | Hagel | Pryor |
| Cardin | Harkin | Reed |
| Carper | Hatch | Reid |
| Casey | Hutchison | Roberts |
| Chambliss | Inhofe | Rockefeller |
| Coburn | Isakson | Salazar |
| Cochran | Johnson | Sanders |
| Coleman | Kennedy | Schumer |
| Collins | Kerry | Sessions |
| Conrad | Klobuchar | Shelby |
| Corker | Kohl | Smith |
| Cornyn | Kyl | Snowe |
| Specter | Thune | Whitehouse |
| Stabenow | Vitter | Wicker |
| Stevens | Voinovich | Wyden |
| Sununu | Warner | |
| Tester | Webb | |

NAYS—1

Bunning

NOT VOTING—5

| | | |
|---|---|---|
| Clinton | Lautenberg | Obama |
| Inouye | McCain | |

The PRESIDING OFFICER. Upon reconsideration, on this vote the yeas are 94, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. CARPER. Mr. President, we have just concluded a 2-week recess. We have come back to the Capitol, rested and prepared to get to work on the Nation's business. At the top of the list for most people, at least based on what I heard in my State and likely what Senators have heard from coast to coast, is the desire for us to get to work on the economy. There are other concerns—the war in Iraq, the cost of health care, the list goes on—but at the top of the list is the economy, harking back to the Clinton campaign in 1992: ''It is the economy, stupid.'' It has been for a long time, and it certainly is again today.

During the time I spent in Delaware, I visited a lot of places, including a number of schools. One of the questions a group of young people asked me was, what did I like most about my job. There are a number of things I enjoy about serving in the Senate. I love helping people. We have the opportunity to do that through constituent services and other ways every day. That is a source of great satisfaction. I know it is to the Presiding Officer and others of our colleagues. Among the other things that bring me great joy is from time to time we are able to take folks who have different views on a particular issue and actually pull them together to work as one, to develop consensus around issues.

We need to develop a consensus on a path forward with respect to the housing situation, the meltdown we have seen, especially with subprime mortgages and the threat that meltdown poses to binding together, tightening up and bringing to a halt the flow of money through our economy, through the banking system.

I am encouraged by the vote we just had where 94 Senators voted to proceed to the housing bill. Our Democratic leadership has pulled back and said: We will not try to push forward with five or six actually very constructive elements in an earlier version of our proposal but provide time for Senator DODD and Senator SHELBY to work with others on the Banking Committee and other colleagues who are not on the committee to put together a broader consensus that builds on the package we voted not to proceed to 2 weeks ago. We can do those but more as well.

Let me express my hope that the elements of the package Senators DODD and SHELBY bring back to us include the ability for housing authorities to issue revenue bonds, the proceeds of which could be used to help folks refinance their mortgages, people in danger of losing their homes. I am not interested in rewarding bad behavior, in rewarding investors or bankers who made bad decisions or, frankly, individual borrowers who made decisions that were inappropriate or wrong, where they misrepresented their financial standing. I don't think we want to reward bad behavior. But there are a lot of people in danger. We have some 8,000 people who will have their homes foreclosed on today, tomorrow, the next day, and the next. That is a clear signal to me we need to do something.

We can do some things that will make a difference without breaking the Treasury. Let me mention a couple elements of what I hope will be in the housing package that we might bring back to the floor. One of those is FHA modernization. Some people recall 75 years ago the Federal Housing Administration was established.

People wonder where the 30-year fixed rate mortgage came from. It came from FHA. A lot of people own a home today because their loan was guaranteed by the FHA. My first home loan was guaranteed by the VA for the house I bought when I came back from Southeast Asia at the end of the Vietnam war. Not even 10 years ago, but 5, 10 years ago, almost 20 percent of the people in this country got a mortgage that was guaranteed by the FHA. As recently as last year, that number is down to 5 percent. The FHA oftentimes has helped to insure mortgages of people who have a questionable credit rating, people who were maybe a first-time home buyer for whom a lot of banks were reluctant to provide a mortgage without the guarantee that maybe an FHA or a VA would offer. But FHA-guaranteed mortgages dropped from almost 20 percent of all mortgages a half dozen or more years ago, down to about 5 percent today.

The drop between 20 percent or whatever it is down to 5 percent reflects the number of people who used to go to FHA for help, who today or in recent months and years have instead taken advantage of these adjustable rate mortgages that have low teaser introductory rates that reset after a couple years, that have a clause in them that makes it difficult, if not impossible, or at least very expensive, to refinance the mortgage. Those people are stuck.

There are a couple of million of them who have been stuck with adjustable rate mortgages, high teaser rates that are going up, and finding it difficult to get out of that situation. For those folks who have been in that situation, maybe people with somewhat marginal credit, people who are first-time home buyers, I don't want them to look for adjustable rate mortgages for salvation. I want them to see the FHA as relevant in their lives.

What we need to do is bring the FHA into the 21st century to make it relevant to today's borrowers' needs.

Senators DODD and SHELBY have been working with Representatives FRANK and BAUCUS on legislation we passed in the Senate. The House has passed FHA modernization legislation. I think they are close to consensus. My hope is we can find consensus. And when we take up later this week, hopefully, a bipartisan housing recovery bill, a centerpiece of that will be FHA modernization. We ought to do that. It is something we all agree on, Democrats and Republicans, the President, and, frankly, a lot of people around the country, borrowers and lenders too.

The second piece that ought to be in this package will be the authorization that we would provide for housing authorities throughout the country to issue mortgage revenue bonds, tax exempt revenue bonds, the proceeds of which could be not only used for first-time home buyers, not just for multifamily housing, affordable housing, but also could be used to provide moneys to help people refinance their mortgage, people in some jeopardy. The administration supports that idea. Secretary Paulson testified before our committee in favor of that idea. It is part of the Democratic package that we sought to bring to the floor 2 weeks ago. It ought to be part of the consensus package that we will take up later this week.

There are any number of other good ideas that hopefully will be part of the package. Senator JACK REED from Rhode Island has a very good idea that seems to be acceptable on a lot of fronts, to provide for greater transparency for borrowers as people go to the credit markets to look for mortgages, to make sure they know what they are getting and get a good deal, a fair deal.

Senator MARTINEZ and Senator FEINSTEIN have a proposal. I believe it is one that deals with the appraisals, to make sure the appraisals that back up the homes that are being bought or sold are actually real and not just an appraisal put together, pulled out of thin air because somebody drove by a house and slapped a value on it by looking at it through a windshield.

I think Senator MARTINEZ has another good idea with respect to licensing mortgage brokers. It may not be perfect and is something that can be worked on further, but something along those lines should be part of this package.

Senator ISAKSON has an idea and is actually something I think was done maybe when President Ford was President. Senator ISAKSON's idea is if you have a home—let's say all 100 desks in the Senate Chamber are all homes. There is one for each Senator. Maybe this home right here is in foreclosure, and it is blighting the value of this home and that home and those homes all around it. The folks in this neighborhood would love to have somebody come and live in this home, somebody who is going to take care of that property and maintain that property but also help to maintain the value of the other properties.

What Senator ISAKSON does is provide a tax credit—I think he is saying $5,000 per year—for somebody who comes in and not just buys that home but lives in that home as the owner and the occupier. To the extent they do that, they get a $5,000 tax credit. He suggested we do that over 3 years, which would mean $15,000 for 3 years. That could be pretty expensive. I have suggested to him we try to find a way to bring down the cost of his proposal. My hope is we can do that and include that in the final bill we come up with.

Another idea that has merit is to increase somewhat the appropriation for community development block grants and to say to State and local governments they can use some of the proceeds from this money to take a home that is in foreclosure and do something to prepare it to be sold and to restore the value of that home and to restore the vitality of the neighborhood in which it is now decaying.

In short, there is no shortage of good ideas. Some of them are authored by Democrats and offered by Democrats, and in some cases they are authored and offered by our Republican colleagues. In some cases they are ideas that enjoy bipartisan support. At the end of the day, together they fashion a pretty good package that will help make a real difference, and a difference in not a couple years but literally in a couple of months.

The last thing I would say is, one of the more controversial provisions in the package that came to us actually last month from our Democratic leaders is a provision dealing with bankruptcy and would extend to bankruptcy judges the ability to go in and not only adjust interest rates on mortgages for homes that are in foreclosure or about to go into foreclosure but also to adjust the amount of the mortgage itself.

That has caused a lot of concern about the chilling effect it may have on interest rates for primary homes in the future. I give Senator DURBIN credit. He has tried to amend his earlier proposal to address the concerns—the legitimate concerns—that have been raised. I think he has acted in good faith. I know Senator SPECTER has a little different proposal on this approach. I think Senator DODD has been working along with Representative FRANK over in the House on kind of a variation of an earlier idea suggested, I think, by the head of the Office of Thrift Supervision—the folks who supervise the savings and loan industry—to try to make sure we address the issue of a homeowner whose home is not in foreclosure but whose mortgage is underwater.

I will give you an example. You have a home that has been bought for $200,000. Today the home is worth $160,000, and the person who owns the home is thinking about literally walking away from their mortgage, walking away from their home. You can do that today for about $1,000, I am told, working through a company that will help you walk away from your home mortgage. The person who walks away becomes a renter, and the obligation they have to continue to have to pay the mortgage goes away. You end up with a home that is in foreclosure. The banks do not want to be stuck with those properties. The folks in the neighborhood of the home being foreclosed on do not want that to happen in their neighborhood.

I think Senator DODD and Representative FRANK have a very constructive idea—not a perfect idea but a good idea—that can go forth. It requires some sacrifice on the part of the lenders. It requires some sacrifice and give on the part of the borrowers. But it also leaves them a home in the end, at least, where they still have a little bit of equity and a good reason not to walk away from their home, triggering a foreclosure.

The last thing I will mention—this is an idea that is not new, but we have been hearing testimony about this for a couple years—we have three major Government-sponsored enterprises, not counting Ginne Mae, but three major Government-sponsored enterprises whose job it is to help raise money and to provide liquidity and safety for the housing market in this country. One is Fannie Mae, another is Freddie Mac, and the third is a little bit different kind of an animal called Federal home loan banks. There are about 12 of those throughout our country.

The way we buy homes has changed a whole lot over the years. When I bought my first home in Delaware, I went to a bank. They agreed to make the mortgage. I borrowed the money. I think it was about $40,000. They borrowed the money and they held my mortgage. They held my mortgage, and every month they would send me a statement, and I would send them a check to make my payment. They held the mortgage for years and years and years.

It does not work that way anymore. Today you go to your local thrift or bank, and they make a mortgage to help a person buy a home, and the bank may decide to hold the mortgage. They may decide to service the mortgage. But in most cases, they don't. In a lot of cases they turn around and they sell the mortgage to Fannie Mae or Freddie Mac. Fannie Mae and Freddie Mac are huge financial institutions. They package these home mortgages together

from all kinds of financial institutions that originally made the mortgages from across the country, and they put them together into investments called mortgage-backed securities, and those mortgage-backed securities are sold to investors all over this country and all over the world.

The problem with the mortgage-backed securities is when you have a drop in home values, you have a problem with homeowners, borrowers not making their mortgage payments. When you have a problem with the underlying homes that make up these mortgage-backed securities going into foreclosure and mortgage payments not being collected, the value of those mortgage-backed securities drops. The companies, the investors who are holding those mortgage-backed securities are getting into trouble, and we have a situation where liquidity in our banking system begins to dry up.

When the liquidity in the banking system dries up, two things can help start a recession. One of those is that when people think we are going into a recession, it can be a self-fulfilling prophecy because people stop spending money. They stop spending money and, lo and behold, we have a recession. Another way we have recessions is that the banking system stops working. They stop making loans. Liquidity is sort of like the blood in our veins. The liquidity goes away in our financial systems and our economy. That is part of what we face today.

The two entities that do the most in terms of trying to make sure we continue to have liquidity in our banking system are Fannie Mae and Freddie Mac when they buy these mortgages from banks that have made mortgages to individual borrowers. Then they package these mortgages. Sometimes they sell them around the world. Sometimes they hold those mortgage-backed securities in their own portfolio. In some cases, the folks at Fannie Mae or Freddie Mac, I guess, actually hold individual mortgages for a while. They do some of that as well.

The problem with Fannie Mae and Freddie Mac is, they have run into trouble in the last couple years because they do not have a very strong regulator. They do not have a strong, independent regulator. We have held many hearings for a couple years trying to figure out how we provide a strong, independent regulator and at the same time make sure Fannie Mae and Freddie Mac do not repeat the sins and mistakes of their past few years. How do we do that in a way and at the same time create an affordable housing fund much as we have with the Federal home loan banks?

My hope is—if not in this package that is, hopefully, going to emerge from these discussions in the next day or two—in the next week or two, maybe month or so, the Banking Committee can move together and report out a consensus package on regulatory reform to provide a strong, independent regulator for Fannie Mae, Freddie Mac, and the Federal home loan banks. That would be another good thing for our country and for those of us who want to buy homes and sell homes.

Let me close with this: Going back to the beginning of the year, as our economy started to slip into what may be a recession—and we will find out in another quarter or so if it really has been a recession—as we began to slip, the Federal Reserve, actually starting last fall, began to use its monetary powers, first of all, to lower the Federal funds rate—the rate at which banks charge one another for lending money between themselves at the end of every day—they started lowering the Federal funds rate rather dramatically—in fact, more dramatically than I have ever seen in my life.

The Federal Reserve has made it possible to encourage more banks, more financial institutions, regular financial institutions, and even investment banks to come to the discount window to borrow money to meet their problems. The Federal Reserve has gone so far as to even help make possible for JPMorgan Chase to come in and take over Bear Stearns so it would not collapse into bankruptcy and trigger maybe an even worse situation.

While the shareholders of Bear Stearns have taken a shellacking—I think they ended up getting about $2 per share for their stock; Bear Stearns' stock had been valued at over $100 not long ago—the shareholders took a loss, but at least it did not cause sort of a domino effect in a failure of our financial system. The Federal Reserve has been involved in that.

The Federal Reserve has been willing to take from financial institutions their mortgage-backed securities and replace them with Treasury securities to put some liquidity back into the banking system. The Federal Reserve has been terrific. It has been very helpful in terms of putting liquidity back into the system but also raising the confidence of consumers, the confidence of our constituents, and us too. So that is one that has happened.

The second thing we have done, Congress and the President working together, is we have agreed, about 2 months ago, upon a stimulus package. Is the stimulus package one I would have written or maybe the Presiding Officer would have written? Probably not. But on balance, it does more good than bad, and we expect to see a boost in our gross domestic product in the second half of this year of maybe 1, 1.5 percentage points. That is going to be a nice lift to the economy as we struggle to either shorten a recession or to abridge one altogether.

The third piece that is still waiting to be done—after the Federal Reserve has acted in the variety of ways I just described—after the effect of this stimulus package begins to kick in, the third thing that needs to be done is we need to take up and develop and pass and send to the President a consensus housing recovery package.

The elements I have described already enjoy support, in most cases, from Democrats and Republicans, including the administration. A lot of the ideas have merit. My hope is we will have, in the next day or two, the opportunity to debate those individual proposals. For folks who want to amend them, in some cases strike them, in other cases to add new provisions, terrific. That is the way this system is supposed to work. That is the way this place is supposed to work.

My hope is in a very short while we will be gathered on this floor offering amendments to the package that Senator DODD and Senator SHELBY and our staffs are going to be working on to get things going, to get things done. The people of my State did not send me here to just talk about our problems. They sent me here to do something about them. We have a great opportunity to take the next step, I say the third in a trilogy of steps, that will help get our economy out of a ditch and hopefully head in the right direction.

The best thing that can happen is we can demonstrate to people in this country that Democrats and Republicans, in an election year, can set aside our political differences and figure out the right thing to do to help stabilize the housing situation and put us on the road to recovery. That is going to lift the spirits of a lot of people and give our friends in the media a different kind of story to report—not the story they report day after day after day, a drumbeat of all the things going wrong in this county, but to start reporting some things that are going right in this country. As those more positive, uplifting, inspirational stories begin to appear, recessions have a way of turning into recoveries. That is exactly what we need right about now.

Mr. President, with that, I do not see anyone else waiting to speak on the floor, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, a few minutes ago I attended a little press briefing with Senators REID, MCCONNELL, DODD, SHELBY, and other members of both leadership and the Banking Committee. It was a very good meeting because, at the meeting, Senators REID and MCCONNELL empowered Senators DODD and SHELBY to get together and try to come up with a compromise housing package. That is the best news we have had in this housing crisis in weeks and weeks. The eyes of America are looking at the Senate and saying: What are you going to do about the housing crisis?

Since we last adjourned, we have had a near meltdown on Wall Street. Since we last adjourned, new numbers have come out that show thousands more are losing their homes weekly. Since we adjourned, we have seen buying power is down for the average person and housing values are down.

For most people, housing is their piece of the rock.

That is their largest asset. When they are worried about their home, they are worried about everything. When the middle-class consumer gets worried, the economy catches cold, and that is what has happened.

Yet for weeks and weeks the Senate has been paralyzed in terms of doing things about housing. We were very quick—the Fed—to go rescue Wall Street, and they were looking down the abyss. I don't think they had any choice. I was supportive of that. But I am not supportive of a bifurcated policy that says when a major financial company gets in trouble, we rush to their aid, but when John and Jane Smith homeowners have trouble, we say: You learn. You are a moral hazard. If we help you, then everyone else will not repay their mortgages. First, the argument is unfair. John and Jane are probably more blameless than many of those who undercapitalized Bear Stearns and played it right at the edge. Second, this moral hazard argument makes no sense. The statistics show that when a homeowner owns his or her home, when a family owns their home, they do everything to repay that mortgage. They don't go on vacation. They don't buy the new suit of clothes for the kid who is starting school. They cut back on what they eat. That nice Friday night out at the local restaurant which the family looks forward to goes, all so they can pay their mortgage. So this moral hazard argument that if we help people who are blameless makes no sense.

Let me tell my colleagues about a typical person who has suffered foreclosure. I met many of them. I actually sat down and talked to some of them from New York. So that my colleagues can understand, these great thinkers up in their ivory towers, the conservative think tanks, who are saying: You better learn your lesson, don't even know what is going on. Let me tell my colleagues about Frank Ruggiero. He is a retired subway motorman. He lives in Ozone Park, Queens. His income is—I should say was, because Frank passed away a month ago, but that doesn't have anything to do with the story. Frank had a good pension. His union, TWU, provided him a good pension of $28,000. His Social Security was $11,000, and he had a nice little house in Ozone Park, a working-class neighborhood in Queens, New York City, that was worth—he had paid 16 years of a 30-year mortgage. He hadn't missed a payment, as most homeowners have not. They pay whenever they can.

Frank got diabetes. His health care plan would not pay for the treatment the doctor said he needed, and he was desperate. So Frank saw an ad in the newspaper and it said: ''Get quick cash. Refinance your home.'' He called up the number and a mortgage broker came over. This mortgage broker is unregulated. He didn't come from a bank. He was an independent operator. That is where most of the trouble was, from these unregulated mortgage brokers. We are not dealing with that in this bill, but we should in a future bill. A bill I have introduced would deal with this issue. Anyway, he asked the mortgage broker: Could I get $50,000? He said: Yes. And Frank asked the right question. He said: How much will my mortgage go to? The mortgage broker said: It will go from $1,100 a month to $1,200 in January. Well, Frank thought, I can afford that, so he signs the mortgage deal.

Let me say three things about what happened to Frank. Frank is typical—typical. His mortgage did go up to $1,200 a month the next January, but the following January, it went up to $3,900 a month. Frank's income was $39,000. A quick calculation will show that $3,900 a month is more than Frank could pay. If he didn't spend one nickel for food, clothing, health care, and everything went to the mortgage, he still wouldn't have enough.

Why? Was Frank defrauded? No. On page 37 of this 50-page mortgage document, it did say the mortgage would go up, but it didn't say so in a language you or I would understand, only that certain things would happen after this, that, and the other. I think if you read it—and I read it—it was deliberately disguised. So there was no fraud. There should have been, but our laws for mortgage brokers don't say it is fraudulent to sell somebody a mortgage that is beyond what they can pay.

The second point: Of the $50,000 Frank was supposed to get, guess how much he got. He got $5,700. You say: $5,700, how could that be? Because in that disguised mortgage document, it said the broker would get a commission. What it didn't say is the broker's commission from a mortgage company, also unregulated, also not a bank—the higher the interest rate the agent got Frank to sign for, the greater the commission. If it was a no-document loan, which this was no documents—another story for another day, and I will be back on the floor this week, if we are able to debate this bill, and talk about all these things because I have studied this issue and I have been working on it for a long time. It was a no-doc loan, an absurd concept; how investors bought no-doc loans is again something we have to look at. But he got an additional commission for that.

Then there was a prepayment penalty. If somehow Frank would prepay this ludicrous mortgage, there would be a big penalty to prepay. When should that ever happen? Those should be outlawed.

So this guy got $22,000, the mortgage company got points of $11,000, way beyond what any bank would charge or would be allowed to charge. Between the appraiser, the lawyer, and everyone who came with the package, they all took their piece and Frank got $5,700, all because of the structure of the mortgage company. You say: Well, what about the mortgage broker? He is probably off in the sunset on his yacht with all the $22,000 he made from duping the Franks of the world. Where is the mortgage company? It is bankrupt. Frank is stuck.

The third point: Frank was a prime borrower. He had a FICO score somewhere around 700. He had paid his mortgage payment religiously for 16 years. He had never missed a credit card bill. Frank was one of those old-fashioned people who believed you pay your bills, so he was a prime borrower. Sixty percent of those who have subprime mortgages in or about to go into foreclosure are prime borrowers. They pay their loans. They are not trying to gyp anybody. It is a disgrace. The sad fact is if Frank hadn't answered that ad but had walked into a local bank, because they are regulated, they would have said to Frank: You need $50,000? Fine. We will sign you a new 30-year fixed-rate mortgage and that will cost you $1,500 or $1,600 a month instead of $1,100. That would have been a stretch for the Ruggiero family, but they would have made it. They would have signed it and he would have gotten his money and his treatment.

What are we saying, that Frank should be punished for what he did? I ask some of those ideologues from the think tanks and even from the other side of the aisle: What did Frank do wrong? What did Frank do wrong? What harsh lesson are we going to impose on the Franks of the world, and what will anyone else have to learn from them? So the moral hazard argument makes no sense.

We have to do something. Now, what this bill contains is something Senator BROWN and Senator CASEY and myself and, with Senator MURRAY's help, have been working on for a long time, where somebody on the ground today could go to Frank, if Frank were alive, but to people similar to Frank, and they could help him rewrite a new mortgage that he could repay and he wouldn't lose his home. Now, after 6 months of the administration opposing and opposing and opposing, Senators BROWN and CASEY and I, again with Senator MURRAY's help, were able to get $180 million into the omnibus budget bill at the end of last year. Guess how much of that has been used. Mr. President, $160 million already, after about 6 weeks, 7 weeks since it passed. We need more. To me, the most important part of this bill, with a lot of good provisions, is the money for the mortgage counselors. Not because it is a great, heroic thing to do, not because it dramatically restructures our economy—these things are needed—but because it saves people's homes. It saves the Franks of

the world, their little piece of the rock, which they struggled so hard and long to own and to keep. So we proposed another $200 million. To be honest, we need $500 million. To compromise with the other side—they hate all Government spending, some of them—we have said $200 million.

Then, when the mortgage counselor came around, you would still need money to refinance the mortgage. That is why there are provisions for mortgage revenue bonds in the proposal. There is also a proposal for CDBG money. That seems to raise the ire of some: Government money. Well, let me say what the CDBG money will do. The houses that are already foreclosed upon and are vacant are cancers on neighborhoods. Let's say you are a homeowner anywhere within a tenth of a mile of a home that has suffered foreclosure; a vacant home in your neighborhood brings the home values down 1 percent, each vacant home. So a totally innocent person suffers. No moral hazard here. You could have paid your mortgage off and you are hurting because there are foreclosures. What this provision will do is allow the State, the local governments, to buy up that foreclosed home, fix it up, and sell it. Isn't that a good thing or are we again going to stay in our ideological ivory tower and say: That is the Government spending money. Of course it is the Government spending money. We spend money for soldiers. That is an external cost. Foreclosed homes are also an external cost. So this is a good package.

The final provision is a bankruptcy provision which I support and I hope will stay in the bill. I know it is controversial. But Senator DURBIN has wisely modified it. The argument against it is it would raise interest rates because people would build in the cost of the lower repayment once somebody was in bankruptcy into the original cost of the mortgage. So what Senator DURBIN did in an effort to compromise is actually say it will only apply to existing mortgages, not forward-looking ones, not ones that are going to be signed tomorrow. So it can't affect future mortgages. So these are five good provisions.

Now, I wish to say to Senator MCCONNELL and Senator SHELBY, and I think I speak for just about every one of us on this side of the aisle: We welcome additions. We welcome discussions. Senator JOHNNY ISAKSON, of Georgia, has a provision about tax credits for first-time homebuyers that might encourage the housing market to get going again. I think it is a good provision. I praised him while we were on break. Senator ISAKSON should get to offer his amendment.

There are many other amendments. Senator CARPER worked diligently to see that FHA reform comes forward. Senators DODD and SHELBY are close. The only disagreement, as I understand it, is over what the limits should be. The administration and some of us, including Senator DODD, support $740,000 approximately, and SHELBY says $400,000. I cannot believe we cannot work that out. I say to Senator SHELBY that in places such as Long Island, where the average home costs about $450,000, we don't even cover half of the homes right now. It was always intended that about 80 percent of the homes be covered—not just the very wealthy but middle class and down. Hopefully, they can come to a compromise on that.

Anyway, this is good news. I know what happened. Two weeks ago, when we proposed the same thing, we were blocked. I talked to some of my colleagues on the other side of the aisle who wanted to put a bill together. They said there were some who said the only debate we should have on this is to reduce the estate tax or make permanent the Bush tax cuts. With all due respect, neither of those has anything to do with solving the housing crisis, whatever your view is.

Then something happened. We had a meltdown on Wall Street and all these new housing figures I mentioned during the 2 weeks we were away. I am glad to see that the minority leader and others have now seen, hopefully, the price for inaction, the price for a narrow ideological commitment—no Government, as our economy goes down the drain.

I am hopeful, and I pray that the negotiations that are going forward right now between the Chair and ranking member of the Banking Committee will bear fruit. Let us hope we can spend the rest of this week far more productively than we spent the last week here in session. Let's hope we can debate housing. Let us hope we can help the Franks of the world, who have done nothing wrong and need help. When we help the Frank Ruggieros of the world, we help our economy gradually get better.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I am delighted to come to the floor today to praise the Senate for the most recent action in approving the motion to proceed on the issue of the day in America, and that is the housing crisis, the mortgage crisis, and what has been happening to our homeowners, mortgage companies, and our communities.

I pay particular attention and thanks to HARRY REID of Nevada, the majority leader; MITCH MCCONNELL of Kentucky, the minority leader; CHUCK SCHUMER; LAMAR ALEXANDER; JOHN ENSIGN; CHRIS DODD; RICHARD SHELBY; and a host of Members who came together, and instead of agreeing to disagree, agreed to agree and set a platform from which this Senate, in only the way the Senate can do it, can deliberate the most pressing issue of the day.

I thank them for incorporating and including me in those discussions, and I want to share one of the things I shared with them and what I think should be a key part of any solution we offer on behalf of the housing market and the mortgage crisis.

One of the good things about getting older—and I am 63—is that you have had a lot of experience, hopefully all of it good, but it is not all good. I was in the real estate business for 33 years before I came to the Senate, and I was in it in 1974 when we went through one of the worst housing recessions ever. I was also in it, thank goodness, in 1975 when a Democratic Congress and a Republican President, Gerald Ford, brought forward a tax credit bill to stimulate the housing market.

In 1975, we had a similar problem. We had gone through a period of easy credit and lousy underwriting, except it wasn't on the mortgage side, it was on the construction loan side. At banks around the country, if a guy came into the bank and had a pickup truck and a hammer, he qualified as a builder, and he went out and bought a lot and started building spec houses. Banks made the loans and even advanced some of the development costs. Some A and D lenders would loan 100 percent of the cost of the acquisition and 20 percent of the development—crazy underwriting. It led to a plethora of new houses being built but no buyers for these houses. The United States found itself in the position of having a 3-year supply of standing new inventory on the market and no buyers.

What happened? Values started declining, grass started growing, and vandalism started taking hold on the vacant houses. It was a horrible situation. The President and Congress came together and said: Why don't we stimulate the market to absorb these houses, get the buyers back into buying houses. We passed a $2,000 tax credit to any family who bought and occupied as their principal residence a single-family new house that had been built, not a resale or any other house, but a single-family new house that had been built and standing in inventory.

We passed that $2,000 credit which, to give some idea of perspective, was about 8 percent of the value of an average house at that particular time in the marketplace. What happened is overnight, buyers sitting on the sidelines came out. They bought the standing houses that had been vacant and unseen for months. Housing values stabilized and began to go up, the economy turned around, and we went out of a recession, into prosperity, absorbed the inventory, and we did not bail anybody out. We just motivated homebuyers to do what they do best, and that is buy the designated houses which were the problem.

Two months ago, I introduced a similar bill based exactly on that experience, except instead of $2,000, it was a

$15,000 tax credit earned over 3 successive years, the first 3 years after the purchase, of any one of a category of three types of houses:

Category No. 1, a new house built unsold, vacant, and permitted prior to September of last year. Any builder in America who permitted a house before September of last year did so when times were good. There was no looming indication we were going to get into the problem we are in now. They got caught like a lot of these homeowners and junk mortgages got caught, subprime mortgages.

Second, a house that qualifies is a house that has been foreclosed upon, the foreclosure has been adjudicated, and it is owned by the lender or the lender's designated agent. That is a standing vacant house foreclosed on and up for resale.

The third category is any house in foreclosure pending adjudication. That means it is being advertised, a foreclosure notice has been posted, and the house will be foreclosed on but has not yet.

Any one of those three types of houses, which is where the growing inventory is, will be eligible for the buyer to earn a $15,000 tax credit allocated over the first 3 years in which they occupy the home. If it is a speculator in foreclosure, it does not qualify. If it is a speculator who is trying to buy, they don't get the tax credit. This is to stimulate houses being bought that are in trouble, owner occupied by principals who bought those houses, and it qualifies for people who will buy those houses, refinance them, pay off the loan, and live in them as their residence.

What is going to happen, if the Congress is able to come together and pass a tax credit proposal such as that, is we will instantly stimulate the housing market and the marketplace, and the consumers will begin absorbing the standing inventory that is in foreclosure or pending foreclosure or is new and has been sitting since September of last year. That is precisely where the problem is. That is precisely what needs to be absorbed.

There are a few people who said: What about people who have been making their payments and are not in trouble; why don't you get the credit for buying their house if they want to sell it? That is not where the problem is, No. 1. No. 2, they are suffering from all these vacant houses being out there as well because housing values are declining, appraised values are declining, equities are shrinking, and equity lines of credit are drying up. We need a focused, targeted absorption vehicle to see to it that the buying public solves our problem for us. That is the right way to do it.

One other feature of the proposal is the tax credit will only be available and able to be earned on a purchase of a designated property made between April 1, 2008, and March 31, 2009—a 1-year window of opportunity. That creates the urgency of the situation, it motivates people to get into the marketplace or lose that opportunity, and it will be a significant catalyst to the marketplace, solving a significant problem for the United States of America.

I encourage my colleagues on the Banking Committee. I appreciate their consideration of this proposal and this concept. I hope that when the bill comes to the floor either in the base bill or in the amendment process, we can address a past solution that worked and add it to a contemporary problem that was identical to what the problem was in 1974 and 1975.

I end where I began. I thank my Democratic friends and my Republican friends who came together and decided to make something work rather than figure out how we can just be against one another. Senator SCHUMER has been a catalyst in this effort, Senator ENSIGN, Senator ALEXANDER, Senator REID, obviously, Senator DODD, and Senator SHELBY. I pay tribute to Senator TOM CARPER who talked with me over weeks about the proposal I just discussed and finding some way to bring it to the floor of the Senate and get it out there so we can address the problems that exist in Delaware, Missouri, Georgia, Nevada, and in all the 50 States over the United States of America.

I am privileged to be the author of the amendment. I will be proud to be part of a team that does not want to take credit but wants to get something done, put together a bipartisan bill that addresses the most contemporary problem today in the United States of America, and that is the housing crisis.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I ask for the regular order. Are we in morning business?

The PRESIDING OFFICER. The Senate is considering a motion to proceed to the housing bill.

Mr. INHOFE. I ask unanimous consent that I be recognized for up to 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFRICA

Mr. INHOFE. Madam President, on February 6 of 2007, the administration announced their intention to create a new unified command, the United States African Command, or AFRICOM. The U.S.-Africa command is a partnership between military and civilian communities that will focus on existing programs such as the training of peacekeeping forces that enable African nations and regional organizations to improve security on the continent. The National Security Adviser, Stephen Hadley, said:

> AFRICOM is a command that would be established for Africa . . . It would be a partnership, really, between military and civilians, and its principal focus would be to continue some of the activities that we are already doing to try and train peacekeeping forces so that countries in Africa and regional organizations in Africa can take more of a role in dealing with the conflicts and the problems on the continent.

It is ironic that we have these COMs, these commands all over the world. Yet Africa is divided into three commands: the Pacific Command, the European Command, and the Central Command. Africa has now become, in my opinion, the most significant continent that we need to pay more attention to.

I think I am uniquely qualified to talk about this. Two days ago, I made my 97th African country visit. The last country we were in this last week—there were some five countries—was Ethiopia, a very significant part of it.

I also started my efforts in Africa long before we had a lot of military interest in Africa. Mine was more of a mission type of thing. I became very familiar with all of Africa. I now have had an opportunity to sit down and visit personally and develop intimate relations with the Presidents of some 28 African nations, their Parliaments and many of the leaders there.

As a matter of fact, I was in Ethiopia 7 years ago, when we came upon a little girl. She had nothing. The little girl was an orphan. She was 3 days old. She wasn't healthy—didn't look like she would live at all. They put her into an orphanage, where they did the very best with what they had. Like so many orphanages, she was actually put in a bucket. They had this cute little girl in there, feeding her intravenously through her scalp at the time.

Anyway, there is a long story that goes with that, but the short version is my wife and I have been married 48 years and have 20 kids and grandkids and one of our daughters, Molly Rapert, had only boys. She wanted a little girl so she adopted this girl. This is my adopted African granddaughter.

It is kind of funny. She was found abandoned as an orphan in Addis Abba, in Ethiopia. Yet this little girl has turned into quite a genius. In fact, 3 weeks ago at the National Prayer Breakfast I was in charge of the African dinner. I say to the Presiding Officer, this little granddaughter of mine was the speaker that night—7 years old. I have more than a passing interest in Africa. It is a family interest too.

During my time on the continent, I have seen the significant and strategic place in the world that Africa holds because of the sheer size of Africa. People don't realize, if we go from Mauritania to Ethiopia, east to west, it takes 7 hours flying. If you go from north to south, from Cape Town up to Algeria, it is 9 hours. It is a huge continent.

The rest of the world is now realizing its importance. I think our timing is very good. It is only a year ago that we embarked upon this idea that we were going to be holding up Africa and supporting it. A lot of people don't realize the significance of Africa, that Africa is the area where, as the squeeze takes place in the Middle East on terrorism, a lot of it goes down through the Horn of Africa, through Djibouti and that area, and spreads out throughout Africa.

Other countries are realizing how important it is. They are doing something about it. The new French President, Sarkozy, said during a recent trip to South Africa that Africa should have at least one permanent seat in the U.N. Security Council and that France would no longer accept major world affairs being discussed without a leading African country being involved.

There are many countries, such as China, expanding influence in Africa. I can tell you that, as you go through Africa, anything that is new and shiny—a bridge, a colosseum, anything such as that that is given to them by China. China is trying to get a foothold there.

China has the same problem in its dependency on outside sources for oil as we do. They are beating us to some of these areas in Africa. Huge reserves are being developed in Africa. All that is very significant.

Currently, over 700 Chinese state companies conduct business in Africa, making China the continent's third largest trading partner. The United States and France are first and second.

I have also seen, in my many travels to Africa, the great strength and perseverance in the African people, in their fight to overcome great obstacles such as HIV/AIDS, malaria, poverty, wars. In order to achieve security and stability, we have to work to eliminate the root causes of poverty and poor governance. Fighting terrorism in the region has become critical. Examples of terrorism we remember—it was not too long ago the bombings of our embassies in Tanzania and in Kenya and more recently the bombings in Morocco and Algeria. African countries have become more vulnerable as al-Qaida has infiltrated into the Horn of Africa.

As the surge is working—yesterday after leaving Africa, I went to the European command and looked at the progress we are making. We were, yesterday afternoon, in Iraq. Good things are happening there. The surge is clearly working. As the surge works, what happens is, as I described, a lot of the terrorist activities go down into the most convenient place and the most vulnerable and that is the continent of Africa.

It has been reported terrorist networks in Somalia and Eritrea work together, increasing their capability. If you go into northern Uganda—this is something very few people know about. Everyone knows about the problems in the Sudan and many of the other areas of Africa. But how many people know the children's Army being developed by a man named Joseph Kony. The LRA, the Lord's Resistance Army, for 30 years now they have been taking kids out of villages, little 11-, 12-, 13-, 14-year-old kids, teaching them to be soldiers. Once they learn to be soldiers, they have them take an automatic weapon and go back to their villages and murder their family. If they don't do this, they maim them, they cut their ears and lips off. This has been going on for a long time. These horrible things are going on, and a lot of that is because we, the free world, have not given our attention to Africa that we should have a long time ago. We see the conflicts in Kenya taking place right now, the young democracy that has unfortunately exploded into tribal conflict. More than 1,000 people after the December election were killed. Last month, there were 500 European Union troops who were sent to protect Chad's capital from being taken over by the rebels; 3,700 EU troops are presently protecting thousands of refugees along Chad's border with Sudan as well as the neighboring Central African Republic. In February, the United Nations ordered its regional force to withdraw to Ethiopia after the Eritrean Government cut their field supplies.

Let's keep in mind it was Eritrea, when we had the problem in Somalia, that went down and sided with the terrorists. It was, of course, Ethiopia that joined us, as well as other countries such as Uganda and Burundi.

The United States has a long history offering support, helping establish security on the African Continent. Thomas Jefferson was the first President to send American troops to the coast of Africa to ward off the Barbary pirates plaguing the Mediterranean and threatening the security of Europe and the new colonies. This is kind of funny. That was Thomas Jefferson. Today the same thing is happening in the Sea of Guinea. They have new discoveries of oil so there is pirating going on, and we are over there trying to help the surrounding countries defend themselves. This command is going to go a long ways toward doing that.

We continue to support African nations in the area for security and stability and health and education initiatives. In 2003, the United States helped to bring stability to Liberia. In Djibouti, the Combined Joint Task Force for the Horn of Africa has been involved in developmental activities, including building schools and digging wells. I have had occasion to be in Eritrea several times. It is probably the least known country in Africa. It is becoming better known because of all the atrocities that are taking place there. The administration recently pledged $15 billion through the President's emergency plan for AIDS relief and significantly is contributing to the fight on AIDS.

People complain: Why are we spending money to help Africans on HIV/AIDS? That is their problem. They are dealing with their problems themselves.

I had occasion last week to be with the First Lady of Zambia. The First Ladies all throughout Africa are the ones who are doing the most to combat HIV/AIDS. The First Lady of Zambia has put together a group of First Ladies who are significantly having an impact. President Gbagbo's wife Simone in Cote d'Ivoire is very actively attacking the problem there. Janet Museveni in Uganda has been honored in the United States for her work on HIV/AIDS. Most recently, the one I think is really doing the best job is the wife of the Prime Minister of Ethiopia. Prime Minister Zenawi's wife Azeb is heading up a group that is having great positive impact on HIV/AIDS. So they are helping themselves.

The United States is partnering with African countries in effective programs such as IMET. I am on the Armed Services Committee, and it is one of the strongest programs we have to develop close relations with other countries. It is a military program where we invite the officers to come over and get trained with our officers. Once they are trained with our officers, that develops a bond that stays there from then on. If we don't do it, other countries such as China are willing to.

We have dramatically improved our train-and-equip sections so that we can help commanders in the field train and equip other countries. Primarily, my concern is in Africa, and that is happening. Those programs are proving to be vital resources by aiding developing countries in the professionalism of their militaries.

Africa is an avenue that the United States can use to aid Africa as it continues to grow into a secure democratic continent with a growing economy. Africa's challenges, its growing strategic significance, and the potential impact of failing states and ungoverned areas on U.S. security will require increased emphasis on interagency cooperation.

Currently, the African Continent is divided between three commands. You have the Pacific Command, the Central Command, and the European Command. The division of responsibilities has caused problems in coordinating activities and creating seams between commands, especially in key areas of instability or of conflict. One seam creating difficulty lies between Sudan—under the CENTCOM, or the Central Command—and Chad, immediately adjoining it, and the Central African Republic. The last one is under the European Command. They are right next to each other but under two different commands. Bureaucratically, it is a nightmare; you can't coordinate activities.

The recent conflict in Chad and the continuing conflict in Sudan emphasize the need for the United States to respond to these conflicts and to be unified. As AFRICOM becomes operational, these divided responsibilities

will no longer exist. It is set up to be operational by October of this year.

We have a great guy who is going to be commanding general. He has already been confirmed, GEN William ''Kip'' Ward. Kip Ward's military service includes tours all over the world but with a real emphasis and interest in Africa. He was confirmed by the Senate in September. General Ward has expressed a vision of hope for Africa and for the role the United States plays in that vision. General Ward believes in the need to address crisis situations before they arise and to address them at the microlevel, at the perspective of the individual victim, which is critical in bringing about solutions. AFRICOM's aim will be a preventative approach on the local level, giving hope in times of adversity and a way forward for the future in both security and development. General Ward is the right guy for the job. He has stressed that the purpose of the command is to enable African solutions to African challenges, to support African leadership rather than usurping or suppressing African leadership and sovereignty. This is very important.

It was the right military decision for us in the United States to become interested in helping Africans develop five African commands. These would be north, south, east, west, and central. Only two of the locations have been determined right now. But we make it very clear to Africa, we are not doing this. We are not the ones who are putting the brigades in there. We are helping them to put their own brigades there so they can take care of their own problems.

In Somalia, African countries such as Ethiopia, Burundi, and Uganda have sent in troops to help stabilize the government there. We couldn't have done that without the support of Africans. The African Union troops have recently arrived in the Comoros Islands near Madagascar to help its military regain control of an island where a renegade leader has declared himself President. The development of the African standby brigades is a good example of how we are helping them to help themselves.

So AFRICOM is expected to become fully operational the first of October 2008. It is going to be at least temporarily located in Stuttgart, Germany. My personal preference would be to have it someplace in Africa. Right now, there is some resistance to that, so we will keep it in Stuttgart for the time being.

In fiscal year 2008, Congress appropriated $75 million to the command, and in fiscal year 2009, the President has requested $389 million. I know this sounds like a lot of money, but I can't think of anyplace where we can actually save money more than by helping the Africans build up themselves and bring their allegiance in to us. We have to support AFRICOM with adequate funding to enable the command to be fully equipped to face the challenges they have only in Africa.

I already introduced a resolution that is S. Res. 480. I am joined by about 12 or 14 Members. I invite my friends from both sides of the aisle who have a heart for Africa and believe in what we are doing to join in this resolution. The resolution encourages the Department of Defense and the State Department and USAID to work cooperatively with our African friends to bring hope to the continent. So often, when you try to put together a program such as train and equip, the State Department seems to think that the Department of Defense is taking away some of its power. It becomes a turf battle. We don't want that to happen. It looks as if it will not happen in this case. The resolution emphasizes that AFRICOM is expected to support, not shape, U.S. foreign policy in Africa so that we would be working together.

