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House of Representatives

The House met at 10 a.m.

Dr. Carey D. Froelich, First Baptist Church, Baytown, Texas, offered the following prayer:

Holy and Gracious God, we bow before You in wonder and gratitude that You care about the affairs of mankind. Thank You for offering divine counsel and wisdom to these men and women to whom You have granted the privilege of governing.

Loving Father, empower each Member of this noble body with a vision of the common good. May the dynamic of partisan debate unify them in their resolve to serve our Nation as a whole. Grant to each participant the capacity and the courage to discern truth, to feel compassion, to recognize justice, and to act with integrity.

Lord, I pray that every servant in this House will recognize Your presence in this great Hall, and that all will experience the full measure of Your blessing as they conduct the affairs of our great Nation.

I pray in the name of Jesus Christ, the Wonderful Counselor upon whose shoulders the burden of governance has always rested. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. INGLIS) come forward and lead the House in the Pledge of Allegiance.

Mr. INGLIS 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.

ANNOUNCEMENT BY THE SPEAKER

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

REPORT INDICATES POLITICAL OBSTACLES AND UNLIKELY FUTURE PROGRESS IN IRAQ

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

Mr. WALZ of Minnesota. Madam Speaker, today House committees will hear from General Petraeus and Ambassador Crocker about the supposed progress being made in Iraq and the need to keep 140,000 U.S. troops there indefinitely. As we listen to this testimony, it is important to remember what our Nation's true goals are and what true, lasting security actually means.

A new report out this week from the same experts who advised the nonpartisan Independent Iraq Study Group concludes that political progress in Iraq is at best ''slow, halting and superficial,'' and political fragmentation is ''so pronounced'' that we are no closer to leaving Iraq than we were a year ago. The experts predict that it could take at least 5 to 10 years to produce any real, measurable political reconciliation.

Madam Speaker, I would hope that President Bush would read this new report so that he could see how people outside his administration are viewing the situation in Iraq. Such sobering and nonpartisan assessment should serve as a wake-up call that we should not leave 140,000 troops in Iraq indefinitely while the Iraqis are doing virtually nothing to live up to their promises.

UNITED NATIONS SPEECH POLICE

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

Mr. POE. Mr. Speaker, free speech is under attack again. This time the so-called U.N. Human Rights Council passed a resolution encouraging the criminalization of freedom of expression by the U.N. chief spokesman on speech. Egypt and Pakistan proposed the anti-speech resolution. What it does is promote specific criminal restrictions on individuals in the world who criticize or make negative comments about Islam.

According to the International World Tribune, ''Muslim countries have been demanding world limits on free speech ever since a Danish magazine published those not-so-flattering cartoons of Mohammad.'' So now the U.N. Human Rights Council wants to limit the human rights of free speech and religious discourse. Of course, this limit only applies to those who criticize one specific religion, Islam. Muslims are still permitted to bash Christians, Jews and Hindus.

Free speech cannot be limited because some group doesn't like what somebody says. That is what free speech means. The Human Rights Council was wrong when it surrendered to the Muslim speech police and passed this speech control resolution that advocates the criminalization of criticism of Islam.

And that's just the way it is.

CONGRESS MUST TAKE ACTION TO END THE WAR IN IRAQ

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

Mr. KUCINICH. Mr. Speaker, the President's representative from the military is on Capitol Hill urging us to continue to stay in Iraq, telling us to wait, don't leave.

What are we waiting for, until the cost of the war reaches $6 trillion, so

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that our American economy goes totally bust, so that we don't have any more money for education or health care or housing?

What are we waiting for, for the casualties to get to 10,000 or 20,000 deaths of our service men and women?

What are we waiting for, for America to stand alone against the world?

It is time that we take a new direction. It is time that Congress regain its rightful role as a coequal branch of government. It is not appropriate for leaders in Congress to say, well, it is the administration's fault that the war continues, when in fact we have the authority to cut off funds.

Congress must take a strong stand and say no more funding; end the war, stop the occupation, close the bases, bring the troops home, set in motion an international peacekeeping and security force that comes in as our troops leave, work for a program of reconciliation between the Shiites, the Sunnis, and the Kurds, work for a program of repatriations, and stop trying to control the oil of Iraq.