Finally, I encourage my friends in Africa to work together with AFRICOM to find solutions to issues facing Africans today. Under General Ward's leadership, I believe AFRICOM can provide that hope to the people, and I believe that is going to happen.

I was in a Stuttgart meeting, the first official meeting of a Member of Congress with the new African Command or the new AFRICOM. I became convinced, looking around the table at all the people, this is the first time you see many of the bureaucracies sitting around the same table. This didn't happen before because it was not a unified command. This unified command will allow that to happen.

There is no place in the world that needs more attention by us right now. When you talk about the war on terror, the next area we will have to concentrate on is Africa. By taking these steps now, Africans will be prepared to handle their own problems and not have us do it for them.

I am very pleased with the successes we have had. We have been talking about a new African Command now for about 10 years. Finally, it will become a reality this year.

We need to encourage a lot of people to start participating, maybe to the same level I am participating with the country of Africa. It is a beautiful thing that is happening right now. I believe we are going to make great progress as a result of the African Command.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

HONORING OUR ARMED FORCES

STAFF SERGEANT KEITH ''MATT'' MAUPIN

Mr. BROWN. Madam President, this weekend the Department of Defense confirmed the death of SSG Keith ''Matt'' Maupin, an American patriot from Batavia, OH, near Cincinnati, who bravely served our Nation in Iraq. Sergeant Maupin had been listed as missing and captured for nearly 4 years. He went missing on April 9, 2004, after his fuel convoy, the 724th Transportation Company, was ambushed just west of Baghdad. Since that tragic day, Sergeant Maupin's mother and father, his family, have worked tirelessly to locate their son. My prayers are with them, those who have endured years of gut-wrenching uncertainty and unfathomable heartache. We owe this family a tremendous debt of gratitude, not only for their extreme sacrifice but for their determination to prevent other parents from experiencing an information vacuum when their deployed son or daughter goes missing.

There are three other soldiers currently missing and captured in Iraq. The nightmare is not over for their families. On their behalf and in honor of Sergeant Maupin, our Nation must find those soldiers. Time must be perceived as the enemy. There can be no pause in the search, no ebb in the sense of urgency.

Upon finally hearing news of their son a few days ago, Sergeant Maupin's father said:

> Matt is coming home. He's completed his mission.

His words echo those of a grateful nation.

THE HOUSING CRISIS

Mr. BROWN. Madam President, for months and months almost every newspaper in the country has been filled with stories of the tremendous toll the housing crisis has taken on communities across our Nation. My State set an unenviable record for foreclosures last year—more than 83,000, according to Ohio's Supreme Court. That is more than 200 every day of the week—Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, and Sunday. Every week 1,500 families lose their homes. Almost 4 percent of all home loans in Ohio are in foreclosure, the highest rate in the Nation. The end is nowhere in sight.

In Ohio, there are another 120,000 home loans that are delinquent. Nationally, one rating agency is now predicting a 50-percent default rate for subprime loans made in the fourth quarter of 2006, many of which will reset in the fourth quarter of this year. Think about that. One of every two subprime loans made in the fall of 2006 will go bad. That is not lending, that is gambling with someone else's home.

In the face of this crisis, the Bush administration has largely taken the view that prosperity is around the corner; the Government need not do anything; voluntary efforts and market forces will be enough. Last summer and earlier in the year, the Bush administration was still arguing that the problem was contained. So long as the problem was contained to places such as Ohio and Michigan, to Nevada and California, the administration was content to do almost nothing. But what a difference an address makes. When the problems moved from America's Main Streets to Wall Street, the administration sprung into action. In a single weekend, the executive branch jumped to rescue the investment bank Bear Sterns from bankruptcy. If the Government can leap into action to prevent the bankruptcy of a single bank, how can we turn our backs on the tens of

thousands of Ohio families and the millions of American families who need our help?

Congress must act in the face of this crisis. Majority Leader REID tried a month ago to bring legislation before the Senate that would take several steps to help homeowners faced with foreclosures in the communities in which they live. We are trying again today. We seem to be able to afford to spend $3 billion in 1 week, every week, 52 weeks a year, in Iraq, but the President hasn't been able to find $4 billion in 1 year to help the towns and cities across the country that are being gutted by foreclosures. We are able, it seems, from Chairman Bernanke, to spend $30 billion buying a basket of mortgages from Bear Sterns that JPMorgan wouldn't touch with a 10-foot pole. Why can't we help cities rebuild?

The needs of communities are critical because this crisis has an impact far beyond just the people who lose their homes, as big as those numbers might be. Whenever a home goes into foreclosure, the value of neighboring properties is reduced. In many areas, local vandals move in quickly to strip the copper pipe and the aluminum siding from a home. Crime goes up just when property tax revenues in these cities are plunging and the resources of a city and town are stretched to the limit.

Senator REID's bill would include some $4 billion in funding for the Community Development Block Grant Program, so communities that have been the hardest hit could renovate or rebuild or even in some cases raze these properties.

The bill would provide an additional $10 billion to housing finance agencies to be used to refinance mortgages, to help first-time home buyers, and to create more multifamily rental housing.

The majority leader's legislation would also provide $200 million on supporting the efforts of nonprofit agencies across the country to counsel homeowners on how to work with a lender to stave off foreclosure.

We have great neighborhood counseling organizations in Columbus and in Toledo and in Dayton and in Cincinnati and all over my State.

This is no easy task. Once upon a time, you took out a loan with your local bank to buy a home. If I borrowed money from a local bank, the banker had just as much interest in my paying down my loan, my staying up to date on my loan, he had just as much interest as I did in making sure I paid my mortgage. You knew the people at the bank. They knew you. You had that kind of relationship.

Today, especially for subprime loans, that is seldom the case. So help in navigating the mortgage maze is essential. That is why those neighborhood counseling organizations are so important.

The majority leader's bill would also improve disclosure of the terms of a mortgage. In the last year—the last 14, 15 months since I came to the Senate—I have held about 95 roundtables in 60 of Ohio's counties talking to people about what issues matter to them the most in their communities. I heard from one Ohioan after another, from Marietta to Lima, from Bryan to Chillicothe, from Zanesville to Youngstown. I have heard from one Ohioan after another who never understood the real risks and dangers of the mortgages that were sold.

Senator REID's bill also provides bankruptcy judges the ability to modify the mortgage on a primary residence in the same way that a judge can today with a vacation home or investment property or even a boat.

We know lenders and their servicers cannot keep up with the flood of foreclosures they are facing. Much has been made of the number of loans that have been changed as a result of voluntary efforts. I do not discount those efforts at all. But tacking late fees and penalties on the back end of a loan does not do much to help a family make their monthly payment.

One woman who called me reported a loan modification that reduced the interest rate on her loan from 11 percent to 10 percent. With the late fees and penalties folded in, her monthly payment barely budged.

Modifications like these are simply not going to help. It is essential that we permit the bankruptcy courts to serve as their backstop.

My Republican colleagues apparently think it is OK for a bankruptcy judge to modify the mortgage on a multimillion-dollar vacation home, but it is not OK to provide the same relief to a family facing bankruptcy in their $100,000 home.

When lenders are only recovering 35 cents on the dollar in my State—it is a little higher nationally; only 35 cents in my State on the dollar—on a foreclosed property, I do not think they have anything to fear from an alternative process supervised by the bankruptcy courts that may result in avoiding foreclosure.

The bankruptcy provisions are a significant change in our law, to be sure. But they are a responsible reaction to some extraordinarily irresponsible underwriting.

I understand the importance of protecting contract rights. But think for a minute about the contracts that are in question. The vast majority of subprime loans went to refinance homes. They were designed to do three things—to generate fees, strip out equity, and quickly become unaffordable.

Do we really want to take the position that these contracts should be beyond the reach of a bankruptcy judge? I think not.

We have much work to do in dealing with this foreclosure issue. Every day we delay more than 200 people—more than twice the membership of this body—lose their home in my State. They deserve more from us.

I yield the floor.

Mr. CORNYN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, we know Senators DODD and SHELBY are working on, hopefully, a bipartisan piece of legislation that will come to the floor this week that will help Congress do what needs to be done and, hopefully, what will actually work to try to relieve some of the crisis caused by the subprime lending credit crunch and the slowdown in the housing industry.

We have all acknowledged this slowdown we have seen in our economy over the last few months, and we have resolved to work together to try to give the American people the confidence that if there is something we can do, we will try to do it in a way that actually works and relieves the problem in a bipartisan way. I think, frankly, that is met with some measure of relief by people across the country.

I think we got off to a pretty good start when Speaker PELOSI and Republican leader JOHN BOEHNER and Hank Paulson, the Secretary of the Treasury, came up with a stimulus package that passed with strong bipartisan majorities.

I think as much as anything it demonstrated that we are capable of acting together in a bipartisan way rather than just engaging in gridlock and finger pointing. I hope we will continue along that trend as we consider the legislation that Senator SHELBY and Senator DODD are working on.

To me, one of the best parts about the stimulus package we passed was the small business bonus depreciation provisions which gave small businesses that invested in new equipment an opportunity to write that off on an accelerated basis. It provided a great incentive for them to purchase that new equipment and hopefully allow them to continue to create jobs.

It is no secret about 70 percent of the jobs created in America are created by small businesses. We ought to do everything in our power to try to help them continue to generate jobs for hardworking Americans.

A little earlier today, I had a colleague come up to me and say, basically: We have to do something to deal with this crisis. Of course, I added: Well, I hope we do something. But more than that, I hope we do something good or something that will actually work and certainly not something that will actually make things worse.

Like the medical profession, we ought to consider in the Senate taking

a Hippocratic oath of our own that first we do no harm because, frankly, on the earlier stimulus package, where we believed it was necessary to act to give the public confidence—that we could on a bipartisan basis—basically we ended up spending about $150 billion to do so.

I think extraordinary measures were called for, but it was with more than a little trepidation that I voted for that bill which added to the debt, particularly when we are not doing a good job of dealing with the deficit in other areas and unfunded liabilities of the Federal Government, particularly when it comes to entitlement spending. But for the same reason I voted for tax cuts in 2003—which I think helped contribute to about 50 months of consecutive job growth in this country, and about 9 million new jobs—I think sometimes extraordinary measures are called for to help stimulate the economy.

But I do think the very best stimulus package we could possibly pass would be to lighten the tax load on small businesses and American taxpayers. It works. We know when people can work hard and keep more of what they earn, then it generates not only more income from them and a greater incentive to work hard, it also, ironically, generates more revenue for the Federal Treasury because more people are working, more people are paying taxes, and, thus, it helps us deal with the deficit in a way that is constructive by putting people to work.

But at the end of the day, I think what we need to do this week is to make an immediate, palpable difference in the lives of families with distressed mortgages. The housing market ought to be our focus and helping people with distressed mortgages not have to unload those through foreclosure and perhaps lose everything they have invested. That is why I would like to see the provisions from something called the SAFE Act become law.

The SAFE Act would expedite the delivery of the full $180 million appropriated for foreclosure counseling just last December. And to help stabilize the housing market itself, the SAFE Act includes a $15,000 tax credit over 3 years. This has been proposed by our colleague from Georgia, Senator ISAKSON. I believe Senator STABENOW on the other side of the aisle has something similar. But basically what it would do is provide a tax credit that would give people an incentive to buy existing inventory of new housing or housing that was currently in foreclosure proceedings.

Obviously, our housing market has a big impact on employment, and it has a ripple effect on the economy generally. I think this $15,000 tax credit over 3 years would provide a powerful incentive for people who are in the market to purchase a single family home in foreclosure or a new home from existing inventory which now in many cases just sits vacant.

This would make it more affordable for families looking to start buying a home and will provide an incentive for people to reenter the market in the coming year.

Finally, to make sure these same problems are avoided in the future, we need to focus on increasing transparency and information for prospective borrowers.

I agree with Senator MCCAIN who said we should not be about bailing out unscrupulous lenders who made bad loans or people who made the mistake of borrowing money they could not pay back, perhaps betting on the continuous bubble in housing prices in the housing market. But what we do owe the American taxpayer, the American consumer, is transparency and information which will allow them to consider—for example, when they buy an adjustable rate mortgage—and understand what they are getting into. That means letting borrowers know the full details of any new introductory rate and payment and what their new adjustable rate will be and how much they can expect their payments to be.

We must ensure consumers fully understand their mortgages and that they have a completely free and well-informed choice when it comes to their loans. That is the only way I believe we can hope to avoid future problems in the housing and banking industries in the future, beyond making sure that underwriters don't intentionally loan money to people they know can't pay it back. But those have to be resolved on a transaction-by-transaction basis, perhaps by the courts.

The Senate should make sure that any proposal does not produce insurmountable challenges to prospective and current homeowners. Too often, the work we do in the Senate has the effect of unforeseen and unintended consequences. Here again, we should do no harm, and I think we should be careful not to cause problems while we are trying to fix problems.

For that reason, I would be hesitant to support any proposal that increases the size of the Government's budget at the expense of the family budget. I could not support proposals that actually make home ownership more expensive, encourage costly litigation, or expand Washington programs.

The Senate should not be making home ownership more expensive for working families. That is what I believe, for example, the bankruptcy provision would do, which would allow bankruptcy judges to actually cram down reduced interest rates, thus devaluing that particular financial instrument, which would actually in the long run have the unintended consequence of raising interest rates and the cost of mortgages. I think every Member of this body can agree the last thing the Senate should be doing is making things harder on families and making it more difficult for small businesses to grow and create jobs here at home.

When this Senate passed the economic stimulus package, it affirmed the basic principle that economic growth is best served through taxpayers and people who are earning the money being able to keep more of it. It would be incomprehensible to me to now turn around and pursue a mortgage plan that would take that money away through bigger Government programs or higher costs for homes or mortgages.

Let me say that in my home State of Texas, we continue to enjoy strong job creation. Although there has been a downturn in the housing markets, by and large, we are running in a countercyclical fashion to much of the rest of the Nation. Our unemployment rate is at a 30-year low, and over the past year, Texas has led the Nation in job creation. We have accomplished this by some things that are pretty obvious, but I think they are worth noting; things such as low taxes, commonsense regulation, and an economy based to a large extent on free trade. All of these factors give businesses the tools to grow and families the stability to live. Not coincident, naturally, it allows or encourages job creators and businesses to move to our State, thus creating in the last—well, since 2000 about 3 million people have moved to Texas. I think people tend to vote with their feet where they find opportunity, and I think this formula of lower taxes, less regulation, the right to work without having to join a labor union—you can if you want, but you shouldn't be forced to do so just to get a job—those, in addition to commonsense tort reform and some medical liability reform, which has reduced the cost of medical liability insurance some 17 percent, have encouraged a lot of physicians to move to our State and has created a lot more access to good quality health care. So from my standpoint, we kind of know what works, what helps encourage the economy, what helps stimulate the economy, and what provides the incentives for American workers to work hard and businesses to be attracted to a particular State or location.

I urge all of my colleagues to join me in supporting well-reasoned and proven measures such as these, while rejecting other proposals that would increase onerous regulation, drive up housing and loan costs, and build a barrier between more families and home ownership. We have worked well in the past when we have worked together, and I hope this week will be yet another example of good work we can accomplish when we put partisan politics aside to work out solutions in a way that addresses the real problems that face the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I noticed the Senator from Texas was talking about all of those people recently moving to Texas. There was a

point in our history in this country when half of Tennessee moved to Texas. In fact, almost every Texan you find has a Tennessee ancestor, whether it is Davy Crockett or Sam Houston or some other person.

I wish to follow up on the remarks of the Senator from Texas and his focus on the family budget and his focus on the way this Senate is working. Senator MCCONNELL, our Republican leader, has said often that in the Senate that process is often substance.

When I was Governor of Tennessee, I didn't understand that very well because the job of a governor is to see an urgent need, develop a strategy for meeting the need, and then persuading half the people you are right. So I left the process to somebody else and probably didn't show as much respect for the process as I should have. When I was a university president, I was humbled a great deal and learned a little bit more about process. Now that I am in the Senate, I understand even more that the Republican leader is a very wise man when he says process is often substance.

So first I wish to comment on the process we saw this afternoon when the majority leader, HARRY REID, a Democrat, and the Republican leader, MITCH MCCONNELL, stood together with others of us and said we are going to work together and try to produce a housing bill. That was a very important event to say we'll come together and try to produce a housing bill that helps stabilize home values for American families and helps restart our economy. All it was, was process. Out of this messy situation we have here in the Senate, where 100 of us have a right to actually bring the Senate to a halt, we had the two leaders form a consensus about process and assign two of our more respected Members, the Senator from Connecticut, Senator DODD, and Senator SHELBY, the Senator from Alabama, the job of coming back to us tomorrow and giving us the next step. The leaders did this because the Senate recognizes we have a housing problem in this country. It is one that by and large may have to correct itself because of the huge free market we have, but there are steps we can take in the U.S. Government to help stabilize home values. That would be good for the family budget. It would help to restart the economy. It would be good for the country.

I commend Senator REID and Senator MCCONNELL for their steps and think they are on the right course. I say that as I see the Senator from Colorado, who has done so much in this body to help us keep our eye on the ball and do what the American people expect us to do. The American people don't expect us not to have differences of opinions; of course we have differences of opinions. That is why issues are here. If they could be easily solved, they would have been solved at the county commission or at the State government level. But these issues have been kicked up to the national level and they are hard, tough issues, and we are expected to have differences of opinion. We have Democrats on that side and Republicans on this side because we have different principles that we emphasize sometimes. Usually they are the same principles, but they are often in conflict and we have to work those out. So in the Senate, we are going to have a big, strong, rousing debate about housing. No one should misunderstand that. But what the leaders have said is what the leaders ought to say in the Senate, which is that we see a real problem here with housing in the United States of America. We see families who are worried. We see home values that are at risk. We believe there are some steps we can agree on that would be good for the country, are within our budget and that would help stabilize home values and restart the economy. These are steps that will help the family budget, and the leaders have said that is what we are going to do.

Of all of the things people say to me in Tennessee when we talk about issues, they basically say: Why don't you guys—or something less flattering—why don't you Senators stop the petty partisan bickering. Or, in my words, stop the kindergarten politics and go to work on big issues affecting our country and try to get a result. That is what the Senator from Colorado spends a lot of his time here in the Senate trying to do. I try to do that. Most of us try to do that. We are all here, I think, to get some result, and the leaders have given us an opportunity to try to get one here on housing.

There are some good precedents for this. When people see us debating, they shouldn't think there is something wrong with that. We have big principled debates here. What they don't like is the kindergarten politics when we are here to stick our fingers in each other's eyes. The American people can smell that a mile away, and they hate it. They don't like it.

But kindergarten politics is not what we used on the America COMPETES Act last year. Senator REID and Senator MCCONNELL cosponsored it because so many of us supported the idea. It wasn't so easy to pass. It was $34 billion of authorization to try to help us keep our jobs from going overseas by keeping our brain power advantage here. We had no limits on the debate. Everybody who wanted to offered an amendment and then we passed the legislation. The COMPETES Act is now in place, and we are working on funding it. It is helping low-income kids who couldn't afford advanced placement tests have them. It is helping universities train more math and science and physics teachers. It has put us on a path to double funding for the physical sciences in the Office of Science and in the National Science Foundation. These are all things we must do as a country if we want to keep our standard of living. So the Senate did that together.

At the end of last year, we brought up an energy bill. Senator SALAZAR and I worked together on many energy ideas, but this was an especially important one. The Oak Ridge National Laboratory in the State of Tennessee has said to me repeatedly: The single most important thing you could do to reduce our dependence on foreign oil and to stop sending dollars overseas to some people who are trying to kill us is to reduce the consumption of oil by passing a fuel efficiency standard so we can increase the average mile per gallon of all cars and trucks. We did that. Now, the Senate had an argument about whether to have 20 billion more dollars of taxes, and some of us voted that down. But we didn't stop there and go home, take our football and leave the floor; we came to a result, and we did the most important thing we could do to try to reduce our dependence on foreign oil. And reducing our dependence on foreign oil, by the way, is the real way to stabilize and begin to bring down the price of a gallon of gas. So the Senate did that together.

Then at the beginning of this year, the President and the House of Representatives got together to propose an economic stimulus package. In fairly record time we approved provisions that will help 2.7 million Tennesseans receive $600 or $1,200—or in some cases $1,800, if they have a couple of kids—of their own money for the most part, back, so they can spend it. This stimulus package will provide $50 billion in aid for businesses. In some of our smaller counties there are hundreds of small businesses which can take advantage of keeping a little bit more of their own money and maybe add jobs. And that stimulus is coming in time to help.

We hear on the news today that consumer confidence is a problem. Well, the rebate checks and the small business deductions are about to go into effect, and that was something the Senate did together. We had principled disagreements, but we came to a result.

One other example of working together is concerning the foreign intelligence surveillance bill. I mentioned a little earlier a very wise man, Samuel Huntington, once said that most of our conflicts are about principles with which we all agree. We agree, all of us, the Senator from Colorado and the Senator from Tennessee and every American, that the principle of liberty is important, and so is the principle of security. Well, those two principles came in conflict when we began to debate the rules for overhearing a conversation from an al-Qaida terrorist in the Middle East calling into the United States. For 6 months we debated that, but the Senate came to a result concerning liberty versus security. No one watching the Senate should think there wasn't a debate here. There was a vigorous, impassioned debate. It was the kind of debate we ought to be having, but it wasn't about kindergarten

politics, it was about liberty versus security. Then the Senate came to a result.

So on competitiveness, on energy efficiency, on economic stimulus, and on intelligence surveillance the Senate came to a result. What Senator REID and Senator MCCONNELL said today is that we are going to try to do the same thing on housing.

Now, the second thing I wish to say is that there are several things going on within our financial situation today, and there are several solutions, so let's sort them out.

First, Secretary Paulson and others have suggested a badly needed fresh look at our financial institutions and how they are regulated. That will take a while and isn't easy to do. It is very complex, and it ought to take a while to discuss. In this country of ours, we produce about 30 percent of all of the wealth in the world every year. We do it in this great big free market with many different parts to it. So any time we begin to change things about the regulations, we need to be careful about what we do.

What we are talking about now in the Senate—and what the leaders announced today—is not down the road but instead is today and tomorrow. What can we do today and tomorrow to help the family budget? What can we do to stabilize home values, which we hope will help to restart the economy? There are a lot of good ideas out there. There are some that we in the Senate may be able to agree on fairly quickly.

The last thing I want to try to do is to do the work of Senator DODD and Senator SHELBY for them. They have a big task. Their assignment from the leaders is to take a day, so they and their staffs will be working most of the night to see if there are a few things that most of us can agree on that can form the basis of what the Senate plans to do on housing. Then, as I understand it, we will begin to have votes, hopefully, on issues related to housing. My guess is that if there are important and controversial issues, in most cases it will require 60 votes. In other words, we will have a bipartisan core that Senator DODD and Senator SHELBY will propose, and then we will have a series of votes to try to improve the bill.

Senators will have some differences of opinions about what improves it and what doesn't. For example, one thing that I think doesn't improve it—and many on this side don't think it improves it—is the idea of letting bankruptcy judges rewrite home mortgages for homes in foreclosure. It sounds good, and it might help a few people. Here is what else it would do: It would raise the risk for all of those who buy home mortgages in the future. If the risk is higher, the interest rate is higher. If the interest rate is higher, what does that mean for the family budget? It means higher monthly mortgage payments. The Congressional Budget Office says there could be higher interest rates. The Mortgage Bankers Association said there will be higher interest rates. They suggest that in the State of Tennessee it might be about $120, on the average, a month. I don't think it helps the housing slump if we pass legislation that has the effect of raising most home mortgages by $120 a month. That is a big raise for most people. So I think that is a bad idea. My guess is that this bankruptcy provision will be offered on the floor, we will debate it, and I hope we defeat it. At least we will be here on the Senate floor debating it and offering our reasons for and against it.

If it comes up in that form, it reminds me of junk bonds—something that was cooked up in the late 1970s and early 1980s. They called them that because they were higher risk bonds. When they were placed into the marketplace, investors said: We will buy them, but we are going to require more of an interest rate return.

There came to be other problems with these high-yield junk bonds, but the other problems are not what I am talking about. I am talking about the simple equation that if we introduce more risks into mortgages, then when people buy the mortgages they are going to require a higher interest rate. If there is a higher interest rate, that is a higher monthly mortgage payment for families in Tennessee, where the estimate is approximately $120 more a month. That is not an idea I hope is in the final result.

One idea that might be in the final result that has substantial Democratic and Republican support is providing $10 billion in new bond authority for loan refinancing. Senator BOND has that provision in his legislation, for example. That would provide tax-exempt bond authority which could be used to refinance subprime loans, to provide mortgages for first-time home buyers and for multifamily rental housing. That would mean if you have a subprime loan and suddenly your adjusted rate jumped up to a level you cannot afford—and that is going to happen with a lot more mortgages in the next few months—then the State housing agency could make a deal with you to refinance that loan. In effect, this refinancing would pay off the old loan, and you would have a new one at a lower interest rate that you are comfortable with. Most of the money gets paid back, the house is not in foreclosure, and there is more stability in the market. This is an idea I could personally vote for, and I know it has support on both sides of the aisle.

Another idea that has come from the Republican side but has attracted some interest on the Democratic side is the proposal of the Senator from Georgia, Mr. ISAKSON. He may be the junior Senator from Georgia, but he is no spring chicken. He had been in the real estate business for a long time before he came here to the Senate. He has been around long enough to have seen the housing slump in the 1970s. So he said: Let's not just invent some idea that might help; let's look back in our history a little bit and see if there was ever anything that worked in a similar circumstance that we could use to help preserve home values today. He pointed this out to us and introduced legislation, which I and others are cosponsors of, that would create a $5,000-a-year tax credit for three years for home buyers of homes that are new or in or near foreclosure. This tax credit would only apply for a limited period of time. Senator BOND included this provision in his housing legislation as well. Some work would have to be done to make sure this wasn't just for speculators. But the idea is a pretty simple one: Let's create some more home buyers through this incentive because that is good for homeowners. It is not just good for the person who has the foreclosed home but for everybody else whose house is not foreclosed, because if we stabilize the housing market by providing an influx of new home buyers, that will help preserve home values for everybody else in the market. And that will bring more confidence to the economy. I think that is a very good idea. It costs some money—about $10 billion to $14 billion over five years—in the form that it was originally introduced. Maybe it could be done at a little less of a cost.

One thing we know is that a similar tax credit was tried before in the 1970s. Senator ISAKSON says that at that time we had a 3-year inventory of unsold homes, and that tax credit—at a lower figure then because the dollars were a little less then—helped reduce the inventory of unsold homes from 3 years to 1 year. That is an idea worthy of consideration.

There is a lot of talk on both sides of the aisle about counseling for people buying homes. I have bought and sold some homes. I am trained to be a lawyer and I have been in Government. I would not think of buying or selling a home without a lawyer's help. I am not sure I could understand all of the forms I signed the most recent time I bought a home. We can do much better than that. The basic information ought to be up front so that people can understand, first, how long their mortgage lasts, what the interest rate is during the whole time, and what the monthly cost is. Those are the basic things. Then there are some other things that could also be clarified. Full disclosure—the Senator from Texas talked about that earlier—and loan counseling are ideas that the Senate can help with.

Senator MARTINEZ, a former Secretary of the Department of Housing and Urban Development, was a part of the press conference the Republican leader called this morning to discuss several Republican ideas that we have and which we hope are considered in this debate. Senator MARTINEZ has proposals about FHA loans, which are the loans that first-time home buyers often have, and for how to deal with Fannie Mae and Freddie Mac—the agencies that buy mortgages.

There is a lot we can do in the Senate to help preserve home buying, and the way to find out what we can do is to do exactly what the Democratic leader and the Republican leader have given us the opportunity to do.

Finally, I would like to say this, as I said in the beginning of my remarks. No one should believe, because the Democratic and Republican leaders and the rest of us standing behind them put us into a process to try to achieve a result, that it will be easy. No one should believe that there won't be a debate, or that there is any guarantee of success. Senator DODD and Senator SHELBY said that failure is not an option. I believe that, too, but we are going to have to discuss it to get there. It may take a few days. We are dealing with a big economy. So process may be a result, process may be substance, but either way, this is the beginning of the process toward a result.

Also, at least from my point of view, I would not want anyone to think that I believe the Government by itself can solve this problem. We sometimes forget—particularly at a time when we have an economic slowdown, as we do today—what a fortunate country we are and what a strong economy we have. I mentioned earlier that year-in and year-out, this economy in the United States produces 30 percent of all of the wealth in the world, measured by GDP, for just 5 percent of the people of the world. And we will do it again this year, as we did last year and as we will do again next year. Five percent of us Americans live here, and we will produce this year about 30 percent of the wealth in the world, according to the International Monetary Fund. Now we are in a little bit of a slowdown. It is important to understand that we are being honest about that. It is a slowdown, and it is a housing slump, and we have a problem.

We also have a big, strong economy—we have the biggest, strongest economy and the freest market, and our fundamental approach in Government ought to be to make sure that it stays that way.

So, for me and for many on this side of the aisle—and maybe others on the other side too—there are fundamental long-term propositions to really balance the family budget. We can do this by having low taxes, having less Government, having 2-year budgets so we could have more time to conduct oversight and review regulations, which means less regulation.

The way to have a strong economy is to have the right labor-management relations. In Tennessee, for example, when we were recruiting automobile plants, it meant the right-to-work law was very important to us as a State. We also need to have a first-class education system for all Americans, and that means dealing with disagreeable subjects like paying teachers more for teaching well or giving low-income kids more choices of good schools like the wealthy have. We need to also stop runaway lawsuits so that doctors don't move out of rural areas and so pregnant women don't have to drive 60 miles to Memphis to see a doctor for prenatal health care. That drives up health care costs. We also have to work together to find a way for every American to have health insurance. This is a long list, but if we really want economic strength, that is what it takes.

I learned this in a small way as a Governor of the third poorest State in the 1980s. My goal was to raise family income. I kept working for ways to do that. We already had low taxes and we had a right-to-work law. Our good location helped. We had to get rid of the usury limit, and we had to improve the schools. Then I found that we needed four-lane highways.

So there are many parts to a strong economy. These temporary measures we are taking, hopefully, in the next few days will help, I hope, preserve home values by stabilizing housing and restarting the economy.

I see no reason why we cannot create more transparency and counseling and make it possible for more mortgages to be refinanced and give tax credits to home buyers to create more homeowners. We can do that, but these are short-term measures. Then we can have other principled debates in the Senate about whether we are going to have lower taxes and whether we are going to have less Government and whether we are going to have fewer runaway lawsuits. And discussions on whether we are going to be willing to pay teachers more for teaching well or whether we will have a research and development tax credit so our companies won't go overseas or whether we are going to create opportunities for skilled researchers and workers to come into the United States so that we can in-source some of the brainpower that creates all this wealth we have enjoyed for so long.

I am glad to have the opportunity to come to the floor to congratulate Senators REID and MCCONNELL. They have done what leaders ought to do. They have put the Senate in a position to do what we should do, and that is to stand on our principles, offer our best ideas, work in good faith across party lines, and try to get a result and help the American people. The American people like to see the Senate acting that way. I am glad to have been a part of the Senate that acted that way on the America COMPETES Act, on the fuel efficiency standards, on economic stimulus, and on the foreign intelligence surveillance bill we passed recently. I am glad to be a part of the Senate that is preparing to act on housing slump.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, a month ago I came to the floor to speak on behalf of America's homeowners. Since then, tens of thousands of families have lost their homes. Since then, we have been watching home prices fall, we have been watching foreclosure rates skyrocket, and we have been watching tens of thousands of Americans lose their jobs.

In my home State of New Jersey, over the next 2 years, we expect more than 57,000 homes to be lost to foreclosure. That means 57,000 families who will have to hand over the keys to their home, 57,000 families who will be forced to say goodbye to the place where they were nurtured and comforted, a place where they lived during good and bad times, places they came home to every night, a place they celebrated birthdays and wept over losses.

In the words of families, we know what it feels like to lose their home. They will feel as if they have lost everything.

Nationwide, the number of foreclosures that is going to happen if we don't act is unfathomable. Two million American families are in line to lose their homes over the next 2 years, and everyone stands to lose from foreclosures. Lenders report losing tens of thousands of dollars on each foreclosure. Neighbors see the value of their own homes drop. When we see that 63,000 Americans lost their jobs a month ago, when we see weak earnings reports from businesses, wild swings in the stock market, and the collapse of a major firm on Wall Street, we can see this housing crisis is truly shaking the entire economy to its core. It clearly has a major ripple effect.

We all know at the heart of this economic downturn is the housing crisis. So the question is: How long are we going to watch before we realize it is time to take action?

I marvel when a year ago this past March I said at a Senate Banking Committee hearing that we are going to have a tsunami of foreclosures and the Bush administration said: Oh, no, that is an overdramatization. I said then: I hope you are right and I am wrong. The reality is, we have not even seen the crest of that tsunami take place.

Not only did they say it was not real, but they refused to act in any meaningful way. But when it was clear that a major investment bank on Wall Street was in trouble, the Bush administration rushed to the scene like firefighters responding to a five-alarm blaze with $30 billion put up to ensure that JP Morgan Chase could buy Bear Stearns.

Regardless—and we will be reviewing both the propriety and the way and the standards that were used to pursue that, whether that is the appropriate standard, the way Bear Stearns ultimately was priced—a full year into the subprime mortgage crisis, they have done nothing but hit the snooze button on the alarm as millions of Americans have watched their dream of home ownership go up in smoke.

It is time we react with the same urgency and seriousness, no matter if the people who are in financial trouble are occupying a suburban home in Madison or a rowhouse in Newark or Camden.

I hope today finally there is a glimmer of hope for homeowners who have been left to fight this battle alone. It is clear that Members on both sides of the aisle have gotten the message that it is time to act. And it is clear what our goal has to be: helping families keep their homes and in doing so helping our economy, which affects all of us.

I am pleased that we have made what seems to be an important breakthrough in the Chamber. I have the utmost faith in Chairman DODD and Ranking Member SHELBY that they understand the urgency at hand, that they will do their best to put forward a workable solution we can all support, and I certainly hope it is one I can support as well.

I strongly support Majority Leader REID's bill as it is. I understand the nature of compromise and negotiation, so I know it will change, but I hope that bipartisanship will not mean we will stray far from providing the direct assistance that homeowners need—to stop foreclosures.

Here are a few key steps the final bill has to take. First, we need to provide funding for counseling in order to reach families at risk of losing their homes. Many American families—I saw it during the recess when we were working back in our States—many American families are sitting around their kitchen tables looking through their mortgage bills, their finances, and, yes, their bank notices, and they don't know where to turn. They don't know exactly what to do. It is not as if they have a pot of money sitting in the bank. They do not. They are trying to keep it together, keep their families together, keep their hopes and dreams and aspirations together. These counselors could offer them real solutions and options to avoid receiving that foreclosure notice or, even worse, foreclosure itself.

The Reid bill puts forward $200 million to make sure counseling reaches those who need it the most, and I think that is incredibly important.

Secondly, we need to provide funding to allow communities with high foreclosure rates to access community development block grants. Communities can use these funds to purchase foreclosed properties for rehabilitation, rent, or resale. Having a foreclosed home sit abandoned in a community does not benefit anyone. This is one of the key points I always make when I talk about this issue because a lot of people say that is not about me. I got the right mortgage; I am paying for it; this is about some people who made the wrong choices, and I don't want to pay for their wrong choices.

The problem with that is, first of all—and I will talk about it in a moment—people were led to choices where maybe they did not have financial literacy, maybe they didn't have the wherewithal to fully understand the nature of what they, in many cases, were being misled into—a mortgage product in which they should never have been.

Even looking at it in that respect, the bottom line is it affects us all. Why? Because a foreclosed home that sits abandoned in a community does not benefit anyone. It decreases surrounding home values and it can attract crime and vandalism. The bottom line is that foreclosures destabilize neighborhoods. The funds in this bill allow communities to stop that death spiral before it starts.

Some argue that stepping in to help our communities recover from the housing crisis would somehow be a blow to the concept of personal responsibility because some homeowners, as I said, made bad choices in signing up for subprime mortgages.

First of all, let me say, don't get me wrong, personal responsibility is important, and that is why we need greater support for homeowner education, for foreclosure counseling, and financial literacy so anyone thinking about buying a home will be able to understand the terms of their mortgage, even the fine print, and have the tools to protect themselves.

What I have a problem with, as I listen to so many in the Chamber, is it seems that personal responsibility is always talked about as it relates to the consumer. Personal responsibility is not just important for homeowners, however. Every participant in the life of a loan needs to step up and take real responsibility and action.

What got us to where we are today? In my mind, unbridled free market extremes, excesses without appropriate regulation or without the attention of regulators has brought us to where we are.

I believe in the free market, but when it is unbridled, this is what happens. Every broker, lender, realtor, every appraiser, regulator, credit rating agency, and investing firm needs to make changes if we have any hope of quieting the storm and not reliving it. The time for blame games is over. The time for action has come.

Third, I hope this body looks carefully at a provision that can help more than 600,000 families stuck in bad loans keep their homes. I know some of my colleagues are very concerned about this provision which would give judges in bankruptcy proceedings the discretion to modify loan terms. But the fact is, this provision is very narrowly tailored, it is a one-time limited fix, and in the end it is a win-win not only for borrowers but lenders alike. This provision alone would help over 14,000 families in my State of New Jersey avoid foreclosure. That would be a savings of about $5 billion in home values alone. My good friend Senator DURBIN has done an excellent job at hammering out a compromise, and I hope my colleagues will give it careful consideration.

It is interesting, under the existing bankruptcy law, if you happen to have the good fortune of having a second home, a vacation home, a leisure home, guess what. The bankruptcy judge can go ahead and change your financial obligations on that home, but the very essence of the American dream, which is the home in which you live, to raise your family, to go through good and bad times, no, that cannot be renegotiated. What an interesting set of values. For a leisure home, we can go ahead and a bankruptcy judge can change the terms, but for those who were sucked into a subprime mortgage who should never have been in those types of mortgages and for which the regulation was not there to ensure there was transparency and ensure there was oversight, oh, no, we cannot touch that. In a place that talks so much about values, I don't understand that set of values.

As we in the Congress debate how best to help homeowners, how best to end the housing crisis and how best to get this economy back on track, we have to see the bigger picture. There is a lot at stake. No matter who you are, no matter whether we have a subprime mortgage, no matter whether we are making our obligations meet or whether we are finding ourselves in distress, we are all in this together. When the house next to ours gets boarded up, it affects the value of our property, too, and how safe we feel walking around our neighborhood at night. When that value goes down, it reduces the equity we have in our home upon which we can borrow to put our kids through college, to take care of an uncovered medical bill or emergency, or even for the resources we will have for our retirement. No one is immune.

So this sense of personal responsibility, yes, but understand that we all have a stake. When a neighbor of ours has to declare bankruptcy and is forever saddled with debt they cannot pay, they shop less at our stores, purchase fewer of the services our community offers, and, obviously, the more foreclosures we see in a neighborhood, property values decline. When those property values decline, rateable bases go down—and that is the way municipalities ultimately receive their resources which means, what? Either taxes have to go up to cover existing services of police, firefighters, education, whatever, or we cut the services. We are all in this together.

When a nonprofit organization in Jersey City is close to finishing the building of its new arts center so it can give kids an opportunity to do something productive after school and stay away from gangs and they cannot get the last bit of money they need because of this credit crunch and housing crisis, it affects us all.

Dr. Martin Luther King reminded us that ''we are all tied in a single garment of destiny'' and that ''we cannot walk alone.'' This is a crisis we are all in together as a nation. And there is no reason we can't all work together to end it. It is in America's interest to do so, and I hope the Senate, which has shown a moment of a possibility of what can be done, seizes that moment

on behalf of our fellow citizens but also on behalf of our collective interest, on behalf of our economy, and, in doing so, on behalf of our Nation.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RIGHT TO VOTE

Mr. NELSON of Florida. Mr. President, I wish to speak to an issue that is all too familiar to my State of Florida but has now taken on such importance that it is a subject that is all too familiar to the entire country, joined by our sister State, Michigan; it is an issue that is sacred to our democracy. It is the issue of the right to vote and to have that vote counted as it was intended.

A year ago, the Florida legislature passed a bill to move Florida's Presidential primary to an early date on the national election calendar. Their thinking was to give our large and diverse State, which is a microcosm of the entire country, more of a say in the selection of Presidential nominees. This violated the two national parties' rules, and the threat was made that if Florida moved ahead, both the Republican National Committee and the Democratic National Committee would take away half of Florida's delegates. The Florida legislature, despite that, changed the date of Florida's election by law, moving it 1 week earlier than the imposed deadline by the two national parties.

The Florida legislature is controlled by the Republican Party, and the Democrats in the legislature, through their Democratic leader in the Florida House as well as the Florida Senate, offered an amendment to put the date of the Florida primary back to February 5 so it did not violate the two national party rules. That amendment was defeated. The bill went on to final passage.

In addition to the January 29 date for the Presidential primary, it was primarily a bill about election machines and accountability. So on final passage it was clearly going to be a near unanimous vote. Therefore, the Florida legislature passed and the Republican Governor signed into law the new election date.

I repeat that story because people who want to penalize Florida often miss the fact that it was not Florida Democrats who changed the date. Well, we all know what happened after that. Both national parties decided to punish Florida because those parties' rules reserved the early Presidential contest to a handful of other States.

The Republican National Committee, pursuant to their rules, took away half of Florida's delegation. The Democratic National Committee decided to extract an extra pound of flesh and took away all of the delegates of Florida's delegation.

For 8 months now, I have been immersed in a fight to get the chairman of my party to end the stalemate and to seek Florida's delegates and to honor the January 29 primary vote because on that date we had a historic turnout. Some 3.6 million citizens headed to the polls and cast ballots in Florida's Democratic and Republican Presidential primaries.

For me, it is pretty simple. It is a case of fundamental rights versus party rules. So when there could not be a compromise worked out last August, September, and into October, I sued my own party in Federal district court. In December, the Federal judge ruled against my motion, and at that late date it was too late to appeal.

I have continued to push for my party to find a way to seat a delegation from Florida, while giving Floridians a meaningful voice in the selection of their party's nominee. This fight has been based on the principle that, in America, every citizen has an equal right to vote, it is based on a premise that Floridians are entitled to have their votes count as intended, and it is based on a belief that we all deserve a say in picking our Presidential nominees.

More recently, I, along with others, asked the national Democratic Party to look into paying for a mail-in revote. The party declined. The State party proposed it, few people could agree on the specifics, and certainly the candidates themselves couldn't agree on the specifics. Now we are at a point where reaching a solution is critical. And so when we were last in session, about 2½ weeks ago, I asked the two Democratic candidates, who happened to be on the floor that day when we had the session that lasted most of the night, to consider a proposal whereby they would go back to the original rules of the Democratic Party and seat the delegation with half its vote but still based on the January 29 results. This is allowed by the Democratic rules, as it was done by the GOP.

If nothing else, all this brouhaha we now find ourselves in for this election has certainly provided further evidence our system is broken. Yet as to our right to vote and to have that vote count, there can be no debate. The goal is simple. The principle is very simple: It is one person, one vote.

Last fall, I filed legislation in the Senate to require that no vote be cast for Federal office on a touch-screen voting machine starting in the next Presidential election 4 years from now. I also joined the senior Senator from Michigan, Senator LEVIN, to propose a system of six rotating interregional primaries, from March to June, in each Presidential election year. Very soon, I am filing a broader based election reform bill, and this new legislation will abolish the electoral college.

It will be a proposed constitutional amendment and will, therefore, give citizens direct election of their President by the popular vote. We have seen in the history of this country a few times when one candidate gets the most votes, but it is the other candidate that wins because of the archaic electoral college process provided in the Constitution. In this new package, it will have the six rotating interregional primaries that will give both large States and small States a fair say in the nomination process.

This legislation will establish early voting in each State to make it easier for the voter to vote, instead of going on 1 day. It will eliminate machines that don't produce a voting paper trail, so if you have to recount, you don't have just a piece of software, you have the actual paper trail in order to be able to do the recount in an accurate way.

This package will allow every qualified voter in every State to cast an absentee ballot on demand. In some States, you can't cast an absentee ballot unless you fill out some affidavit that says you are not going to be in your city on the day of the election, or that you are sick and you can't get to the election. We ought to make it easy for the voter to vote.

The package will also give grants to States that develop mail-in balloting and grants for pilot studies to study secure Internet voting.

We have had too many of these questions arise in my State of Florida over the years, and perhaps this is why Floridians are so sensitive about this. So I am reaching out to my colleagues. I respectfully ask each of the Senators to make suggestions to make this a better bill. Let's remember it was more than 230 years ago that our Founding Fathers declared all men are created equal, but the country still had to wait another 87 years before President Lincoln signed a proclamation freeing the slaves. It took another 57 years before women in America were allowed to vote.

In 1872, Susan B. Anthony was arrested for voting. After that, she delivered a speech on women's right to vote. ''The ballot,'' she said, ''is the only means of securing the blessings of liberty provided by this government.'' Let me repeat those profound words. ''The ballot,'' Susan B. Anthony said, ''is the only means of securing the blessings of liberty provided by this government.'' Even still, it took another 93 years before our Nation belatedly enacted a law guaranteeing every U.S. citizen an equal right to vote—the Voting Rights Act of 1965.

This country cannot afford to wait another 93 years before we fix the flaws we still see in our election system. The blessings of liberty cannot wait. With what we have seen thus far in this election cycle, the time for election reform is now.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, as I listened yesterday to the partisan rhetoric we continue to hear from Senate Republicans on nominations, I am disappointed that the Republican leader is ignoring the majority leader's statement from last May 10.

Today is April Fools' Day. I do not think the American people are fooled or amused by continued partisan bickering over nominations. Indeed, with a massive subprime mortgage crisis that has left so many Americans in dire straights, fearful of losing their homes, the Republican efforts to create an issue over judicial nominees is misplaced. In fact, I have been working hard to make progress and have treated this President's nominees more fairly than Republicans treated those of President Clinton. Judicial nominations are not the most pressing problem facing the country. Indeed, we have worked hard to lower vacancies to the lowest levels in decades. We have cut circuit vacancies in half.

It should be no surprise that the administration would rather focus on having a partisan political fight than the news that, in February, the United States lost 63,000 jobs. To make up for those and other job losses in recent months thanks to this President's policies, this country would need to create 200,000 jobs every month. This administration is apparently more worried about the jobs of a handful of controversial nominees, many without the necessary support of their home State senators, than the loss of jobs by thousands of American workers.

Unemployment is up over 20 percent, the price of gas has more than doubled and is now at a record high average of over $3.20, trillions of dollars in budget surplus have been turned into trillions of dollars of debt with an annual budget deficit of hundreds of millions of dollars, and the trade deficit has nearly doubled to almost $1 trillion. Indeed, just to pay down the interest on the national debt and the massive costs generated by the disastrous war in Iraq—the fifth anniversary of which we tragically marked 2 weeks ago—costs more than $1 billion a day. That is $365 billion each year that would be better spent on priorities like health care for all Americans, better schools, and fighting crime and treating diseases at home and abroad.

Perhaps the only thing that has gone down during the Bush Presidency is judicial vacancies. After the Republican Senate chose to stall consideration of circuit nominees and maintain vacancies during the Clinton administration in anticipation of a Republican Presidency, judicial vacancies rose to over 100. Circuit vacancies doubled during the Clinton years. Since I became Judiciary chairman in 2001, we have worked to cut those vacancies in half.

In the Clinton years, Senator HATCH justified the slow progress by pointing to the judicial vacancy rate. When the vacancy rate stood at 7.2 percent, Senator HATCH declared that ''there is and has been no judicial vacancy crisis'' and that this was a ''rather low percentage of vacancies that shows the judiciary is not suffering from an overwhelming number of vacancies.'' Because of Republican inaction, the vacancy rate continued to rise, reaching nearly 10 percent at the end of President Clinton's term. The number of circuit court vacancies rose to 32 with retirements of Republican appointed circuit judges immediately after President Bush took office.

Then, as soon as a Republican President was elected they sought to turn the tables and take full advantage of the vacancies they prevented from being filled during the Clinton Presidency. They have been extraordinarily successful over the past dozen years. Currently, more than 60 percent of active judges on the Federal circuit courts were appointed by Republican Presidents, and more than 35 percent have been appointed by this President. The Senate has already confirmed three-quarters of this President's circuit court nominees, compared to only half of President Clinton's.

I was here in 1999 when the Republican chairman of the Judiciary Committee would not hold a hearing for a single judicial nominee until June. In contrast, we have scheduled 3 hearings on 11 nominees so far this year. We have a circuit nominee from Texas listed on the Judiciary Committee agenda this week. I wrote to the President during the last recess commending him for nominating someone for a Virginia vacancy to the Fourth Circuit who is supported by Senator WARNER and Senator WEBB, a Republican and a Democrat, and indicated that I would use my best efforts to proceed to that nomination as soon as the paperwork is submitted. I will ask that a copy of that letter be printed in the RECORD at the end of my statement. In that letter, I also informed the President that an anonymous Republican hold had prevented Senate confirmation of the President's nominees to be the Associate Attorney General, the No. 3 position at DOJ, and the Assistant Attorney General for the Civil Division.

Since the resignations of the entire top leadership at the Department of Justice last year in the wake of the scandals of the Gonzales era, I have made restoring the leadership ranks at the Department a priority. Since September, the committee has held seven hearings on executive nominations, including a 2-day hearing for the Attorney General. The Attorney General and the new Deputy Attorney General have been confirmed. But for Republican delays in refusing to cooperate and make a quorum in February, and now the anonymous hold, the Senate would have confirmed two more high-level DOJ nominees.

The partisan rhetoric on nominations rings especially hollow in light of the progress we have made. Last year, the Senate confirmed 40 judges, including 6 circuit judges. The 40 confirmations were more than during any of the 3 preceding years with Republicans in charge. The Senate has now confirmed 140 judges in the almost 3 years it has been run by Democrats and only 158 judges in the more than 4 years it was run by Republicans.

We continue to make progress. Four district court nominations are pending on the Senate's Executive Calendar. I have mentioned the nomination to the Fifth Circuit that is pending on the Judiciary Committee's agenda this week. I have already announced and noticed another hearing this Thursday for four more judicial nominees, two from Virginia and two from Missouri, and for the nominee to be the Assistant Attorney General for the Office of Legal Policy. This will be the Judiciary Committee's fifth confirmation hearing this year.

With respect to the recent nomination of Steven Agee to a Virginia seat in the Fourth Circuit, it is regrettable that Justice Agee's nomination only comes after months of delay when the White House insisted on sending to the Senate the nomination of Duncan Getchell. That nomination did not have the support of either of the Virginia Senators and was withdrawn after the Virginia Senators objected publicly. In fact, the delay in filling that vacancy has lasted years because this President insisted on sending forward highly controversial nominations like William Haynes, Claude Allen, and Duncan Getchell.

In my letter to the President, I wrote that I expect the Judiciary Committee and the Senate to proceed promptly to consider and confirm Justice Agee's nomination with the support of Senator WARNER and Senator WEBB, just as we proceeded last year to confirm the nomination of Judge Randy Smith to the Ninth Circuit, once the President had withdrawn his nomination for a California seat and resubmitted it for a vacancy from Idaho. I urged the President to use the Agee nomination as a model for working with home State senators and Senators from both sides of the aisle. Time is running short.

Senate Democrats should not and have not acted the way Republicans did by pocket filibustering more than 60 of

President Clinton's nominees. I would rather see us work with the President on the selection of nominees that the Senate can proceed to confirm than waste precious time fighting about controversial nominees who he selects in order to score political points. I would also rather see the Senate focus on addressing the real priorities of the country rather than catering only to an extreme wing of the Republican base with controversial nominees.

Mr. President, I ask unanimous consent that the letter to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
*Washington, DC, March 20, 2008.*

Hon. GEORGE W. BUSH,
*The White House,*
*Washington, DC.*

DEAR MR. PRESIDENT: I write again, as I did last November, to demonstrate my willingness to work constructively with you in accordance with the Senate's important role in the consideration of your nominees to high-ranking positions in the executive branch and to lifetime appointments on our Federal courts.

Since last September, the Senate Judiciary Committee has been hard at work seeking to help restore the Department of Justice. The leadership ranks at the Department of Justice were decimated by the scandals of the Gonzales era. The Judiciary Committee's hearing last week was the seventh hearing we have held since September on executive nominations. The Senate has proceeded to confirm a new Attorney General, a new Deputy Attorney General, and numerous other nominations to fill high-ranking positions at the Justice Department.

I regret to inform you that we were stalled last week in our efforts to fill two other critical positions at the Department, when an anonymous Republican hold blocked confirmation of Kevin O'Connor to be the Associate Attorney General, and Gregory Katsas to be the Assistant Attorney General in charge of the Civil Division. I was particularly disappointed with this unexpected development. We had worked hard to expedite these nominations, holding a hearing on the first day of this session of Congress. After a nearly month-long delay, when Republican Members of the Judiciary Committee effectively boycotted our business meetings in February, we were able to report these nominations to the Senate in early March. They were set for confirmation before the Easter recess, until the last-minute Republican objection stalled them. They join your nomination of Michael Sullivan to be the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives as among those stymied by Republican objections. I trust at any future White House event on the status of nominations you will point out that several of your high-level executive nominations are being stalled by Republican objections.

With respect to judicial nominations, I want to commend you for working with Senators Warner and Webb to identify a nominee from those they recommended to you to fill a Virginia Fourth Circuit vacancy.

Your previous nominations from Virginia, William Haynes, Claude Allen and Duncan Getchell, were controversial and did not proceed. Following your withdrawal of the Getchell nomination earlier this year, I urged you to work with the Virginia Senators. I now thank you for doing so.

I expect your nomination of Steven Agee to be considered promptly following completion of the necessary paperwork. I want to encourage meaningful consultation with Senators of both parties. Just as we proceeded last year to confirm your nomination of Judge Randy Smith to the Ninth Circuit, once you had withdrawn his nomination for a California seat and resubmitted it for a vacancy from Idaho, I expect the Judiciary Committee and the Senate to proceed to confirm Justice Agee with the support of Senator Warner and Senator Webb. I urge you to work with Senators from other states, as well, so that we might make progress before time runs out on your Presidency and the Thurmond Rule precludes additional confirmations.

Your judicial nominations have fared far better than those of your Democratic predecessor. Nearly 90 percent of your nominations have been confirmed to lifetime appointments. Approximately three-quarters of your circuit nominations, compared to little more than half of President Clinton's circuit court nominations, have been confirmed. We have succeeded in reducing overall vacancies and circuit court vacancies to as few as half as many as during President Clinton's term. With four more judicial nominations on the Senate's Executive Calendar and another pending on the Senate Judiciary agenda, I am proceeding to notice another hearing for judicial nominees for the week immediately following the Easter recess. That will be our fifth nominations hearing so far this year.

Respectfully,

PATRICK LEAHY,
*Chairman.*

## HONORING WALTER F. MONDALE

Mr. LEAHY. Mr. President, this weekend, Marcelle and I will attend an event at the University of Minnesota Law School to honor the life and career of Vice President Walter Mondale on the occasion of his 80th birthday which he reached in January.

Vice President Mondale is a valued friend whom I proudly consider one of my mentors in the Senate. As I reviewed materials for this weekend, I came across an editorial by Vice President Mondale that appeared in the Washington Post on July 27, 2007 entitled ''Answering to No One.'' The editorial provides an excellent perspective on the Office of the Vice President and how that office evolved in recent history.

In order to remind all Senators and their staffs about this insightful article, I ask unanimous consent that the editorial be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

ANSWERING TO NO ONE
(By Walter F. Mondale)

The Post's recent series on Dick Cheney's vice presidency certainly got my attention. Having held that office myself over a quarter-century ago, I have more than a passing interest in its evolution from the backwater of American politics to the second most powerful position in our government. Almost all of that evolution, under presidents and vice presidents of both parties, has been positive—until now. Under George W. Bush and Dick Cheney, it has gone seriously off track.

The Founders created the vice presidency as a constitutional afterthought, solely to provide a president-in-reserve should the need arise. The only duty they specified was that the vice president should preside over the Senate. The office languished in obscurity and irrelevance for more than 150 years until Richard Nixon saw it as a platform from which to seek the Republican presidential nomination in 1960. That worked, and the office has been an effective launching pad for aspiring candidates since.

But it wasn't until Jimmy Carter assumed the presidency that the vice presidency took on a substantive role. Carter saw the office as an underused asset and set out to make the most of it. He gave me an office in the West Wing, unimpeded access to him and to the flow of information, and specific assignments at home and abroad. He asked me, as the only other nationally elected official, to be his adviser and partner on a range of issues.

Our relationship depended on trust, mutual respect and an acknowledgement that there was only one agenda to be served—the president's. Every Monday the two of us met privately for lunch; we could, and did, talk candidly about virtually anything. By the end of four years we had completed the ''executivization'' of the vice presidency, ending two centuries of confusion, derision and irrelevance surrounding the office.

Subsequent administrations followed this pattern. George H.W. Bush, Dan Quayle and Al Gore built their vice presidencies after this model, allowing for their different interests, experiences and capabilities as well as the needs of the presidents they served.

This all changed in 2001, and especially after Sept. 11, when Cheney set out to create a largely independent power center in the office of the vice president. His was an unprecedented attempt not only to shape administration policy but, alarmingly, to limit the policy options sent to the president. It is essential that a president know all the relevant facts and viable options before making decisions, yet Cheney has discarded the ''honest broker'' role he played as President Gerald Ford's chief of staff.

Through his vast government experience, through the friends he had been able to place in key positions and through his considerable political skills, he has been increasingly able to determine the answers to questions put to the president—because he has been able to determine the questions. It was Cheney who persuaded President Bush to sign an order that denied access to any court by foreign terrorism suspects and Cheney who determined that the Geneva Conventions did not apply to enemy combatants captured in Afghanistan and Iraq.

Rather than subject his views to an established (and rational) vetting process, his practice has been to trust only his immediate staff before taking ideas directly to the president. Many of the ideas that Bush has subsequently bought into have proved offensive to the values of the Constitution and have been embarrassingly overturned by the courts.

The corollary to Cheney's zealous embrace of secrecy is his near total aversion to the notion of accountability. I've never seen a former member of the House of Representatives demonstrate such contempt for Congress—even when it was controlled by his own party. His insistence on invoking executive privilege to block virtually every congressional request for information has been stupefying—it's almost as if he denies the legitimacy of an equal branch of government. Nor does he exhibit much respect for public opinion, which amounts to indifference toward being held accountable by the people who elected him.

Whatever authority a vice president has is derived from the president under whom he

serves. There are no powers inherent in the office; they must be delegated by the president. Somehow, not only has Cheney been given vast authority by President Bush—including, apparently, the entire intelligence portfolio—but he also pursues his own agenda. The real question is why the president allows this to happen.

Three decades ago we lived through another painful example of a White House exceeding its authority, lying to the American people, breaking the law and shrouding everything it did in secrecy. Watergate wrenched the country, and our constitutional system, like nothing before. We spent years trying to identify and absorb the lessons of this great excess. But here we are again.

Since the Carter administration left office, we have been criticized for many things. Yet I remain enormously proud of what we did in those four years, especially that we told the truth, obeyed the law and kept the peace.

## AMERICA'S WOUNDED WARRIORS ACT

Mr. BURR. Mr. President, today I rise to discuss S. 2674, a bill I introduced to improve and modernize the disability system of the Department of Defense and Department of Veterans Affairs so that it meets the needs of both our older generations of veterans and our wounded warriors coming home today.

One of the most sacred trusts we make is the one with our veterans. Their sacrifices, and the sacrifices of their families, are inspiring. The desire to provide these heroes with the benefits and services they need and deserve is certainly something we can all agree on.

With this sacred trust in mind, I recently introduced legislation to ensure veterans have a disability system that we can all be proud of—a system that is updated to reflect the modern day, is consistent, is not overly bureaucratic, and meets the needs of all generations of veterans.

The challenges facing our newer veterans are apparent. Over the past few years, I have met with many young servicemembers, some from my home State of North Carolina, who have suffered devastating injuries while serving in Iraq and Afghanistan. Almost as remarkable as their courage and their can-do attitudes, is their outlook about the future.

These wounded warriors rightfully expect that serious injuries should not prevent them from living productive and fulfilling lives. In fact, many want nothing less than to return to their units, and with modern medicine and technology, many are doing just that.

But for those who are not able to continue serving, like Ted Wade from my home State, they deserve a disability system that meets their needs and expectations. We should be giving them—in a quick, hassle free, and effective way—the benefits and services they need to return to their full and productive lives.

But, the need for an improved system became very clear last year, when news reports detailed how some seriously injured servicemembers at Walter Reed endured a lengthy, hard-to-understand, bureaucratic process to try to get their disability benefits. This left many injured servicemembers and their families frustrated, confused, and disappointed. It left our Nation angry and ashamed.

Let me give you a brief idea of what an injured servicemember may have to go through. Consider a young soldier who is injured in Iraq and is no longer fit for duty because of his injuries. Before he can be discharged from the military, he may go through a lengthy, complex process with the Department of Defense to be assigned a disability rating between 0 percent and 100 percent.

If the rating is high enough—30 percent or more—he will get a lifetime annuity, health care for his entire family, exchange and commissary privileges, and other benefits. If it is below 30 percent, he will get only a lump-sum severance payment. But there have been no bright-line rules on how these ratings are assigned. Each branch of the military has used different procedures, so servicemembers in various branches often receive different ratings even for the same injuries.

After going through that confusing process, the injured soldier may then go through a similar bureaucratic process with the Department of Veterans Affairs to get a VA rating. That rating will determine not only the level of monthly disability compensation he will receive from VA, but eligibility for other benefits and services such as vocational rehabilitation and priority access to VA health care.

As if all of that isn't confusing enough, both DOD and VA assign those disability ratings based on the same VA rating schedule, but the ratings are often different. And, there are complicated rules over how much of the benefits from DOD and VA the veteran may receive at the same time. If those watching today are as confused by that description of the process as I am, imagine what our veterans have to endure.

On top of all that, the rating schedule used by both VA and DOD to determine who gets these critical benefits is completely outdated. This schedule was developed in the early 1900s and about 35 percent of it has not been updated since 1945.

The schedule is also riddled with outdated criteria that do not track with modern medicine. Take for example traumatic arthritis. The rating schedule requires a veteran to show proof of this condition through x-ray evidence. But doctors today would generally diagnose the condition using more modern technology, like an MRI.

Even worse, experts are telling us the schedule is not adequate for rating conditions like post-traumatic stress disorder and traumatic brain injury, which are afflicting so many of our veterans from the war on terror. Also, experts have told us that the schedule does not adequately compensate young, severely disabled veterans; veterans with mental disabilities; and veterans who are unemployable.

So, it's completely understandable why so many veterans are frustrated and confused by this system. The question is:

How do we fix it?

To help answer that question, two distinguished commissions issued reports last year laying out the problems with the system and giving us a road map to a modern, more consistent, and simpler system. One commission, the President's Commission on Care for America's Returning Wounded Warriors, was chaired by former Senator Bob Dole and former Secretary Donna Shalala. The other, the Veterans' Disability Benefits Commission, was chaired by General James Terry Scott.

Here are just a few examples of what these commissions found:

> Despite their disability systems' different intents, processes, and outcomes, DOD and VA use the same outdated rating schedule . . . . [which] has not been completely revised since 1945.
>
> [T]he policies and procedures used by VA and DOD are not consistent and the resulting dual systems are not in the best interest of the injured servicemember nor the nation.
>
> The purpose of the current veterans disability compensation program . . . is to compensate for average impairment in earning capacity . . . This is an unduly restrictive rationale for the program and is inconsistent with current models of disability.
>
> The goal of disability benefits should be rehabilitation and reintegration into civilian life'' but that goal ''is not being met.

These two commissions strongly recommended that we need to: get rid of the overlapping, confusing roles of VA and DOD in the disability rating process; completely update the VA disability rating schedule; compensate veterans for any loss of quality of life, while also compensating them for any loss in their earnings capacity; and place more emphasis on the treatment and rehabilitation of injured veterans.

As the Dole-Shalala Commission cautioned, ''We don't recommend merely patching the system, as has been done in the past. Instead, the experiences of these young men and women have highlighted the need for fundamental changes.''

What's interesting to note here is that similar changes to the system were recommended in 1956 by a commission led by General Omar Bradley. Back in the 1950s, the Bradley Commission wrote in its report: ''Our philosophy of veterans' benefits must . . . be modernized and the whole structure of traditional veterans' programs brought up to date.'' If my math is right that was over 50 years ago. Clearly, we are long overdue for some improvements.

I believe the bill I introduced will start us on the right path to making this system more straight-forward, consistent, and modern. Let me give you an idea of what America's Wounded Warriors Act would do.

First, the bill would simplify the DOD process and make it more consistent. Any servicemember found unfit for duty—regardless of the severity of the disability—would receive a lifetime annuity based on rank and years of service and would receive other retirement benefits, such as commissary and exchange privileges. Eligibility for TRICARE would be determined by Congress or DOD, after further studies on that issue.

These changes would get DOD out of the business of assigning disability ratings, ending the duplicative system that now makes injured veterans get rated by both DOD and VA. It would also create a bright line rule on what benefits a medically discharged servicemember would receive. Different branches of the military would no longer provide different levels of benefits to servicemembers with the same injuries.

Under my bill, veterans would receive both their entire DOD annuity plus any VA disability benefits they are eligible for. This would put an end to the confusing practice of offsetting some DOD and VA benefits.

This bill would also help modernize the VA disability system. The VA's outdated disability rating schedule would be entirely replaced by a new schedule that is based on modern science and medicine. It will also take into account the impact that a disability has on both a veteran's average loss of earning capacity and loss of quality of life. As we now know, quality of life—time spent with family, community and nonwork activities—is also affected by disability. Shouldn't our disability system reflect the impact service-related disabilities have on those important aspects of life, too?

Also, this bill would provide more emphasis on treatment and rehabilitation. Veterans discharged from service because of disability would be eligible for transition payments, either during the three month period following their separation or during a period of rehabilitation. These payments would help cover family living expenses, so an injured veteran would be better able to focus on rehabilitation, training, and getting back into the workforce. These are commonsense options and solutions for today's veterans living in the modern world.

Lastly, I want all veterans, whether having served in World War II, Vietnam, or Afghanistan, to have access to an improved system. My bill does not distinguish between combat and noncombat injuries; does not leave the outdated rating schedule in place; and does not prevent veterans of any generation from choosing to join the new, improved system. Also, as recommended by veterans' organizations, my efforts were guided by the work of both the Dole-Shalala Commission and the Veterans' Disability Benefits Commission.

How will we actually accomplish the goals of making the system simpler, consistent and more modern? Under this bill, the Department of Veterans Affairs would conduct a series of studies and would send to Congress a proposal outlining a new rating schedule and the amount and duration of transition payments. To make sure these recommendations don't get put on a shelf to collect dust—as has happened in the past—the entire VA proposal would be subject to an up-or-down vote by Congress.

If these changes are enacted, it would eliminate the confusion and delay now caused by the overlapping VA and DOD functions and put a greater emphasis on the recovery of our wounded servicemembers. It would update the rating system to take into account modern concepts of disability and make sure that veterans are compensated for any loss in their quality of life.

As a final note, I want to acknowledge that reforming the disability system may require a large, upfront cost. But, if we do it right, we will be making a real investment in the future of our nation's veterans. Given the character of the men and women of our Armed Forces, this investment will come with little risk and great reward.

We cannot put this off for another 50 years and hope another generation will fix the disability system later. We have young men and women returning home from war with devastating injuries that most of us could not fathom enduring, let alone at such young ages.

The sad truth is that, even though the disability system was already outdated more than five decades ago, Congress and past administrations have not made the necessary changes to keep pace with modern society, a changing economy, and new attitudes towards disability. I believe I have an idea why: This is really hard stuff. This is a complicated system and it is often easier to use band-aids and quick fixes to get us through times of crisis. But, the Walter Reed stories showed all of us last year that wounded warriors—those injured while fighting in Iraq and Afghanistan—are the ones who pay the price for our inaction. And every day we continue to wait is another day they continue to pay that price. They deserve better.

We need to listen to the wake-up call that the Walter Reed stories sent all of us. We must act now, and that is why I have introduced a bill that will update the system to meet the needs and expectations of today's veterans and does not leave tomorrow's veterans with a system that was already outdated before they were even born. Our veterans deserve a system that is more straightforward, up-to-date, and consistent and that is open to all.

Mr. President, I urge my colleagues to remember the ''call to action'' we received last year when serious problems were publicly exposed at Walter Reed, and I ask them to join me in improving the lives of our veterans.

## RETIREMENT OF DR. MICHAEL DAVID FREED

Mr. KENNEDY. Mr. President, I welcome this opportunity to pay tribute on the occasion of his retirement to Dr. Michael David Freed of Children's Hospital Boston for his service to the hospital and the thousands of children and young adults from Massachusetts and beyond who have benefited from his care.

Dr. Freed has had a long and distinguished career at the hospital and Harvard Medical School, beginning in 1970, when he arrived to complete his fellowship training. At Children's Hospital, he rose to become senior associate in cardiology in 1976 and chief of the Division of Inpatient Cardiology in 1996.

Dr. Freed is a physician's physician. His commitment to providing the best possible care for children with heart disease is unwavering. He has used his breadth and depth of knowledge, his clarity of thought, his empathy, and his sense of humor to train more than 200 pediatric cardiology fellows and innumerable pediatric residents in the fundamentals of congenital heart disease. As a member of the Sub-board of Pediatric Cardiology, he ensured the highest quality of care by setting standards for board certification for young pediatric cardiologists.

At Children's Hospital, Dr. Freed has chaired or served on more than two dozen committees, projects, and task forces, ranging from quality improvement and patient care to graduate medical education and governance. His contributions extend well beyond Boston. He has served on the executive committees of all three major national organizations in his field—the American Heart Association, the American Academy of Pediatrics, and the American College of Cardiology, where he currently serves on the board of trustees. He is also a member of editorial boards in the field of cardiology, and regularly has been included on lists of ''top physicians'' ranging from the book ''Best Doctors in America'' to Good Housekeeping and Boston Magazine. He is consulted by other pediatric cardiologists from around the world who seek his opinion on the care of their patients.

Dr. Freed has also written extensively in the field of pediatric cardiology and cardiac surgery and is particularly recognized for his work in the newborn physiology of congenital heart disease, infective endocarditis, and valvular heart disease. He has authored more than 60 original articles, contributed more than 40 reviews, chapters, and editorials, and developed more than 25 clinical communications and instructive CD ROMs. His leadership in establishing clinical practice guidelines for early postoperative management of children in Boston undergoing open-heart surgery was a model for the development of such guidelines nationally. In addition, he has been a member of national working groups to develop guidelines on optimal care of individuals with heart disease.

I commend Dr. Freed for his outstanding career and his achievements in improving the quality of care for children and young people with congenital heart disease in Boston and throughout the world, and I wish him well in retirement.

## HONORING OUR ARMED FORCES

### STAFF SERGEANT MICHAEL D. ELLEDGE

Mr. SALAZAR. Mr. President, I rise today to honor the life of SSG Michael Elledge of Fort Carson, CO. On March 17, a bomb exploded near the humvee Sergeant Elledge was driving, killing him and SPC Christopher C. Simpson, of Hampton, VA. Sergeant Elledge was assigned to C Company, 1st Battalion, 68th Armored Regiment, 4th Infantry Division, out of Fort Carson, CO. He was 41 years old.

Those who knew Mike Elledge describe him as a man committed to his family, faith, and duty to his country. He first donned a uniform after graduating from high school in Michigan in 1985. He served 4 years with the Marines. After discharging, he became a licensed aircraft mechanic and moved to Indiana, where he took a job with United Airlines. For 14 years he worked for United, lived in Brownsburg, and raised three children—Christopher, Caleb, and Cassidy—with his wife Carleen.

But Mike's life changed after the attacks of September 11, 2001. We cannot forget that the tragedies of that day were not confined to New York, Washington, and Pennsylvania. The ripples quickly spread to all corners of the country as people learned of friends and family members who were hurt or killed and as the economic impacts hit home with job losses and dislocations.

Mike was among the tens of thousands of Americans who lost their job in the wake of the September 11 attacks. United Airlines, struggling to recover after the disaster, closed the doors on its Brownsburg facility, leaving Mike without a job.

We each have our own way of confronting adversity in our lives. For Michael Elledge, the terror and tragedy of September 11 was a call to service—a call to reenlist. So, at age 38, Sergeant Elledge joined the Army. In 2005, he deployed to Iraq for a 1-year rotation. Last December, he and the Third Brigade Combat Team out of Fort Carson deployed again, this time for a projected 15-month tour.

Sergeant Elledge carried his deeply rooted faith into battle with him. His friends say he was passionately committed to helping Iraqis build a country where they could enjoy freedom and security. For this, Sergeant Elledge embodied the best of a soldier—he was devoted to his duty with the knowledge that his service could make others' lives better.

This is the type of citizen that Americans have celebrated for generations. President Theodore Roosevelt, in a speech at the Sorbonne in Paris in 1910, praised the values that Sergeant Elledge embodied and claimed that it is the ''man in the arena'' who makes history.

''It is not the critic who counts,'' said President Roosevelt, ''not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.''

Mr. President, Sergeant Elledge knew what a difference he could make and was not afraid to make it. He was the ''man in the arena'' for whom President Roosevelt had such high praise.

No words or ceremony, of course, can properly honor the life and loss of a soldier like Sergeant Elledge, but we wish to console his friends and family and remember his contributions. That is why scores of firefighters lined the overpasses of Sacramento, CA, to honor his return; that is why flags are flying in his hometown of Placerville, MI; and that is why the bugles will sound at Fort Carson in Colorado Springs.

To Sergeant Elledge's wife, Carleen, his sons, Christopher and Caleb, his daughter, Cassidy, his parents, Marion and Christopher, and to all his friends and family, our thoughts and prayers are with you. No words can lessen the pain and grief that you feel, but I hope that in time your sorrow will be salved by the knowledge that Mike served his country with honor and that we are all grateful for his courage, his sacrifice, and his heroism. He will never be forgotten.

### STAFF SERGEANT DAVID D. JULIAN

Mr. BARRASSO. Mr. President, I rise today to express our Nation's deepest thanks and gratitude to a special young man and his family. I was saddened to receive word that on March 10, 2008, SSG David Julian of Evanston, WY, was killed in the line of duty while serving our country in the war on terrorism. Along with four of his fellow soldiers, Staff Sergeant Julian died from injuries he sustained in a suicide bomber attack in Baghdad, Iraq.

Staff Sergeant Julian was assigned to D Company, 1st Battalion, 64th Armor Regiment, 3rd Infantry Division, Fort Stewart, GA. He joined the Army right after his graduation from Evanston High School in 1994. He loved the Army and his country and was serving his fourth tour of duty in Iraq. Following his first tour, he laid the wreath for the dedication of the Fallen Comrade Memorial in downtown Evanston. He was laid to rest in his hometown, where he was remembered by family and friends as a determined and courageous warrior, an honorable soldier, and a loving husband and father.

It is because of David Julian that we continue to live safe and free. America's men and women who answer the call to service and wear our Nation's uniform deserve respect and recognition for the enormous burden that they willingly bear. They put everything on the line every day, and because of them and their families, our Nation remains free and strong in the face of danger.

In the Book of John, Jesus said that, ''Greater love has no man than this, that he lay his life down for his friend.'' SSG David Julian gave his life, that last full measure of devotion, for you, me, and every single American. He gave his life defending his country and its people, and we honor him for this selfless sacrifice.

Staff Sergeant Julian is survived by his wife Erin and baby daughter Elizabeth, his mother Bonnie and father Wally, brothers Eric, Chris, and Mark, and sisters Misty, Becky, and Kellee. He is also survived by his brothers and sisters in arms of the U.S. Army. We say goodbye to a husband, a father, a son, a brother, and an American soldier. Our Nation pays its deepest respect to SSG David D. Julian for his courage, his love of country, and his sacrifice, so that we may remain free. He was a hero in life and he remains a hero in death. All of Wyoming, and indeed the entire Nation, is proud of him. May God bless him and his family and welcome him with open arms.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

## SECOND CHANCE ACT OF 2007

• Mr. OBAMA. Mr. President, I wish to speak in favor of the Second Chance Act of 2007, a bill to strengthen community safety by improving the reintegration of people returning from prison. The Senate recently passed this measure, and I am proud to have worked over the past few years with Senators BIDEN, BROWNBACK, and SPECTER to see this important bill reach this point. Having passed in the House as well, the Second Chance Act is now ready for President Bush's signature, and I urge him to sign this bill into law as soon as possible.

We have a broken criminal justice system and too many people are caught in its web, especially African-American men, nearly a third of whom will enter State or Federal prison during their lives. What is equally tragic is that nearly two-thirds of the 1,800 people released from prison every day return to jail within 3 years.

The stark reality is that most communities where prisoners go upon release already struggle with highly concentrated poverty, unemployment,

fragile families, and a dearth of jobs. And even if released prisoners do find a promising job opportunity, they often face employer resistance to hiring people with criminal backgrounds. In many cases, they will fail to become fully rehabilitated and go on to commit more crimes.

We must end this revolving door of failure. We must create a pathway for people coming out of jail to get the jobs, skills, and education they need to reject a life of crime in favor of honest contributions to their communities.

There is no question that breaking the law should have consequences. And it is true that we have to do more as parents to teach our children that violence is always wrong. But if convicted offenders are not given the tools they need to become constructive members of our communities after they serve their time, we all suffer the consequences.

That is why the passage of the Second Chance Act is so important. This measure will support faith- and community-based organizations working with State and local authorities to give former prisoners a second chance at a meaningful life. It makes funding available for transitional jobs programs and housing, for support health services, and educational needs. Moreover, priority is given to projects that serve communities with large ex-prisoner populations and to those that do a good job of reintegrating their participants.

Again, I commend my colleagues in the Senate and House of Representatives, Democrats and Republicans, who supported the Second Chance Act. I urge the President of the United States to act quickly to enact this bill into law.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

## VISIT OF AUSTRALIAN PRIME MINISTER KEVIN RUDD

● Mr. OBAMA. Mr. President, I would like to extend my sincere welcome to the Honorable Kevin Rudd, who is making his first trip to the United States as the newly elected Prime Minister of Australia. This is a historic visit during a time of transition for both our nations.

Yesterday, I spoke with Prime Minister Rudd and congratulated him on his election as the first Labor Party Prime Minister in 11 years. I assured him of my personal commitment to maintaining a strong bilateral relationship between our nations in the years to come and discussed our common interest in advancing peace and prosperity for the people of the United States, Australia, and the world.

The alliance between the United States and Australia is deep and strong and has stood the test of changing times. Labor Party leader John Curtain, along with President Franklin D. Roosevelt, established the United States-Australia alliance in 1942. Prime Minister Rudd's trip affirms the strategic value of this relationship and the friendship between our people, which has endured across generations and administrations.

The United States-Australia alliance is a cornerstone of security and prosperity both in the Asia-Pacific region and globally. Our two nations are bound by shared interests, shared values, and a common heritage—bonds that were forged in all major wars the United States was involved in during the 20th century, a distinction unique to Australia. And, as a new century dawns, we are beginning to write a new and important chapter in the bilateral relationship.

Indeed, during his first press conference the day after his election, Prime Minister Rudd reiterated his strong commitment to the United States-Australia alliance, a deep commitment to a partnership of equals that I share.

Like the United States, Australia is trans-Pacific in orientation, and for this reason our perspectives and perceptions about regional and global affairs are often tightly aligned. The United States benefits from an Australia that can act as a regional leader in East Asia but one with global interests and capabilities as well.

The Prime Minister's visit provides an opportunity for the people of America to express our deep appreciation for Australia's contributions in combating al-Qaida. We will never forget that following the attacks on September 11, 2001, Australia invoked the ANZUS treaty in support of the United States.

Australia has deployed some 1,000 troops in Afghanistan to the International Security Assistance Force, as well as about 1,500 combat and support troops in Iraq. Prime Minister Rudd has also demonstrated real leadership in tackling the critical global challenge of climate change. Within a few weeks of assuming office, the Prime Minister successfully pushed for the ratification of the Kyoto Protocol as one of the first official acts of his administration. He personally led Australia's delegation to Bali, Indonesia, to participate in international negotiations on a post-Kyoto protocol.

In Asia, the quality of our alliance and scope of our diplomatic partnership shine brightly. We both face a rapidly evolving security order defined by traditional and nontraditional security problems. These include changing regional power dynamics and rivalries, territorial disputes, resource competition, terrorism, proliferation of weapons of mass destruction, failed states, environmental degradation, and pandemic diseases. Managing this complex blend of security challenges requires leveraging both bilateral and multilateral mechanisms.

The Asia-Pacific Economic Cooperation, APEC, organization, in which Australia took the lead in creating in 1989, has advanced economic liberalization and integration throughout the Asia-Pacific. Australia's involvement in the East Asia Summit since its inception is a welcome development. The Trilateral Security Dialogue among the United States, Australia, and Japan has become an important channel for coordinating policy and combining capabilities in addressing emerging security challenges in the Asia-Pacific.

As the security order in Asia evolves, Australian participation, leadership, and defense of our common values and interests are critical to building open, inclusive, transparent, and flexible regional structures and arrangements. The new arrangements cannot replace America's bilateral alliances—alliances which are not directed at any one nation but which have served as the foundation for peace and stability in Asia for nearly half a century. But these new mechanisms, building on our traditional alliances, can help sustain the conditions for Asia's peace and prosperity to continue.

Prime Minister Rudd brings special skills and experiences to this new chapter in United States-Australia relations. His progressive domestic policy agenda, innovative and realistic diplomacy, and optimistic vision enrich the already solid base of our bilateral dialogue, reminding us that we can accomplish more when we listen to our friends and allies than when we lecture them.

Prime Minister Rudd's visit is an opportunity to rededicate ourselves to the United States-Australia alliance and to our broader bilateral relationship. America's foreign policy, national security and economic interests gain greatly from the deep ties with our friends down under.●

# ADDITIONAL STATEMENTS

## RECOGNIZING THE ECONOMIC DEVELOPMENT CENTER

● Mr. BOND. Mr. President the first small business incubator in St. Charles County was opened 15 years ago in March 1993 by the Economic Development Center at 5988 Mid Rivers Mall Drive in St. Peters, MO.

The EDC business incubator has become a landmark in the heart of St. Charles County serving as a beacon for new entrepreneurs and business owners and hosting countless special events for the business community and general public.

More than 150 companies with 500 jobs have graduated from the EDC incubator into the general marketplace and grown those jobs into more than 1,000 impacting St. Charles County and the St. Louis region.

The EDC incubator facilities provide startup assistance, month-to-month leases, shared office equipment, conference rooms, professional support staff, and access to important resources such as training and financial assistance; and,

When the EDC opened its doors in 1993, St. Charles County had a total labor force of 132,602, total population of 232,360, and total assessed valuation of less than $2 billion.

Thanks to the efforts of the EDC and a myriad of organizations and individuals in St. Charles County, today the area has a total labor force of 189,862, total population of nearly 350,000, and total assessed valuation of more than $7 billion.

Local community leaders in business and government along with State and Federal officials helped to foster the development and dynamic 15-year track record of the EDC's business incubator and other specialized business services.

The tremendous impact and importance of the Economic Development Center's small business incubator facility will certainly continue to grow successful businesses, well-paying local jobs, the expanding local tax base, and the exceptional quality of life enjoyed in St. Charles County, MO.●

## TRIBUTE TO ROBERT DOOLEY

● Mr. BOND. Mr. President, since his college graduation from Quincy University in 1982, Mr. Robert Dooley has been teaching high school and middle school band and vocal music at Clark County R–1 High School. Throughout his teaching career, Mr. Dooley has instructed 2,823 students in band alone at the Clark County R–1 High School. In addition, Mr. Dooley has brought together over 150 parents and volunteers to bolster the Fine Arts Booster Organization in Clark County, which has fundraised, supported, and made possible the fine arts department in Clark County.

Clark County R–1 School has one of the finest music and band programs in the State of Missouri. In 2006 Mr. Dooley was named Kiwanis Club Teacher of the Year and received the Missouri Association of Rural Education Outstanding Rural Secondary Teacher of the Year Award. In June 2008, the Marching Indians will be traveling to Hawaii to march in the King Kamehameha Parade and will perform at Pearl Harbor aboard the USS *Missouri*. These achievements are due largely to Mr. Robert Dooley's commitment to excellence in teaching and inspiring the young musicians in Clark County.

Having a strong school system is a strong asset for any community. Mr. Dooley's talents and achievements in teaching at Clark County R–1 School have added great value to the Clark County R–1 School district and the lives of the children and families in that community. ●

## ARTHUR LYONS: IN MEMORIAM

● Mrs. BOXER. Mr. President, I wish to honor and share with my colleagues the memory of a very special man, Arthur Lyons of Palm Springs, who died March 21, 2008. He was 62 years old.

Arthur Lyons was a man of many talents and will be fondly remembered for his groundbreaking work with film noir cinema, his success as an author, his dedication to the city of Palm Springs, and his love for the environment.

Arthur was born on January 5, 1946, in Los Angeles, CA. His family moved to Palm Springs when Arthur was 11. After graduating from the University of California at Santa Barbara in 1967, Arthur tapped into his lifelong passion for film noir and began writing as a novelist, a screenwriter for Universal Studios, and as a cofounder of the Writers Conference, among other projects.

Arthur wrote his first novel, ''The Dead Are Discreet'', in 1974 and went on to author 23 more books, many of them mystery novels, including the successful Jacob Ashe detective series. His nonfiction sensation, ''Death on the Cheap: The Lost B Movies of Film Noir'', reflected his interest in film noir cinema, the traditional Hollywood crime dramas of the 1940s and 1950s. After writing crime novels for over 25 years, Arthur partnered with Craig Prater in 2001 to launch the Palm Springs Film Noir Festival—one of the first such festivals in the Nation. A man of unbridled enthusiasm for the film noir style, Arthur would encourage attendees to dress up in mobster-style clothing that was typical of that Hollywood era.

A member of the Palm Springs City Council from 1992 to 1995, Arthur was an advocate of energy deregulation in California and helped create Palm Springs Energy Services. During his time on the city council, Arthur also helped to create Palm Springs Villagefest, a street fair held every Thursday that hosts food booths, a certified farmer's market, and craft and artisan booths. In recognition of his positive contributions to the Palm Springs community, Arthur was honored with the 287th Golden Palm Star on May 30, 2007.

Those who knew Arthur Lyons recognized him as a uniquely passionate and brilliant man. He took pride in promoting causes that he held close to his heart. His work as an author, screenwriter, director, and elected official will be remembered fondly by all those whose lives he touched. He will be deeply missed.

Arthur is survived by his wife Barbara Lyons and his uncle David Lyons.●

## RECOGNIZING THE BAY AREA GREEN BUSINESS PROGRAM

● Mrs. BOXER. Mr. President, I take this opportunity to recognize the 10th anniversary of the Bay Area Green Business Program in Contra Costa County, the Contra Costa Green Business Program.