BMW PROVIDING ECONOMIC SUCCESS IN SOUTH CAROLINA

(Mr. INGLIS of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. INGLIS of South Carolina. Mr. Speaker, there are plenty of challenging news stories about the economy, and we in upstate South Carolina have had some of those experiences ourselves. It is worth celebrating some of the successes.

On March 10, BMW announced an additional $750 million expenditure at their Spartanburg, South Carolina, plant, bringing their total investment to $4.2 billion. They will add 500 employees to the 6,300 already there and 1,500 employee jobs will be added among the suppliers. Those suppliers, by the way, have invested $2.1 billion in South Carolina and have 12,000 employees.

It is very exciting to have this kind of news. It is also exciting to see the technology that BMW plans to employ in Spartanburg. They are going to bring clean diesel for the first time to the United States. It is going to be in the brand new X–6, all of which will be made in Spartanburg, South Carolina.

That car will also get 30 miles per gallon. Frank-Peter Arndt, their board member, explained that even at 125 miles an hour on the autobahn, the X–6 with the deep clean diesel will get 30 miles per gallon. It is a wonderful success worth celebrating.

HONORING AND CONGRATULATING THE BROWARD COUNTY SCHOOL DISTRICT IN FLORIDA

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to honor and congratulate the Broward County School District in Florida for leading the Nation in National Board Certified Teachers. Currently, Broward County has a total of 1,307 National Board Certified Teachers, up 270 teachers from last year. This is truly a testament to the dedication of teachers in Broward County to improving the quality of education in their classrooms.

National Board Certified Teachers are among the most advanced and highly qualified teachers in our country. By pursuing this high degree of certification, the teachers of Broward County have demonstrated their commitment to elevating and improving instruction in their schools. They will also join the tens of thousands of other teachers from across the country in an effort to improve student achievement nationwide.

I strongly believe that teachers have one of the most difficult and thankless jobs in America. However, the work they do is so critical to the success of our future generations.

As a parent, I would like to personally thank the teachers of Broward County for their dedication to the teaching profession. The knowledge and skills that they have developed in earning this certification will benefit students for generations to come.

I would also like to congratulate the members of the School Board of Broward County for this tremendous accomplishment. Broward County has truly raised the standards for teacher certification in school districts across the country.

ASTONISHING REVERSALS BEING ACCOMPLISHED IN IRAQ

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

Mrs. BLACKBURN. Mr. Speaker, this is an important week here as we are hearing the updated assessments from General David Petraeus and Ambassador Ryan Crocker.

Under the leadership of General Petraeus, our troops in Iraq have accomplished an astonishing reversal in a nation that was on the road to crippling ethno-sectarian violence just 18 months ago. One of the statistics that we are seeing is that these ethno-sectarian killings are down 90 percent. And with the security provided by coalition troops, the Iraqi parliament is now learning how to work as a parliament as a legislative body to negotiate and to cooperate.

By passing their 2008 budget this February, the Iraqis demonstrated their commitment to bolstering security gains by working toward reconciliation, stability, and economic growth.

The people of a Muslim state in the heart of the Middle East have rejected violence and extremism, they have cast their lot with the modern world and they have chose freedom. It is significant, Mr. Speaker.

BAD JOB NUMBERS SHOW THE NEED FOR A SECOND ECONOMIC STIMULUS PACKAGE

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

Mr. WILSON of Ohio. Mr. Speaker, American families are facing real hardships as news of the slowing economy continues to make headlines. The latest troubles came with the release of the March job numbers, the fact that 80,000 people lost their jobs last month. This was not only the third straight month of job losses, but it also was the worst in the last 5 years.

Clearly, Washington must do more to stimulate the economy and assist middle-class families. Already this year, working in a bipartisan way, the Democratic Congress enacted an economic stimulus package that will give families in real need relief by providing recovery rebates starting this next month, raising loan limits for mortgages, and backing the Federal Housing Administration.

This is a good start, but it can't be the end of our efforts to reverse the negative impact of 7 years of failed economic policies.

Mr. Speaker, we did earlier this year what Democrats need to do, and that is pursue commonsense solutions to what our problems are and help get our economy back on track, create jobs, and speed assistance to families that are struggling.