Founded in 1998, the Contra Costa Green Business Program was one of the first green business programs to be established in the nine-county Bay area region. Composed of a partnership between local, regional, State, and Federal Government agencies and utilities, the Bay Area's Green Business Programs help local businesses throughout the Bay area proactively conserve resources, prevent pollution, and minimize waste.

Californians have always led the way in fighting for a clean environment. I applaud the Contra Costa Green Business Program for strengthening and sustaining the quality of the environment in the county through a collaborative partnership of public and private organizations that encourages, enables, and recognizes businesses taking action to prevent pollution and conserve resources.

Breaking with the tradition of environmental initiatives targeting big businesses, the Contra Costa Green Business Program offers small- to medium-sized businesses a complete environmental guide, scaled to their operations, for conserving energy and water, reducing waste, preventing pollution, and complying with environmental regulations. It also certifies and recognizes businesses of all types for meeting these rigorous environmental standards.

The Contra Costa Green Business Program has certified over 300 businesses throughout the county in the last 10 years. I commend the program's dedicated staff and volunteers who work diligently to show local businesses how they can be both green and profitable at the same time. By recommending a wide range of measures that help lessen greenhouse gas emissions and conserve resources, the Contra Costa Green Business Program is helping smaller businesses protect the climate in very meaningful ways.

I congratulate the Contra Costa Green Business Program for its dedicated work on this special occasion, and I send my best wishes for many future successes over the next 10 years.●

## TRIBUTE TO REBBECA WOOD WATKIN

● Mrs. BOXER. Mr. President, I am pleased and honored to salute my dear friend Rebecca ''Becky'' Wood Watkin as she celebrates her 95th birthday.

Born on April 4, 1913, in Portland, OR, Becky graduated from Bryn Mawr College in 1933 and went on to the University of Pennsylvania to study architecture. Undeterred by the fact that the Architecture Department did not accept female students at that time, Becky completed all required courses and became the first woman graduate in architecture from the University of Pennsylvania in 1937. That same year, Becky relocated to San Francisco and applied at a variety of architectural firms, none of which wanted a woman in the drafting room. Despite her difficulties with finding employment in the male-dominated workforce, Becky persevered, earning her California architectural license in 1944.

A vanguard for aspiring women professionals everywhere, Becky opened her own architectural practice in Marin County in 1951. In the midst of these professional milestones, Becky also gave birth to three wonderful children. As a working mother, Becky looked for ways to use her personal and professional talents to help those in need, becoming a tremendous source of support and energy to causes that she believed helped the community, including the Ecumenical Housing Association and Planned Parenthood.

Mr. President, 1948 saw Becky enter the political realm for the first time, by fundraising for Roger Kent, a local Democratic candidate for Congress. This initial political activity 60 years ago spearheaded a lifelong involvement with Democratic politics, a passion of Becky's that allowed her to work on the presidential campaigns for Adlai Stevenson, John Kennedy, Eugene McCarthy, George McGovern, and Jimmy Carter.

Inspired by Becky's trailblazing story and her fervent belief in good government, I first met Becky in the late 1970s when she helped me get reelected to the Marin County Board of Supervisors in 1980. As a young working mother myself, Becky quickly became a deeply admired mentor. As the years passed and our friendship grew, she was instrumental in helping me move up the political ladder to the House of Representatives and then to the U.S. Senate.

As we celebrate the 95th year of her remarkably courageous and passionate life, I remain in admiration of Becky's strong sense of civic duty, honesty, integrity, and perseverance. Along with hundreds of her family, friends, and admirers, I wish her many more years of continued happiness.●

## IN RECOGNITION OF JAMES H. ADAMS

● Mr. GREGG. Mr. President, on February 29, 2008, James H. Adams of Pittsfield, NH, retired as manager of the New Hampshire/Vermont District of the U.S. Postal Service after 35 years of service. I wish to thank Jim for all he has done for the people of New Hampshire over that time and for his efforts which have resulted in New Hampshire's outstanding reputation for mail operations, customer service, and worker safety.

Starting as a letter carrier in Manchester in 1973, Jim's career began when the price of a stamp cost a whopping 3 cents for a first class letter. His determination and drive for self-improvement soon led to night school classes and a degree in business management, and his talents were recognized with promotion to delivery supervisor, then superintendent of postal operations, in Concord, NH. He left our State for a time, tackling the duties of director of marketing for the Post Office in Syracuse, NY, then in a number of positions of increasing responsibility with the Postmaster General's Office in Washington, DC.

During his time in Washington, Jim worked with five U.S. Presidents and helped to develop several commemorative stamps, including those honoring our troops of Desert Storm, POW/MIAs, and even Elvis. He unveiled five World War II commemorative stamps to President George H. W. Bush in the Oval Office and was relied upon in Washington for his professional and personal knowledge of all facets of postal operations, his competent advice, and for the personal integrity with which he always conducted himself.

His return to New Hampshire to head the district in 1997 led to dramatic improvements in its operations. Overseeing a $500 million budget and 7,000 employees, Jim turned the district into one of the top 10 safest in the Nation. Similarly, with 6 million pieces of mail delivered each day in New Hampshire and Vermont, Jim's efforts led to a 96-percent on-time mail delivery record and the establishment of customer service that has been recognized as Best in the Nation for each of the past 6 years.

Beyond his professional accomplishments, which are many, Jim has remained true to his small-town roots and the honesty and decency of his upbringing. Pittsfield and all of New Hampshire can be proud of him and his success, and I am especially glad to have had the opportunity to work with Jim to serve the people of New Hampshire. Whether helping obtain a sought-after ZIP Code number to serve an entire community or making a personal commitment to ensuring an elderly or disabled customer off the beaten track received their mail at home, Jim dedicated himself to meeting the needs of those who counted on the U.S. mail coming through.

He can take great pride in his record of service. I want to take this opportunity to thank him, to recognize his contributions, and to wish him well in all his future endeavors.●

## MESSAGES FROM THE HOUSE

### ENROLLED BILL SIGNED

The President pro tempore (Mr. BYRD) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 1593. An act to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

At 2:22 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1187. An act to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes.

H.R. 2342. An act to direct the President to establish a National Integrated Coastal and Ocean Observation System, and for other purposes.

H.R. 2515. An act to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes.

H.R. 2675. An act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

H.R. 3352. An act to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes.

H.R. 3651. An act to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard.

H.R. 3891. An act to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation.

H.R. 4933. An act to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections, and for other purposes.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 302. Concurrent resolution supporting the observance of Colorectal Cancer Awareness Month, and for other purposes.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1187. To expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2342. An act to direct the President to establish a National Integrated Coastal and Ocean Observation System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2515. An act to authorize appropriations for the Bureau of Reclamation to carry out the Lower Colorado River Multi-Species Conservation Program in the States of Arizona, California, and Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2675. An act to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3352. An act to reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3651. An act to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard; to the Committee on Energy and Natural Resources.

H.R. 3891. An act to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation; to the Committee on Environment and Public Works.

H.R. 4933. An act to amend the Lacey Act Amendments of 1981 to protect captive wildlife and to make technical corrections, and for other purposes; to the Committee on Environment and Public Works.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 302. Concurrent resolution supporting the observance of Colorectal Cancer Awareness Month, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## MEASURES DISCHARGED

The following measure was discharged from the Committee on Health, Education, Labor, and Pensions by unanimous consent, and referred as indicated:

S. 2756. A bill to amend the National Child Protection Act to 1993 to establish a permanent background check system; to the Committee on the Judiciary.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5502. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyraclostrobin; Pesticide Tolerance'' (FRL No. 8355–4) received on March 20, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5503. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Milk in Appalachian, Florida and Southeast Marketing Area—Interim Order'' (Docket No. DA–07–03–A) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5504. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Final Free and Reserve Percentages for 2007–08 Crop Natural Seedless Raisins'' (Docket No. AMS–FV–07) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5505. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Walnuts Grown in California; Order Amending Marketing Order No. 984'' (Docket No. FV06–984–1) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5506. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Multi-Year Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading and Auditing Services'' (Docket No. AMS–PY–07–0065) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5507. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Nectarines and Peaches Grown in California; Changes in Handling Requirements for Fresh Nectarines and Peaches'' (Docket No. AMS–FV–07–0160) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5508. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Decreased Assessment Rate'' (Docket No. AMS–FV–07–0114) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5509. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Honey Packers and Importers Research, Promotion, Consumer Education and Industry Information Order; Referendum Procedures'' (Docket No. AMS–FV–06–0176) received on March 25 , 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5510. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hazelnuts Grown in Oregon and Washington; Establishment of Interim Final and Final Free and Restricted Percentages for the 2007–2008 Marketing Year'' (Docket No. AMS–FV–07–0150) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5511. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Onions Grown in South Texas; Order Amending Marketing Order No. 959'' (Docket No. AO–322–A4) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5512. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Avocados Grown in South Florida; Order Amending Marketing Order No. 915'' (Docket No. FV06–915–2) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5513. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2007–2008 Crop Year for Tart Cherries'' (Docket No. AMS–FV–07–0119) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5514. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Olives Grown in California; Decreased Assessment Rate'' (Docket No. AMS–FV–07–0155) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5515. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Myclobutanil; Pesticide Tolerance'' (FRL No. 8356–2) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5516. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Boscalid; Pesticide Tolerance'' (FRL No. 8354–4) received on March 25, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5517. A communication from the Chief Counsel, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Sale and Issue of Marketable Book-Entry Treasury Bills, Notes and Bonds—Minimums and Multiple Amounts Eligible for STRIPS, Legacy Treasury Direct, and Certification Requirements'' (Docket No. BPD GSRS 08–01) received on March 19, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–5518. A communication from the Deputy Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Proposed Rule Changes of Self-Regulatory Organizations'' (RIN3235–AJ80) received on March 25, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–5519. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, an annual report relative to the actions taken by the Commission relative to the Fair Debt Collection Practices Act during fiscal year 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–5520. A communication from the Chairman and President, Export-Import Banks of the United States, transmitting, pursuant to law, a report relative to the export of eight Boeing 737–800 aircraft to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC–5521. A communication from the Regulatory Specialist, Legislative and Regulatory Activities Division, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Lending Limits'' (RIN1557–AD08) received on March 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–5522. A communication from the General Deputy Assistant Secretary for Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, a report entitled, ''Annual Homeless Assessment Report to Congress''; to the Committee on Banking, Housing, and Urban Affairs.

EC–5523. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts—II''; to the Committee on Commerce, Science, and Transportation.

EC–5524. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service'' (FCC Docket No. 08–72) received on March 25, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5525. A communication from the Deputy Division Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Commission's Rules Governing Hearing Aid-Compatible Mobile Handsets, Petition of American National Standards Institute Accredited Standards Committee'' (FCC Docket No. 08–68) received on March 25, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5526. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

''Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Approval of 8-Hour Ozone Section 110(a)(1) Maintenance Plans for the Parishes of Lafayette and Lafourche'' (FRL No. 8545–2) received on March 20, 2008; to the Committee on Environment and Public Works.

EC–5527. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Completeness Findings for Section 110(a) State Implementation Plans for the 8-Hour Ozone NAAQS'' (FRL No. 8545–6) received on March 20, 2008; to the Committee on Environment and Public Works.

EC–5528. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Volatile Organic Compound Emission Standards for Aerosol Coatings'' ((RIN2060–AO86)(FRL No. 8544–2)) received on March 20, 2008; to the Committee on Environment and Public Works.

EC–5529. A communication from the Director, Regulatory Managament Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Failure to Submit State Implementation Plans Required for the 1997 8-Hour Ozone NAAQS'' (FRL No. 8545–5) received on March 20, 2008; to the Committee on Environment and Public Works.

EC–5530. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Control of Emissions of Air Pollution from Locomotive Engines and Marine Compression-Ignition Engines Less than 30 Liters per Cylinder'' (FRL No. 8545–3) received on March 20, 2008; to the Committee on Environment and Public Works.

EC–5531. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Acrylic and Modacrylic Fibers Production, Carbon Black Production, Chemical Manufacturing: Chromium Compounds, Flexible Polyurethane Foam Production and Fabrication, Lead Acid Battery Manufacturing, and Wood Preserving'' ((RIN2060–AN44)(FRL No. 8547–1)) received on March 25, 2008; to the Committee on Environment and Public Works.

EC–5532. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Diesel Anti-Idling Regulation'' (FRL No. 8546–9) received on March 25, 2008; to the Committee on Environment and Public Works.

EC–5533. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; State of Utah; Interstate Transport of Pollution and Other Revisions'' (FRL No. 8546–3) received on March 25, 2008; to the Committee on Environment and Public Works.

EC–5534. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Nonattainment and Reclassification of the Memphis, Tennessee/Crittenden County, Arkansas 8-Hour Ozone Nonattainment Area'' (FRL No. 8547–8) received on March 25, 2008; to the Committee on Environment and Public Works.

EC–5535. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Participation by Disadvantaged Business Enterprises in Procurement Under Environmental Protection Agency Financial Assistance Agreements'' ((RIN2090–AA38)(FRL No. 8545–9)) received on March 25, 2008; to the Committee on Environment and Public Works.

EC–5536. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determinations of Attainment of the Eight-Hour Ozone Standard for Various Ozone Nonattainment Areas in Upstate New York State'' (FRL No. 8546–2) received on March 25, 2008; to the Committee on Environment and Public Works.

EC–5537. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Issuance of Opinion and Advisory Letters and Opening of the EGTRRA Determination Letter Program for Pre-Approved Defined Contribution Plans'' (Announcement 2008–23) received on March 19, 2008; to the Committee on Finance.

EC–5538. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Rev. Rul. 2008–14) received on March 19, 2008; to the Committee on Finance.

EC–5539. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Normalization Accounting Rules to Balances of Excess Deferred Income Taxes and Accumulated Deferred Investment Tax Credits of Public Utilities Whose Assets Cease to be Public Utility Property'' ((RIN1545–AY75)(TD 9387)) received on March 20, 2008; to the Committee on Finance.

EC–5540. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2008 Prevailing State Assumed Interest Rates'' (Rev. Rul. 2008–19) received on March 20, 2008; to the Committee on Finance.

EC–5541. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—April 2008'' (Rev. Rul. 2008–20) received on March 20, 2008; to the Committee on Finance.

EC–5542. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, copies of letters relative to the Treaty with the United Kingdom that was entered into on September 20, 2007, relative to Defense Trade Cooperation; to the Committee on Foreign Relations.

EC–5543. A communication from the General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''National Service Criminal History Checks'' (RIN3045–AA44) received on March 19, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5544. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Corporation for National and Community Service Implementation of OMB Guidance on Nonprocurement Debarment and Suspension'' (RIN3045–AA48) received on March 19, 2008; to the Committee on Finance.

EC–5545. A communication from the Director, Directorate of Standards and Guidance, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Updating OSHA Standards Based on National Consensus Standards'' (RIN1218–AC08) received on March 25, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5546. A communication from the Director, Office of Standards, Regulations, and Variances, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Asbestos Exposure Limit'' (RIN1219–AB24) received on March 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–5547. A communication from the General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''Program Fraud Civil Remedies Act'' (RIN3045–AA42) received on March 19, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5548. A communication from the Secretary, Railroad Retirement Board, transmitting, pursuant to law, the Board's annual report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–5549. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Technical Updating Amendments to Executive Branch Financial Disclosure and Standards of Ethical Conduct Regulations'' (RIN3209–AA14) received on March 25, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5550. A communication from the Secretary, Judicial Conference of the United States, transmitting, a legislative proposal entitled, ''Federal Courts Jurisdiction and Venue Clarification Act of 2008''; to the Committee on the Judiciary.

EC–5551. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the New Jersey Advisory Committee; to the Committee on the Judiciary.

EC–5552. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the Rhode Island Advisory Committee; to the Committee on the Judiciary.

EC–5553. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, a report relative to the Commission's recent appointment of members to the Vermont Advisory Committee; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes (Rept. No. 110-277) .

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2304. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of

1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VOINOVICH:

S. 2791. A bill to address the foreclosure crisis and to revitalize neighborhoods, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. ENSIGN, and Mr. MARTINEZ):

S. 2792. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. LAUTENBERG):

S. 2793. A bill to direct the Federal Trade Commission to prescribe a rule prohibiting deceptive advertising of abortion services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself and Mr. VITTER):

S. 2794. A bill to protect older Americans from misleading and fraudulent marketing practices, with the goal of increasing retirement security; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER:

S. Res. 493. A resolution to limit consideration of amendments under a budget resolution; to the Committee on the Budget.

By Mr. CASEY (for himself and Mr. CORKER):

S. Res. 494. A resolution expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq; to the Committee on Foreign Relations.

By Mr. AKAKA (for himself, Mr. DODD, Mr. ENZI, Ms. STABENOW, Mr. LEVIN, Mr. SCHUMER, Mr. INOUYE, Mr. MENENDEZ, Mr. CRAPO, Mr. JOHNSON, Mr. CARDIN, Mrs. LINCOLN, Mr. COCHRAN, Mr. MARTINEZ, Mrs. MURRAY, Mr. ALLARD, Mr. DURBIN, Mr. BAUCUS, and Mrs. FEINSTEIN):

S. Res. 495. A resolution designating April 2008 as ''Financial Literacy Month''; considered and agreed to.

By Mr. DURBIN (for himself, Mr. BROWNBACK, Mr. BROWN, Mr. FEINGOLD, and Mr. VOINOVICH):

S. Con. Res. 72. A concurrent resolution supporting the goals and ideals of the International Year of Sanitation; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 41

At the request of Mr. BAUCUS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 41, a bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes.

S. 59

At the request of Mr. INOUYE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 59, a bill to amend title XIX of the Social Security Act to improve access to advanced practice nurses and physician assistants under the Medicaid Program.

S. 60

At the request of Mr. INOUYE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 60, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 495

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 495, a bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information.

S. 582

At the request of Mr. SMITH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 678

At the request of Mrs. BOXER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 678, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier and are not unnecessarily held on a grounded air carrier before or after a flight, and for other purposes.

S. 819

At the request of Mr. DORGAN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 898

At the request of Ms. MIKULSKI, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 906

At the request of Mr. OBAMA, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 906, a bill to prohibit the sale, distribution, transfer, and export of elemental mercury, and for other purposes.

S. 911

At the request of Mr. VITTER, his name was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 937

At the request of Mr. REED, his name was added as a cosponsor of S. 937, a bill to improve support and services for individuals with autism and their families.

S. 972

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 972, a bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes.

S. 1003

At the request of Ms. STABENOW, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1176

At the request of Mr. AKAKA, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1176, a bill to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt, and for other purposes.

S. 1310

At the request of Mr. SCHUMER, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1310, a bill to amend title XVIII of the Social Security Act to provide for an extension of increased payments for ground ambulance services under the Medicare program.

S. 1359

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1359, a bill to amend the Public Health Service Act to enhance public and health professional awareness and understanding of lupus and to strengthen the Nation's research efforts to identify the causes and cure of lupus.

S. 1382

At the request of Mr. ROBERTS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1410

At the request of Mr. COLEMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1410, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1430

At the request of Mr. KENNEDY, his name was added as a cosponsor of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1689

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1689, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

At the request of Mr. BINGAMAN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1689, supra.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2035, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 2042

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2042, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 2056

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2056, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 2127

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2127, a bill to provide assistance to families of miners involved in mining accidents.

S. 2159

At the request of Mr. NELSON of Florida, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2159, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration.

S. 2279

At the request of Mr. BIDEN, the names of the Senator from Oregon (Mr. SMITH), the Senator from Illinois (Mr. DURBIN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2279, a bill to combat international violence against women and girls.

S. 2314

At the request of Mr. SALAZAR, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2314, a bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes.

S. 2366

At the request of Mr. VITTER, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2366, a bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical verification program.

S. 2408

At the request of Mr. KERRY, the names of the Senator from New York (Mrs. CLINTON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2408, a bill to amend title XVIII of the Social Security Act to require physician utilization of the Medicare electronic prescription drug program.

S. 2420

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2420, a bill to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

S. 2426

At the request of Mr. KERRY, his name was added as a cosponsor of S. 2426, a bill to provide for congressional oversight of United States agreements with the Government of Iraq.

S. 2433

At the request of Mr. KERRY, his name was added as a cosponsor of S. 2433, a bill to require the President to develop and implement a comprehensive strategy to further the United States foreign policy objective of promoting the reduction of global poverty, the elimination of extreme global poverty, and the achievement of the Millennium Development Goal of reducing by one-half the proportion of people worldwide, between 1990 and 2015, who live on less than $1 per day.

S. 2485

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2485, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 2533

At the request of Mr. KENNEDY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2533, a bill to enact a safe, fair, and responsible state secrets privilege Act.

S. 2555

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2555, a bill to permit California and other States to effectively control greenhouse gas emissions from motor vehicles, and for other purposes.

S. 2580

At the request of Mr. BROWN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2580, a bill to amend the Higher Education Act of 1965 to improve the participation in higher education of, and to increase opportunities in employment for, residents of rural areas.

S. 2585

At the request of Mr. HARKIN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2585, a bill to provide for the enhancement of the suicide prevention programs of the Department of Defense, and for other purposes.

S. 2607

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2607, a bill to make a technical correction to section 3009 of the Deficit Reduction Act of 2005.

S. 2618

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2618, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne,

Emery-Dreifuss Facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies.

S. 2625

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2625, a bill to ensure that deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts, be excluded from consideration as annual income when determining eligibility for low-income housing programs.

S. 2639

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2639, a bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

S. 2660

At the request of Mr. SANDERS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2660, a bill to amend the Federal Power Act to ensure that the mission and functions of Regional Transmission Organizations and Independent System Operators include keeping energy costs as low as reasonably possible for consumers, and for other purposes.

S. 2672

At the request of Mr. CONRAD, the names of the Senator from Maine (Ms. COLLINS), the Senator from Nebraska (Mr. HAGEL) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 2672, a bill to provide incentives to physicians to practice in rural and medically underserved communities.

S. 2684

At the request of Mr. DODD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2684, a bill to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937.

S. 2719

At the request of Mrs. DOLE, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Louisiana (Mr. VITTER) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 2719, a bill to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes.

S. 2722

At the request of Mrs. DOLE, the names of the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. DEMINT), the Senator from Louisiana (Mr. VITTER) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2722, a bill to prohibit aliens who are repeat drunk drivers from obtaining legal status or immigration benefits.

S. 2729

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2729, a bill to amend title XVIII of the Social Security Act to modify Medicare physician reimbursement policies to ensure a future physician workforce, and for other purposes.

S. 2760

At the request of Mr. LEAHY, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KERRY), the Senator from Maryland (Ms. MIKULSKI), the Senator from Oregon (Mr. WYDEN) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2760, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 2766

At the request of Mr. NELSON of Florida, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2766, a bill to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2766, supra.

S. 2774

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2774, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 2785

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2785, a bill to amend title XVIII of the Security Act to preserve access to physicians' services under the Medicare program.

S. RES. 138

At the request of Mr. SALAZAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 138, a resolution honoring the accomplishments and legacy of Cesar Estrada Chavez.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL (for himself and Mr. VITTER):

S. 2794. A bill to protect older Americans from misleading and fraudulent marketing practices, with the goal of increasing retirement security; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, many of America's seniors are discovering that their life savings may not be enough to sufficiently provide for their retirement needs. To bridge the gap, some seniors are turning to investments to increase their retirement income and frequently rely on financial advisors to help them invest wisely. Unfortunately, we have learned that seniors are placing their trust in so-called ''senior investment advisors'' who in many cases may not deserve it. More and more, individuals are representing themselves as certified ''senior investment specialists'' when often they have limited or no education and experience in extremely complicated financial matters. It is estimated that there are hundreds of different designations for senior financial advisors that all sound very official, and that there are thousands of unscrupulous individuals marketing themselves out as such ''senior'' specialists.

You would be surprised to know that in order to obtain some of them, all it takes is a weekend and as many cracks at an open-book, multiple-choice exam as is needed? It is almost impossible for seniors to tell the difference between the more legitimate titles and those with less rigorous standards.

Today, Senator VITTER and I are introducing the Senior Investor Protection Act of 2008 to help ensure there are rules to separate reputable designations, like Certified Financial Planners, from less rigorous designations and clarifications that are meant to confuse and mislead seniors. This bill would encourage states to improve their own rules regulating the use of designations by encouraging them to adopt provisions outlined in the North American Securities Administrators Association's, NASAA, new model rule on the use of senior designations. It would create a grant to help States protect senior investors from unscrupulous individuals who use misleading designations to sell seniors inappropriate financial products.

We know that an attorney must go to school for 3 years and pass a State bar exam. A CPA must have a college degree, an additional year of study and must pass a national exam. Neither can offer their professional services without those credentials. Seniors should be able to trust the people who invest their money. They should not be worried that the title after their advisor's name is scarcely more than a marketing ploy, and that it was not earned through sufficiently rigorous financial education or training.

I strongly encourage my colleagues to cosponsor this measure.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 493—TO LIMIT CONSIDERATION OF AMENDMENTS UNDER A BUDGET RESOLUTION

Mr. SPECTER submitted the following resolution; which was referred to the Committee on the Budget:

S. RES. 493

*Resolved,*

**SECTION 1. LIMITATION ON CONSIDERATION OF AMENDMENTS UNDER A BUDGET RESOLUTION.**

For purposes of consideration of any Budget Resolution reported under section 305(b) of the Congressional Budget Act of 1974—

(1) time on a budget resolution may only be yielded back by consent;

(2) no first degree amendment may be proposed after the 10th hour of debate on a budget resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 10th hour;

(3) no second degree amendment may be proposed after the 20th hour of debate on a budget resolution unless it has been submitted to the Journal Clerk prior to the expiration of the 20th hour;

(4) after not more than 40 hours of debate on a budget resolution, the resolution shall be set aside for 1 calendar day, so that all filed amendments are printed and made available in the Congressional Record before debate on the resolution continues; and

(5) provisions contained in a budget resolution, or amendments thereto, shall not include programmatic detail not within the jurisdiction of the Senate Committee on the Budget.

**SEC. 2. WAIVER AND APPEAL.**

Section 1 may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under section 1.

Mr. SPECTER. Mr. President, I submit a resolution which would modify the budget process to bring some sanity to the Senate as we consider the budget resolution.

On March 13, less than a month ago, we took up the budget resolution. From 11:15 a.m. until 2 a.m, on March 14, this body was bedlam. May the record show the distinguished presiding Senator from Montana was nodding in the affirmative. If he wishes to have a disclaimer on that—he has just signaled it is OK with him.

There are two Senators on the floor of the Senate now, one presiding and one speaking, who can attest to an extraordinary event. The Senate is billed as the world's greatest deliberative body. During the time from 11:15 a.m. on the 13th, until 2 a.m. on the 14th, the place was bedlam—absolute bedlam. We were considering amendments which had not been available for examination by Senators or their staffs. We were considering them in a context of 2 minutes equally divided, so the proponent had a full minute. That may be a little long for speeches in the House of Representatives, but it is not in the Senate. The opposite side had 1 minute.

It was impossible to hear what was going on in the Chamber. If you tried to listen to get the gravamen of what was going on, it simply could not be heard. During the course of the deliberations after midnight I had occasion to talk to the distinguished majority leader, Senator REID, and the chair of the Rules Committee, Senator FEINSTEIN, about doing something about it. My staff and I have done some research. We found that a resolution had been submitted, a proposal had been submitted by Senator BYRD in the past. I have taken Senator BYRD's approach, having my staff consult with his staff. We do not yet have it worked out as to whether he will cosponsor because we have been in the period of recess for the past 2 weeks, but Senator BYRD is renowned for his expertise on parliamentary matters. The essence of the resolution would provide that first-degree amendments would have to be filed prior to the 10th hour of debate. Then, second-degree amendments would have to be filed prior to the 20th hour of debate. Then the resolution would be set aside for 1 day prior to the 40th hour of debate so that the amendments could be printed in the CONGRESSIONAL RECORD.

For those who may be watching on C–SPAN, it is impossible to deal with an amendment which has not been filed and printed so that staff and Senators can review it. When the amendments are offered—as there is a right to offer them, under the existing procedures, on the spur of the moment—nobody can follow them. One minute of explanation is totally insufficient.

There was one complex amendment which was offered with respect to the city of Berkeley, to take away their earmarks and their grants. I happened to be on the other end of the Chamber at the time and actually could not hear; the bedlam, the noise just precluded hearing. I later found out that there was a lot more to the consideration of the issue than I could digest in the course of that time.

The procedures that have been used on the budget resolution have taken two forms which have subverted the process. One is the sense-of-the-Senate resolution, and the second is the resolution on deficit-neutral reserve funds to try to bring it within the confines of the budget resolution. Through those two artifices there are efforts made to legislate, put legislative proposals in the budget resolution.

I will ask unanimous consent my full statement be printed in the RECORD at the close of my comments. The full statement has a reference to amendment No. 4299, which was offered, which was on prescription drugs. It doesn't have anything to do with the budget resolution, but it was a sense of the Senate. This is just illustrative of substantive matters which are offered which have no place on the budget resolution.

My prepared statement also refers to amendment No. 4231, which refers to immigration, a detailed proposal.

Many of these, if not most of these amendments, are ''gotcha'' amendments. I am getting a lot of agreement from the distinguished Presiding Officer. If anyone is watching on C–SPAN II, a ''gotcha'' amendment is an amendment that compels people to vote on complex questions which can be used on a 30-second commercial.

One of the difficulties of campaign practice is to be able to defend your votes. It is sometimes hard to defend a vote on a complex matter where you have no advance notice of the issue and no opportunity to hear it debated. The procedures of the Senate, worth just a momentary comment, are, somebody proposes legislation and files it at the desk. It is referred to a committee. The committee has hearings. Then there is a markup where the bill is considered. Then the committee files a report, analyzing it. Then it comes to the Senate floor for consideration.

That is the way the Senate is supposed to function. That is what makes the Senate, arguably, the world's greatest deliberative body. But not when you have amendments which are offered on the spur of the moment with no opportunity to know what is in the amendment and all of these votes are recorded. Try to explain a ''gotcha'' amendment as to why you voted a certain way in answering on a commercial. It just cannot be done.

It is my hope the Senate will take up this issue. I think the proposal by Senator BYRD on the scheduling is a good approach. I am not wedded to this approach. There are other approaches which could be undertaken which would be satisfactory to this Senator. We had some discussions on the Senate floor about perhaps limiting the number of amendments with a certification by the two leaders that you had germane amendments. But one way or another, we ought not to again next year undertake a process which has 44 votes. That established a new record—although on prior years we came close to that with votes numbering in the thirties. We ought to avoid this kind of process and redo our procedures under the budget resolution.

Mr. President, I ask unanimous consent my full statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BILL INTRODUCTION

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to provide greater efficiencies to what I believe is a broken process for consideration of the budget resolution. The need for reform is based on the most recent consideration of the budget resolution on March 13, 2008, when the Senate conducted 44 stacked roll call votes in one day—the so-called ''vote-a-rama.'' With the 44 stacked votes, the frequent unavailability of amendment text in advance so there could be no analysis and preparation, the chamber full of senators, the unusual noise level, the constant banging of the gavel by the presiding officer, the near impossibility of hearing even just the two minutes allotted for discussion, and consideration of matters entirely unrelated to the budget, I believe the process needs reform. The resolution I am introducing today is based on a proposal previously submitted by Senator ROBERT BYRD, whom most would agree is our most-knowledgeable Senator on parliamentary procedure. The Byrd proposal seeks to correct these problems I have cited by imposing several new rules designed to foster greater transparency and efficiency on a budget resolution.

Under the budget rules, once all debate time has been used or yielded back, the Senate must take action to agree to or to dispose of pending amendments before considering final passage. This scenario creates a dizzying process of voting on numerous amendments in a stacked sequence, often referred to as a ''vote-a-rama.'' During the course of the ''vote-a-rama'', dozens of votes may occur with little or no explanation, often leaving Senators with insufficient information or time to deliberate and evaluate the merits of an issue prior to casting a vote. By consent, the Senate has typically allowed two minutes of debate, equally divided, prior to votes. However, the budget process does not require Senators to file their amendments prior to their consideration. In many instances, members are voting on amendments on which the text has never been made available. This difficult working environment is further compounded by a Chamber full of Senators and the constant banging of the gavel by the presiding officer to maintain order. This unusual noise level makes it nearly impossible to hear the one minute of debate per side.

The Budget Act of 1974 outlines the many clearly defined rules for consideration of a budget resolution, including debate time and germaneness. Despite these rules, the Senate has often set aside these rules and found clever ways to circumvent the rules. To restore some order to the process, the resolution I am offering today would require first-degree amendments to be filed at the desk with the Journal Clerk prior to the 10th hour of debate. Accordingly, second-degree amendments must be filed prior to the 20th hour of debate. This legislation would require a budget resolution to be set aside for one calendar day prior to the 40th hour of debate. Doing so would allow all filed amendments to be printed in the RECORD allowing Senators, and their staff, an opportunity for review before debate on the resolution continues. To preserve the integrity of these new rules, debate time may only be yielded back by consent, instead of the current procedure whereby time may be yielded at the discretion of either side.

Another problem has been the subversion with the budget's germaneness rules by offering amendments to deal with authorization and substantive policy changes. It is important to remember that the Federal budget has two distinct but equally important purposes: the first is to provide a financial measure of federal expenditures, receipts, deficits, and debt levels; and the second is to provide the means for the Federal Government to efficiently collect and allocate resources. To keep the debate focused, amendments to the budget resolution must be germane, meaning those which strike, increase or decrease numbers, or add language that restricts some power in the resolution. Otherwise, a point of order lies against the amendment, and 60 votes are required to waive the point of order. Yet, to circumvent this germaneness requirement and inject debate on substantive policy changes, Senators have offered Sense of the Senate amendments and Deficit-Neutral Reserve Fund amendments that include exorbitant programmatic detail.

A sense of the Senate amendment allows a Senator to force members to either support or oppose any policy position they seek to propose. An excerpt of an amendment to the FY09 Budget Resolution follows:

AMENDMENT NO. 4299

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—(1) the leadership of the Senate should bring to the floor for full debate in 2008 comprehensive legislation that legalizes the importation of prescription drugs from highly industrialized countries with safe pharmaceutical infrastructures and creates a regulatory pathway to ensure that such drugs are safe; (2) such legislation should be given an up or down vote on the floor of the Senate; and (3) previous Senate approval of 3 amendments in support of prescription drug importation shows the Senate's strong support for passage of comprehensive importation legislation.

The use of sense of the Senate amendments on the budget resolution has been discouraged in recent years because they have little relevance to the intended purpose of the budget resolution. As a result, it has become increasingly popular to offer deficit-neutral reserve fund amendments. Prior to the FY06 Budget Resolution, reserve funds were used sparingly. In in FY07, 22 were included in the Senate resolution and 8 in the House resolution; in FY08, 38 were included in the Senate resolution and 23 in the conference report; and in FY09, 31 were included in the Senate resolution.

Deficit-neutral reserve funds—which are specifically permitted by section 301(b)(7) of the Budget Act of 1974—have an important functional use in the budget process, but do not require extensive programmatic detail to be useful. On the speculation that Congress may enact legislation on a particular issue—perhaps ''immigration,'' ''energy,'' or ''health care''—a reserve fund acts as a ''placeholder'' to allow the chairman of the Budget Committee to later revise the spending and revenue levels in the budget so that the future deficit-neutral legislation would not be vulnerable to budgetary points of order. Absent a reserve fund, legislation which increases revenues to offset increases in direct spending would be subject to a Budget Act point of order because certain overall budget levels (total revenues, total new budget authority, total outlays, or total revenues and outlays of Social Security) or budgetary levels specific to authorizing committees and the appropriations committee (committee allocations) would be breached.

However, it is unnecessary to include extensive programmatic detail into the language of a deficit-neutral reserve fund for it to be useful at a later date. An excerpt of an amendment to the FY09 Budget Resolution demonstrates the unnecessary level of programmatic detail that I refer to:

AMENDMENT NO. 4231

**DEFICIT-NEUTRAL RESERVE FUND FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT, AND CRIMINAL ALIEN REMOVAL PROGRAMS.**

(a) IN GENERAL.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of 1 or more committees, aggregates, and other appropriate levels in this resolution by the amounts authorized to be appropriated for the programs described in paragraphs (1) through (6) in 1 or more bills, joint resolutions, amendments, motions, or conference reports that funds border security, immigration enforcement, and criminal alien removal programs, including programs that—(1) expand the zero tolerance prosecution policy for illegal entry (commonly known as ''Operation Streamline'') to all 20 border sectors; (2) complete the 700 miles of pedestrian fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note); (3) deploy up to 6,000 National Guard members to the southern border of the United States; (4) evaluate the 27 percent of the Federal, State, and local prison populations who are noncitizens in order to identify removable criminal aliens; (5) train and reimburse State and local law enforcement officers under Memorandums of Understanding entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); or (6) implement the exit data portion of the US-VISIT entry and exit data system at airports, seaports, and land ports of entry.

Voting on amendments that advocate substantive policy changes in the context of a budget debate are a subversion of the budget's germaneness requirements and clearly fall outside the jurisdiction of the Budget Committee. In many instances, the programmatic detail is of a controversial nature, such as a recent amendment to ''provide for a deficit-neutral reserve fund for transferring funding for Berkeley, CA earmarks to the Marine Corps'' (Coburn Amendment No. 4380).

To bring the focus back to the budget, my legislation states that ''provisions contained in a budget resolution, or amendments thereto, shall not include programmatic detail not within the jurisdiction of the Senate Committee on the Budget.'' It is my hope that this language will bring about a change in practice in the Senate whereby Senators will avoid including excessive programmatic detail in their reserve fund amendments. Doing so will put the focus back on the important purposes of a budget resolution.

The provisions in my legislation may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members. Also, an affirmative vote of three-fifths of the Members of the Senate is required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

I commend the chairman and ranking member of the Senate Budget Committee for their hard work in processing amendments to the budget resolution. Unfortunately, the process needs reforms to provide structure and to increase transparency and efficiency. The 44 rollcall votes conducted in relation to S. Con. Res. 70 are the largest number of votes held in one session dating back to 1964, according to records maintained by the Senate Historical Office. The Senate cast more votes on the budget in one day than it had previously cast all year on various other issues. It is my hope that this resolution, modeled in part on a previous proposal by Senator BYRD, will lead us to a more constructive debate on the budget resolution.

I urge the support of my colleagues.

## SENATE RESOLUTION 494—EXPRESSING THE SENSE OF THE SENATE ON THE NEED FOR IRAQ'S NEIGHBORS AND OTHER INTERNATIONAL PARTNERS TO FULFILL THEIR PLEDGES TO PROVIDE RECONSTRUCTION ASSISTANCE TO IRAQ

Mr. CASEY (for himself and Mr. CORKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 494

Whereas a sustained flow of international economic reconstruction assistance to the Government of Iraq and provincial and regional authorities in Iraq is essential to the restoration of basic services in Iraq, job creation, and the future stabilization of that country;

Whereas reconstruction assistance should be administered in a transparent, accountable, and equitable manner in order to help alleviate sectarian grievances and facilitate national political reconciliation;

Whereas the United States has already spent approximately $29,000,000,000 on reconstruction assistance and Congress has authorized the expenditure of an additional $16,500,000,000 for reconstruction assistance;

Whereas, on December 18, 2007, the Government Accountability Office (GAO) reported that, as of October 2007, international donors had pledged a total of approximately $16,400,000,000 in support of Iraq's reconstruction since 2003, of which roughly $13,600,000,000 was pledged at an October 2003 donor conference in Madrid, Spain;

Whereas the GAO reported that international donors have provided only approximately $7,000,000,000 for reconstruction assistance, or less than half of the original pledged amount;

Whereas the conclusion reached by the Iraq Study Group (ISG) in December 2006 that ''[i]nternational support for Iraqi reconstruction has been tepid'' remains true and reinforces the ISG's subsequent recommendation that ''[a]n essential part of reconstruction efforts in Iraq should be greater involvement by and with international partners, who should do more than just contribute money. . . . [t]hey should also actively participate in the design and construction of projects'';

Whereas Iraq's regional neighbors, in particular, carry a special imperative to bolster reconstruction assistance efforts to Iraq, given the vital importance of a peaceful and secure Iraq to their security interests and overall regional stability; and

Whereas those countries have prospered in recent years due to the rising price of their oil exports and enjoy expanded government revenue from which funds could be allocated for reconstruction assistance to Iraq: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) Iraq's neighbors and other key international partners should fully carry through on previous pledges of reconstruction assistance to the Government of Iraq, working to mitigate and circumvent, where necessary, potential obstacles to the effective implementation of those pledges; and

(2) the United States should consider a recommendation proposed by the Iraq Study Group to merge reconstruction assistance funds provided by the United States with funds from international donors and Iraqi participants to help ensure that assistance projects in Iraq are carried out in the most rapid and efficient manner possible.

## SENATE RESOLUTION 495—DESIGNATING APRIL 2008 AS ''FINANCIAL LITERACY MONTH''

Mr. AKAKA (for himself, Mr. DODD, Mr. ENZI, Ms. STABENOW, Mr. LEVIN, Mr. SCHUMER, Mr. INOUYE, Mr. MENENDEZ, Mr. CRAPO, Mr. JOHNSON, Mr. CARDIN, Mrs. LINCOLN, Mr. COCHRAN, Mr. MARTINEZ, Mrs. MURRAY, Mr. ALLARD, Mr. DURBIN, Mr. BAUCUS, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 495

Whereas the personal savings rate of people in the United States declined from negative 0.5 percent in 2005 to negative 1.0 percent in 2006, making 2005 and 2006 the only years since the Great Depression years of 1932 and 1933 when the savings rate has been negative, and the decline continued in the first month of 2008;

Whereas, in April 2007, a survey on personal finances reported that 25 percent of workers in the United States responded as having ''no savings'';

Whereas the 2007 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that only 43 percent of workers or their spouses calculated how much they need to save for retirement, down from 53 percent in 2000;

Whereas consumer debt exceeded $2,500,000,000,000 in 2007, an increase of 33 percent since 2001;

Whereas household debt reached a record $13,750,000,000,000 in 2007;

Whereas, during 2007, a near-record high of more than 14 percent of disposable personal income went to paying the interest on personal debt;

Whereas people in the United States are now facing record numbers of homes in foreclosure, and for the first time in history, they have more total debt than equity in their homes;

Whereas approximately 800,000 families filed for bankruptcy in 2007;

Whereas nearly half of adults in the United States are not aware that they can access their credit reports for free, and 1 in 4 reported having never checked their credit score;

Whereas, in a 2006 survey, the Jump$tart Coalition for Personal Financial Literacy found that high school seniors scored an average of only 52.4 percent on an exam testing knowledge of basic personal finance;

Whereas approximately 10,000,000 households in the United States do not have accounts at mainstream financial institutions such as banks or credit unions;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing their finances and building wealth;

Whereas the 2007 Survey of the States compiled by the National Council on Economic Education found that only 22 States require testing of economics as a high school graduation requirement, 3 fewer States than did so in 2004;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by the increasingly complex economy of the United States;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108–159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2008 as ''Financial Literacy Month'' to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

## SENATE CONCURRENT RESOLUTION 72—SUPPORTING THE GOALS AND IDEALS OF THE INTERNATIONAL YEAR OF SANITATION

Mr. DURBIN (for himself, Mr. BROWNBACK, Mr. BROWN, Mr. FEINGOLD, and Mr. VOINOVICH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 72

Whereas, at the 55th Session of the United Nations General Assembly in 2000, the United States, along with other world leaders, committed to achieving the Millennium Development Goals (MDGs), which provide a framework for countries and international organizations to combat such global social ills as poverty, hunger, and disease;

Whereas one target of the Millennium Development Goals is to halve by 2015 the proportion of people without access to safe drinking water and basic sanitation, the only target to be codified into United States law, in the Paul Simon Water for the Poor Act of 2005 (Public Law 109–121);

Whereas the lack of access to safe water and sanitation is one of the most pressing environmental public health issues in the world;

Whereas over 1,000,000,000 people live without potable water, and an estimated 2,600,000,000 people, including 980,000,000 children, do not have access to basic sanitation facilities;

Whereas, every 20 seconds, a child dies as a direct result of a lack of access to basic sanitation facilities;

Whereas only 36 percent of people in sub-Saharan Africa and 37 percent of people in South Asia have access to safe drinking water and sanitation, the lowest rates in the world;

Whereas, at any one time, almost half of the people in the developing world are suffering from diseases associated with lack of water, sanitation, and hygiene;

Whereas improved sanitation decreases the incidences of debilitating and deadly maladies such as cholera, intestinal worms, diarrhea, pneumonia, dysentery, and skin infections;

Whereas sanitation is the foundation of health, dignity, and development;

Whereas increased sanitation is fundamental for reaching all of the Millennium Development Goals;

Whereas access to basic sanitation helps economic and social development in countries where poor sanitation is a major cause of lost work and school days because of illness;

Whereas sanitation in schools enables children, particularly girls reaching puberty, to remain in the educational system;

Whereas, according to the World Health Organization, every dollar spent on proper sanitation by governments generates an average $7 in economic benefit;

Whereas improved disposal of human waste protects the quality of water sources used for drinking, preparation of food, agriculture, and bathing;

Whereas, at the 61st Session of the United Nations General Assembly in 2006, the United Nations declared 2008 as the International Year of Sanitation to recognize the progress made in achieving the global sanitation target detailed in the Millennium Development Goals, as well as to call upon all member states, United Nations agencies, regional and international organizations, civil society organizations, and other relevant stakeholders to renew their commitment to attaining that target;

Whereas the official launching of the International Year of Sanitation at the United Nations was on November 21, 2007; and

Whereas the thrust of the International Year of Sanitation has three parts, including raising awareness of the importance of sanitation and its impact on reaching other Millennium Development Goals, encouraging governments and its partners to promote and implement policies and actions for meeting the sanitation target, and mobilizing communities, particularly women's groups, towards changing sanitation and hygiene practices through sanitation health-education campaigns: Now, therefore, be it

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

(1) supports the goals and ideals of the International Year of Sanitation;

(2) recognizes the importance of sanitation on public health, poverty reduction, economic and social development, and the environment; and

(3) encourages the people of the United States to observe the International Year of Sanitation with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of sanitation, hygiene, and access to safe drinking water in achieving the Millennium Development Goals.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 4381. Ms. MIKULSKI (for herself, Mr. KENNEDY, and Mr. HARKIN) submitted an amendment intended to be proposed by her to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table.

SA 4382. Mrs. LINCOLN (for herself, Mr. SMITH, Mr. KERRY, Ms. STABENOW, and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4383. Mr. NELSON of Florida (for Mrs. FEINSTEIN (for herself, Mr. SESSIONS, Mr. BIDEN, Mr. CORNYN, Mr. COLEMAN, and Mr. LEAHY)) proposed an amendment to the bill S. 980, to amend the Controlled Substances Act to address online pharmacies.

## TEXT OF AMENDMENTS

**SA 4381.** Ms. MIKULSKI (for herself, Mr. KENNEDY, and Mr. HARKIN) submitted an amendment intended to be proposed by her to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table, as follows:

On page 13, line 8, strike ''$200,000,000,000'' and insert ''$237,500,000''.

On page 13, line 13, strike the period and insert the following: '': Provided, That, of such amounts $37,500,000 shall be used by the Neighborhood Reinvestment Corporation (referred to in this section as the 'NRC') to (1) make grants to counseling intermediaries approved by the Department of Housing and Urban Development or the NRC to hire attorneys trained and capable of assisting homeowners of owner-occupied homes with mortgages in default, in danger of default, or subject to or at risk of foreclosure who have legal issues that cannot be handled by counselors already employed by such intermediaries, and (2) support NRC partnerships with State and local legal organizations and organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of that Code with demonstrated relevant legal experience in home foreclosure law, as such experience is determined by the Chief Executive Officer of NRC: Provided further, That for the purpose of the prior proviso the term 'relevant experience' means experience representing homeowners in negotiations and or legal proceedings aimed at preventing or mitigating foreclosure or providing legal research and technical legal expertise to community based organizations whose goal is to reduce, prevent, or mitigate foreclosure: Provided further, That of the amounts provided for in the prior provisos the NRC shall give priority consideration to counseling intermediaries and legal organizations that (1) provide legal assistance in the 100 metropolitan statistical areas (as defined by the Director of the Office of Management and Budget) with the highest home foreclosure rates, and (2) have the capacity to begin using the financial assistance within 90 days after receipt of the assistance.''.

On page 13, between lines 13 and 14, insert the following:

**SEC. 302. LEGAL ASSISTANCE RELATED TO HOME OWNERSHIP PRESERVATION AND FORECLOSURE PREVENTION.**

(a) APPROPRIATION.—

(1) IN GENERAL.—There is authorized to be appropriated and there is appropriated to the Legal Services Corporation $37,500,000 to provide legal assistance related to home ownership preservation, home foreclosure prevention, and tenancy associated with home foreclosure.

(2) AVAILABILITY.—Such funds shall remain available until expended.

(b) FUNDING REQUIREMENTS.—Each limitation on expenditures, and each term or condition, that applies to funds appropriated to the Legal Services Corporation under the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008, shall apply to funds appropriated to the Corporation under subsection (a), except as provided in subsections (a)(1) and (c).

(c) PRIORITY.—In providing financial assistance from the funds appropriated under subsection (a), the Corporation shall give priority to eligible entities and individuals that—

(1) provide legal assistance in the 100 metropolitan statistical areas (as defined by the Director of the Office of Management and Budget) with the highest home foreclosure rates; and

(2) have the capacity to begin using the financial assistance within 90 days after receipt of the assistance.

**SA 4382.** Mrs. LINCOLN (for herself, Mr. SMITH, Mr. KERRY, Ms. STABENOW, and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table, as follows:

At the end of title III add the following:

**SEC. 302. EXCLUSION FOR AMOUNTS RECEIVED UNDER QUALIFIED GROUP LEGAL SERVICES PLANS RESTORED, EXTENDED, AND MODIFIED.**

(a) REMOVAL OF DOLLAR LIMITATION.—Section 120(a) of the Internal Revenue Code of 1986 (relating to exclusion by employee for contributions and legal services provided by employer) is amended by striking the last sentence.

(b) REAL ESTATE MATTERS EMPHASIZED.—Section 120(c) of the Internal Revenue Code of 1986 (relating to requirements) is amended by adding at the end the following new paragraph:

''(6) BENEFITS.—The plan shall provide, at a minimum, legal services for real estate matters relating to family or personal residences, including document review of real estate sales, purchases, closings, mortgages, and foreclosures.''.

(c) EXTENSION.—Section 120(e) of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) APPLICATION.—This section and section 501(c)(20) shall apply to taxable years beginning after December 31, 2007, and before January 1, 2010.''.

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

**SA 4383.** Mr. NELSON of Florida (for Mrs. FEINSTEIN (for herself, Mr. SESSIONS, Mr. BIDEN, Mr. CORNYN, Mr. COLEMAN, and Mr. LEAHY) proposed an amendment to the bill S. 980, to amend the Controlled Substances Act to address online pharmacies; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Ryan Haight Online Pharmacy Consumer Protection Act of 2008''.

**SEC. 2. REQUIREMENT OF A VALID PRESCRIPTION FOR CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.**

Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following:

''(e) CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.—

''(1) No controlled substance may be delivered, distributed, or dispensed by means of the Internet without a valid prescription.

''(2) As used in this subsection:

''(A) The term 'valid prescription' means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by—

''(i) a practitioner who has conducted at least 1 in-person medical evaluation of the patient; or

''(ii) a covering practitioner.

''(B)(i) The term 'in-person medical evaluation' means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

''(ii) Nothing in clause (i) shall be construed to imply that 1 in-person medical evaluation demonstrates that a prescription has been issued for a legitimate medical purpose within the usual course of professional practice.

''(C) The term 'covering practitioner' means, with respect to a patient, a practitioner who conducts a medical evaluation (other than an in-person medical evaluation) at the request of a practitioner who—

''(i) has conducted at least 1 in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine, within the previous 24 months; and

''(ii) is temporarily unavailable to conduct the evaluation of the patient.

''(3) Nothing in this subsection shall apply to—

''(A) the delivery, distribution, or dispensing of a controlled substance by a practitioner engaged in the practice of telemedicine; or

''(B) the dispensing or selling of a controlled substance pursuant to practices as determined by the Attorney General by regulation, which shall be consistent with effective controls against diversion.''.

**SEC. 3. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT RELATING TO THE DELIVERY OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.**

(a) IN GENERAL.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:

''(50) The term 'Internet' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.

''(51) The term 'deliver, distribute, or dispense by means of the Internet' refers, respectively, to any delivery, distribution, or dispensing of a controlled substance that is caused or facilitated by means of the Internet.

''(52) The term 'online pharmacy'—

''(A) means a person, entity, or Internet site, whether in the United States or abroad, that knowingly or intentionally delivers, distributes, or dispenses, or offers or attempts to deliver, distribute, or dispense, a controlled substance by means of the Internet; and

''(B) does not include—

''(i) manufacturers or distributors registered under subsection (a), (b), (c), or (d) of section 303 who do not dispense controlled substances to an unregistered individual or entity;

''(ii) nonpharmacy practitioners who are registered under section 303(f) and whose activities are authorized by that registration;

''(iii) any hospital or other medical facility that is operated by an agency of the United States (including the Armed Forces), provided such hospital or other facility is registered under section 303(f);

''(iv) a health care facility owned or operated by an Indian tribe or tribal organization, only to the extent such facility is carrying out a contract or compact under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.);

''(v) any agent or employee of any hospital or facility referred to in clause (iii) or (iv), provided such agent or employee is lawfully acting in the usual course of business or employment, and within the scope of the official duties of such agent or employee, with such hospital or facility, and, with respect to agents or employees of health care facilities specified in clause (iv), only to the extent such individuals are furnishing services pursuant to the contracts or compacts described in such clause;

''(vi) mere advertisements that do not attempt to facilitate an actual transaction involving a controlled substance;

''(vii) a person, entity, or Internet site that is not in the United States and does not facilitate the delivery, distribution, or dispensing of a controlled substance by means of the Internet to any person in the United States;

''(viii) a pharmacy registered under section 303(f) whose dispensing of controlled substances via the Internet consists solely of—

''(I) 'refilling prescriptions for controlled substances in schedule III, IV, or V', as defined in paragraph (55); or

''(II) 'filling new prescriptions for controlled substances in schedule III, IV, or V', as defined in paragraph (56); or

''(ix) any other persons for whom the Attorney General and the Secretary have jointly, by regulation, found it to be consistent with effective controls against diversion and otherwise consistent with the public health and safety to exempt from the definition of an 'online pharmacy'.

''(53) The term 'homepage' means the opening or main page or screen of the website of an online pharmacy that is viewable on the Internet.

''(54) The term 'practice of telemedicine' means, for purposes of this title, the practice of medicine in accordance with applicable Federal and State laws by a practitioner (other than a pharmacist) who is at a location remote from the patient and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system referred to in section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)), and that—

''(A) is being conducted—

''(i) while the patient is being treated by, and physically located in, a hospital or clinic registered under section 303(f); and

''(ii) by a practitioner—

''(I) acting in the usual course of professional practice;

''(II) acting in accordance with applicable State law; and

''(III) registered under section 303(f) in the State in which the patient is located, unless the practitioner—

''(aa) is exempted from such registration in all States under section 302(d); or

''(bb) is—

''(AA) an employee or contractor of the Department of Veterans Affairs who is acting in the scope of such employment or contract; and

''(BB) registered under section 303(f) in any State or is utilizing the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f);

''(B) is being conducted while the patient is being treated by, and in the physical presence of, a practitioner—

''(i) acting in the usual course of professional practice;

''(ii) acting in accordance with applicable State law; and

''(iii) registered under section 303(f) in the State in which the patient is located, unless the practitioner—

''(I) is exempted from such registration in all States under section 302(d); or

''(II) is—

''(aa) an employee or contractor of the Department of Veterans Affairs who is acting in the scope of such employment or contract; and

''(bb) registered under section 303(f) in any State or is using the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f);

''(C) is being conducted by a practitioner—

''(i) who is an employee or contractor of the Indian Health Service, or is working for an Indian tribe or tribal organization under its contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.);

''(ii) acting within the scope of the employment, contract, or compact described in clause (i); and

''(iii) who is designated as an Internet Eligible Controlled Substances Provider by the Secretary under section 311(g)(2);

''(D)(i) is being conducted during a public health emergency declared by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 247d); and

''(ii) involves patients located in such areas, and such controlled substances, as the Secretary, with the concurrence of the Attorney General, designates, provided that such designation shall not be subject to the procedures prescribed by subchapter II of chapter 5 of title 5, United States Code;

''(E) is being conducted by a practitioner who has obtained from the Attorney General a special registration under section 311(h);

''(F) is being conducted—

''(i) in a medical emergency situation—

''(I) that prevents the patient from being in the physical presence of a practitioner registered under section 303(f) who is an employee or contractor of the Veterans Health Administration acting in the usual course of business and employment and within the scope of the official duties or contract of that employee or contractor;

''(II) that prevents the patient from being physically present at a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f);

''(III) during which the primary care practitioner of the patient or a practitioner otherwise practicing telemedicine within the meaning of this paragraph is unable to provide care or consultation; and

''(IV) that requires immediate intervention by a health care practitioner using controlled substances to prevent what the practitioner reasonably believes in good faith will be imminent and serious clinical consequences, such as further injury or death; and

''(ii) by a practitioner that—

''(I) is an employee or contractor of the Veterans Health Administration acting within the scope of that employment or contract;

''(II) is registered under section 303(f) in any State or is utilizing the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f); and

''(III) issues a controlled substance prescription in this emergency context that is limited to a maximum of a 5-day supply which may not be extended or refilled; or

''(G) is being conducted under any other circumstances that the Attorney General and the Secretary have jointly, by regulation, determined to be consistent with effective controls against diversion and otherwise consistent with the public health and safety.

''(55) The term 'refilling prescriptions for controlled substances in schedule III, IV, or V'—

''(A) means the dispensing of a controlled substance in schedule III, IV, or V in accordance with refill instructions issued by a practitioner as part of a valid prescription that meets the requirements of subsection (b) or (c) of section 309, as appropriate; and

''(B) does not include the issuance of a new prescription to an individual for a controlled substance that individual was previously prescribed.

''(56) The term 'filling new prescriptions for controlled substances in schedule III, IV, or V' means a prescription for an individual

for a controlled substance in schedule III, IV, or V, if—

''(A) the pharmacy dispensing that prescription has previously dispensed to the patient that same controlled substance other than by means of the Internet and pursuant to the valid prescription of a practitioner that meets the applicable requirements of sections 309(b) or (c) (in this paragraph referred to as the 'original prescription');

''(B) the pharmacy contacts the practitioner who issued the original prescription at the request of that individual to determine whether the practitioner will authorize the issuance of a new prescription for that individual for the controlled substance described in subparagraph (A); and

''(C) the practitioner, acting in the usual course of professional practice, determines there is a legitimate medical purpose for the issuance of the new prescription.''.

(b) REGISTRATION REQUIREMENTS.—Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended in the matter preceding paragraph (1)—

(1) in the first sentence, by adding after ''schedule II, III, IV, or V'' the following: ''and shall modify the registrations of pharmacies so registered to authorize them to dispense controlled substances by means of the Internet''; and

(2) in the second sentence, by striking ''if he determines that the issuance of such registration'' and inserting ''or such modification of registration if the Attorney General determines that the issuance of such registration or modification''.

(c) REPORTING REQUIREMENTS.—Section 307(d) of the Controlled Substances Act (21 U.S.C. 827(d)) is amended by—

(1) designating the text as paragraph (1); and

(2) inserting after paragraph (1), as so designated by this Act, the following:

''(2) Each pharmacy with a modified registration under section 303(f) that authorizes the dispensing of controlled substances by means of the Internet shall report to the Attorney General the controlled substances it dispenses, in the amount specified, and in such time and manner as the Attorney General by regulation shall require, except that the Attorney General, under this paragraph, may not require any pharmacy to report any information other than the total quantity of each controlled substance that the pharmacy has dispensed each month. For purposes of this subsection, no reporting shall be required unless the pharmacy has met 1 of the following thresholds in the month for which the reporting is required:

''(A) 100 or more prescriptions dispensed.

''(B) 5,000 or more dosage units of all controlled substances combined.''.

(d) ONLINE PRESCRIPTION REQUIREMENTS.—

(1) IN GENERAL.—The Controlled Substances Act is amended by inserting after section 310 (21 U.S.C. 830) the following:

''ADDITIONAL REQUIREMENTS RELATING TO ONLINE PHARMACIES AND TELEMEDICINE

''SEC. 311. (a) IN GENERAL.—An online pharmacy shall display in a visible and clear manner on its homepage a statement that it complies with the requirements of this section with respect to the delivery or sale or offer for sale of controlled substances and shall at all times display on the homepage of its Internet site a declaration of compliance in accordance with this section.

''(b) LICENSURE.—Each online pharmacy shall comply with the requirements of State law concerning the licensure of pharmacies in each State from which it, and in each State to which it, delivers, distributes, or dispenses or offers to deliver, distribute, or dispense controlled substances by means of the Internet, pursuant to applicable licensure requirements, as determined by each such State.

''(c) INTERNET PHARMACY SITE DISCLOSURE INFORMATION.—Each online pharmacy shall post in a visible and clear manner on the homepage of each Internet site it operates, or on a page directly linked thereto in which the hyperlink is also visible and clear on the homepage, the following information for each pharmacy that delivers, distributes, or dispenses controlled substances pursuant to orders made on, through, or on behalf of, that website:

''(1) The name and address of the pharmacy as it appears on the pharmacy's Drug Enforcement Administration certificate of registration.

''(2) The pharmacy's telephone number and email address.

''(3) The name, professional degree, and States of licensure of the pharmacist-in-charge, and a telephone number at which the pharmacist-in-charge can be contacted.

''(4) A list of the States in which the pharmacy is licensed to dispense controlled substances.

''(5) A certification that the pharmacy is registered under this part to deliver, distribute, or dispense by means of the Internet controlled substances.

''(6) The name, address, telephone number, professional degree, and States of licensure of any practitioner who has a contractual relationship to provide medical evaluations or issue prescriptions for controlled substances, through referrals from the website or at the request of the owner or operator of the website, or any employee or agent thereof.

''(7) The following statement, unless revised by the Attorney General by regulation: 'This online pharmacy will only dispense a controlled substance to a person who has a valid prescription issued for a legitimate medical purpose based upon a medical relationship with a prescribing practitioner. This includes at least one prior in-person medical evaluation or medical evaluation via telemedicine in accordance with applicable requirements of section 309 of the Controlled Substances Act (21 U.S.C. 829).'.

''(d) NOTIFICATION.—(1) Thirty days prior to offering a controlled substance for sale, delivery, distribution, or dispensing, the online pharmacy shall notify the Attorney General, in the form and manner as the Attorney General shall determine, and the State boards of pharmacy in any States in which the online pharmacy offers to sell, deliver, distribute, or dispense controlled substances.

''(2) The notification required under paragraph (1) shall include—

''(A) the information required to be posted on the online pharmacy's Internet site under subsection (c) and shall notify the Attorney General and the applicable State boards of pharmacy, under penalty of perjury, that the information disclosed on its Internet site under subsection (c) is true and accurate;

''(B) the online pharmacy's Internet site address and a certification that the online pharmacy shall notify the Attorney General of any change in the address at least 30 days in advance; and

''(C) the Drug Enforcement Administration registration numbers of any pharmacies and practitioners referred to in subsection (c), as applicable.

''(3) An online pharmacy that is already operational as of the effective date of this section, shall notify the Attorney General and applicable State boards of pharmacy in accordance with this subsection not later than 30 days after the effective date of this section.

''(e) DECLARATION OF COMPLIANCE.—On and after the date on which it makes the notification under subsection (d), each online pharmacy shall display on the homepage of its Internet site, in such form as the Attorney General shall by regulation require, a declaration that it has made such notification to the Attorney General.

''(f) REPORTS.—Any statement, declaration, notification, or disclosure required under this section shall be considered a report required to be kept under this part.

''(g) NOTICE AND DESIGNATIONS CONCERNING INDIAN TRIBES.—

''(1) IN GENERAL.—For purposes of sections 102(52) and 512(c)(6)(B), the Secretary shall notify the Attorney General, at such times and in such manner as the Secretary and the Attorney General determine appropriate, of the Indian tribes or tribal organizations with which the Secretary has contracted or compacted under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) for the tribes or tribal organizations to provide pharmacy services.

''(2) DESIGNATIONS.—

''(A) IN GENERAL.—The Secretary may designate a practitioner described in subparagraph (B) as an Internet Eligible Controlled Substances Provider. Such designations shall be made only in cases where the Secretary has found that there is a legitimate need for the practitioner to be so designated because the population served by the practitioner is in a sufficiently remote location that access to medical services is limited.

''(B) PRACTITIONERS.—A practitioner described in this subparagraph is a practitioner who is an employee or contractor of the Indian Health Service, or is working for an Indian tribe or tribal organization under its contract or compact under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) with the Indian Health Service.

''(h) SPECIAL REGISTRATION FOR TELEMEDICINE.—

''(1) IN GENERAL.—The Attorney General may issue to a practitioner a special registration to engage in the practice of telemedicine for purposes of section 102(54)(E) if the practitioner, upon application for such special registration—

''(A) demonstrates a legitimate need for the special registration; and

''(B) is registered under section 303(f) in the State in which the patient will be located when receiving the telemedicine treatment, unless the practitioner—

''(i) is exempted from such registration in all States under section 302(d); or

''(ii) is an employee or contractor of the Department of Veterans Affairs who is acting in the scope of such employment or contract and is registered under section 303(f) in any State or is utilizing the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f).

''(2) REGULATIONS.—The Attorney General shall, with the concurrence of the Secretary, promulgate regulations specifying the limited circumstances in which a special registration under this subsection may be issued and the procedures for obtaining such a special registration.

''(3) DENIALS.—Proceedings to deny an application for registration under this subsection shall be conducted in accordance with section 304(c).

''(i) REPORTING OF TELEMEDICINE BY VHA DURING MEDICAL EMERGENCY SITUATIONS.—

''(1) IN GENERAL.—Any practitioner issuing a prescription for a controlled substance under the authorization to conduct telemedicine during a medical emergency situation described in section 102(54)(F) shall report to the Secretary of Veterans Affairs the authorization of that emergency prescription, in accordance with such requirements as the Secretary of Veterans Affairs shall, by regulation, establish.

''(2) TO ATTORNEY GENERAL.—Not later than 30 days after the date that a prescription described in subparagraph (A) is issued, the Secretary of Veterans Affairs shall report to the Attorney General the authorization of that emergency prescription.

''(j) CLARIFICATION CONCERNING PRESCRIPTION TRANSFERS.—Any transfer between pharmacies of information relating to a prescription for a controlled substance shall meet the applicable requirements under regulations promulgated by the Attorney General under this Act.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91–513; 84 Stat. 1236) is amended by inserting after the item relating to section 310 the following:

''Sec. 311. Additional requirements relating to online pharmacies and telemedicine.''.

(e) OFFENSES INVOLVING CONTROLLED SUBSTANCES IN SCHEDULES III, IV, AND V.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking ''1 gram of'' before ''flunitrazepam'';

(B) in subparagraph (D), by striking ''or in the case of any controlled substance in schedule III (other than gamma hydroxybutyric acid), or 30 milligrams of flunitrazepam''; and

(C) by adding at the end the following:

''(E)(i) In the case of any controlled substance in schedule III, such person shall be sentenced to a term of imprisonment of not more than 10 years and if death or serious bodily injury results from the use of such substance shall be sentenced to a term of imprisonment of not more than 20 years, a fine not to exceed the greater of that authorized in accordance with the provisions of title 18, United States Code, or $500,000 if the defendant is an individual or $2,500,000 if the defendant is other than an individual, or both.

''(ii) If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment of not more than 20 years and if death or serious bodily injury results from the use of such substance shall be sentenced to a term of imprisonment of not more than 30 years, a fine not to exceed the greater of twice that authorized in accordance with the provisions of title 18, United States Code, or $1,000,000 if the defendant is an individual or $5,000,000 if the defendant is other than an individual, or both.

''(iii) Any sentence imposing a term of imprisonment under this subparagraph shall, in the absence of such a prior conviction, impose a term of supervised release of at least 2 years in addition to such term of imprisonment and shall, if there was such a prior conviction, impose a term of supervised release of at least 4 years in addition to such term of imprisonment.'';

(2) in paragraph (2)—

(A) by striking ''3 years'' and inserting ''5 years'';

(B) by striking ''6 years'' and inserting ''10 years'';

(C) by striking ''after one or more prior convictions'' and all that follows through ''have become final,'' and inserting ''after a prior conviction for a felony drug offense has become final,''; and

(3) in paragraph (3)—

(A) by striking ''2 years'' and inserting ''6 years'';

(B) by striking ''after one or more convictions'' and all that follows through ''have become final,'' and inserting ''after a prior conviction for a felony drug offense has become final,''; and

(C) by adding at the end the following ''Any sentence imposing a term of imprisonment under this paragraph may, if there was a prior conviction, impose a term of supervised release of not more than 1 year, in addition to such term of imprisonment.''.

(f) OFFENSES INVOLVING DISPENSING OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

''(g) OFFENSES INVOLVING DISPENSING OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—(1) It shall be unlawful for any person to knowingly or intentionally—

''(A) deliver, distribute, or dispense a controlled substance by means of the Internet, except as authorized by this title; or

''(B) aid or abet (as such terms are used in section 2 of title 18, United States Code) any activity described in subparagraph (A) that is not authorized by this title.

''(2) Examples of activities that violate paragraph (1) include, but are not limited to, knowingly or intentionally—

''(A) delivering, distributing, or dispensing a controlled substance by means of the Internet by an online pharmacy that is not validly registered with a modification authorizing such activity as required by section 303(f) (unless exempt from such registration);

''(B) writing a prescription for a controlled substance for the purpose of delivery, distribution, or dispensation by means of the Internet in violation of section 309(e);

''(C) serving as an agent, intermediary, or other entity that causes the Internet to be used to bring together a buyer and seller to engage in the dispensing of a controlled substance in a manner not authorized by sections 303(f) or 309(e);

''(D) offering to fill a prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire; and

''(E) making a material false, fictitious, or fraudulent statement or representation in the submission to the Attorney General under section 311.

''(3)(A) This subsection does not apply to—

''(i) the delivery, distribution, or dispensation of controlled substances by nonpractitioners to the extent authorized by their registration under this title;

''(ii) the placement on the Internet of material that merely advocates the use of a controlled substance or includes pricing information without attempting to propose or facilitate an actual transaction involving a controlled substance; or

''(iii) except as provided in subparagraph (B), any activity that is limited to—

''(I) the provision of a telecommunications service, or of an Internet access service or Internet information location tool (as those terms are defined in section 231 of the Communications Act of 1934 (47 U.S.C. 231)); or

''(II) the transmission, storage, retrieval, hosting, formatting, or translation (or any combination thereof) of a communication, without selection or alteration of the content of the communication, except that deletion of a particular communication or material made by another person in a manner consistent with section 230(c) of the Communications Act of 1934 (47 U.S.C. 230(c)) shall not constitute such selection or alteration of the content of the communication.

''(B) The exceptions under subclauses (I) and (II) of subparagraph (A)(iii) shall not apply to a person acting in concert with a person who violates paragraph (1).

''(4) Any person who knowingly or intentionally violates this subsection shall be sentenced in accordance with subsection (b) of this section.''.

(g) PUBLICATION.—Section 403(c) of the Controlled Substances Act (21 U.S.C. 843(c)) is amended by—

(1) designating the text as paragraph (1); and

(2) adding at the end the following:

''(2)(A) Except as authorized by this title, it shall be unlawful for any person by means of the Internet to knowingly advertise the sale or distribution of, or to offer to sell, distribute, or dispense, a controlled substance.

''(B) Examples of activities that violate subparagraph (A) include, but are not limited to, knowingly or intentionally causing the placement on the Internet of an advertisement that refers to or directs prospective buyers to Internet sellers of controlled substances who are not registered with a modification under section 303(f).

''(C) Subparagraph (A) does not apply to material that either—

''(i) merely advertises the distribution of controlled substances by nonpractitioners to the extent authorized by their registration under this title; or

''(ii) merely advocates the use of a controlled substance or includes pricing information without attempting to facilitate an actual transaction involving a controlled substance.''.

(h) INJUNCTIVE RELIEF.—Section 512 of the Controlled Substances Act (21 U.S.C. 882) is amended by adding at the end the following:

''(c) STATE CAUSE OF ACTION PERTAINING TO ONLINE PHARMACIES.—(1) In any case in which the State has reason to believe that an interest of the residents of that State has been or is being threatened or adversely affected by the action of a person, entity, or Internet site that violates the provisions of section 303(f), 309(e), or 311, the State may bring a civil action on behalf of such residents in a district court of the United States with appropriate jurisdiction—

''(A) to enjoin the conduct which violates this section;

''(B) to enforce compliance with this section;

''(C) to obtain damages, restitution, or other compensation, including civil penalties under section 402(b); and

''(D) to obtain such other legal or equitable relief as the court may find appropriate.

''(2)(A) Prior to filing a complaint under paragraph (1), the State shall serve a copy of the complaint upon the Attorney General and upon the United States Attorney for the judicial district in which the complaint is to be filed. In any case where such prior service is not feasible, the State shall serve the complaint on the Attorney General and the appropriate United States Attorney on the same day that the State's complaint is filed in Federal district court of the United States. Such proceedings shall be independent of, and not in lieu of, criminal prosecutions or any other proceedings under this title or any other laws of the United States.

''(B) Upon receiving notice respecting a civil action pursuant to this section, the United States shall have the right to intervene in such action, upon so intervening, to be heard on all matters arising therein, and to file petitions for appeal.

''(C) Service of a State's complaint on the United States as required in this paragraph shall be made in accord with the requirements of rule 4(i)(1) of the Federal Rule of Civil Procedure.

''(3) For purposes of bringing any civil action under paragraph (1), nothing in this Act shall prevent an attorney general of a State from exercising the powers conferred on the attorney general of a State by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses of or the production of documentary or other evidence.

''(4) Any civil action brought under paragraph (1) in a district court of the United States may be brought in the district in

which the defendant is found, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code. Process in such action may be served in any district in which the defendant is an inhabitant or in which the defendant may be found.

''(5) No private right of action is created under this subsection.

''(6) No civil action may be brought under paragraph (1) against—

''(A) the United States;

''(B) an Indian Tribe or tribal organization, to the extent such tribe or tribal organization is lawfully carrying out a contract or compact under the Indian Self-Determination and Education Assistance Act; or

''(C) any employee of the United States or such Indian tribe or tribal organization, provided such agent or employee is acting in the usual course of business or employment, and within the scope of the official duties of such agent or employee therewith.''.

(i) FORFEITURE OF FACILITATING PROPERTY IN DRUG CASES.—Section 511(a)(4) of the Controlled Substances Act (21 U.S.C. 881(a)(4)) is amended to read as follows:

''(4) Any property, real or personal, tangible or intangible, used or intended to be used to commit, or to facilitate the commission, of a violation of this title or title III, and any property traceable thereto.''.

(j) IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (4)—

(A) by striking ''or any quantity of a controlled substance in schedule III, IV, or V, (except a violation involving flunitrazepam and except a violation involving gamma hydroxybutyric acid)'';

(B) by inserting '', or'' before ''less than one kilogram of hashish oil''; and

(C) striking ''imprisoned'' and all that follows through the end of the paragraph and inserting ''sentenced in accordance with section 401(b)(1)(D) of this title (21 U.S.C. 841(b)(1)(E)).'';

(2) by adding at the end the following:

''(5) In the case of a violation of subsection (a) of this section involving a controlled substance in schedule III, such person shall be sentenced in accordance with section 401(b)(1)(E).

''(6) In the case of a violation of subsection (a) of this section involving a controlled substance in schedule IV (except a violation involving flunitrazepam), such person shall be sentenced in accordance with section 401(b)(2).

''(7) In the case of a violation of subsection (a) of this section involving a controlled substance in schedule V, such person shall be sentenced in accordance with section 401(b)(3).''; and

(3) in paragraph (3), by striking '', nor shall a person so sentenced be eligible for parole during the term of such a sentence'' in the final sentence.

(k) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(2) DEFINITION OF PRACTICE OF TELEMEDICINE.—

(A) IN GENERAL.—Until the earlier of 3 months after the date on which regulations are promulgated to carry out section 311(h) of the Controlled Substances Act, as amended by this Act, or 15 months after the date of enactment of this Act—

(i) the definition of the term ''practice of telemedicine'' in subparagraph (B) of this paragraph shall apply for purposes of the Controlled Substances Act; and

(ii) the definition of the term ''practice of telemedicine'' in section 102(54) of the Controlled Substances Act, as amended by this Act, shall not apply.

(B) TEMPORARY PHASE-IN OF TELEMEDICINE REGULATION.—During the period specified in subparagraph (A), the term ''practice of telemedicine'' means the practice of medicine in accordance with applicable Federal and State laws by a practitioner (as that term is defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) (other than a pharmacist) who is at a location remote from the patient and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system referred to in section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)), if the practitioner is using an interactive telecommunications system that satisfies the requirements of section 410.78(a)(3) of title 42, Code of Federal Regulations.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to create a precedent that any specific course of conduct constitutes the ''practice of telemedicine'' (as that term is defined in section 102(54) of the Controlled Substances Act, as amended by this Act) after the end of the period specified in subparagraph (A).

(l) GUIDELINES AND REGULATIONS.—

(1) IN GENERAL.—The Attorney General may promulgate and enforce any rules, regulations, and procedures which may be necessary and appropriate for the efficient execution of functions under this Act or the amendments made by this Act, and, with the concurrence of the Secretary of Health and Human Services where this Act or the amendments made by this Act so provides, promulgate any interim rules necessary for the implementation of this Act or the amendments made by this Act, prior to its effective date.

(2) SENTENCING GUIDELINES.—The United States Sentencing Commission, in determining whether to amend, or establish new, guidelines or policy statements, to conform the Federal sentencing guidelines and policy statements to this Act and the amendments made by this Act—

(A) shall consult with the Department of Justice, experts and other affected parties concerning which penalties for scheduled substances amended by this Act should be reflected in the Federal sentencing guidelines; and

(B) should not construe any change in the maximum penalty for a violation involving a controlled substance in a particular schedule as being the sole reason to amend a, or establish a new, guideline or policy statement.

(m) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act, and annually for 2 years after the initial report, the Drug Enforcement Administration, in consultation with the Department of State, shall submit to Congress a report describing—

(1) the foreign supply chains and sources of controlled substances offered for sale without a valid prescription on the Internet;

(2) the efforts and strategy of the Drug Enforcement Administration to decrease the foreign supply chain and sources of controlled substances offered for sale without a valid prescription on the Internet; and

(3) the efforts of the Drug Enforcement Administration to work with domestic and multinational pharmaceutical companies and others to build international cooperation and a commitment to fight on a global scale the problem of distribution of controlled substances over the Internet without a valid prescription.

**SEC. 4. RULE OF CONSTRUCTION.**

Nothing in this Act or the amendments made by this Act shall be construed as authorizing, prohibiting, or limiting the use of electronic prescriptions for controlled substances.

## NOTICE OF MEETING

Mrs. FEINSTEIN. Mr. President, I wish to announce that the organizational meeting for the Joint Congressional Committee on Inaugural Ceremonies will be held tomorrow, Wednesday, April 2, 2008, at 5:15 p.m., in room S–219 of the Capitol.

For further information regarding this meeting, please contact Howard Gantman at the Senate Committee on Rules and Administration, 224–6352.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, April 1, 2008, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to hear testimony on ''Anti-Terrorism Financing: Progress Made and the Challenges Ahead''.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 2:30 p.m., to hold a closed briefing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Serious OSHA Violations: Strategies for Breaking Dangerous Patterns'' on Tuesday, April 1, 2008. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

### READINESS AND MANAGEMENT SUPPORT SUBCOMMITTEE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Readiness and Management Support Subcommittee of the Committee on Armed

Services be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 2:30 p.m., in open session to receive testimony on the current readiness of the Armed Forces in review of the defense authorization request for fiscal year 2009 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection. it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 1, 2008, at 2:30 p.m. to hold a closed business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 9:30 a.m., in open session to receive testimony on the Army's new doctrine (field manual 3–0, operations) in review of the defense authorization request for fiscal year 2009 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate to conduct a hearing entitled ''Rape as a Weapon of War: Accountability for Sexual Violence in Conflict'' on Tuesday, April 1, 2008, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

*Witness list*

Lisa F. Jackson, Documentary Maker and Director of ''The Greatest Silence: Rape in the Congo'', New York, NY; Karin Wachter, Acting Gender-Based Violence Senior Technical Advisor, International Rescue Committee, New York, NY; Dr. Kelly Dawn Askin, Senior Legal Officer, Open Society Justice Initiative, New York, NY; Dr. Denis Mukwege, Director, Panzi General Referral Hospital, Bukavu, South Kivu, Democratic Republic of the Congo.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 2:30 p.m., in open session to receive testimony on ballistic missile defense programs in review of the Defense authorization request for fiscal year 2009 and the Future Years Defense Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

## DISCHARGE AND REFERRAL—S. 2756

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. 2756, and the bill be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Without objection, it is so ordered.

## FINANCIAL LITERACY MONTH

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 495, submitted earlier today by Senator AKAKA.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 495) designating April 2008 as ''Financial Literacy Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Mr. President, it pleases me to once again sponsor a resolution designating April as Financial Literacy Month. I thank the cosponsors of this resolution, Senators ENZI, DODD, STABENOW, LEVIN, SCHUMER, INOUYE, MENENDEZ, CRAPO, JOHNSON, CARDIN, LINCOLN, COCHRAN, MARTINEZ, MURRAY, ALLARD, DURBIN, BAUCUS, and FEINSTEIN.

Without a sufficient understanding of economics and personal finance, individuals will not be able to appropriately manage their finances, evaluate credit opportunities, and successfully invest for long-term financial goals in an increasingly complex marketplace. It is essential that we work toward improving education and consumer protection, and empowering individuals through economic and financial literacy in order to build stronger families, businesses, and communities. Now more than ever, it is imperative that education in economics, credit, and personal finance takes center stage. During the past year, we have seen the unscrupulous nature of predatory lenders as they enticed millions of families into complicated loans they could not afford nor understand, and we are now witnessing the results of a faltering housing market that has begun to impact other sectors of the U.S. economy. Rapidly increasing access to credit for Americans was not matched by efforts to ensure they could make sense of the complex agreements they were entering into.

As recent statistics released by the Federal Reserve and the Department of Commerce have shown, consumer debt in America continues to rise. Last year, the total amount of consumer debt topped $2.5 trillion, of which credit card balances comprise a major portion. Hard-working Americans now spend a record 14 percent of their income just to pay the interest on their accumulated consumer debt. Personal savings rates have been negative for 2 out of the last 3 years, a situation not seen in this country since the Great Depression. In a time of rising costs of energy, higher education, and health care, it is even more challenging for working families to navigate their difficult financial situations.

Furthermore, a study conducted last year by the National Council on Economic Education found that, compared with 2004, even fewer States now require testing knowledge of economics as a requirement for high school graduation. We need to do more to invest in financial literacy now for our young men and women in order to ensure a knowledgeable, prosperous generation of future American leaders who will be able to make decisions that will benefit both their families and our nation.

I thank those organizations and individuals who do their part to ensure the education of personal finance reaches as many Americans as possible, and I applaud their efforts in these times of economic distress.