BRINGING AN END TO HATEFUL SPEECH IN THE MIDDLE EAST

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

Mr. PITTS. Mr. Speaker, the Middle East Research Institute, which monitors extremist media, recently reported on a disturbing children's production that aired on Hamas TV. The program, aimed at a child audience, depicted a little boy who accuses President Bush, along with Israel, of killing his family. In the show, the boy proceeds to take out a sword and stabs the President to death. This is a children's program.

There is little chance for peace in the Middle East if the young minds of the region are polluted with this type of hatred and violence. Many young people in the region are being exposed to similar messages in their school textbooks.

I commend the Council of Religious Leaders in the Holy Land, religious leaders from the Jewish, Christian, and Muslim faith who are working together to counter this type of hate speech and violent message, and they do it with moral authority. We need more brave leaders like those on the Council if we are going to create a condition for peacemaking in the Middle East.

□ 1015

IRAQ WAR IS COSTING US MILLIONS AT HOME

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

Mr. COHEN. Mr. Speaker, every day that we spend money in Iraq means missed opportunities to invest in priorities here at home. While the Bush administration spends $339 million a day in Iraq, we are diverting money from our Nation's needs.

With that $339 million that we spend today, we could instead ensure that 2.6 million Americans have access to medical and dental care at community health centers. We can provide 955,000 families with help for their energy bills, and we could hire 50,000 more cops to protect our citizens on our streets.

With the funds we are spending in Iraq today we could also provide 937,000 grants for research into diseases like cancer, Alzheimer's and diabetes, provide 317,000 kids with vaccinations and could send 18,000 more students to school.

The millions we are pumping into Iraq today is desperately needed here at home as this country stares recession in the face. Yet President Bush continues to recommend nothing but the status quo in Iraq.

Put America first.

HELP OUR FARMERS AND OUR AGRICULTURAL COMMUNITY

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

Mrs. MILLER of Michigan. Mr. Speaker, hopefully in the very near future Congress will be ready to vote on a new farm bill, one that would help our farmers and our agricultural community continue to do what they do so very well, feed America and help feed the entire world.

We recognize and we encourage the very hard work and the ongoing negotiations between the House, the Senate and the administration as we face the expiration of the current farm bill on April 18. But planting season is here, and our farmers are faced with difficult decisions about what crops to plant and how much without knowing what direction the Federal Government is moving, and yet we look to our farmers to provide us with a stable food supply. There are many issues affecting the development of every farmer's business plan this year and into the next, certainly the rising prices of fuel and other costs as well, but the uncertainty of the national farm program needs to be resolved as quickly as possible.

I look forward to working together with our House and our Senate leaders and the administration on a successful piece of legislation that will serve our farmers and all Americans fairly and well.

IRAQ WAR AND OUR ECONOMY

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

Ms. LEE. Mr. Speaker, American families continue to struggle in the face of this recession and yet in 1 day the Bush administration spends $339 million on the war in Iraq.

As General Petraeus and Ambassador Crocker appear before Congress this week to defend this occupation, congressional Democrats have many questions about the costs of this occupation. This country has spent more than $500 billion in Iraq. It could go up to 3 to $4 trillion. Yet 47 million Americans have no health insurance.

Last month, then GAO Comptroller David Walker stated the Iraqis have a budget surplus. We have a huge budget deficit.

One of the questions is who should be paying? That's a really good question, considering that we are currently pumping billions of dollars into this war, which is stimulating economies in Iraq, Kuwait and Saudi Arabia while the American economy is in recession. What about investing money here instead of in education, health care and infrastructure to create jobs?

This occupation has placed a massive human and financial cost on the United States, and yet President Bush demands more of the same. We must end this occupation and bring our troops home.

ADDRESSING ENTITLEMENT SPENDING WILL REQUIRE BIPARTISAN LEADERSHIP

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

Mr. WOLF. Mr. Speaker, in his first speech in the British Parliament in 1789 describing the slave trade, William Wilberforce concluded by telling his colleagues this: ''Having heard all of this you may choose to look the other way, but you can never again say you did not know.''

None of us can say that we do not know about the Nation's long-term financial outlook, which former Comptroller General David Walker said will result in a tsunami of spending debt level that will swamp our ship of state. It is time that this Congress and this administration and Secretary Paulson wake up to the massive debt that we are amassing.

Congressman JIM COOPER and I are working together on a bipartisan plan called the SAFE Commission, where 78 colleagues are with us. If there are other bipartisan solutions that you all have, put them on the table and let's get them discussed. It will take the leadership on a Wilberforce level from both sides of the aisle.

We know what is happening, and for the sake of our children and our grandchildren, we must not look the other way. Wilberforce said, and I close, having heard all of this, you may choose to look the other way, but you can never again say you did not know.

FIRST APOSTOLIC VISIT OF POPE BENEDICT XVI

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

Mr. BACA. Mr. Speaker, I am here in support of House Resolution 838.

As a Catholic and as a member of the Rialto St. Catherine's Church, I humbly welcome His Holiness, Pope Benedict XVI, on his first apostolic visit to the United States. Tomorrow we will have a once-in-a-lifetime opportunity to present a special service to His Holiness.

In faith, his presence will be felt nationwide by Catholics and non-Catholics. However, His Holiness wants us to focus on Jesus Christ, not the person of the Pope. This is his wish since when he was named at the highest office of the Catholic Church, to humbly quote His Holiness, ''I shall come to the United States as pope for the first time to proclaim this great truth: Jesus Christ is hope for men and women of every language, race, culture and social condition.''

His Holiness comes with unity and hope for everyone cutting through the language barriers. ''Christ is our Hope'' is his message for us.

I stand here in support of H.R. 838 and humbly welcome His Holiness to this country awaiting his message of hope and unity.

CELEBRATING THE LIVES OF OUR FALLEN HEROES

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

Mrs. SCHMIDT. Mr. Speaker, tonight in my community we will celebrate the lives of our fallen heroes who have fought so bravely to defend our freedom, including our own Matt Maupin.

Today General Petraeus and Ambassador Crocker will speak to us and report on the surge and its success. As we debate this issue, I ask that we continue to support our men and women who have chosen to wear the uniform of our country and fight to keep us free. They know all too well freedom is not free.

FIRST APOSTOLIC VISIT OF POPE BENEDICT XVI

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

Mr. DONNELLY. Mr. Speaker, on behalf of our county and my congressional district, which includes the University of Notre Dame, we want to welcome Pope Benedict XVI on his first apostolic visit to the United States.

He is a highly regarded theologian and scholar, having written over 25

books. Reconciliation and peace have been the major themes of his papacy. He has focused on the dignity of the human person, standing behind refugees, exiles and others.

We welcome Pope Benedict XVI to our beloved country. He has been a leader for peace, and we look forward to his visit.

SEND OUR ATHLETES TO THE BEIJING OLYMPICS BUT NOT OUR POLITICIANS

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

Mr. McCOTTER. Mr. Speaker, as the Olympic torch goes through San Francisco today, I would just like to bring attention to the fact that I, as well as others on each side of the aisle, will be introducing legislation to ensure that we send our athletes to the games but not our politicians.

In the past, America has sent their athletes to the Olympics to show what free people can achieve, most notably in 1936 when Jesse Owens won gold and disabused the world of the Fuhrer's propaganda that there was an inferior race amongst us. FDR did not go to the Olympics.

I would encourage American politicians, including the President of the United States, not to politicize the games by their attendance, but rather stay home and attend to the pressing issues which face us as a people. This would be the proper way for the United States to both honor the spirit of the Olympics and the spirit of our free people.

HOW MUCH LONGER WILL OUR TROOPS CONTINUE TO SACRIFICE?

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

Mr. ARCURI. Mr. Speaker, yesterday General Petraeus and Ambassador Crocker made it clear that the Bush administration intends to continue its current strategy in Iraq with no changes, despite absolutely no progress on political reconciliation.

Today when we listen to both General Petraeus and Ambassador Crocker testify again, it's important to remember that the principal objective of the President's troop escalation plan was to give the Iraq Government time and the proper environment to create political reconciliation.

I recently returned from Iraq, and it's obvious that the political reconciliation that we hoped for is not taking place. They have had both, but the reconciliation remains elusive. General Petraeus himself has admitted that there has been no sufficient progress by any means in the area of national reconciliation in Iraq.

How much longer will General Petraeus and Ambassador Crocker and this administration demand our troops and our Nation continue to sacrifice for the sake of an Iraqi government that is unwilling and unable to secure its own future? I would like to hear the answer to that question today, because many of us here in Congress do not believe it is our Nation's best interest to keep more troops on the ground in Iraq.