Taking the month of April to focus our attention on financial literacy will allow us to make steady progress in helping to make Americans more competent with their limited financial resources. I urge my colleagues to join with me in the swift passage of this resolution, and together we can work toward a future where all Americans enjoy the benefits of a financially literate society.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 495) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 495

Whereas the personal savings rate of people in the United States declined from negative 0.5 percent in 2005 to negative 1.0 percent in 2006, making 2005 and 2006 the only years since the Great Depression years of 1932 and 1933 when the savings rate has been negative, and the decline continued in the first month of 2008;

Whereas, in April 2007, a survey on personal finances reported that 25 percent of workers in the United States responded as having ''no savings'';

Whereas the 2007 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that only 43 percent of workers or their spouses calculated how much they need to save for retirement, down from 53 percent in 2000;

Whereas consumer debt exceeded $2,500,000,000,000 in 2007, an increase of 33 percent since 2001;

Whereas household debt reached a record $13,750,000,000,000 in 2007;

Whereas, during 2007, a near-record high of more than 14 percent of disposable personal income went to paying the interest on personal debt;

Whereas people in the United States are now facing record numbers of homes in foreclosure, and for the first time in history,

they have more total debt than equity in their homes;

Whereas approximately 800,000 families filed for bankruptcy in 2007;

Whereas nearly half of adults in the United States are not aware that they can access their credit reports for free, and 1 in 4 reported having never checked their credit score;

Whereas, in a 2006 survey, the Jump$tart Coalition for Personal Financial Literacy found that high school seniors scored an average of only 52.4 percent on an exam testing knowledge of basic personal finance;

Whereas approximately 10,000,000 households in the United States do not have accounts at mainstream financial institutions such as banks or credit unions;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing their finances and building wealth;

Whereas the 2007 Survey of the States compiled by the National Council on Economic Education found that only 22 States require testing of economics as a high school graduation requirement, 3 fewer States than did so in 2004;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by the increasingly complex economy of the United States;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108–159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2008 as ''Financial Literacy Month'' to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

## RYAN HAIGHT ONLINE PHARMACY CONSUMER PROTECTION ACT OF 2007

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 617, S. 980.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 980) to amend the Controlled Substances Act to address online pharmacies.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Ryan Haight Online Pharmacy Consumer Protection Act of 2007''.*

***SEC. 2. REQUIREMENT OF A VALID PRESCRIPTION FOR CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.***

*Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following new subsection:*

*''(e) CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.—*

*''(1) No controlled substance may be delivered, distributed, or dispensed by means of the Internet without a valid prescription.*

*''(2) As used in this subsection:*

*''(A) The term 'valid prescription' means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by—*

*''(i) a practitioner who has conducted at least one in-person medical evaluation of the patient; or*

*''(ii) a covering practitioner.*

*''(B)(i) The term 'in-person medical evaluation' means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.*

*''(ii) Nothing in clause (i) shall be construed to imply that one in-person medical evaluation demonstrates that a prescription has been issued for a legitimate medical purpose within the usual course of professional practice.*

*''(C) The term 'covering practitioner' means, with respect to a patient, a practitioner who conducts a medical evaluation (other than an in-person medical evaluation) at the request of a practitioner who—*

*''(i) has conducted at least one in-person medical evaluation of the patient during the 24-month period ending on the date of that medical evaluation; and*

*''(ii) is temporarily unavailable to conduct the evaluation of the patient.*

*''(3) Nothing in this subsection shall apply to—*

*''(A) the delivery, distribution, or dispensing of a controlled substance by a practitioner engaged in the practice of telemedicine if—*

*''(i) the telemedicine is being conducted while the patient is being treated by, and physically located in, a hospital or clinic registered under section 303(f), and the practitioner conducting the practice of telemedicine is registered under section 303(f) in the State in which the patient is located and is acting in the usual course of professional practice and in accordance with applicable State law;*

*''(ii) the telemedicine is being conducted while the patient is being treated by, and in the physical presence of, a practitioner registered under section 303(f) who is acting in the usual course of professional practice, and the practitioner conducting the practice of telemedicine is registered under section 303(f) in the State in which the patient is located and is acting in the usual course of professional practice and in accordance with applicable State law; or*

*''(iii) the telemedicine is being conducted under any other circumstances that the Attorney General and the Secretary have jointly, by regulation, determined to be consistent with effective controls against diversion and otherwise consistent with the public health and safety; or*

*''(B) the dispensing or selling of a controlled substance pursuant to practices as determined by the Attorney General by regulation, which shall be consistent with effective controls against diversion.''.*

***SEC. 3. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT RELATING TO THE DELIVERY OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.***

*(a) IN GENERAL.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:*

*''(50) The term 'Internet' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.*

*''(51) The term 'deliver, distribute, or dispense by means of the Internet' refers, respectively, to any delivery, distribution, or dispensing of a controlled substance that is caused or facilitated by means of the Internet.*

*''(52) The term 'online pharmacy'—*

*''(A) means a person, entity, or Internet site, whether in the United States or abroad, that knowingly or intentionally delivers, distributes, or dispenses, or offers or attempts to deliver, distribute, or dispense, a controlled substance by means of the Internet; and*

*''(B) does not include—*

*''(i) manufacturers or distributors registered under subsection (a), (b), (c), or (d) of section 303 who do not dispense controlled substances to an unregistered individual or entity;*

*''(ii) nonpharmacy practitioners who are registered under section 303(f) and whose activities are authorized by that registration;*

*''(iii) mere advertisements that do not attempt to facilitate an actual transaction involving a controlled substance; or*

*''(iv) a person, entity, or Internet site which is not in the United States and does not facilitate the delivery, distribution, or dispensing of a controlled substance by means of the Internet to any person in the United States.*

*''(53) The term 'homepage' means the opening or main page or screen of the website of an online pharmacy that is viewable on the Internet.*

*''(54) The term 'practice of telemedicine' means the practice of medicine in accordance with applicable Federal and State laws by a practitioner (other than a pharmacist) who is at a location remote from the patient and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system referred to in section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)).''.*

*(b) REGISTRATION REQUIREMENTS.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following new subsection:*

*''(i) DISPENSER OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—(1) An online pharmacy shall obtain a registration specifically authorizing such activity, in accordance with regulations promulgated by the Attorney General. In determining whether to grant an application for such registration, the Attorney General shall apply the factors set forth in subsection (f).*

*''(2) Registration under this subsection shall be in addition to, and not in lieu of, registration under subsection (f).*

*''(3) This subsection does not apply to pharmacies that merely advertise by means of the Internet but do not attempt to facilitate an actual transaction involving a controlled substance by means of the Internet.''.*

*(c) REPORTING REQUIREMENTS.—Section 307(d) of the Controlled Substances Act (21 U.S.C. 827(d)) is amended by—*

*(1) designating the text as paragraph (1); and*

*(2) inserting after paragraph (1), as so designated by this Act, the following new paragraph:*

*''(2) A pharmacy registered under section 303(i) shall report to the Attorney General the*

*controlled substances dispensed under such registration, in such manner and accompanied by such information as the Attorney General by regulation shall require.''.*

*(d) ONLINE PRESCRIPTION REQUIREMENTS.—The Controlled Substances Act is amended by inserting after section 310 (21 U.S.C. 830) the following:*

*''ONLINE PHARMACY LICENSING AND DISCLOSURE REQUIREMENTS*

*''SEC. 311. (a) IN GENERAL.—An online pharmacy shall display in a visible and clear manner on its homepage a statement that it complies with the requirements of this section with respect to the delivery or sale or offer for sale of controlled substances and shall at all times display on the homepage of its Internet site a declaration of compliance in accordance with this section.*

*''(b) LICENSURE.—Each online pharmacy shall comply with the requirements of State law concerning the licensure of pharmacies in each State from which it, and in each State to which it, delivers, distributes, or dispenses or offers to deliver, distribute, or dispense controlled substances by means of the Internet.*

*''(c) COMPLIANCE.—No online pharmacy or practitioner shall deliver, distribute, or dispense by means of the Internet a controlled substance without a valid prescription (as defined in section 309(e)) and each online pharmacy shall comply with all applicable requirements of Federal and State law.*

*''(d) INTERNET PHARMACY SITE DISCLOSURE INFORMATION.—Each online pharmacy site shall post in a visible and clear manner on the homepage of its Internet site or on a page directly linked from its homepage the following:*

*''(1) The name of the owner, street address of the online pharmacy's principal place of business, telephone number, and email address.*

*''(2) A list of the States in which the online pharmacy, and any pharmacy which dispenses, delivers, or distributes a controlled substance on behalf of the online pharmacy, is licensed to dispense controlled substances or prescription drugs and any applicable license number.*

*''(3) For each pharmacy identified on its license in each State in which it is licensed to engage in the practice of pharmacy and for each pharmacy which dispenses or ships controlled substances on behalf of the online pharmacy:*

*''(A) The name of the pharmacy.*

*''(B) The street address of the pharmacy.*

*''(C) The name, professional degree, and licensure of the pharmacist-in-charge.*

*''(D) The telephone number at which the pharmacist-in-charge can be contacted.*

*''(E) A certification that each pharmacy which dispenses or ships controlled substances on behalf of the online pharmacy is registered under this part to deliver, distribute, or dispense by means of the Internet controlled substances.*

*''(4) The name, address, professional degree, and licensure of practitioners who provide medical consultations through the website for the purpose of providing prescriptions.*

*''(5) A telephone number or numbers at which the practitioners described in paragraph (4) may be contacted.*

*''(6) The following statement, unless revised by the Attorney General by regulation: 'This online pharmacy will only dispense a controlled substance to a person who has a valid prescription issued for a legitimate medical purpose based upon a medical relationship with a prescribing practitioner, which includes at least one prior in-person medical evaluation. This online pharmacy complies with section 309(e) of the Controlled Substances Act (21 U.S.C. 829(e)).'.*

*''(e) NOTIFICATION.—(1) Thirty days prior to offering a controlled substance for sale, delivery, distribution, or dispensing, the online pharmacy shall notify the Attorney General, in the form and manner as the Attorney General shall determine, and the State boards of pharmacy in any States in which the online pharmacy offers to sell, deliver, distribute, or dispense controlled substances.*

*''(2) The notification required under paragraph (1) shall include—*

*''(A) the information required to be posted on the online pharmacy's Internet site under subsection (d) and shall notify the Attorney General and the applicable State boards of pharmacy, under penalty of perjury, that the information disclosed on its Internet site under to subsection (d) is true and accurate;*

*''(B) the online pharmacy's Internet site address and a certification that the online pharmacy shall notify the Attorney General of any change in the address at least 30 days in advance; and*

*''(C) the Drug Enforcement Administration registration numbers of any pharmacies and practitioners referred to in subsection (d), as applicable.*

*''(3) An online pharmacy that is already operational as of the effective date of this section, shall notify the Attorney General and applicable State boards of pharmacy in accordance with this subsection not later than 30 days after the effective date of this section.*

*''(f) DECLARATION OF COMPLIANCE.—On and after the date on which it makes the notification under subsection (e), each online pharmacy shall display on the homepage of its Internet site, in such form as the Attorney General shall by regulation require, a declaration that it has made such notification to the Attorney General.*

*''(g) REPORTS.—Any statement, declaration, notification, or disclosure required under this section shall be considered a report required to be kept under this part.''.*

*(e) OFFENSES INVOLVING CONTROLLED SUBSTANCES IN SCHEDULES III, IV, AND V.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—*

*(1) in paragraph (1)—*

*(A) in subparagraph (C), by striking ''1 gram of'' before ''flunitrazepam'';*

*(B) in subparagraph (D), by striking ''or in the case of any controlled substance in schedule III (other than gamma hydroxybutyric acid), or 30 milligrams of flunitrazepam''; and*

*(C) by adding at the end the following:*

*''(E)(i) In the case of any controlled substance in schedule III, such person shall be sentenced to a term of imprisonment of not more than 10 years and if death or serious bodily injury results from the use of such substance shall be sentenced to a term of imprisonment of not more than 20 years, a fine not to exceed the greater of that authorized in accordance with the provisions of title 18, or $500,000 if the defendant is an individual or $2,500,000 if the defendant is other than an individual, or both.*

*''(ii) If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment of not more than 20 years and if death or serious bodily injury results from the use of such substance shall be sentenced to a term of imprisonment of not more than 30 years, a fine not to exceed the greater of twice that authorized in accordance with the provisions of title 18, or $1,000,000 if the defendant is an individual or $5,000,000 if the defendant is other than an individual, or both.*

*''(iii) Any sentence imposing a term of imprisonment under this subparagraph shall, in the absence of such a prior conviction, impose a term of supervised release of at least 2 years in addition to such term of imprisonment and shall, if there was such a prior conviction, impose a term of supervised release of at least 4 years in addition to such term of imprisonment'';*

*(2) in paragraph (2) by—*

*(A) striking ''3 years'' and inserting ''5 years'';*

*(B) striking ''6 years'' and inserting ''10 years''; and*

*(C) striking ''after one or more prior convictions'' and all that follows through ''have become final,'' and inserting ''after a prior conviction for a felony drug offense has become final,''; and*

*(3) in paragraph (3) by—*

*(A) striking ''2 years'' and inserting ''6 years'';*

*(B) striking ''after one or more convictions'' and all that follows through ''have become final,'' and inserting ''after a prior conviction for a felony drug offense has become final,''; and*

*(C) adding at the end the following ''Any sentence imposing a term of imprisonment under this paragraph may, if there was a prior conviction, impose a term of supervised release of not more than 1 year, in addition to such term of imprisonment.''*

*(f) OFFENSES INVOLVING DISPENSING OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:*

*''(h) OFFENSES INVOLVING DISPENSING OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—(1) Except as authorized by this title, it shall be unlawful for any person to knowingly or intentionally cause or facilitate the delivery, distribution, or dispensing by means of the Internet of a controlled substance.*

*''(2) Examples of activities that violate paragraph (1) include, but are not limited to, knowingly or intentionally—*

*''(A) delivering, distributing, or dispensing a controlled substance by means of the Internet by a pharmacy not registered under section 303(i);*

*''(B) writing a prescription for a controlled substance for the purpose of delivery, distribution, or dispensation by means of the Internet in violation of subsection 309(e);*

*''(C) serving as an agent, intermediary, or other entity that causes the Internet to be used to bring together a buyer and seller to engage in the dispensing of a controlled substance in a manner not authorized by sections 303(i) or 309(e); and*

*''(D) making a material false, fictitious, or fraudulent statement or representation in the submission to the Attorney General under section 311.*

*''(3)(A) This subsection does not apply to—*

*''(i) the delivery, distribution, or dispensation of controlled substances by nonpractitioners to the extent authorized by their registration under this title;*

*''(ii) the placement on the Internet of material that merely advocates the use of a controlled substance or includes pricing information without attempting to propose or facilitate an actual transaction involving a controlled substance; or*

*''(iii) except as provided in subparagraph (B), any activity that is limited to—*

*''(I) the provision of a telecommunications service, or of an Internet access service or Internet information location tool (as those terms are defined in section 231 of the Communications Act of 1934 (47 U.S.C. 231)); or*

*''(II) the transmission, storage, retrieval, hosting, formatting, or translation (or any combination thereof) of a communication, without selection or alteration of the content of the communication, except that deletion of a particular communication or material made by another person in a manner consistent with section 230(c) of the Communications Act of 1934 (47 U.S.C. 230(c)) shall not constitute such selection or alteration of the content of the communication.*

*''(B) The exceptions under subclauses (I) and (II) of subparagraph (A)(iii) shall not apply to a person acting in concert with a person who violates subsection (g)(1).*

*''(4) Any person who knowingly or intentionally violates this subsection shall be sentenced in accordance with subsection (b) of this section.''.*

*(g) PUBLICATION.—Section 403(c) of the Controlled Substances Act (21 U.S.C. 843(c)) is amended by—*

*(1) designating the text as paragraph (1); and*

*(2) adding at the end the following:*

*''(2)(A) Except as authorized by this title, it shall be unlawful for any person by means of the Internet, to knowingly advertise the sale or distribution of, or to offer to sell, distribute, or dispense, a controlled substance.*

*''(B) Examples of activities that violate subparagraph (A) include, but are not limited to, knowingly or intentionally causing the placement on the Internet of an advertisement that refers to or directs prospective buyers to Internet sellers of controlled substances who are not registered under section 303(i).*

*''(C) Subparagraph (A) does not apply to material that either—*

*''(i) merely advertises the distribution of controlled substances by nonpractitioners to the extent authorized by their registration under this title; or*

*''(ii) merely advocates the use of a controlled substance or includes pricing information without attempting to facilitate an actual transaction involving a controlled substance.''.*

*(h) INJUNCTIVE RELIEF.—Section 512 of the Controlled Substances Act (21 U.S.C. 882) is amended by adding to the end of the section the following new subsection:*

*''(c) STATE CAUSE OF ACTION PERTAINING TO ONLINE PHARMACIES.—(1) In any case in which the State has reason to believe that an interest of the residents of that State has been or is being threatened or adversely affected by the action of a person, entity, or Internet site that violates the provisions of section 303(i), 309(e), or 311, the State may bring a civil action on behalf of such residents in a district court of the United States with appropriate jurisdiction—*

*''(A) to enjoin the conduct which violates this section;*

*''(B) to enforce compliance with this section;*

*''(C) to obtain damages, restitution, or other compensation, including civil penalties under section 402(b); and*

*''(D) to obtain such other legal or equitable relief as the court may find appropriate.*

*''(2)(A) Prior to filing a complaint under paragraph (1), the State shall serve a copy of the complaint upon the Attorney General and upon the United States Attorney for the judicial district in which the complaint is to be filed. In any case where such prior service is not feasible, the State shall serve the complaint on the Attorney General and the appropriate United States Attorney on the same day that the State's complaint is filed in Federal district court of the United States. Such proceedings shall be independent of, and not in lieu of, criminal prosecutions or any other proceedings under this title or any other laws of the United States.*

*''(B)(i) Not later than 120 days after the later of the date on which a State's complaint is served on the Attorney General and the appropriate United States Attorney, or the date on which the complaint is filed, the United States shall have the right to intervene as a party in any action filed by a State under paragraph (1).*

*''(ii) After the 120-day period described in clause (i) has elapsed, the United States may, for good cause shown, intervene as a party in an action filed by a State under paragraph (1).*

*''(iii) Notice and an opportunity to be heard with respect to intervention shall be afforded the State that filed the original complaint in any action in which the United States files a complaint in intervention under clause (i) or a motion to intervene under clause (ii).*

*''(iv) The United States may file a petition for appeal of a judicial determination in any action filed by a State under this section.*

*''(C) Service of a State's complaint on the United States as required in this paragraph shall be made in accord with the requirements of Federal Rule of Civil Procedure 4(i)(1).*

*''(3) For purposes of bringing any civil action under paragraph (1), nothing in this Act shall prevent an attorney general of a State from exercising the powers conferred on the attorney general of a State by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses of or the production of documentary or other evidence.*

*''(4) Any civil action brought under paragraph (1) in a district court of the United States may be brought in the district in which the defendant is found, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code. Process in such action may be served in any district in which the defendant is an inhabitant or in which the defendant may be found.*

*''(5) No private right of action is created under this subsection.''.*

*(i) FORFEITURE OF FACILITATING PROPERTY IN DRUG CASES.—Section 511(a)(4) of the Controlled Substances Act (21 U.S.C. 881(a)(4)) is amended to read as follows:*

*''(4) Any property, real or personal, tangible or intangible, used or intended to be used to commit, or to facilitate the commission, of a violation of this title or title III, and any property traceable thereto.''.*

*(j) IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—*

*(1) in paragraph (4) by—*

*(A) striking ''or any quantity of a controlled substance in schedule III, IV, or V, (except a violation involving flunitrazepam and except a violation involving gamma hydroxybutyric acid)'';*

*(B) inserting '', or'' before ''less than one kilogram of hashish oil''; and*

*(C) striking ''imprisoned'' and all that follows through the end of the paragraph and inserting ''sentenced in accordance with section 401(b)(1)(D) of this title (21 U.S.C. 841(b)(1)(E)).'';*

*(2) by adding at the end the following:*

*''(5) In the case of a violation of subsection (a) of this section involving a controlled substance in schedule III, such person shall be sentenced in accordance with section 401(b)(1)(E).*

*''(6) In the case of a violation of subsection (a) of this section involving a controlled substance in schedule IV (except a violation involving flunitrazepam), such person shall be sentenced in accordance with section 401(b)(2).*

*''(7) In the case of a violation of subsection (a) of this section involving a controlled substance in schedule V, such person shall be sentenced in accordance with section 401(b)(3).''; and*

*(3) in paragraph (3), by striking '', nor shall a person so sentenced be eligible for parole during the term of such a sentence'' in the final sentence.*

*(k) EFFECTIVE DATE.—The amendments made by this Act shall become effective 60 days after the date of enactment of this Act.*

*(l) GUIDELINES AND REGULATIONS.—*

*(1) IN GENERAL.—The Attorney General may promulgate and enforce any rules, regulations, and procedures which may be necessary and appropriate for the efficient execution of functions under this subtitle, including any interim rules necessary for the immediate implementation of this Act, on its effective date.*

*(2) SENTENCING GUIDELINES.—The United States Sentencing Commission, in determining whether to amend, or establish new, guidelines or policy statements, to conform the Federal sentencing guidelines and policy statements to this Act and the amendments made by this Act—*

*(A) shall consult with the Department of Justice, experts and other affected parties concerning which penalties for scheduled substances amended by this Act should be reflected in the Federal sentencing guidelines; and*

*(B) should not construe any change in the maximum penalty for a violation involving a controlled substance in a particular schedule as being the sole reason to amend a, or establish a new, guideline or policy statement.*

*(m) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act, and annually for 2 years after the initial report, the Drug Enforcement Administration, in consultation with the Department of State, shall submit to Congress a report describing—*

*(1) the foreign supply chains and sources of controlled substances offered for sale without a valid prescription on the Internet;*

*(2) the efforts and strategy of the Drug Enforcement Administration to decrease the foreign supply chain and sources of controlled substances offered for sale without a valid prescription on the Internet; and*

*(3) the efforts of the Drug Enforcement Administration to work with domestic and multinational pharmaceutical companies and others to build international cooperation and a commitment to fight on a global scale the problem of distribution of controlled substances over the Internet without a valid prescription.*

Mr. LEAHY. Mr. President, today the Senate will pass by unanimous consent S. 980, the Ryan Haight Online Pharmacy Consumer Protection Act. This is an important bill that would create potent new tools for law enforcement to prosecute those who illegally sell drugs online, and allow State authorities to shut down online pharmacies even before they get started.

I thank Senator FEINSTEIN and Senator SESSIONS for their commitment to combating illicit drug trafficking by online predators. Their hard work and diligent efforts, have put together a strong bipartisan bill that includes important modifications and clarifications that will protect our children and grandchildren from purchasing illegal dangerous drugs online and reducing the prevalence of rogue online pharmacies in our society.

As the longtime cochair of the Congressional Internet Caucus, I understand full well the growing danger that illegitimate online pharmacies pose to youth. I am pleased to join the bill's sponsors in support of this legislation. I am also very pleased that several of my recommendations to improve the bill are included in this legislation.

This bill could not come at a more urgent time for our Nation. In the digital age, the Internet has enabled all Americans better access to convenient and more affordable medicine. Unfortunately, the prevalence of rogue online pharmacies has also made the Internet an increasing source for the sale of dangerous controlled substances without a licensed medical practitioner's valid prescription. Online drug traffickers have used evolving tactics to evade detection by law enforcement and circumvent the proper constraints of doctors and pharmacists.

The check and security provided by our local pharmacists in local pharmacies—those who have served Americans for generations and helped us get well and keep us well—is not always replicated online. As a result, dangerous and addictive prescription drugs are too often only a click away.

Last May, the Judiciary Committee held a hearing on this issue. We heard compelling testimony from Francine Haight, a mother whose teenage son died from an overdose of painkillers he purchased online from a rogue pharmacy. We also heard from Joseph

Califano, the former Secretary of the Department of Health, Education and Welfare. Both strongly supported legislation to fill a gap in existing law and help protect young people from illicit drugs online.

Following our hearing, the Internet Drug Advisory Committee held a briefing for the Judiciary Committee on this matter. We heard from various members of the Internet community on how the private sector may effectively collaborate with the public sector to combat the sales of dangerous drugs online. These private sector groups will be vital in that effort, and we were happy to receive the benefit of their insights.

The administration supports this bill, and that is the right thing to do. I know that our hard working men and women at the Drug Enforcement Agency need the added tools this bill would offer to assist their efforts to combat rogue online pharmacies. Even more, our children and grandchildren need the safety and security of operating online free from drug dealers seeking to trick them into purchasing dangerous controlled substances.

The Judiciary Committee reported an amendment in the form of a substitute which includes several recommendations I have made to improve the bill and make it more effective. These changes were later perfected and improved upon after the bill was reported out of Committee.

I am pleased that the amendment includes my suggestion that the Drug Enforcement Administration report to Congress on recommendations to combat the online sale of controlled substances from foreign countries via the Internet and on ways that the private sector can assist in this effort. A key ingredient in diminishing the impact of rogue Web sites on American citizens is combating the international aspect of this problem, and strengthening the public-private sector collaboration can help provide a solution.

The amendment narrows the U.S. Sentencing Commission directive to ensure that the most dangerous prescription drugs abused online are treated more severely than less harmful prescription drugs. This addition will ensure that the commission has clear guidance to issue the guidelines necessary to hold those individuals who peddle dangerous prescription drugs to minors online accountable.

The amendment also protects legitimate retail drug chains with online websites for customers seeking refills on prescriptions, by exempting them from the bill's requirements. This ensures that the bill does not target legitimate pharmacies that provide Vermonters and other Americans with access to needed medicines nor does it burden legitimate pharmacies with additional registration and reporting requirements.

I believe this measure will be better with these changes. I am confident that this legislation will strengthen our Nation's ability to effectively combat online drug trafficking. It furthers the goals of drug enforcement and deterrence, while also providing Congress with additional oversight tools. I support its passage.

Mrs. FEINSTEIN. I thank my colleagues for passing S. 980, the Ryan Haight Online Pharmacy Consumer Protection Act.

With Senator SESSIONS, I introduced this bill to protect the safety of consumers who wish to fill legitimate prescriptions for controlled substances over the Internet, while holding accountable those who operate unregistered pharmacies.

Tonight, the Senate took the first important step in stemming the tide of online drug trafficking. Perhaps more importantly, the Senate took the first steps in ensuring that children and teens no longer overdose, or worse die, after purchasing controlled substances without a prescription from rogue Internet pharmacies.

I would like to clarify that the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 regulates practices related to the delivery, distribution, or dispensing of a controlled substance by means of the Internet. The act does not address the delivery, distribution, or dispensing of any noncontrolled substance by the Internet or any other means.

This bill does not infringe upon the powers of the Department of Health and Human Services and its Secretary with respect to noncontrolled substances. Nor does it infringe upon the traditional power of the States to regulate the practices of medicine and pharmacy with respect to the prescription of non controlled substances. Delivery, distribution, or dispensing of noncontrolled substances, approved by the Secretary of Health and Human Services or the regulatory bodies of the States, are not affected by the act.

This bill would do the following:

Bar the sale or distribution of all controlled substances over the Internet without a valid prescription; Require online pharmacies to display on their Web site a statement of compliance with U.S. law and DEA regulations—allowing consumers to know which pharmacies are safe and which are not; clarify that rogue pharmacies that sell drugs over the Internet will face the same penalties as people who illegally sell the same drugs on the street; increase the Federal penalties for illegally distributing controlled substances; create a new Federal cause of action that would allow a State attorney general to shut down a rogue Web site selling controlled substances.

This legislation is a critical first step in stemming the tide of online drug trafficking and prescription drug abuse.

In closing, I want to share the story of this bill's namesake, Ryan T. Haight. Ryan was an 18-year-old honor student from La Mesa, California, when he died in his home on February 12, 2001. His parents found a bottle of Vicodin in his room with a label from an out-of-State pharmacy.

It turns out that Ryan had been ordering addictive drugs online and paying with a debit card his parents gave him to buy baseball cards on eBay.

Without a physical exam or his parents' consent, Ryan had been obtaining controlled substances, some from an Internet site in Oklahoma. It only took a few months before Ryan's life was ended by an overdose on a cocktail of painkillers.

Ryan's story is just one of many. Rogue Internet pharmacies are making it increasingly easy for teens like Ryan to access deadly prescription drugs. This bill is the first step to stem that terrible tide. It creates sensible requirements for Internet pharmacy Web sites that will not impact access to convenient, oftentimes cost-saving drugs.

I thank my colleagues for rising up and passing this important bill.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent a Feinstein substitute amendment at the desk be agreed to, the committee substitute amendment as amended be agreed to, the bill, as amended, be read three times and passed, the motions to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4383) was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 980), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 471 and 473; that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table en bloc, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Deborah K. Jones, of New Mexico, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

DEPARTMENT OF JUSTICE

Kevin J. O'Connor, of Connecticut, to be Associate Attorney General.

Mr. LEAHY. Mr. President, we have finally completed our consideration of the nomination of Kevin O'Connor to be Associate Attorney General, the number three position at the Department of Justice. This nomination was cleared by the Democrats and set to be confirmed before our Easter Recess but was blocked by a last-minute, anonymous Republican hold. Also blocked at that time and still held is the nomination of Gregory Katsas to be the Assistant Attorney General in charge of the Civil Division.

I was particularly disappointed with that unexpected development in March. We had worked hard to expedite these nominations, holding a hearing on the first day of this session of Congress. After a nearly month-long delay, when Republican Members of the Judiciary Committee effectively boycotted our business meetings in February, we were able to report these nominations to the Senate in early March. They were set for confirmation before the Easter recess, until the last-minute Republican objection stalled them. They joined the President's nomination of Michael Sullivan to be the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives as among those stymied by Republican objections.

I thank Senator WHITEHOUSE for chairing the hearing on the O'Connor nomination. We continued our work in connection with high-ranking Department of Justice nominees the week before recess when Senator KENNEDY chaired our hearing on the nomination of Grace Chung Becker to be Assistant Attorney General in charge of the Civil Rights Division. The Civil Rights Division is entrusted with protecting precious rights of Americans, including our fundamental right to vote. That hearing was the seventh the Committee has held since last September on executive nominations, as we continue to work to restock and restore the leadership of the Department of Justice in the wake of the scandals of the Gonzales era.

A little more than a year ago, the Judiciary Committee began its oversight efforts for the 110th Congress. Over the next 9 months, our efforts revealed a Department of Justice gone awry. The leadership crisis came more and more into view as Senator SPECTER and I led a bipartisan group of concerned Senators to consider the United States Attorney firing scandal, a confrontation over the legality of the administration's warrantless wiretapping program, the untoward political influence of the White House at the Department of Justice, and the secret legal memos excusing all manner of excess.

This crisis of leadership has taken a heavy toll on the tradition of independence that has long guided the Justice Department and provided it with safe harbor from political interference. It shook the confidence of the American people. Through bipartisan efforts among those from both sides of the aisle who care about Federal law enforcement and the Department of Justice, we joined together to press for accountability. That resulted in a change in leadership at the Department, with the resignations of the Attorney General and many high-ranking Department officials.

The partisan accusations of ''slow walking'' nominations that the President engaged in at the White House recently, and repeated even today by Republican Senators, are belied by the facts. They are about as accurate as when President Bush ascribed Attorney General Gonzales' resignation to supposed ''unfair treatment'' and having ''his good name . . . dragged through the mud for political reasons.'' The U.S. Attorney firing scandal was of the administration's own making. It decimated morale at the Department of Justice. A good way to help restore the Justice Department would be for this administration to acknowledge its wrongdoing.

What those who say we are ''slow-walking'' nominations do not say is that as a result of the mass resignations at the Justice Department in the wake of the scandals of the Gonzales era, the Committee has held seven hearings on high-ranking nominations to restore the leadership of the Department of Justice between September of last year and this month, including confirmation hearings for the new Attorney General, the new Deputy Attorney General, the new Associate Attorney General, and so many others. Of course those months also include the December and January holiday period and break between sessions.

What is being ignored by the President and Senate Republicans as they play to a vocal segment of their Republican base is that we have worked hard to make progress and restore the leadership of the Department of Justice. In the last 6 months, we have confirmed a new Attorney General, a new Deputy Attorney General, held hearings for several other high-ranking Justice Department positions, and voted those nominations out of the Judiciary Committee. Today we continue that progress with the confirmation of the Associate Attorney General.

It is vital that we ensure that we have a functioning, independent Justice Department. In January, the Judiciary Committee held our first oversight hearing of the new session and the first with new Attorney General Michael Mukasey. We held another oversight hearing last month with FBI Director Mueller and tomorrow we are holding an oversight hearing with Homeland Security Secretary Chertoff to explore that Department's handling of issues within the Judiciary Committee's jurisdiction related to the Western Hemisphere Travel Initiative, the so-called REAL ID Act, naturalization backlogs, the resettlement of Iraqi refugees and asylum seekers and the shameful, continuing aftermath from Katrina. These are more steps forward in our efforts to restore checks and balances to our Government and begin to repair the damage this administration inflicted on our Constitution and fundamental American values.

We continue to press for accountability even as we learn startling new revelations about the extent to which some will go to avoid accountability, undermine oversight, and stonewall the American people's right to the truth. We find shifting answers on issues including the admission that the CIA used waterboarding on detainees in reliance on the advice of the Department of Justice; the destruction of White House e-mails required by law to be preserved; and the CIA's destruction of videotapes of detainee interrogations not shared with the 9/11 Commission, Congress or the courts. The only constant is the demand for immunity and unaccountability among those in the administration. This White House continues to stonewall the legitimate needs for information articulated by the Judiciary Committee and others in the Congress, and contemptuously refuse to appear when summoned by congressional subpoena.

In spite of the administration's lack of cooperation, the Senate is moving forward with the confirmation of executive nominations. With the confirmation today, we will have confirmed 27 executive nominations, including the confirmations of nine U.S. Attorneys, five U.S. Marshals, and the top three positions at the Justice Department so far this Congress.

Of course, we could have made even more progress had the White House sent us timely nominations to fill the remaining executive branch vacancies with nominees who will restore the independence of federal law enforcement. There are now 19 districts across the country with acting or interim U.S. Attorneys instead of Senate-confirmed, presidentially-appointed U.S. Attorneys. For more than a year I have been talking publicly about the need to name U.S. Attorneys to fill these vacancies to no avail.

We have seen what happens when the rule of law plays second fiddle to a President's agenda and the partisan desires of political operatives. It is a disaster for the American people. Both the President and the Nation are best served by a Justice Department that provides sound advice and takes responsible action, without regard to political considerations—not one that develops legalistic loopholes to serve the ends of a particular administration.

I congratulate the nominee and his family on his confirmation today.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

## ORDERS FOR WEDNESDAY, APRIL 2, 2008

Mr. NELSON of Florida. I ask unanimous consent that when the Senate

completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Wednesday, April 2; that following the prayer and the pledge, the journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate resume consideration of the motion to proceed to H.R. 3221, and that all time during any adjournment, recess or period of morning business count postcloture; further, that at 12:30 p.m., the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. NELSON of Florida. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:19 p.m., adjourned until Wednesday, April 2, 2008, at 9:30 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate Tuesday, April 1, 2008:

### DEPARTMENT OF STATE

DEBORAH K. JONES, OF NEW MEXICO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

### DEPARTMENT OF JUSTICE

KEVIN J. O'CONNOR, OF CONNECTICUT, TO BE ASSOCIATE ATTORNEY GENERAL.

# EXTENSIONS OF REMARKS

## HONORING BRANDON JAMES HELLYER

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Brandon James Hellyer of Excelsior Springs, Missouri. Brandon is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 6123, and earning the most prestigious award of Eagle Scout.

Brandon has been very active with his troop, participating in many Scout activities. Over the many years Brandon has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Brandon James Hellyer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## TRIBUTE RECOGNIZING THE 40TH ANNIVERSARY OF TELACU AND THE 25TH ANNIVERSARY OF TELACU'S EDUCATION FOUNDATION

### HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to recognize TELACU, an organization based in East Los Angeles in my 34th Congressional District, on the occasion of its 40th anniversary and to recognize TELACU's Education Foundation on the occasion of its 25th anniversary.

TELACU, which stands for The East Los Angeles Community Union, is a pioneer in empowering and revitalizing communities in our great State of California and throughout our Nation. In 1968, TELACU was born as a Community Development Corporation (CDC) through seed money appropriated by Congress. Since then, TELACU has grown to become the largest CDC in the Nation with more than $500 million in assets.

For 40 years, under the innovative and dynamic leadership of David C. Lizárraga who serves as Chairman, President and CEO of TELACU, this corporation has provided our young people and families with the tools they need to achieve the American dream. Through its core businesses, TELACU has created thousands of jobs, affordable homes, loans to small businesses and families, and most importantly, numerous educational opportunities for our Latino community.

In response to crisis-level dropout rates for Latino students in college, TELACU created the TELACU Education Foundation 25 years ago. Working in partnership with a vast network of colleges, universities, corporations and individuals, the TELACU Education Foundation has awarded millions of dollars in scholarships to thousands of deserving students.

As the centerpiece of the foundation, the TELACU Scholarship Program annually provides scholarships to 600 college and graduate students who are the first in their families to access higher education. Realizing that financial resources alone cannot fully meet these students' needs, the program also provides the scholars with comprehensive academic and career guidance to ensure that all of them graduate.

The foundation also serves an additional 2,000 elementary, middle and high school students, nursing students, and veterans. Through comprehensive educational programs, these scholars are not only inspired to pursue higher education, but are also equipped to meet the rigorous expectations of college. As a result, 100 percent of TELACU's high school students earn their high school diploma and continue on to pursue post-secondary education.

Madam Speaker, on the occasions of TELACU's 40th anniversary and its Education Foundation's 25th anniversary, I join today with fellow leaders throughout my State in commending David Lizárraga and these dynamic institutions for their extraordinary efforts to empower our young people and our communities, and I wish them many years of continued success ahead.

## CONGRATULATING THE CHESTNUT LOG MIDDLE SCHOOL READING TEAM

### HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. SCOTT of Georgia. Madam Speaker, I rise to honor another great accomplishment by students in my Congressional district. Congratulations to members of the Chestnut Log Middle School Reading Team of Douglasville, GA, for their back to back wins at the Helen Ruffin Reading Bowl. This competition was held at the University of Georgia in Athens on March 1, 2008.

For the competition, students read twenty books recognized as Georgia Book Award Nominees and earned the most points by correctly answering questions from each of these novels. Chestnut Log's team qualified for the state competition by first competing at the Douglas County Reading Bowl in January, followed by the regional competition at the University of West Georgia in Carrollton in February. Last week, they became consecutive state champions.

I want to recognize the members and coaches of the Chestnut Log Middle School Reading Team. Many of last year's winners participated again including Seth Blair, Isaac Carter, and Zachary Fowler, as well as new participants Hannah Drosky, Jordan Raley, Rashard Leonard, Gavin Finch and Andrew Hater. I also wish to recognize coaches Jan Easterwood, Margaret Robbins and Susan Bissell for their continued guidance of this team and their strong devotion to fostering good reading habits among youth in the 13th Congressional District.

In closing, Madam Speaker, I am thrilled to once again recognize Chestnut Log Middle School's Reading Bowl team for their continued success. I want to commend these students for this achievement and I wish them much success in their future academic pursuits.

## 15TH ANNUAL PATRIOTIC DAY CELEBRATION

### HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. MITCHELL. Madam Speaker, I rise today to commemorate the Annual Patriotic Day Celebration at Kyrene Akimel A-al Middle School, taking place this Friday, April 4, 2009. The Parent Teacher Student Organization has organized this wonderful event for Kyrene Akimel A-al for the past 15 years.

Since its inception in 1992, Kyrene Akimel A-al has been committed to educating their students about the responsibilities of citizenship and about the sacrifices and bravery of those who make our freedom possible. In 1994, Kyrene Akimel A-al was named a World War II Commemorative School. It is the only middle school in Arizona to achieve this honor. This was also the first year that Patriotic Day was designated by Kyrene Akimel A-al to honor the contributions and sacrifices of all of America's Veterans.

I am hopeful that this event will teach the students of Kyrene Akimel A-al Middle School, and its surrounding community, to honor the actions of our nation's veterans for years to come. I commend the school and its excellent Parent Teacher Student Organization for taking on this amazing project.

## SUPPORTING THE RECOGNITION OF NATIONAL FOOT HEALTH MONTH

### HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. DEGETTE. Madam Speaker, I rise today in recognition of National Foot Health Awareness Month and the critical role that podiatric physicians play in our national health care system. Combined, two feet contain one

quarter of all the bones in the human body, and an average day of walking puts the equivalent of several hundred tons of pressure on the feet. Given this degree of stress, it is perhaps no surprise that over half of all Americans experience foot pain at some point in their lives.

Podiatrists are at the forefront of expert foot health care. Podiatrists are physicians who specialize in foot and ankle care and who have been trained to diagnose and treat foot and ankle ailments. Their scope of practice includes performing foot and ankle surgery.

Throughout April, podiatrists will be engaged in a national awareness campaign titled ''Podiatrists Keep America Walking,'' timed to coincide with National Foot Health Awareness Month. This year's ''Podiatrists Keep America Waking'' campaign will focus on children's foot health. Consistent with this theme, podiatrists will educate expectant mothers about foot ailments experienced by pregnant women, and parents about steps they can take to protect their children from foot abnormalities.

Foot pain is no mere inconvenience, and it should not be treated lightly or ignored. In many cases, persistent foot pain or recurring injuries can be the first sign of a serious condition, such as diabetes, anemia, arthritis, and certain circulatory disorders. Paying close attention to foot health, and taking regular advantage of the care provided by a podiatrist, can often aid in the early diagnosis of these and other conditions.

Americans living with diabetes must be particularly mindful of foot health. Diabetes is a chronic and potentially life-threatening illness impacting approximately 21 million Americans. Foot care is especially important for those living with diabetes because the risk is great for developing a foot ulcer that could become infected, and might ultimately result in amputation.

In fact, diabetes is the leading cause of nontraumatic lower extremity amputation, and experts estimate that 86,000 lower limbs are amputated every year as a consequence of diabetes-related complications. Among those living with diabetes, Native Americans, African Americans, Hispanics and older men are most vulnerable to foot ailments. However, regular and expert foot care can significantly reduce the likelihood of amputation by helping to ensure early diagnosis and successful treatment.

The growing epidemics of diabetes and obesity and their concurrent complications are among many reasons why podiatric physicians are an important part of America's health care team. Madam Speaker, I applaud doctors of podiatric medicine for their vital contributions to the health of all Americans, and urge all Americans to be vigilant not only during National Foot Health Awareness Month, but throughout the year.

## PAYING TRIBUTE TO ROBERT L. FORBUSS

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. PORTER. Madam Speaker, I rise today to pay tribute to Robert Forbuss, who is being honored by the Clark County School District in the naming of the Robert L. Forbuss Elementary School.

Robert is a native Nevadan who has served this community for nearly four decades as an educator, elected official, businessman, and community advocate. After earning his degrees in Political Science and Public Administration from Long Beach State University, Robert returned to Las Vegas and began his professional career as a teacher at Bishop Gorman High School from 1972–1979. He then served on the Clark County School Board of Trustees for eight years and was an influential advocate for education initiatives in Southern Nevada.

While working as a teacher, Robert became an Emergency Medical Technician and worked during his summer breaks for Mercy Medical Services, a company he would later own. Under Robert's leadership, Mercy became a model operation for paramedic services. In the business community, Mr. Forbuss has served as both a board member of the Las Vegas Chamber of Commerce and as its Chairman. He is also the founder of Commercial Bank of Nevada now called Colonial Bank. Today, Robert is the President of Strategic Alliances, a consulting company working in the area of government relations, business development, strategic planning, and issues management.

Additionally, Mr. Forbuss was a Board Member of the Las Vegas Convention and Visitors Authority for six years, a member of the Clark County Master Transportation Plan Funding Committee, the Mayor's Committee for a Better Community, Chairman of the Las Vegas Housing Authority and the Governor's 2007 Transition Team.

Madam Speaker, I am proud to honor my friend Mr. Robert L. Forbuss and I congratulate him on this well deserved distinction by the Clark County School District.

## IN HONOR OF THE 2008 CONGRESSIONAL CERTIFICATE OF MERIT AWARDEES FOR MINNESOTA'S SIXTH CONGRESSIONAL DISTRICT

### HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mrs. BACHMANN. Madam Speaker, I rise today to pay tribute to 14 exemplary high school students from every corner of Minnesota's Sixth Congressional District. Last week, I had the privilege of meeting several of them when I presented them with the Congressional Certificate of Merit. This program is a time-honored tradition that so many Members of Congress have used throughout the years to recognize the academic achievements and outstanding citizenship of America's high school students.

Far too often, the evening news and daily papers are littered with stories of young America gone awry. It is easy to forget that these are just stories of the few bad apples. But just being in the presence of these tremendous students is enough to renew anyone's faith in our future. These young adults are shining stars, with strong academic records, extraordinary talents, great ambitions, and limitless energy.

It was a true honor to be able to present these students with this recognition: Geoffrey Bible, Apollo High School; Matthew Brown, Elk River High School; Erika Bullert, Holdingford High School; Melissa Cedarholm, Woodbury High School; Jessie Hansen, New Life Academy; Laura Kant, Delano High School; Kayla Kastanek, Kimball Area High School; Jennifer Klippen, Becker High School; Meggie O'Keefe, Andover High School; Kyle Oliverius, Monticello High School; Elizabeth Swanson, Stillwater Area High School; Dana Van Bruggen, Buffalo High School; Rebekah Wolden, Rivers Christian Academic; and Jacob Young, Howard Lake Waverly Winstead High School.

Each of these students was nominated by his or her school principal. Each of them has earned our accolades and admiration.

## HONORING AARON JOSEPH FOY

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Aaron Joseph Foy of Liberty, Missouri. Aaron is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1374, and earning the most prestigious award of Eagle Scout.

Aaron has been very active with his troop, participating in many scout activities. Over the many years Aaron has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Aaron Joseph Foy for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CONGRATULATING ISRAEL ON ITS 60TH ANNIVERSARY OF INDEPENDENCE

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to congratulate Israel on its 60th anniversary of independence on May 14, 2008.

Since Israel's birth it has been a beacon of inspiration and hope for oppressed people all across the globe, and Israel has continued to flourish by striving for peace and prosperity even in the face of the violence that has tormented it since its declaration of independence.

Israel and the United States have been close friends and allies for the past 60 years.

Our relations have evolved from an initial American policy of sympathy and support for the creation of a Jewish homeland in 1948 to a key partnership based on common economic interests, common security interests, and most of all, common values. We must continue to cultivate this relationship.

For the last 60 years, Israel has also been a leader in technology and innovation as they have helped lead the way in science, technology, medical, and agricultural breakthroughs. I applaud Israel for these efforts.

I have been fortunate enough to have had the privilege to visit Israel on several occasions, and have seen the struggles Israelis face daily. However, I have also seen their perseverance and determination to create a peaceful and prosperous state and this gives me hope for future peace in the region.

I would again like to congratulate Israel on 60 years of freedom and independence and I look forward to many more years of working together.