FREEDOM AND FAIR TRADE

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

Mr. KAGEN. Mr. Speaker, what kind of Nation would we be if we did not stand up and speak out in favor of liberty everywhere in the world?

On January 6, 1941, right here in this Congress, President Franklin Delano Roosevelt enunciated a voice for all the world, our four essential human freedoms, freedom from fear, freedom from want, freedom of speech and freedom to worship God in one's own way. These are the freedoms we fought two world wars for and won. These are the freedoms we must endorse everywhere in the world. I encourage the current leaders of Communist China to support these four essential human freedoms everywhere in the world.

Soon, very soon, the Olympic games will be held in China, and wouldn't it be grand if China would compete fairly and openly on a level playing field, not just in the Olympic games but in marketing their products as well. We must ship our values overseas, not our jobs.

That is the goal of our presence here on this floor. We must represent people here in these United States, not in China.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISRAEL). 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.

WELCOMING HIS HOLINESS POPE BENEDICT XVI ON HIS FIRST APOSTOLIC VISIT TO THE UNITED STATES

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 838) welcoming His Holiness Pope Benedict XVI on his first apostolic visit to the United States, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 838

Whereas Joseph Alois Ratzinger ascended to the Papacy and chose the name Benedict XVI on April 19, 2005, becoming the 265th reigning Pope in the history of the Roman Catholic Church;

Whereas he was born and baptized on April 16, 1927, in Marktl am Inn, Germany;

Whereas he was required to leave seminary at the age of 16 and forced into military service for Nazi Germany;

Whereas he risked grave danger by defecting from the Nazi anti-aircraft corps in 1945 and subsequently spent time in an Allied prisoner of war camp;

Whereas he was ordained to the priesthood on June 29, 1951;

Whereas he is a highly regarded theologian and scholar, having served in various university posts from 1959 until 1977;

Whereas he has written 25 books and given thousands of hours of lectures, making him one of the most prolific theologians in modern times;

Whereas he participated as a theological advisor to the Second Vatican Council from 1962 until 1965;

Whereas he was appointed Archbishop of Munich and Freising in Germany on March 24, 1977, and ordained a bishop on May 28, 1977;

Whereas he was elevated to cardinal on June 27, 1977;

Whereas he was appointed Prefect of the Congregation for the Doctrine of the Faith and President of the Pontifical Biblical Commission on November 25, 1981;

Whereas he was elected Dean of the College of Cardinals on November 27, 2002;

Whereas Cardinal Joseph Ratzinger was installed as Bishop of Rome on April 24, 2005;

Whereas Pope Benedict XVI has made repeated calls for peaceful resolutions to international conflicts;

Whereas Pope Benedict XVI has made reconciliation and peace an important goal of his Papacy on an ecumenical level reaching out to both Orthodox and Protestant Churches and in an inter-religious manner with Judaism and Islam;

Whereas Pope Benedict XVI has affirmed the dignity of the human person with respect to refugees, exiles, evacuees, and other migrant persons;

Whereas Pope Benedict XVI has decried the imminent dangers posed by terrorism and extremism; and

Whereas Pope Benedict XVI has identified the failed revolutions and violent ideologies of the 20th century as being the result of the ''Dictatorship of Relativism'': Now, therefore, be it

Resolved, That the United States House of Representatives welcomes His Holiness Pope Benedict XVI on his first apostolic visit to the United States.

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

I would first like to commend my distinguished colleague, Representative MCCOTTER of Michigan, for introducing this timely and important measure.

Next week, His Holiness, Pope Benedict XVI, will make his first apostolic visit to the United States. It is appropriate that the House support H. Res. 838 in welcoming this distinguished leader of a church, which has more than 1 billion members worldwide.

During his 5-day visit, Pope Benedict will hold numerous meetings in Washington, DC, and New York City. His schedule includes a private conversation with President Bush, a candle lighting and prayer service at Ground Zero, and two widely anticipated masses—at the brand new Nationals Park and the venerable Yankee Stadium. He will be only the third person in history to address the United Nations General Assembly.

In addition to meeting U.S. bishops and Catholic groups, Pope Benedict will spend time with members of non-Christian faiths. In particular, he will meet with representatives of Jewish groups to acknowledge the start of Passover.

□ 1030

This practice is very much in keeping with Pope Benedict's stated emphasis on reconciliation and faith at the ecumenical level, as he has sought to foster dialogue with a range of religious groups.

And last but not least, during his visit to our country Pope Benedict will celebrate an important milestone, his 81st birthday.

Joseph Ratzinger was born and baptized on April 16, 1927, in Marktl am Inn, Germany. Forced to leave seminary at the age of 16 for compulsory military service with the Nazi anti-aircraft corps, he defected at great personal risk and spent time in an Allied prisoner of war camp.

In 1951, he was ordained to the priesthood, embarking on a career as one of the most prolific theologians in modern times. He served in numerous university posts, authored 25 books and thousands of hours of lectures, and participated as a theological adviser to the Second Vatican Council.

Before becoming Pope, he distinguished himself first as Archbishop of Munich and Freising, and then dean of the College of Cardinals, and finally as the Bishop of Rome.

He ascended to the Papacy on April 19, 2005. After nine apostolic visits in Europe and one to Brazil, the 265th pontiff is now traveling to the United States. It is with great pleasure that I welcome him to our country, the home of more than 66 million Catholics. I ask my colleagues to join me in support of this resolution.

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

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

Mr. Speaker, I also rise in support of H. Res. 838 extending this Chamber's welcome to Pope Benedict XVI who will be making his first visit to the United States next week in his role as leader of the Catholic Church.

Pope Benedict was elected to the Papacy just 3 years ago, succeeding Pope John Paul II, who had led the Catholic Church for close to three decades.

The Holy Father's visit provides an opportunity to reflect on his life and his teachings. Pope Benedict has devoted his life to his faith and to the promotion of peace. From his early days as a priest, he has also sought to inspire others to always search for the truth.

On May 28, 1977, over 30 years ago, he declared that his duty was to ''follow the truth and be at its service.'' On that occasion, he went on to say, ''In today's world the theme of truth is omitted almost entirely, as something too great for man, and yet everything collapses if truth is missing.''

Moreover, Pope Benedict has spent his years of service in the church in an effort to clarify the tenets of the Catholic faith. After serving as president of the commission that reviewed the Catholic Catechism, he presented a new Catechism to Pope John Paul II.

To date, he has written 25 books, which are now used as reference sources for many who are interested in a deeper study of theology. He served as the adviser of theological affairs to the Second Ecumenical Vatican Council, a gathering of great importance that was the largest in the church's history. This council adopted significant changes in the doctrines of the Catholic Church and its central legacy—its reforms—were meant to ensure that the heart of the church and its mission would be focused on helping people.

The council urged greater engagement by the church to elevate the dignity of all human life, to ease suffering, end poverty in needy countries, and to promote international peace. This council was also intent on encouraging reconciliation between those in the Catholic Church and those of other beliefs.

Since ascending to the Papacy in April of 2005, the Pope has advanced those doctrines in church affairs, particularly in inter-religious dialogue.

On September 7, 2007, Pope Benedict visited Austria, where he joined Jewish leaders in a silent tribute to the victims of the Nazi Holocaust, and he joined Vienna's chief rabbi in a memorial to the 65,000 Viennese Jews who perished in Nazi death camps.

During his time in the United States, he will visit the Park Street Synagogue in New York City and he will meet with Holocaust survivor Rabbi Arthur Schneier.

Monsignor David Malloy, general secretary of the U.S. Conference of Catholic Bishops, said of this meeting: ''By this personal and informal visit, which is not part of his official program, His Holiness wishes to express his good will toward the local Jewish community as they prepare for Passover.''

In October of 2006, Pope Benedict met with the Dalai Lama in the Vatican. And when he visited Turkey, he prayed at the Blue Mosque, and he now plans to meet with Muslim scholars and religious leaders at a Catholic-Muslim seminar to be held later this year in Rome.

Pope Benedict has underscored his support for interfaith reconciliation with statements such as the following: ''If friendship with God becomes for us something even more important and decisive, then we will begin to love those whom God loves and who are in need of us. God wants us to be friends of his friends and we can be so.''

Mr. Speaker, Pope Benedict's wise words of inspiration, hope, and peace can serve to guide all of us. It is my pleasure to rise in support of this resolution welcoming His Holiness Pope Benedict XVI to the United States.

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

Mr. PAYNE. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Speaker, I rise today in support of H. Res. 838 to welcome His Holiness Pope Benedict XVI on his first apostolic visit to the United States, and to honor a key reason for his visit: The bicentennial of the Archdiocese of Louisville.