## PERSONAL EXPLANATION

### HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. MITCHELL. Madam Speaker, I have discovered that on February 13, 2008, my vote on rollcall vote No. 48 did not register in the voting system.

On this vote, I voted in favor of ordering the previous question on H. Res. 976, rollcall vote No. 48.

## PERSONAL EXPLANATION

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. ETHERIDGE. Madam Speaker, due to the recent death of a family friend and my attendance at his funeral service, I was unable to vote on three measures on the House floor on March 31, 2008.

Had I been present, I would have voted ''yes'' on H.R. 3352, Hydrographic Services Improvement Act Amendments of 2007. I would have also voted ''yes'' on H.R. 2675, Help to Access Land for the Education of Scouts Act, and ''yes'' on H. Con. Res. 302, Supporting the Observance of Colorectal Cancer Awareness Month.

## IN RECOGNITION OF SERVICE OF FRANK FARMER AND DON WESSEL AS CHARTER MEMBERS TO THE OZARKS TECHNICAL COMMUNITY COLLEGE BOARD OF TRUSTEES

### HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. BLUNT. Madam Speaker, I rise today to honor two men who have spent many years serving their community in Springfield, Missouri, as charter members of the Board of Trustees of the Ozarks Technical Community College. Frank Farmer and Don Wessel both enjoyed long and distinguished careers in private business before being selected by their neighbors to serve on the newly created Board of Trustees, following the creation of the school in April 1990. They have each been reelected to consecutive terms since then; at the end of this month, both men will be ending their tenure of service.

Farmer and Wessel helped shape the growth and direction of a school that serves the students of 13 public school districts in southwest Missouri—and far beyond that. The growth of the school has been nothing short of a phenomenon, with enrollment this year topping more than 10,000 students. OTC, as it is known to many local students and residents, is also moving forward on plans to expand its operation to a second campus in Ozark, Missouri, with an eye on affording greater accessibility to its growing student body.

From its modest beginnings in central Springfield at the old vocational-technical school, OTC has blossomed into a modern campus that has helped revitalized center Springfield and help train its local youth.

From the beginning, Farmer and Wessel led the way in developing the infrastructure and educational leadership OTC would depend upon for its spectacular growth. First they hired an effective president in Norman Myers. The board of trustees, led by president Wessel from 1992 to 1994 and Farmer from 1994 to 1996, embarked on a plan to build new classroom buildings and greatly expand the number and diversity of available courses available to students.

Farmer's background in education includes service on the Willard Board of Education, on which he also served as president. Journalist, author and dairyman, Farmer has lent his experience and expertise to several public boards and charities, while attending to his duties as the editorial page editor of the Springfield News-Leader before his retirement there.

Wessel is a well-known car dealer and philanthropist, who has been active in the Springfield Chamber of Commerce, American Red Cross, Cox Medical Centers, and has served on virtually every public and civic board in the Springfield area.

To Mr. Farmer and Mr. Wessel, I wish to extend a heartfelt ''thank you and well done'' for their untiring work over the last two decades. Their unflagging efforts have made the Springfield area a better place in which to live, and the Ozarks Technical Community College a beacon of educational excellence for the entire region.

## HONORING PATRICK WAYNE GUTHRIE

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Patrick Wayne Guthrie of Excelsior Springs, Missouri. Patrick is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1309, and earning the most prestigious award of Eagle Scout.

Patrick has been very active with his troop, participating in many scout activities. Over the many years Patrick has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Patrick Wayne Guthrie for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

SPEECH OF

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 13, 2008*

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (H. Con. Res. 312) revising the congressional budget for the United States Government for fiscal year 2008, establishing the congressional budget for the United States Government for fiscal year 2009, and setting forth appropriate budgetary levels for fiscal years 2010 through 2013:

Ms. SCHAKOWSKY. Mr. Chairman, I rise today to support the Fiscal Year 2009 Democratic Budget Resolutions.

Once again this year, the President's budget proposal made a number of cynical choices and cut or eliminated programs that make a real difference in people's lives. The President's budget calls for more than $1 trillion in tax breaks for the wealthiest Americans over 10 years at the expense of vital domestic programs that benefit millions of people. The President's cuts include $479 billion of Medicare cuts, and $94 billion in cuts to Medicaid over 10 years; more than $18 billion over 5 years in new fees for veterans and military retirees; cuts to EPA grants that help protect public health and maintain environmental quality; and the elimination of several state and local law enforcement programs, including Byrne Grants and COPS funding.

The President has already taken a projected 10-year surplus of $5.6 trillion and turned it into a $3.2 trillion deficit. Now the President wants to slash funding for crucial domestic programs while he continues to spend $10.3 billion a month for the war in Iraq—a war that has already cost more than $495 billion and which may cost more than $3 trillion by the end of our involvement. This war has cost Americans far too much—most importantly, in terms of lives.

The President's budget also misses the boat by choosing not to fund programs which would stimulate economic growth and benefit all Americans. For example, the President's budget does not include much-needed increases for things such as rehabilitating our Nation's crumbling schools and highways, securing our ports, investing in renewable energy, and helping lower the cost of healthcare for millions of children and seniors. And I was also dismayed to see the number of cuts in the President's budget that come at the expense of our Nation's poorest citizens. To cite just one example, the budget eliminates the Community Services Block Grants which reduce poverty and provide assistance for individuals dealing with housing, health, nutrition, energy, and substance abuse problems.

I am proud that the Democratic budget resolutions restore sanity to our Nation's fiscal policy. Our budget increases veterans funding for 2009 by $3.6 billion (8 percent) above current services; provides additional resources to address long-standing domestic priorities within a fiscally responsible framework, including increased funding for scientific innovation and energy initiatives, and education, training, and social services; and it rejects the President's

proposed cuts, including cuts to environmental protection, first responders, and Low Income Home Energy Assistance Program. It also makes room for the expansion of children's health insurance coverage, and includes reforms to improve Medicare for beneficiaries and reforms of the Higher Education Act to make college more affordable.

H. Con. Res. 312 is not perfect. I wish it included less spending on unnecessary, outdated weapons programs, and more spending on domestic priorities for relief for the millions of Americans who are struggling to make ends meet amidst higher energy, healthcare, and food costs; and for the people in our society who need the most help. However, I am grateful to Chairman SPRATT for crafting a budget that rejects the President's cuts.

I am also proud to support the Congressional Progressive Caucus substitute, which provides over $550 billion for domestic nonmilitary discretionary spending in FY09—over $130 billion above President's request—to restore the President's harmful cuts. This budget contains a second economic stimulus package that would include an extension of unemployment insurance, an increase in assistance for food stamps, Medicare payments to states, and foreclosure relief, as well as over $300 billion to rebuild our Nation's crumbling schools and roads. It also provides $1.22 trillion to cut the poverty rate in half over the next decade, starting with redress and reconstruction for Gulf Coast victims of Hurricane Katrina. It does this by cutting down on waste, fraud in the Pentagon and by eliminating certain cold war weapons systems; as well by closing egregious corporate tax loopholes and rolling back the President's tax cuts for the wealthiest Americans.

Mr. Chairman, the President's last budget is no more than a sad continuation of his failed fiscal policies. I'd like to thank Chairman SPRATT once again for all of his hard work on the budget, and am proud to stand with my Democratic colleagues to support a budget that rejects the President's cuts and reinvests in our domestic priorities.

## TRIBUTE TO DR. GEORGE T. DETITTA FOR 37 YEARS OF DEDICATED SERVICE TO HAUPTMAN-WOODWARD MEDICAL RESEARCH INSTITUTE

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. HIGGINS. Madam Speaker, I rise today to congratulate Dr. George T. DeTitta on 37 years of devoted service to Hauptman-Woodward Medical Research Institute in Buffalo, NY. Dr. DeTitta's commitment to the study of human health is a brilliant example of dedication to community and fellowman. I commend Dr. DeTitta for his work and congratulate him on his return to the lab after 7 years serving as executive director and chief executive officer of Hauptman-Woodward.

Following his undergraduate work at Villanova University and completion of his Ph.D. in biochemistry and crystallography from the University of Pittsburgh, Dr. DeTitta started out at Hauptman-Woodward as a postdoctoral research fellow in 1973. He then served as a research scientist until 1999 when he became executive vice president. In 2000 he became executive director and chief executive efficer.

During his time in leadership, Dr. DeTitta instated a new state-of-the-art structural biology center as well as the Center for High-Throughput Crystallization Laboratory, one of the Nation's 10 Protein Structure Initiative Centers. He also initiated and developed the University at Buffalo's School of Medicine and Biomedical Sciences' Structural Biology Department. During Dr. DeTitta's tenure as CEO, he cultivated a new, young faculty at Hauptman-Woodward. His contribution to medical research and the study of disease is invaluable, and I commend him for his commitment to the success of Hauptman-Woodward.

Madam Speaker, I am proud to congratulate Dr. George DeTitta for these great accomplishments and wish him and his family the best. His work should inspire us all to serve our communities and fellowman with dedicated hearts and committed lives.

## REMEMBERING AND HONORING CESAR CHAVEZ

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. ZOE LOFGREN of California. Madam Speaker, on this, the 81st anniversary of his birth, I would like to join my colleagues in honoring Cesar Chavez, an individual that the late Senator Robert Kennedy called, ''one of the heroic figures of our time.'' I also join the call to pass H. Res. 76, establishing a national holiday in his honor. San Jose, the city I represent in this great House, became the hometown to Cesar and his family beginning in 1939, and since then our community has always had a special place in its heart for Chavez.

A man of extraordinary accomplishments, Chavez continually called attention to the plight of those who, like him, had to struggle to attain their piece of the American dream. In remembering him today, we keep in mind those Americans working every day on farms in California, and around the country, to secure a better future for their family.

An American who heeded his Nation's call to service in World War II, Chavez remained committed to making his country stronger by empowering the least powerful of its citizens. A tireless organizer, he inspired countless individuals to participate in the democratic processes that make this country great.

As Americans, we do well to remember Cesar Chavez today. His calls for economic justice resonate in 2008 just as they did 50 years ago, and his early leadership on environmental issues serves as a reminder that we are all stewards of this land.

Cesar Chavez was, without a doubt, a true American hero. As we honor his life and remember his many achievements, we in this great body must not forget the hard-working Americans he fought for. Though no longer with us, Cesar Chavez's work continues.

## SUPPORTING THE OBSERVANCE OF COLORECTAL CANCER AWARENESS MONTH

### HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mrs. BACHMANN. Madam Speaker, yesterday the House passed with unanimity a resolution recognizing March as Colorectal Cancer Awareness Month. I was regrettably detained in Minnesota due to the snowstorm which blanketed the Midwest. But had I been here, I would have joined my colleagues in supporting the resolution to raise awareness of this terrible disease.

While colorectal cancer is the second leading cause of cancer death in the United States, it is not as well known or frequently discussed as many other forms of cancer. Whatever the reason for this relative obscurity, we must recognize the fact that both men and women are at risk for colorectal cancer and that while most cases occur after age 50, it can strike at any age. Most important of all, however, when detected in its earliest, most treatable stages, colorectal cancer has a 90 percent survival rate.

That being said, in 2000, the Prevent Cancer Foundation partnered with champions in Congress to designate and commemorate the very first National Colorectal Cancer Awareness Month. Consequently, over the past 8 years, awareness of the disease has grown. Moreover, the American Cancer Society now currently funds 113 colon cancer research grants nationwide totaling more than $62.1 million.

Nonetheless, while strides have been made against colorectal cancer, statistics show there is more work to be done. In fact, it is estimated that this year in Minnesota, 2,500 people will be diagnosed with colorectal cancer and 900 will die from the disease. However, screening tests can detect precancerous polyps, which, when removed, can stop colon cancer before it starts.

It is important that Congress support the observance of National Colorectal Cancer Awareness Month in order to continue the progress that has already been made. Through increased awareness and education about this disease, a cornerstone of National Colorectal Cancer Awareness Month, we can dramatically decrease deaths and limit the suffering this disease inflicts on the United States. As Dr. David Perdue, of the University of Minnesota's School of Public Health stated, ''Bottom line, colorectal screening saves lives.''

## PRAISING HOUSING PARTNERSHIP TO PROMOTE HOMEOWNERSHIP IN UNDERSERVED BROOKLYN COMMUNITIES

### HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. CLARKE. Madam Speaker, I rise today to give praise to the State of New York Mortgage Agency (SONYMA) and NeighborWorks America for their commitment to form a partnership to promote homeownership in underserved neighborhoods in the great state of

New York. This partnership will increase awareness of SONYMA products in low-income and minority neighborhoods, which have been the most effected by predatory lending and the sub-prime mortgage crisis.

Through the Neighborhood Housing Services of New York City, many communities including Flatbush, Brooklyn, will receive the much needed outreach and access to affordable mortgage products from reliable institutions. Today, I enter into the RECORD an article published by the Brooklyn Daily Eagle highlighting the efforts of the partnership in the advancement of homeownership in underserved communities.

[From the Brooklyn Daily Eagle, March 30, 2008]

GROUPS TEAM UP TO PROMOTE HOMEOWNERSHIP IN UNDERSERVED BROOKLYN COMMUNITIES

NEW YORK.—The State of New York Mortgage Agency (SONYMA), which offers low cost mortgages to first-time homebuyers, and NeighborWorks® America, a national nonprofit dedicated to promoting homeownership, have formed a partnership to promote homeownership in underserved neighborhoods in the state, including several in Brooklyn.

Under the one-year $450,000 agreement, NeighborWorks America's Northeast District and six local New York NeighborWorks® organizations will work with SONYMA to increase awareness of SONYMA's products in low-income and minority neighborhoods. In the city, NHS of New York City is one of the NeighborWorks network organizations participating in the program and it covers all five boroughs, including Brooklyn. NHS will be reaching out to help people buy homes with SONYMA mortgages in Brooklyn's target areas—Sunset Park, Williamsburg, Bushwick, Bedford-Stuyvesant, Brownsville and Flatbush.

''This unique partnership with NeighborWorks® offers a tremendous opportunity to boost the visibility of SONYMA's programs in communities where they could do the most good,'' said Priscilla Almodovar, SONYMA president and CEO. ''Homeownership, when done responsibly, creates strong neighborhoods and stable families.''

Said Deborah Boatright, Northeast District director of NeighborWorks, ''Now more than ever, low-income and minority communities need access to affordable mortgage products from a trusted source like SONYMA. It is these very communities that have been the most impacted by predatory lending and the sub-prime mortgage crisis.''

## HONORING CASEY LEE FIDDELKE

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Casey Lee Fiddelke of Kansas City, Missouri. Casey is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1247, and earning the most prestigious award of Eagle Scout.

Casey has been very active with his troop, participating in many scout activities. Over the many years Casey has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Casey Lee Fiddelke for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CONGRATULATING THE MASSENA RED RAIDERS UPON WINNING THE 2008 NEW YORK STATE DIVISION I BOYS HOCKEY CHAMPIONSHIP

### HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. McHUGH. Madam Speaker, I rise today to congratulate the Massena Red Raiders upon winning the New York State Division I Boys Hockey Championship. I am proud to represent Massena and note that this is the fifth hockey championship the Red Raiders have won since 1980.

On March 9, 2008, the Massena Red Raiders won the New York State Division I Boys Hockey State Championship when they defeated the West Genesee Wildcats by a score of 3 to 2 in triple overtime. Joe Laffin gave the Red Raiders the lead at 4:44 into the first period and Massena maintained that lead until 3:13 into the third period, when West Genesee tied the game. Massena regained the lead with 4:54 left in regulation when Nathan Pichette scored a goal, which was assisted by Antonio O'Geen and Laffin. However, with 1:07 to play in the third period, West Genesee tied the score again and the game went into overtime. After nearly three periods of overtime and 22 saves by Massena goalie Kyle Anderson, Captain Mike Mailhot scored to give the Red Raiders the game and the state championship.

The Massena Red Raiders finished the season with a 23–4–1 record. In addition, Coach Joe Phillips was named the New York State Division I Boys Hockey Coach of the Year. The Red Raiders were also coached by assistant coach Tim Hayes; Bob Belile, Tim Belile and Louie Trevino were team managers and Anthony Viskovich was the statistician.

Other team members include Clay Allen, Remy Boprey, Allen Bourdon, Tim Doud, Pat George, Captain and First Team All State selection Matt Hatch, David Henrie, Brian Holcomb, Josh Holmes, Alex Kormanyos, Mike Lashomb, William Lint, John-Paul Mailhot, Kevin Morris, Evan Raymo, Conor Riley, Matt Supernault, Dan Tyo, Dustin Vice, Matt Viskovich, Captain and Honorable Mention All State selection Jacob Witkop, and Taylor Zappia. Accordingly, Madam Speaker, I ask my colleagues to join with me to recognize the Massena Red Raiders for their significant accomplishment.

## TAIWAN ELECTIONS

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. POE. Madam Speaker, I rise today to congratulate Taiwan for having successfully completed its 4th direct presidential election on March 22, 2008. Dr. Ma Ying-jeou, a Harvard-educated attorney and former mayor of Taipei, won with a convincing margin. I wish President-elect Ma and the people of Taiwan good luck in the next 4 years, along with continuing economic success and meaningful political reforms.

Since President-elect Ma's victory on March 22, he has made many gestures of good will, which include encouraging Beijing to start meaningful dialogue between Taiwan and Chinese mainland on the issues separating them. It is my sincere hope that both Taipei and Beijing will soon resume dialogue on the issues of mutual interest, leading to the peace and stability in the Asia-Pacific region. Also, President-elect Ma has indicated his willingness to strengthen Taiwan's good relations with the United States. I hope that he will be able to visit Washington before his inauguration on May 20. Even though our two countries do not have official ties, our ties are strong and growing. The issues between us and Taiwan include our defense commitments to Taiwan, trade with Taiwan, our support of Taiwan's participation in international affairs, and lifting of outdated restrictions imposed on high-ranking officials from Taiwan to visit the United States. As our friend, Taiwan wants to see us fully committed to the letter and spirit of the Taiwan Relations Act, enacted on April 10, 1979.

Again, my best wishes to President-elect Ma and the people of Taiwan. And that's just the way it is.

## 175TH ANNIVERSARY OF KALAMAZOO COLLEGE

### HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. UPTON. Madam Speaker, I rise today in honor of Kalamazoo College on the occasion of its 175th anniversary. Established in Kalamazoo, Michigan in 1833, Kalamazoo College—affectionately known as K College—has distinguished itself as one of the Nation's oldest and most respected institutions of higher education devoted to the study of the liberal arts.

In addition to being nationally recognized for its high standards of academic excellence, K College has been a pioneer in the field of overseas studies, offering global learning opportunities to its students for the past 50 years. Over 80 percent of all K College students spend a portion of their undergraduate education abroad, partnering with over 50 foreign universities on 6 continents.

As a global champion of lifelong learning, Kalamazoo College also produces, per capita, more students who go on to earn a doctorate than any other American college or university. K College graduates also rank nationally amongst those who are accepted in the Peace Corps, Teach For America, and the Fulbright Scholar Program.

With new challenges emerging at home and around the world, it is comforting to know that Kalamazoo College continues to maintain its longstanding tradition of producing globally-minded leaders.

Again, it is my honor to stand today in recognition of Kalamazoo College for its 175 year

history as well as its 50 years of international fellowship. The college and its graduates have not only made a positive impact within the greater Kalamazoo community and the State of Michigan, but throughout the entire Nation and the world at large.

## TRIBUTE TO FORMER CONGRESSMAN WILLIAM L. DICKINSON

### HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. EVERETT. Madam Speaker, I rise today to honor the memory of former Alabama Republican Congressman Bill Dickinson who passed away last night at the age of 82 after an extended illness. As many of my colleagues will remember, Bill Dickinson represented Alabama's Second Congressional District for 28 years. Barbara and I send our heartfelt condolences to Bill's wife, Barbara, their children, Christopher, Michael, Tara and Bill, Jr. and the entire Dickinson family at this time of personal loss.

A native of Opelika, Alabama, and a former city, county and state judge before coming to Congress, Bill Dickinson was a Republican in the Deep South when being a Republican was not popular. Bill Dickinson came to Washington in 1964 as part of the Goldwater sweep of the Deep South and gained a reputation as a formidable legislator and a strong conservative voice for southeast Alabama. He served during a time of momentous change in this House, from civil rights movements and political upheavals of the 1960s, through Vietnam, Watergate, and the Reagan Revolution.

A Navy veteran, Bill Dickinson was a stalwart in national defense and was Ronald Reagan's point man on the House Armed Services Committee where he was ranking member for over a decade. As the committee's leading Republican he gave his support to President Reagan's defense build-up of the 1980s which made America more secure. Upon his retirement after 14 terms on the Hill, Congressman Dickinson listed his greatest accomplishments. After nearly three decades in office you can be sure the list is long, but here are some of the things he was proudest of. He saw aviation become a permanent full-fledged branch of the Army and Fort Rucker become the permanent home of Army Aviation. Furthermore, he secured Federal funding to help construct the U.S. Army Aviation Museum at Fort Rucker which bears his name. He was credited with getting Pentagon approval for the use of the Apache attack helicopter in the first gulf war. The Apache fired the first shot in the war. He oversaw the transformation of Gunter Air Force Station in Montgomery to an Air Force base before merging it with Maxwell to strengthen it. He also saw Maxwell restored to a major 3 star command and the establishment of the Air Force School of Law and the Senior NCO Academy for the entire Air Force at Maxwell-Gunter.

Bill Dickinson also took pride in securing the initial funding for the ongoing Outer Loop Interstate Connector south of Montgomery linking I–65 to I–85. This project is still underway. With the collapse of the Berlin Wall, the Warsaw Pact and the entire Soviet Union, he witnessed the validation of the concept of "Peace Through Strength" for which he always worked. Bill Dickinson's legacy is still felt on many fronts, but today he is often credited with having laid the political foundation that kept the Second Congressional District in Republican hands for so long. I add my voice to those who mourn his passing and remember the dedication of this exemplary congressman.

## PERSONAL EXPLANATION

### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. COBLE. Madam Speaker, on rollcall Nos. 147, 148 and 149, I missed votes because my flight was delayed.

Had I been present, I would have voted "nay" on 147; "yea" on 148; and "yea" on 149.

## HONORING JOSHUA DANIEL PIATT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joshua Daniel Piatt of Lee's Summit, Missouri. Joshua is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1220, and earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joshua Daniel Piatt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## HONORING COACHES DON AND BLAZE THOMPSON OF PAHOKEE, FLORIDA

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. HASTINGS of Florida. Madam Speaker, I rise today to honor Coaches Don and Blaze Thompson, father and son, who are true living legends in the city of Pahokee, Florida and throughout Palm Beach County.

Don Thompson has been a part of the Pahokee Middle/Senior High School Blue Devils football team since 1984. As head coach, he led the team to its first state championship in 1989. In all the years since, he has been a mentor, friend and very important role model for the young men of Pahokee. Still an assistant coach of the team, Don Thompson is recognized and respected around the state of Florida as an expert at the sport of football. He is also a loving husband, father and grandfather. As Don Thompson's son, Blaze Thompson has inherited his Dad's talent and skill for winning. In his first year as head coach of the Blue Devils, the team played the toughest opponents in its division and went undefeated, winning its 5th state championship. Blaze has already earned the love and respect of his players, fellow coaches, Pahokee's citizens and everyone who enjoys high school football.

Many of the boys Don and Blaze have coached have gone on to successful careers in professional football. As the first father and son to win Florida state championships with the same football team, it is fitting that Don was inducted into the Palm Beach County Sports Hall of Fame and Blaze named Coach of the Year on the same night. I have no doubt that Blaze will one day follow his Dad into the Hall. I am pleased that both of these fine gentlemen and the team they coach call the 23rd District of Florida their home. I am very proud of them. On behalf of the Members of the U.S. House of Representatives, I applaud coaches Thompson and Thompson for their service and commitment to the people of my district and throughout South Florida. We are all very proud of them.

## HONORING THE CONTRIBUTIONS OF MARY TAVERNA ON HER RETIREMENT

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. WOOLSEY. Madam Speaker, I rise with great pleasure today to honor a leader in my district who has done so much to help the terminally ill and their families face end-of-life issues. Mary Taverna is retiring after more than 30 years with the organization now known as Hospice By the Bay. She leaves behind an enduring legacy of hope and compassion to the people of Marin County, the San Francisco Bay area, and across the United States.

When she first began working as a nurse, Mary was concerned about the terminally ill and the lack of adequate care, so it was a natural step in 1976 for her to join what was then Hospice of Marin, which had been founded the previous year. At that time Hospice of Marin was only the second hospice in the United States, the first on the West Coast, and most Americans were unaware of what the hospice mission was. In fact, even the health care industry resisted it.

Mary was instrumental in changing all that, teaching that hospice was a specially designed program to address the comprehensive needs of the whole family system at the end of life, and that it was part of—not instead of—the health care support team. Two years after coming to Hospice of Mann, Mary became president of the organization. Under her leadership, Hospice nurtured community relationships as well as they did the families they served, including building a partnership with management of both county hospitals. Hospice of Marin is such a model that health care providers come here for training from all parts of the United States.

"I feel a great sense of pride in our organization's leadership and participation in hospice

history," Mary once said. "Twenty-five years ago, we never imagined the number of Americans who would be touched by our efforts."

A recognized expert and leader of the hospice movement, Mary helped pioneer the advocacy efforts for legislation that led to the introduction in Congress of the Medicare Hospice Benefit in 1982. This bill provided public health care insurance coverage for hospice services, allowing clients to receive compassionate care and hospices to sustain themselves financially. In 1986, the Medicare Hospice Benefit became permanent, eventually leading to private insurance coverage, as well.

To further ensure the sustainability of hospice care in Marin County, in 1997, Mary helped create—and became the president of—the Hospice of Marin Foundation. The foundation's mission is to provide philanthropic support to Hospice operations.

Both the foundation and the hospice programs continued to grow, and over the past few years expanded into San Francisco and Sonoma counties, as well. Consequently, Hospice of Marin no longer described the organization and 2 years ago, the name was changed to Hospice By the Bay.

"In recent years, we were invited into our neighboring communities to share our experience and resources with other hospice communities," Mary said of the change, adding that it evolved from a desire to be more inclusive of the bay area, rather than imply a geographic exclusivity.

And truly, there has not been a geographic exclusivity to the effects of Mary's work. The National Hospice Organization in 1995 named her "the individual who has done the most for hospice in the national and international level." Since then, she has been selected to help guide that organization as chair of its board of directors.

Madam Speaker, Mary Taverna's dedication to hospice services, her leadership of Hospice By the Bay and her continued work as chair of the board of the National Hospice Organization have left an indelible mark not only on the Sixth District and the San Francisco Bay area, but on areas throughout the United States. And that is why, Madam Speaker, I honor Mary Taverna on her retirement after more than 30 years of service to a cause forever in her debt.

## IN RECOGNITION OF THE 100TH ANNIVERSARY OF DI LAURO BAKERY OF SYRACUSE, NEW YORK

### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. WALSH of New York. Madam Speaker, I rise today to recognize the 100th anniversary of Di Lauro Bakery in Syracuse, New York.

Founded by John Di Lauro in 1908, Di Lauro Bakery has become an integral part of the Syracuse community. Although the times have changed since the bakery's opening, the recipe and baking procedure have not. The same oven installed by Di Lauro in the 1950s is used today, and customers go out of their way to buy bread from this fine bakery. By delivering consistency and quality, this Syracuse institution pleases its loyal customers, while attracting new ones. With its great baked goods, Di Lauro Bakery is a place the community will be able to enjoy for many more years to come. Di Lauro's has become a long-time neighborhood fixture and a community anchor.

Di Lauro Bakery has always strived to provide the Syracuse community with the finest baked goods, and I am proud to recognize them here today. I congratulate current owners Paul and Valerie Wavercak, and their dedicated staff, both past and present, on reaching this milestone. On behalf of the people of the 25th District of New York, I thank them for 100 years of service that has been and will continue to be such a positive asset to the community.

## PERSONAL EXPLANATION

### HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. BRALEY. Madam Speaker, on rollcall 147, H.R. 3352, I was not present. If I had been there, I would have voted "yes." On rollcall 148, H.R. 2675, I was not present. If I had been there, I would have voted "yes." On rollcall 149, H. Con. Res. 302, I was not present. If I had been there, I would have voted "yes."

## HONORING THE RETIREMENT OF RONALD "RED" PLATZ

### HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. BALDWIN. Madam Speaker, I rise today to honor Ronald Platz, or "Red" as he is known best by friends and colleagues. Red retired from the UAW International Union on Monday, March 31, 2008 after more than 30 years of leadership and loyal service to the community. Over the course of a tenacious career, Red made a profound and lasting impact on Wisconsin state and local politics.

Red began working in the Engine Division of the Kohler Company in 1969. He soon transferred to the Enamel Shop 3 years later. In 1977, Red was elected to serve as Divisional Steward for UAW Local 833. Red served Local 833 for the next 24 years, holding the positions of Chief Steward, Vice President, and President. He also served as a full-time Benefit and Safety Representative from 1990 until 2001. In total, Red was instrumental in negotiating six labor agreements between the Kohler Company and Local 833. As a health and safety trainer for the UAW International Union, Red led workshops throughout the United States on issues such as workplace safety, hazardous chemical handling, and harassment.

Red's unwavering political spirit led him to the Wisconsin State CAP–PAC Board where he remained active for more than 20 years and served 6 years as Chairperson. In August 2001, he was appointed to the UAW Region 4 International Staff as the CAP–PAC Coordinator for a six-state area that included Wisconsin, Minnesota, North Dakota, South Dakota, Montana, and Wyoming. Red has served on numerous executive boards including the Wisconsin AFL–CIO, Citizen Action of Wisconsin, Competitive Wisconsin, Inc., the State of Wisconsin Unemployment Compensation Insurance Advisory Council, and the School for Workers Labor Faculty Advisory Board. Red will retire to country living in Wisconsin to spend time with his wife Mutzie, two children Rick and Judy, and 3 grandchildren Shawn, Samantha, and Collin. UAW Local 833 will honor Red this weekend to commemorate a career marked by commitment and dedication. The celebration will feature a friendly roast by those who have had the pleasure of knowing and working with Red.

For his hard work, leadership, and service to the State of Wisconsin, I join all of UAW Local 833 in saluting and thanking Red Platz. I wish Red health and happiness in retirement.

## HONORING STANTON WILL RAGLAND

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Stanton Will Ragland of Liberty, Missouri. Stanton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1374, and earning the most prestigious award of Eagle Scout.

Stanton has been very active with his troop, participating in many scout activities. Over the many years Stanton has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Stanton Will Ragland for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CONGRATULATING THE JEWISH HERALD-VOICE ON THEIR 100TH ANNIVERSARY

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to congratulate the Jewish Herald-Voice on their 100th anniversary on April 20, 2008. The Jewish Herald-Voice is the longest continuously running Jewish newspaper in the Southwest and one of the oldest in the country. Founded in 1908 as The Jewish Herald by local printer Edgar Goldberg, the Jewish Herald-Voice has continued through the dedication of 3 owners. Through its pages, the Jewish Herald-Voice connects the community to important causes, large and small, calling its readers to action, and especially by connecting its readers to issues affecting Jewish communities around the world.

Over the past several decades, the Jewish Herald-Voice has been recognized for excellence in journalism and in design by the Texas Press, the Texas Gulf Coast Press, the Houston Press Club, and American Jewish Press associations. For its community service, the

Jewish Herald-Voice and its owners, Joe and Jeanne Samuels, have been honored by a plethora of Jewish organizations, both local and international.

One 100 years ago, Edgar Goldberg envisioned a newspaper that would reach everyone in Houston's diverse Jewish community, crossing denominations, transcending organizational boundaries and providing a platform for every Jewish citizen, regardless of affiliation. For 35 years, Joe and Jeanne Samuels, with their dedicated and talented writers and staff, have successfully continued the founder's dream and kept the promise of being ''the voice'' of the Jewish community of Greater Houston and the Texas Gulf Coast. Joe and Jeanne Samuels are great Americans, personal friends, and serve our community well.

Madam Speaker, I would like to congratulate the Jewish Herald-Voice for their 100-year tradition of service to the Jewish community and the city of Houston.

## HONORING MARIO CANZONERI

### HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. FOSSELLA. Madam Speaker, I rise today to honor the life and accomplishments of Mario Canzoneri, who died on Saturday, January 19, 2008, following heart surgery. Mario and his wife Karen have been true and constant supporters of the community of 9/11 victims and their families. They have shared their therapy dogs—the Smile Retrievers—Jake, Jessie, Mattie, and Macie, with the entire community.

Immediately after the tragic attacks, Mario brought his therapy dogs to New York to help the families of the victims. Selflessly, and always at their own expense, Mario and Karen ministered to 9/11 families. They also traveled to Oklahoma City, to the TAPS program in Washington, to the campus of Virginia Tech, and to many other places where people were in pain from brutal losses.

Mario was extremely active in the community, attending every forum sponsored by Voices of September 11th and has accompanied the Pentagon families during their remembrance walks. I have heard many stories of young children cuddling up to the dogs and finding a way to deal with their grief on the anniversary of the attacks.

Mario proved that each of us holds the power to change the lives of many for the better. Although Mario's own life was cut short, his was a life lived to the fullest—a life that impacted others in a way few of us ever achieve. With purpose and resolve, Mario Canzoneri used his time on God's earth wisely and for the betterment of those around him.

In closing, Madam Speaker, I would like to extend my personal condolences to the Canzoneri family. Mario was a great man with a kind heart, and we are all in his debt.

## IN HONOR OF JOHNSVILLE ELEMENTARY SCHOOL'S RECOGNITION AS A MINNESOTA SCHOOL OF EXCELLENCE

### HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mrs. BACHMANN. Madam Speaker, I rise today to pay tribute to the teachers, parents, and students at Johnsville Elementary School in Blaine, Minnesota. Last week, before a crowd of proud neighbors, this school community was honored as a 2007–2008 Minnesota School of Excellence.

Minnesotans place a high value on education. It's engrained in our state psyche. And, this makes this already great honor still more phenomenal. Only 7 schools in the state achieved this level of excellence for this school year. And, since the program's inception more than 20 years ago, in 1986, only 125 schools have been recognized as Minnesota Schools of Excellence.

This high honor is a testament to the hard work of Johnsville's faculty, under the leadership of Principal Patrick Murray. It is also a testament to the commitment of the parents of Johnsville Elementary. Individually and through an active parent-teacher organization, these parents form a foundation of support for these teachers and students. Together they form a solid and interlocking network that excels in all areas of academics and community involvement.

The Johnsville Elementary community is a model for schools throughout Minnesota and, indeed, throughout the nation. I was proud to join them in celebrating this tremendous achievement last week, and I look forward to this school reaching still greater heights in years to come.

## TRIBUTE TO SPECIALIST JOSE RUBIO

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. CUELLAR. Madam Speaker, I rise today to honor Specialist Jose Rubio, of 464th Armored Battalion of the United States Army, who was killed in the line of duty by an IED roadside bomb in Baghdad.

Specialist Jose Rubio was born on March 19, 1983, in Reynosa, Mexico. He attended school in Mission, Texas, and graduated from South Texas College in 2005 with an associate's degree in Computer Science. He married his high school sweetheart, Jennifer, in May of 2006, and had a son, Nicolai, who is now 11 months old. He is survived by his mother, his six siblings in Reynosa, Matamoros, and Rio Bravo. Specialist Jose Rubio will be forever remembered for his service in protecting the freedoms and ideals of our country and I extend my condolences to his family, and to his wife, Jennifer.

Madam Speaker, I am honored to have had this time to recognize the service of Specialist Jose Rubio in the United States Army.

## TRIBUTE TO NEWS TALK 970 WKHM–AM

### HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. WALBERG. Madam Speaker, it is my special privilege to recognize News Talk 970 WKHM–AM on receiving the 2007 Michigan Association of Broadcasters Station of the Year award. It is with great admiration and pride that I congratulate WKHM of Jackson on behalf of all of those who have benefited from the station's commitment to south-central Michigan and dedication to outstanding achievement in broadcasting.

News Talk 970 WKHM proudly serves Jackson, Michigan, with faithful broadcasting of local, regional, and national news. Committed to exceptional community service, the station focuses specifically on the issues most important to the people of Jackson. Additionally, WKHM provides the most comprehensive weather coverage in the area and also broadcasts Detroit Red Wings and the University of Michigan Wolverines sporting events.

Each year the Michigan Association of Broadcasters sponsors a competition to recognize outstanding achievement in broadcasting by Michigan radio and television stations. The contest was established to promote the utmost quality of reporting, community service, and production creativity. The winners are recipients of the highest honor—peer recognition.

This year's award for Market 3 went to News Talk 970 WKHM–AM for its continued excellence in broadcasting. The station was the recipient of the same award in 2005. In addition to Station of the Year, WKHM won in nine other categories including Investigative News, Special Broadcast Personality, and Newscast.

Madam Speaker, today I honor News Talk 970 WKHM for its continued service to the Jackson community. May others know of my high regard for this radio station's diligent reporting and enthusiastic service, as well as my best wishes for WKHM in the future.

## HONORING TREVOR ANDREW GAUERT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Trevor Andrew Gauert of Kansas City, Missouri. Stanton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1447, and earning the most prestigious award of Eagle Scout.

Trevor has been very active with his troop, participating in many scout activities. Over the many years Trevor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Trevor Andrew Gauert for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## IN RECOGNITION OF THE LIFE OF CAPTAIN TORRE REMOINE MALLARD

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to recognize the life of a heroic American citizen, Capt. Torre Mallard.

Captain Mallard, a native of Anniston, Alabama, died in Iraq on March 10, 2008. He is survived by his wife, Bonita and two children, Torre, Jr. and Joshua.

Like all those who have paid the ultimate sacrifice in this conflict, words cannot express the sense of sadness we have for his family, and the gratitude our country feels for his service. Captain Mallard died serving the United States and the entire cause of liberty, on a mission to bring stability to a troubled region and liberty to a formerly oppressed people. He was a true patriot indeed.

We will forever hold him closely in our hearts, and remember his sacrifice and that of his family as a remembrance of his bravery and willingness to serve. Thank you, Madam Speaker, for the House's remembrance on this mournful day.

## PERSONAL EXPLANATION

### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. POMEROY. Madam Speaker, on March 31, 2008, due to flight delays, I missed rollcall votes No. 147, 148, and 149. Had I been present, I would have voted in the following manner:

Rollcall No. 147, ''yea;'' rollcall No. 148, ''yea;'' rollcall No. 149, ''yea.''

## ESTABLISHING AN OFFICE OF CONGRESSIONAL ETHICS—Continued

SPEECH OF

### HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 11, 2008*

Mr. CAPUANO. Mr. Speaker, I would like to thank many of the people who participated in the work of the Task Force, either by coming to speak with us and share their views or by contributing on a staff level.

A number of individuals attended meetings at the Task Force's request to share their past experiences and offer their opinions on the idea of an independent ethics office. We very much appreciate the time they gave us. They are Senator BEN CARDIN, former Representative Louis Stokes, former Representative Robert Livingston, Thomas Mann of the Brookings Institution, Norman Ornstein of the American Enterprise Institute, Donald Wolfensberger of the Woodrow Wilson International Center for Scholars, former Federal Election Commission Chairman Bradley Smith, Kentucky Legislative Ethics Commission Executive Director Judge Anthony Wilhoit, President of the Ethics Resource Center Dr. Patricia Harned, Sarah Dufendach of Common Cause, Gary Kalman of U.S. PIRG, Fred Wertheimer of Democracy 21, Meredith McGehee of Campaign Legal Center, Melanie Sloan of Citizens for Responsibility and Ethics in Washington, Thomas Fitton of Judicial Watch, Lloyd Leonard of the League of Women Voters, Senate Ethics Committee Staff Director Robert Walker, and Senior Counsel to the House Committee on Standards of Official Conduct Ken Kellner.

I would like to extend my particular thanks to Tom Mann, Norm Ornstein, Sarah Dufendach, and Gary Kalman, all of whom were very committed to seeing a responsible and practical proposal from the Task Force and therefore spent many hours in consultation toward achievement of that goal.

The staff who assisted members of the Task Force also deserve our thanks and recognition: Bernard Raimo, Counsel to the Speaker; Paul Taylor, Chief Republican Counsel to the House Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties; Ed Cassidy, Senior Advisor & Floor Assistant to the Republican Leader; Robert F. Weinhagen, Jr., Senior Counsel in the Office of Legislative Counsel; Jean Louise Beard, Chief of Staff, and Kate Roetzer, Legislative Assistant to Rep. PRICE; Allison Havourd and Rob Guido, Legislative Assistants to Rep. CAMP; Christopher Hickling, Legislative Director to Rep. MEEHAN; Ben Taylor, Legislative Assistant to Rep. HOBSON; Carla Murrell-Hargrove, Staff Assistant, and Rashage Green, Legislative Assistant to Rep. SCOTT; Jeff Kahrs, Chief of Staff to Rep. TIAHRT; and Emily Lawrence, Legislative Director to Rep. MCCOLLUM.

Mr. Speaker, much of the debate on the Office of Congressional Ethics and the process followed by the Task Force in formulating these recommendations has centered on the issue of bipartisanship. Although my Republican colleagues declined to endorse the final proposal outlined in our report dated December 19, 2007, the process up to that point had, in fact, been incredibly bipartisan. This is to the credit of all of my colleagues on the Task Force. We had lively, open, and civil discussions in a series of meetings held over the course of a year, and we all value the cordial and professional way in which we were able to work together.

A number of draft proposals were circulated to all members of the Task Force throughout the process, starting with an initial proposal that was floated in June. As we worked to craft a specific set of recommendations, all Members had the opportunity to offer suggestions and feedback—and all did. As we worked from a general outline of an independent office into a more specific legislative draft, we incorporated most of the ideas put forth by Task Force members.

I would like to point out that the final proposal—as introduced in December and as amended for consideration on the House floor—contains a litany of concepts put forth by our Republican colleagues. They include:

Term limits for OCE board members;

Joint appointment of OCE board members;

Requirement that reviews be initiated with bipartisan agreement;

Only prospective consideration by the OCE—no retroactive reviews of allegations pertaining to acts that occurred before the date of adoption;

Code of conduct for OCE board members and staff that includes avoidance of conflicts of interest;

Financial disclosure form for OCE board members;

Wording on OCE ability to ''solicit such testimony and receive such relevant evidence as may be necessary to carry out its duties'';

60-day blackout on referrals from OCE to Ethics Committee before an election was made mandatory, as opposed to being at the Committee's discretion;

Provision requiring leaks to be investigated; and

Provision on ex parte communications.

One other issue to which I would like to respond is the internal memo from staff of the Committee on Standards of Official Conduct that was publicized via a Dear Colleague letter on March 11th and submitted for the RECORD that same day. This memo came in the form of an email exchange between Ken Kellner, Senior Counsel to the Committee, and Bill O'Reilly, Chief Counsel and Staff Director.

I would like to be absolutely clear that while the written memo was never shared with my office prior to their release in the Dear Colleague letter, its contents and the concerns of the Ethics Committee were shared in November 2007—prior to the introduction of H. Res. 895 on December 19, 2007. While some of the concerns raised by the Committee essentially rose from a basic objection to the creation of an independent ethics office within the House and could therefore not be addressed without compromising the fundamental concept, others were valid and reasonable issues that we took into consideration and modified based on Committee staff's suggestion.

I call Members' attention to five key changes that were made to the Task Force proposal in direct response:

We built in a process for the Ethics Committee to unilaterally take a case from the OCE at any time if the Committee feels it necessary or appropriate.

We removed a provision that would direct the OCE to provide a copy of its findings to the Member, officer, or employee who is the subject of a review. We agreed that it was not ideal to provide what could essentially be a ''roadmap'' for an investigation to the subject of a review. Therefore, the subject of the review would only see the OCE findings when they become available to the public—only after the Ethics Committee has a chance to deal with the matter.

We altered the content of the findings so that cooperative witnesses could not be named publicly—precisely because we agreed that the OCE would not want to punish legitimate whistleblowers by publicly disclosing their names. The change specified that only uncooperative witnesses may be named in the findings.

With respect to Committee concerns about publishing the board's findings even if the Committee has decided to handle a matter nonpublicly, we made sure to clarify that Ethics Committee rules would allow the Committee to dismiss a matter while also issuing a private letter to the subject or respondent. If the Committee felt the need to handle a smaller infraction privately, they could do so in this manner and no publication of the action is required.

We expanded the ex parte communications prohibition to include ''any interested party'' as was suggested.

These modifications were made to the proposal prior to the release of the final Task Force recommendations and introduction of H. Res. 895. Members deserve to know that the concerns of the Ethics Committee were taken into account by the Task Force and that, while this commentary caught many Members by surprise on March 11, we had already been briefed on its substance and had responded appropriately.

The Task Force worked diligently over our 11 months of meetings to cooperate on a bipartisan basis and craft a set of recommendations that would improve the ethics process in the House of Representatives. While I regret that we could not come to a final agreement, I thank my colleagues on the Task Force for their efforts and for their commitment to this institution.

## SUPPORTING THE OBSERVANCE OF COLORECTAL CANCER AWARENESS MONTH

SPEECH OF

### HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 31, 2008*

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in strong support of H. Con. Res. 302, supporting the observance of Colorectal Cancer Awareness Month, and for other purposes, introduced by my distinguished colleague from Texas, Representative KAY GRANGER. This important legislation recognizes the devastating effects of Colorectal Cancer, which kills 49,960 Americans each year, and raises awareness regarding the realities and severities of this disease.

Colorectal cancer includes both colon and rectal cancer and is the second most common cause of cancer deaths for both men and women within the United States. This form of cancer does not discriminate between men and women, race and ethnicity; however, the rates of diagnoses are slightly higher among the African America Community. Despite the fact that every 3.5 minutes someone is diagnosed with colorectal cancer, every 5 seconds, someone who should be screened for this cancer is not.

That is why this legislation is so important; we know the devastating effects of this type of cancer, yet we have failed to apply the necessary steps to address the epidemic. The survival rate of those who have colorectal cancer is 90 percent when detected in its early stages, but that rate dramatically drops to only 10 percent when colorectal cancer is detected after it has spread to distant organs. The death rate of colorectal cancer could be reduced by up to 80 percent if the majority of Americans age 50 or older were screened regularly for colorectal cancer. It is not surprising to note that uninsured Americans are more likely to be diagnosed with late stage colon cancer than patients with private insurance, and that as such only 39 percent of colorectal cancer patients have their cancer detected at an early stage. Only 18.8 percent of Americans without health coverage in the United States have currently been properly screened for colorectal cancer.

Regular colorectal cancer screening makes economic sense because it has been ranked as one of the most cost effective screening interventions available, with the potential to save more than 30,000 lives a year. Treatment costs for colorectal cancer are extremely high and are estimated at $8,400,000,000 for 2004; however, the risks associated with nontreatment are even higher.

The necessity of raising awareness about colorectal cancer cannot be overemphasized, and I applaud this legislation for supporting the observance of Colorectal Cancer Awareness Month. The potential deadly effects of colorectal cancer should encourage Americans from all walks of life to be tested and treated by their doctors. Colorectal cancer is the third most common form of cancer and the second leading cause of cancer-related death in the Western world. As such, colorectal cancer causes 655,000 deaths worldwide per year. Colorectal Cancer Awareness Month must also raise public awareness for the need of colorectal cancer testing for those Americans who are traditionally unable to afford such screening and seek ways to alleviate this disparity. It is imperative that Congress find a way to ensure every American at risk is tested and treated in the early stages to prevent an even higher death rate. Colorectal Cancer Awareness Month should be recognized by all Americans to focus on the special opportunity to offer education on the importance of early detection and screening.

I am proud to cosponsor this important legislation to support the observance of March as Colorectal Cancer Awareness Month. I strongly support H. Con. Res. 302 and urge all Members to do the same.

## PERSONAL EXPLANATION

### HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. WELLER. Madam Speaker, I was absent on Thursday, March 13th, Friday, March 14th, and Monday, March 31st due to personal reasons, and I missed rollcall votes 139 through 146.

If I were present I would have voted, ''yea'' on rollcall vote No. 140, ''nay'' on rollcall vote No. 141, ''yea'' on rollcall vote No. 142, ''nay'' on rollcall vote No. 143, ''nay'' on rollcall vote No. 144, ''nay'' on rollcall vote No. 145, ''nay'' on rollcall vote 146, ''yea'' on rollcall vote No. 147, ''yea'' on rollcall vote No. 148, and ''yea'' on rollcall vote No. 149.

## HONORING STEPHEN LEE DODSON

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Stephen Lee Dodson of Kearney, Missouri. Stephen is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Stephen has been very active with his troop, participating in many scout activities. Over the many years Stephen has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Stephen Lee Dodson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## PAYING TRIBUTE TO WILLIS AVERY

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. PORTER. Madam Speaker, I rise today to honor 86 year old Willis Avery, a veteran of World War II, for his exemplary service in defense of freedom while serving in the United States Navy.

Willis served in the United States Navy in World War II as a Chief Pharmacist's Mate aboard the USS *Solace*, a hospital ship moored to the battleship USS *Arizona*. Willis was aboard the *Arizona* during the Japanese attack at Pearl Harbor on December 7, 1941. He courageously ignored the flames and assisted the wounded and helped transfer them to the USS *Solace* and other ships nearby. The Officer of the Deck ordered Willis and his partner off the *Arizona*. He witnessed the explosions of the USS *Arizona*. The day after the attack, Willis was among the Naval personnel who retrieved the bodies of the dead and readied them for burial.

While in the service, he played the saxophone and clarinet in a dance band and put on comedy skits along with USO entertainer Joe E. Brown to entertain fellow troops. He was an escort to the First Lady, Eleanor Roosevelt when she visited New Zealand.

Today, Willis is one of the few remaining survivors of the attack at Pearl Harbor and he is truly part of the ''Greatest Generation.''

Madam Speaker, I am proud to honor Willis Avery for his heroic service in the United States Navy. His dedication to this country in the theater of war and his devotion to his fellow troops' morale are truly commendable. I laud the sacrifices he has made to protect our freedoms and I am pleased to have the opportunity to recognize his service.

## HONORING THE 50TH ANNIVERSARY OF THE USS *NAUTILUS* REACHING 90 NORTH

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. COURTNEY. Madam Speaker, I rise today to introduce a resolution to honor an important anniversary not only to my district, but to our Navy and our nation.

In June 1958, the USS *Nautilus* (SSN 571), the world's first nuclear powered submarine, departed Seattle as part of a top secret operation called ''Operation Sunshine.'' Unknown to many at the time, the *Nautilus* was embarking on a historic mission that took them on a course north to the Arctic Ice cap. At 1:15

p.m. (EDST) on August 3, 1958, the boat became the first vessel to cross the geographic north pole when Commander William Anderson, *Nautilus*' commanding officer, announced to his crew: "For the world, our country, and the Navy—the North Pole."

This historic crossing of "90 North" took place at a critical time in our nation's history: the Cold War was heating up, the Soviet Union had seemingly laid claim to space with the launch of Sputnik, and many Americans—and many around the world—were looking for something to rally around, a sign that we were not ceding big ideas and notable achievements to others. Having reached the North Pole, the *Nautilus* clearly demonstrated our undersea superiority and opened the region to decades of scientific research and exploration.

The crossing of the North Pole was praised by numerous world leaders of the time, being described by President Eisenhower as a "magnificent achievement" from which "the entire free world would benefit." A ticker tape parade was held in honor of the crew in New York City, the *Nautilus* became the first naval vessel in peacetime to receive the Presidential Unit Citation for its meritorious efforts in crossing the North Pole and Commander William R. Anderson was awarded the Legion of Merit.

In the fifty years since, the United States Navy and Coast Guard have repeatedly followed in the footsteps of this historic voyage. Dozens of U.S. submarines, in addition to specially fitted vessels and general aircraft of the United States Coast Guard, have journeyed to the top of the world in service of their country and to reinforce our Arctic presence. These submarines and their intrepid crews have broken through to the surface, charted new courses and expanded our knowledge of the Arctic.

Built and launched at Electric Boat in Groton, Connecticut, on January 21, 1954, the *Nautilus* was the first vessel in the world to be powered by nuclear power. After claiming their historic milestone at 90 North and returning home to Naval Submarine Base New London, the *Nautilus* continued to establish a series of naval records in her distinguished 25 year career, including being the first submarine to journey "20,000 leagues under the sea."

The history and the legacy of the *Nautilus* is not only meaningful to my Congressional district, but to the entire submarine force and our nation. Today. the *Nautilus* proudly serves as a museum where visitors from around the world come to learn about both her history-making service to our nation and the role of the submarine force in securing our nation. The *Nautilus* truly helped set the tone as the standard bearer for the submarine force, and achievements like the crossing of 90 North both proved the capabilities of our nation at a critical time in our history and raised the bar for all those who came after her.

Too often the critical achievements of our submarine force, our "Silent Service," go unnoticed. I am proud to introduce this resolution today to honor the *Nautilus*, her crew and the countless individuals who provided support for her journey across 90 North, and urge my colleagues to join me in recognizing this important milestone in our Nation's history.

## TRIBUTE TO CATHERINE OLSSON, SEUNGSOO KIM, MARGUERITE TAIMI AND NEWPORT HIGH SCHOOL

### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. REICHERT. Madam Speaker, I rise to recognize the achievements and congratulate Catherine Olsson, Seungsoo Kim, Marguerite Taimi, and Newport High School in Bellevue, Washington, for their outstanding excellence in Advanced Placement, AP, math and science as awarded by the Siemens Foundation.

Catherine, who attends Lakeside School in Seattle, Washington, and Seungsoo, a student who attends Mountain View High School in Vancouver, Washington, were two students from my home State who received a $2,000 scholarship from the Siemens Foundation and the recognition that comes along with such a prestigious award. Ms. Taimi, an 18-year teaching veteran at Kentridge High School in Kent, Washington—located within my congressional district—was recognized by the foundation for her dedication to students in her AP calculus class. Additionally in my district, the entire AP math and science department at Newport High School was recognized for their significant strides and continued excellence in AP courses.

The Siemens Foundation, in partnership with the College Board, a non-profit association committed to connecting students with overall college success, is celebrating its tenth year of presenting awards and significant scholarships to students, teachers, and institutions in all 50 States. This year alone, Siemens and the College Board awarded 97 students, dozens of teachers, and many high schools monetary gifts, bringing their total commitment since 1998 to more than $4.5 million.

One of my constituents, Microsoft Chairman Bill Gates, appeared before the Committee on Science and Technology on March 12, 2008, and spoke at length of the need for improved math and science education in order to maintain our leadership in technological innovation.

With that message in mind, please join me in congratulating Catherine, Seungsoo, Ms. Taimi, Newport High School, and all the other students, teachers, and high schools who strive for excellence in AP math and science. Moreover, I want to thank the Siemens Foundation and the College Board for their extraordinary commitment to encouraging America's future mathematicians, scientists, and engineers.

## PERSONAL EXPLANATION

### HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Mr. UDALL of Colorado. Madam Speaker, on Monday, March 31, I was unavoidably absent and so was unable to join in three recorded votes.

If I had been present, I would have voted as follows:

On H.R. 3352—To reauthorize and amend the Hydrographic Services Improvement Act, and for other purposes—I would have voted "yea."

On H.R. 2675—To provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes—I would have voted "yea."

On H. Con. Res. 302—Recognizing the Month of March as Colorectal Cancer Awareness Month—I would have voted "yea."

## HONORING THE ACHIEVEMENTS AND BIRTHDAY OF CESAR CHAVEZ

### HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 1, 2008*

Ms. MOORE of Wisconsin. Madam Speaker, Today, we gather to pay tribute to a remarkable man, and one of the most revered workers rights pioneers, Cesar Estrada Chavez. Cesar Chavez became one of our Nation's and the world's notable advocates for nonviolent social change.

Born on a small Arizona farm on March 31, 1927, Cesar Chavez began his life as a farm worker in the fields at age 10. He later served in the United States Navy during World War II.

Cesar Chavez didn't just learn about the struggle of migrant workers. He and his family lived it. He grew up moving from town to town and from school to school while his family worked in the fields.

He became a farm worker as soon as he finished the eighth grade. Born out of his sweat and toil was a fierce determination to give a voice to families like his who labored so hard and received so little in return.

Cesar Chavez became that voice of the farm workers. He established the United Farmworkers Union to establish this movement. The priorities he fought for are America's priorities: Better pay and benefits for workers. Better education for children. Health and safety protections for workers where there were none. He helped in expanding civil rights for minorities and advocated on behalf of every person living within the United States.

He was committed to the idea that no matter their education or their job, anyone can demand fair treatment at work. Before Cesar Chavez, farmworkers were exposed to horrifying conditions, working long hours and being poisoned by pesticides. Chavez drew national attention to the plight of the farmworkers. Because of Chavez, farmworkers can no longer legally be treated in the inhumane manner they were before.

Cesar E. Chavez was loved and respected by many, and he continued to fight for the rights of farm workers until his death in 1993. Chavez lived his life fighting for workers' rights, civil rights, environmental justice, equality for all, peace, non-violence, children and women's rights. Over 50,000 mourners came to pay their respects to the humble man, whose simple, modest manner was driven by his commitment to social justice.

In 1994, Cesar Chavez was posthumously awarded the nation's highest civilian honor, the Presidential Medal of Freedom. Robert F. Kennedy once described Cesar Chavez as "One of the heroic figures of our time." He encouraged millions of people across the country

to join the fight for social and economic justice for farm workers and to empower the poor and disenfranchised.

It is important that we do our part to make America a place where everyone receives respect and opportunity. We must ensure Cesar Chavez' dream by promising every man, woman, and child in America a secure future with promising opportunities. We must work hard to raise the minimum wage, ensure that all Americans can earn a decent living and secure access to affordable health care. Selfless Service to others is why Cesar Chavez will always be an inspiration to all of us. Let's continue Cesar Chavez's legacy, by truly honoring his memory and continuing his commitment to achieving basic rights and dignity for all American workers.

# *Daily Digest*

## HIGHLIGHTS

See Résumé of Congressional Activity.

# Senate

## *Chamber Action*

***Routine Proceedings, pages S2253–S2312***

**Measures Introduced:** Four bills and four resolutions were introduced, as follows: S. 2791–2794, S. Res. 493–495, and S. Con. Res. 72–73. **Page S2295**

**Measures Reported:**

Report to accompany S. 1638, to adjust the salaries of Federal justices and judges. (S. Rept. No. 110–277)

S. 2304, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, with an amendment in the nature of a substitute. **Pages S2294–95**

**Measures Passed:**

***Financial Literacy Month:*** Senate agreed to S. Res. 495, designating April 2008 as ''Financial Literacy Month''. **Pages S2306–07**

***Ryan Haight Online Pharmacy Consumer Protection Act:*** Senate passed S. 980, to amend the Controlled Substances Act to address online pharmacies, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S2307–10**

Nelson (FL) (for Feinstein) Amendment No. 4383, in the nature of a substitute. **Pages S2307–10**

**Measures Considered:**

**New Direction for Energy Independence, National Security, and Consumer Protection Act and the Renewable Energy and Energy Conservation Tax Act—Agreement:** Senate began consideration of the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, and the motion was agreed to. **Pages S2268–85**

During consideration of this measure today, Senate also took the following action:

By 94 yeas to 1 nay (Vote No. 86), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate upon reconsideration agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S2270**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 9:30 a.m., on Wednesday, April 2, 2008, and that all time during any adjournment, recess or period of morning business count post-cloture; provided further, that at 12:30 p.m., on Wednesday, April 2, 2008, the Majority Leader be recognized. **Page S2312**

**Child Protection Improvements Act Referral—Agreement:** A unanimous-consent agreement was reached providing that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2756, to amend the National Child Protection Act of 1993 to establish a permanent background check system, and that the bill be referred to the Committee on the Judiciary. **Page S2306**

**Nominations Confirmed:** Senate confirmed the following nominations:

Deborah K. Jones, of New Mexico, to be Ambassador to the State of Kuwait.

Kevin J. O'Connor, of Connecticut, to be Associate Attorney General. **Pages S2310–11, S2312**

**Messages from the House:** **Page S2292**

**Measures Referred:** **Pages S2292–93**

**Executive Communications:** **Pages S2293–94**

**Additional Cosponsors:** Pages S2295–97

**Statements on Introduced Bills/Resolutions:** Pages S2297–S2301

**Additional Statements:** Pages S2290–92

**Amendments Submitted:** Pages S2301–05

**Notices of Hearings/Meetings:** Page S2305

**Authorities for Committees to Meet:** Pages S2305–06

**Record Votes:** One record vote was taken today. (Total—86) Page S2270

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:19 p.m., until 9:30 a.m. on Wednesday, April 2, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S2311–12.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## APPROPRIATIONS: U.S. FOREST SERVICE

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the United States Forest Service, after receiving testimony from Mark Rey, Under Secretary for Natural Resources and Environment, and Abigail Kimbell, Chief, United States Forest Service, both of the Department of Agriculture.

## DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Subcommittee on Airland concluded a hearing to examine the defense authorization request for fiscal year 2009 relative to the Army's new doctrine (Field Manual 3–0, Operations), and the future years defense program, after receiving testimony from Lieutenant General William B. Caldwell, IV, USA, Commanding General, United States Army Combined Arms Center and Fort Leavenworth.

## DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded a hearing to examine the defense authorization request for fiscal year 2009 for the current readiness of the armed forces, and the future years defense program, after receiving testimony from General Richard A. Cody, USA, Vice Chief of Staff, United States Army, General Robert Magnus, USMC, Assistant Commandant of the Marine Corps, Admiral Patrick M. Walsh, USN, Vice Chief of Naval Operations, and General Duncan J. McNabb, USAF, Vice Chief of Staff, United States Air Force, all of the Department of Defense.

## DEFENSE AUTHORIZATION REQUEST

*Committee on Armed Services:* Subcommittee on Strategic Forces concluded a hearing to examine the defense authorization request for fiscal year 2009 for ballistic missile defense programs, and the future years defense program, after receiving testimony from John J. Young, Jr., Under Secretary for Acquisition, Technology and Logistics, Lieutenant General Henry A. Obering III, USAF, Director, Missile Defense Agency, Lieutenant General Kevin T. Campbell, USA, Commanding General, United States Army Space and Missile Defense Command, and Charles E. McQueary, Director, Operational Test and Evaluation, all of the Department of Defense; and Paul L. Francis, Director, Acquisition and Sourcing Management, Government Accountability Office.

## FOREST LANDSCAPE RESTORATION ACT

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine S. 2593, to establish a program at the Forest Service and the Department of the Interior to carry out collaborative ecological restoration treatments for priority forest landscapes on public land, after receiving testimony from Gail Kimbell, Chief, Forest Service, Department of Agriculture; Henri Bisson, Deputy Director, Bureau of Land Management, Department of the Interior; Scott Simon, Nature Conservancy, Little Rock, Arkansas; Christopher I. West, American Forest Resource Council, Portland, Oregon; Nathaniel Lawrence, Natural Resources Defense Council, Olympia, Washington; and Howard Gross, Forest Guild, Santa Fe, New Mexico.

## ANTI-TERRORISM FINANCING

*Committee on Finance:* Committee concluded a hearing to examine anti-terrorism financing, focusing on progress made and the challenges ahead, after receiving testimony from Stuart Levey, Under Secretary of the Treasury for Terrorism and Financial Intelligence.

## IRAQ

*Committee on Foreign Relations:* Committee met in closed session to receive a briefing on the situation in Iraq from Stephen S. Kaplan, Vice Chairman, and Alan R. Pino, National Intelligence Officer for the Near East, both of the National Intelligence Council, and certain other members of the intelligence community.

**OSHA VIOLATIONS**

*Committee on Health, Education, Labor, and Pensions:* Subcommittee on Employment and Workplace Safety concluded a hearing to examine Occupational Safety and Health Administration (OSHA) violations, focusing on strategies for breaking dangerous patterns, after receiving testimony from Eric Frumin, Change to Win, New York, New York; Doris Morrow, United Food and Commercial Workers International Union (UFCW) Local 227, Robards, Kentucky; Carman J. Bianco, Behavioral Science Technology, Inc., Ojai, California; and Gerard Scannell, Washington, D.C.

**ACCOUNTABILITY FOR SEXUAL VIOLENCE IN WAR**

*Committee on the Judiciary:* Subcommittee on Human Rights and the Law concluded a hearing to examine rape as a weapon of war, focusing on accountability for sexual violence in conflict, after receiving testimony from Karin Wachter, International Rescue Committee, Kelly Dawn Askin, Open Society Justice Initiative, and Lisa F. Jackson, all of New York, New York; and Denis Mukwege, Panzi General Referral Hospital, Bukavu, South Kivu, Democratic Republic of the Congo.

**BUSINESS MEETING**

*Select Committee on Intelligence:* Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 9 public bills, H.R. 5668–5676; and 6 resolutions, H. Res. 1064, 1066–1070, were introduced. **Pages H1888–89**

**Additional Cosponsors:** **Pages H1889–90**

**Reports Filed:** Reports were filed today as follows:

H.R. 2016, to establish the National Landscape Conservation System, with an amendment (H. Rept. 110–561) and

H. Res. 1065, providing for consideration of the bill (H.R. 5501) to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria (H. Rept. 110–562). **Page H1888**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Israel to act as Speaker pro tempore for today. **Page H1825**

**Recess:** The House recessed at 10:59 a.m. and reconvened at noon. **Page H1828**

**Chaplain:** The prayer was offered by the guest Chaplain, Rev. Jeri B. Greenwell, National Chaplain, American Legion Auxiliary. **Page H1828**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Expressing the strong support of the House of Representatives for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Georgia and Ukraine:*** H. Res. 997, amended, to express the strong support of the House of Representatives for the North Atlantic Treaty Organization to enter into a Membership Action Plan with Georgia and Ukraine; **Pages H1832–36**

***Expressing the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations:*** H. Res. 185, amended, to express the sense of the House of Representatives regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations; **Pages H1836–39**

***Expressing the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexander Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death and about the security and proliferation of radioactive materials:*** H. Con. Res. 154, amended, to express the sense of Congress that the fatal radiation poisoning of Russian dissident and writer Alexander Litvinenko raises significant concerns about the potential involvement of elements of the Russian Government in Mr. Litvinenko's death and about the security and proliferation of radioactive materials; **Pages H1839–41**

***Civil Rights Act of 1964 Commemorative Coin Act:*** H.R. 2040, amended, to require the Secretary of the Treasury to mint coins in commemoration of

the semicentennial of the enactment of the Civil Rights Act of 1964; **Pages H1841–44**

***Expressing support for a national day of remembrance for Harriet Ross Tubman:*** H. Con. Res. 310, to express support for a national day of remembrance for Harriet Ross Tubman, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 150; **Pages H1844–47, H1865**

***Supporting the goals and ideals of Borderline Personality Awareness Month:*** H. Res. 1005, amended, to support the goals and ideals of Borderline Personality Awareness Month, by a ⅔ yea-and-nay vote of 414 yeas with none voting "nay", Roll No. 151; **Pages H1847–48, H1865–66**

Agreed to amend the title so as to read: "Supporting the goals and ideals of Borderline Personality Disorder Awareness Month.". **Page H1866**

***Supporting the goals, ideals, and history of National Women's History Month:*** H. Res. 1021, amended, to support the goals, ideals, and history of National Women's History Month, by a ⅔ yea-and-nay vote of 413 yeas with none voting "nay", Roll No. 152; **Pages H1848–51, H1866–67**

***Cody Grater Post Office Building Designation Act:*** H.R. 5168, to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the "Cody Grater Post Office Building"; **Pages H1851–52**

***Amending title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts:*** H.R. 5551, to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts; **Pages H1852–53**

***Preserving existing judgeships on the Superior Court of the District of Columbia:*** S. 550, to preserve existing judgeships on the Superior Court of the District of Columbia—clearing the measure for the President; **Pages H1853–54**

***Raising awareness and promoting education on the criminal justice system by establishing March 2008 as "National Criminal Justice Month":*** H. Res. 945, to raise awareness and promote education on the criminal justice system by establishing March 2008 as "National Criminal Justice Month"; **Pages H1854–57**

***Arts Require Timely Service (ARTS) Act:*** H.R. 1312, amended, to expedite adjudication of employer petitions for aliens of extraordinary artistic ability; and **Pages H1857–60**

***Commemorating the 40th anniversary of the assassination of Dr. Martin Luther King, Jr., and encouraging people of the United States to pause and remember the life and legacy of Dr. Martin Luther King, Jr.:*** H. Res. 1061, to commemorate the 40th anniversary of the assassination of Dr. Martin Luther King, Jr., and to encourage people of the United States to pause and remember the life and legacy of Dr. Martin Luther King, Jr. **Pages H1860–64**

**Discharge Petition:** Representative Boustany moved to discharge the Committee on Rules from the consideration of H. Res. 1025, providing for the consideration of the bill (H.R. 1843) to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers (Discharge Petition No. 6).

**Moment of Silence:** The House observed a moment of silence in honor of William L. Dickinson, former Member of Congress. **Page H1865**

**Committee Election:** The House agreed to H. Res. 1066, electing the following Members to serve on the Committee on Financial Services: Representative Foster and Representative Carson. **Page H1867**

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H1865, H1865–66, and H1866–67. There were no quorum calls.

**Adjournment:** The House met at 10:30 a.m. and adjourned at 7:18 p.m.

# *Committee Meetings*

## RURAL DEVELOPMENT

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Rural Development. Testimony was heard from Thomas Dorr, Under Secretary, Rural Development, USDA.

## FBI

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing on the FBI. Testimony was heard from Robert S. Mueller III, Director, FBI, Department of Justice.

## NATIONAL ARCHIVES

*Committee on Appropriations:* Subcommittee on Financial Services and General Government held a hearing on the National Archives. Testimony was heard from

Allen Weinstein, Archivist, National Archives and Records Administration.

## HOMELAND SECURITY'S OFFICE OF HEALTH CARE; PROTECTING THE NATION'S PHYSICAL AND CYBER INFRASTRUCTURE

*Committee on Appropriations:* Subcommittee on Homeland Security held a hearing on Department of Homeland Security, Office of Health Affairs. Testimony was heard from Jeffrey W. Runge, M.D., Assistant Secretary Health Affairs and Chief Medical Director, Department of Homeland Security.

The Subcommittee also held a hearing on Addressing the Challenges of Protecting the Nation's Physical and Cyber Infrastructure. Testimony was heard from the following officials of the Department of Homeland Security: Robert Jamison, Under Secretary, National Protection Programs Directorate; Robert Stephen, Assistant Secretary, Infrastructure Protection; and Gregory Garcia, Assistant Secretary, Cyber Security and Communications.

## NATIONAL ENDOWMENT FOR THE ARTS; ARTS ADVOCACY DAY

*Committee on Appropriations:* Subcommittee on Interior, Environment and Related Agencies held a hearing on National Endowment for the Arts and Arts Advocacy Day. Testimony was heard from Representatives Shays and Slaughter; Dana Gioia, Chairman, National Endowment for the Arts; and public witnesses.

## AIR MOBILITY/TRANSPORTATION COMMANDS BUDGET

*Committee on Armed Services:* Subcommittee on Air and Land Forces held a hearing on Fiscal Year 2009 National Defense Authorization Budget Request from the U.S. Transportation Command and Air Force Mobility Aircraft Programs. Testimony was heard from the following officials of the Department of the Air Force: GEN Arthur J. Lichte, USAF, Commander, Air Mobility Command; GEN Norton A. Schwartz, USAF, Commander, U.S. Transportation Command; and Sue Payton, Assistant Secretary, Acquisition.

## RESERVES/NATIONAL GUARD READINESS BUDGET

*Committee on Armed Services:* Subcommittee on Readiness held a hearing on Fiscal Year 2009 National Defense Authorization Budget Request on the Readiness of the Army and Air Force Reserves and National Guard Forces. Testimony was heard from the following officials of the National Guard Bureau: LTG H. Steven Blum, USA, Chief; LTG Clyde A. Vaughn, USA, Director, Army National Guard; and LTG Craig R. McKinley, USAF, Director, Air National Guard; LTG Jack Stultz, USA, Chief, U.S. Army Reserve; and LTG John A. Bradley, USAF, Chief, U.S. Air Force Reserve.

## CYBERSECURITY ENABLING NETWORK CENTRIC OPERATIONS

*Committee on Armed Services:* Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Holistic Approaches to Cybersecurity Enabling Network Centric Operations. Testimony was heard from public witnesses.

## ONLINE VIRTUAL WORLDS

*Committee on Energy and Commerce:* Subcommittee on Telecommunications and the Internet held a hearing entitled ''Online Virtual Worlds: Applications and Avatars in a User-Generated Medium.'' Testimony was heard from public witnesses.

## HOMELAND SECURITY SCIENCE AND TECHNOLOGY

*Committee on Homeland Security:* Subcommittee on Emerging Threats, Cybersecurity and Science and Technology held a hearing entitled ''The Future of Science and Technology at the Department of Homeland Security.'' Testimony was heard from Jay Cohen, Under Secretary, Science and Technology, Department of Homeland Security.

## NATIONAL VOTER REGISTRATION ACT—CHALLENGES THAT PUBLIC ASSISTANCE AGENCIES FACE

*Committee on House Administration:* Subcommittee on Elections held a hearing on the National Voter Registration Act, section 7: The Challenges that public assistance agencies face. Testimony was heard from Johnnie McLean, Chief Deputy Director, Board of Elections, North Carolina; Catherine Truss, Departmental Specialist, Department of Human Services, Michigan; and public witnesses.

## MILITARY RESERVE MEMBERS BANKRUPTCY PROTECTION

*Committee on the Judiciary:* Subcommittee on Commercial and Administrative Law held a hearing on H.R. 4044, To amend the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 to exempt from the means test in bankruptcy cases, for a limited period, qualifying reserve-component members who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 60 days. Testimony was heard from Representatives Schakowsky and Rohrabacher; and public witnesses.

## 9/11 WORKER HEALTH COMPENSATION

*Committee on the Judiciary:* Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law and the Subcommittee on Constitution, Civil Rights and Civil Liberties, joint hearing on Paying With Their Lives: The Status of Compensation for 9/11 Health Effects. Testimony was heard from Anne-Marie Lasowski, Acting Director, Education, Workforce and Income Security, GAO; Michael Cardozo, Corporation Counsel, City of New York; and public witnesses.

## U.S. HIV/AIDS, TB, MALARIA REAUTHORIZATION ACT

*Committee on Rules:* Granted, by voice vote, a rule providing for consideration of H.R. 5501, the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, under a structured rule. The rule provides 2 hours of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of Rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions of the bill. The rule makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of Rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Chairman Berman, Representatives McCollum of Minnesota, Carson of Indiana, Ros-Lehtinen, Fortenberry and Gingrey.

## CDC'S FEMA TRAILER TESTING

*Committee on Science and Technology:* Subcommittee on Investigations and Oversight held a hearing on Toxic Trailers: Have the Centers for Disease Control and Prevention Failed to Protect Public Health? Testimony was heard from the following officials of the Agency for Toxic Substances and Disease Registry, Department of Health and Human Services: Howard Frumkin, Director, Tom Sinks, Deputy Director, both with the National Center for Environmental Health; Harvey E. Johnson, Jr., Deputy Administrator, FEMA; Christopher De Rosa, former Director, Division of Technology and Environmental Medicine, Agency for Toxic Substances, and Disease Registry, Department of Health and Human Services; and public witnesses.

## CAPITOL COMPLEX OPERATIONAL NEEDS

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on A Growing Capitol Complex and Visitor Center: Needs for Transportation Security, Greening, Energy, and Maintenance Testimony was heard from Stephen T. Ayers, Acting Architect of the Capitol; Terrie Rouse, Chief Executive Officer for Visitor Services; Daniel P. Beard, Chief Administrative Officer of the House; Chief Philip Morse, U.S. Capitol; Emeka Moneme, Director, Department of Transportation, District of Columbia; and public witnesses.

## POST TRAUMATIC STRESS DISORDER

*Committee on Veterans' Affairs:* Subcommittee on Health held a hearing on PTSD Treatment and Research: Moving Ahead Toward Recovery. Testimony was heard from COL Charles W. Hoge, M.D., USA, Director, Division of Psychiatry and Neuroscience, Walter Reed Army Institute of Research, Department of the Army, Department of Defense; Ira Katz, M.D., Deputy Chief Patient Care Services Officer for Mental Health; Veterans Health Administration, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

## 2008 MEDICARE TRUSTEES REPORT

*Committee on Ways and Means:* Subcommittee on Health held a hearing on the 2008 Medicare Trustees Report. Testimony was heard from Richard S. Foster, Chief Actuary, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

## BRIEFING—CYBER TECHNOLOGY

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Cyber Technology. The Committee was briefed by departmental witnesses.

## DRILLING FOR ANSWERS—OIL COMPANY PROFITS

*Select Committee on Energy Independence and Global Warming:* Held a hearing on Drilling for Answers: Oil Company Profits, Runaway Prices and the Pursuit of Alternatives. Testimony was heard from public witnesses.

## COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 2, 2008

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Energy, 9:30 a.m., SD–124.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine National Labor Relations Board Representation elections and initial collective bargaining agreements, focusing on safeguarding workers' rights, 10:30 a.m., SD–138.

Subcommittee on Defense, to meet in closed session to examine National Reconnaissance Office (NRO)/Space Programs, 10:30 a.m., S–407, Capitol.

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the defense authorization request for fiscal year 2009 for the Cooperative Threat Reduction Program and the Proliferation Security Initiative at the Department of Defense, and nuclear nonproliferation programs at the National Nuclear Security Administration, and the future years defense program, 10 a.m., SR–232A.

Subcommittee on Readiness and Management Support, to hold hearings to examine the Department of Defense contracting in Iraq and Afghanistan, 2:30 p.m., SR–222.

*Committee on Commerce, Science, and Transportation:* business meeting to consider S. 2688, to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption, S.J. Res. 28, disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership, S. 2607, to make a technical correction to section 3009 of the Deficit Reduction Act of 2005, H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, H.R. 802, to amend the Act to Prevent Pollution from Ships to implement MARPOL Annex VI, and the nomination of Robert A. Sturgell, of Maryland, to be Administrator of the Federal Aviation Administration, 2:30 p.m., SR–253.

*Committee on Environment and Public Works:* to hold an oversight hearing to examine the listing decision for the polar bear under the Endangered Species Act, 10 a.m., SD–406.

*Committee on Foreign Relations:* to hold hearings to examine Iraq after the surge, focusing on military prospects, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine Iraq after the surge, focusing on political prospects, 2:30 p.m., SD–419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine nuclear terrorism, focusing on assessing the threat to the United States, 11 a.m., SD–342.

*Committee on the Judiciary:* to hold oversight hearings to examine the Department of Homeland Security, 9:30 a.m., SH–216.

### House

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Food and Drug Administration Center for Biologics Evaluation and Research, 11 a.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, on Outside Witnesses, 10 a.m., and on Legal Services Corporation, 2 p.m., H–309 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, on Department of Energy—Weapons Activities and Naval Reactors, 10 a.m., 2362–B Rayburn.

Subcommittee on Financial Services and General Government, on OPM, 10 a.m., 2220 Rayburn.

Subcommittee on Homeland Security, on Cargo, Container and Supply Chain Security, 10 a.m., 2359 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Indian Health Service, 11 a.m., B–308 Rayburn.

Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Department of Defense-Budget Overview, 1:30 p.m., H–143 Capitol.

Subcommittee on State, Foreign Operations, and Related Programs, on Contributions to International Peacekeeping Activities (CIPA) and the Contributions to International Organizations (CID) accounts, 10 a.m., 2358–C Rayburn.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on Highways and Transit Programs: The DOT Perspective on the Urgent Funding Needs for Today and Tomorrow, 10 a.m., and on Thoughts and Recommendations from the National Surface Transportation Policy and Revenue Study Commission, 2 p.m., 2358–A Rayburn.

*Committee on Energy and Commerce,* to mark up H.R. 1108, Family Smoking Prevention and Tobacco Control Act, 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Domestic and International Monetary Policy, Trade and Technology, hearing entitled "Proposed UIGEA Regulations: Burden without Benefit?" 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Subcommittee on International Organizations, Human Rights, and Oversight, hearing and briefing on the United Nations Peacekeeping Operations: An Underfunded International Mandate—the Role of the United States, 2 p.m., 2175 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on the Strategic Chaos and Taliban Resurgence in Afghanistan, 2 p.m., 210 Cannon.

*Committee on House Administration,* to consider the following: H.R. 5493, To provide that the usual day for paying salaries in or under the House of Representatives may be established by regulations of the Committee on House Administration; a measure To permit membership in the exercise facility established for employees of the House of Representatives and in the House Staff Fitness Program to be made available to other Federal employees who are assigned to official duty at the House of Representatives; H.R. 5036, Emergency Assistance for Secure Elections Act of 2008; H.R. 281, Universal Right to Vote by Mail Act of 2007; H.R. 3032, To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; and an amendment to Regulations Governing the Use of Official Funds: Alternate Ride Home, 11 a.m., 1310 Longworth.

*Committee on the Judiciary*, to mark up the following bills: H.R. 2176, To provide for an approve the settlement of certain land claims of the Bay Mills Indian Community; H.R. 4115, To provide for and approve the settlement of certain land claims of the Sault Ste. Marie Tribe of Chippewa Indians; H.R. 5570, Religious Worker Visa Extension Act of 2008; H.R. 5060, To amend the Immigration and Nationality Act to allow athletes admitted as nonimmigrants described in section 101(a)(15)(P) of such Act to renew their period of authorized admission in 5-year increments; H.R. 5569, To extend for 5 years the EB–5 regional center pilot program; H.R. 5571, To extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates; H.R. 1777, Need-Based Educational Aid Act of 2007; and a private relief bill, 10:15 a.m., 2141 Rayburn.

*Committee on Natural Resources,* to mark up the following bills: H.R. 3513, Cooper Salmon Wilderness Act; H.R. 5151, Wild Monongahela Act: A National Legacy for West Virginia's Special Places; H.R. 831, Coffman Cove Administrative Site Conveyance Act; and a H.R. 3734, Morley Nelson Snake River Birds of Prey National Conservation Area Act, 11 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Subcommittee on Information Policy, Census, and National Archives, hearing on Examining the Federal Advisory Committee Act (FACA) of 2008, 2 p.m., 2154 Rayburn.

*Committee on Rules,* to consider H.R. 4847, United States Fire Administration Reauthorization Act of 2007, 3:30 p.m., H–313 Capitol.

*Committee on Science and Technology,* Subcommittee on Research and Science Education, hearing on International Science and Technology Cooperation, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Economic Development, Public Buildings, and Energy Management, hearing on National Flood Plain Remapping: The Practical Impact, 9 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Oversight and Investigations, hearing on Traumatic Brain Injury (TBI) Related Vision Issues, 10 a.m., 334 Cannon.

*Permanent Select Committee on Intelligence*, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

*Select Committee on Energy Independence and Global Warming*, to meet to authorize the Select Committee to issue subpoenas to the EPA as necessary to obtain information concerning the EPA's regulatory response to the *Massachusetts* v. *EPA* decision and the Administration's finding of ''endangerment'' as provided for under the Clean Air Act; followed by a hearing entitled, ''From the Wright Brothers to the Right Solutions: Curbing Soaring Aviation Emissions,'' 1:30 p.m., 1310 Longworth.

## Joint Meetings

*Joint Congressional Committee on Inaugural Ceremonies—2008:* organizational business meeting to consider an original resolution authorizing expenditures for committee operations and committee's rules and procedure for the 110th Congress, 5:15 p.m., S–219, Capitol.

*Joint Economic Committee:* to hold hearings to examine the current economic outlook, 9:30 a.m., SD–106.

# Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

## DATA ON LEGISLATIVE ACTIVITY

January 3 through March 31, 2008

| | *Senate* | *House* | *Total* |
|---|---|---|---|
| Days in session | 45 | 32 | .. |
| Time in session | 248 hrs., 32′ | 183 hrs., 13′ | .. |
| Congressional Record: | | | |
| Pages of proceedings | 2,252 | 1,823 | .. |
| Extensions of Remarks | .. | 457 | .. |
| Public bills enacted into law | 8 | 10 | .. |
| Private bills enacted into law | .. | .. | .. |
| Bills in conference | 4 | 6 | .. |
| Measures passed, total | 93 | 158 | 251 |
| Senate bills | 12 | 7 | .. |
| House bills | 11 | 61 | .. |
| Senate joint resolutions | 1 | 1 | .. |
| House joint resolutions | .. | .. | .. |
| Senate concurrent resolutions | 6 | 2 | .. |
| House concurrent resolutions | 9 | 20 | .. |
| Simple resolutions | 54 | 67 | .. |
| Measures reported, total* | 28 | 54 | 82 |
| Senate bills | 22 | .. | .. |
| House bills | 4 | 32 | .. |
| Senate joint resolutions | .. | .. | .. |
| House joint resolutions | .. | .. | .. |
| Senate concurrent resolutions | 1 | .. | .. |
| House concurrent resolutions | .. | 1 | .. |
| Simple resolutions | 1 | 21 | .. |
| Special reports | .. | .. | .. |
| Conference reports | .. | .. | .. |
| Measures pending on calendar | 387 | 47 | .. |
| Measures introduced, total | 344 | 935 | 1,279 |
| Bills | 260 | 737 | .. |
| Joint resolutions | 3 | 4 | .. |
| Concurrent resolutions | 7 | 42 | .. |
| Simple resolutions | 74 | 152 | .. |
| Quorum calls | 1 | 2 | .. |
| Yea-and-nay votes | 85 | 110 | .. |
| Recorded votes | .. | 37 | .. |
| Bills vetoed | .. | 1 | .. |
| Vetoes overridden | .. | .. | .. |

* These figures include all measures reported, even if there was no accompanying report. A total of 22 reports have been filed in the Senate, a total of 53 reports have been filed in the House.

## DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through March 31, 2008

| | |
|---|---|
| Civilian nominations, totaling 293 (including 180 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 44 |
| Unconfirmed | 228 |
| Withdrawn | 21 |
| Other civilian nominations, totaling 502 (including 8 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 41 |
| Unconfirmed | 461 |
| Air Force nominations, totaling 4,795 (including 5 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,179 |
| Unconfirmed | 3,616 |
| Army nominations, totaling 1,245 (including 19 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 621 |
| Unconfirmed | 624 |
| Navy nominations, totaling 195 (including 3 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 95 |
| Unconfirmed | 100 |
| Marine Corps nominations, totaling 1,519 (including 1 nomination carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,501 |
| Unconfirmed | 18 |

*Summary*

| | |
|---|---|
| Total nominations carried over from the First Session | 216 |
| Total nominations received this Session | 8,333 |
| Total confirmed | 3,481 |
| Total unconfirmed | 5,047 |
| Total withdrawn | 21 |
| Total returned to the White House | 0 |

*Next Meeting of the* SENATE

9:30 a.m., Wednesday, April 2

Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the motion to proceed to consideration of H.R. 3221, New Direction for Energy Independence, National Security, and Consumer Protection Act.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 2

House Chamber

**Program for Wednesday:** Consideration of H.R. 5501—Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Subject to a Rule).

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