Only Baltimore and New Orleans retain older Archdioceses than the four created by Pope Pius VII 200 years ago yesterday. It was on that day, April 8, 1808, that His Holiness created a diocese in New York, Boston, Philadelphia, and Bardstown, Kentucky. To be Bishop in Bardstown, he tabbed an exile of the French Revolution, Benedict Joseph Flaget, a name revered in Louisville to this day.

Dubbed the ''First Bishop of the West,'' Bishop Flaget was responsible for an area that now covers more than 40 dioceses. He immediately led a spirited period of growth in the area, establishing numerous seminaries, churches, and schools where none had existed before. For many, these institutions provided the lone opportunity to pursue a quality education and reinforce one's faith.

And it was Bishop Flaget, in 1841, who moved the Bardstown diocese to the burgeoning city of Louisville. With the diocese at its core, a strong Catholic community grew in Louisville and in the surrounding areas; one united not only by a shared faith, but by a mutual moral sense of community, education and service.

That community grew and thrived for nearly a century, and in 1937 became the Archdiocese of Louisville as we know it today, now serving over a million people and 24 Kentucky counties. It was in service to the Archdiocese of Louisville that Thomas Merton, one of the most influential religious authors of the 20th century, had his legendary ''Louisville Epiphany'' that led to an impassioned and inspired quest for peace and social justice.

The Archdiocese of Lousiville also operates Catholic Charities of Louisville which offers countless services to people of all religious, ethnic, social, and economic backgrounds throughout our community. The efforts of Catholic Charities can be seen in every corner of Louisville, giving hope to disadvantaged youth, assisting the elderly, lending support to those who need help to stand on their own, and revitalizing neighborhoods that have fallen into disarray.

We also have the Archdiocese to thank for one of the truly outstanding parochial school systems in the Nation. For more than a century, and through every stage of a young person's development, Louisville's Catholic schools have helped to foster generations of great citizens, role models and leaders.

During my tenure representing Louisville in Congress, I have had the pleasure of serving alongside two Archbishops. Archbishop Thomas Kelly retired this past year after a quarter century defined by interfaith outreach, multi-cultural ministry, and a commitment to social services. Archbishop Joseph Kurtz now leads the Archdiocese, and in his first year, he has shown the leadership abilities and initiative to build upon the incredible foundation already in place in Louisville.

The theme for this year's bicentennial is ''Serving God's People: Yesterday, Today and Tomorrow.'' It is a fitting tribute to an institution that has always done and continues to do exactly that: Serve all of the people of the Louisville area through acts of faith, peace and kindness.

Extraordinary is nothing new for the Archdiocese of Louisville. Still an Apostolic visit to the United States from His Holiness Pope Benedict XVI to mark the bicentennial is a recognition that will be forever treasured by our community. I join my colleagues in thanking and welcoming His Holiness to the United States of America, and know they join me in honoring the Archdiocese of Louisville on its bicentennial and thanking our Catholic community for two centuries of faith and service.

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield such time as he may consume to the gentleman from Michigan (Mr. MCCOTTER) who is the author of this resolution.

Mr. MCCOTTER. Mr. Speaker, first I would like to thank Chairman BERMAN, Ranking Member ROS-LEHTINEN, and all of the members of the Foreign Affairs Committee for bringing this resolution to the floor.

You know, I remember back when I was growing up there was a movie, and the movie was called ''A Hard Day's Night.'' This was at the height of Beatlemania, and the Beatles had obviously been wildly popular and well-received when they first hit our shores. And yet in the movie there is a scene where a reporter, seemingly unaware of this, asked John Lennon a question. And the question was this: ''How did you find America?''

And Lennon said, ''I turned left at Greenland.''

The point I bring this up for is quite simple. Today we hear many inane questions about how His Holiness will be received by the American people. How will America find the Pope? How will the Pope find America? Well, I think these questions are inane for a very simple reason: The United States understands the Holy Father because he advocates that we use faith and reason to find our way through these trying times and on to a transcendent Creator.

The United States, our revolutionary experiment in human freedom, was founded upon faith and reason. The Founders had the faith that they were playing a role in divine provenance, that they had rights that were endowed to them and inalienable by a Creator. And yet it was not passion alone that allowed for the founding of our free republic; they also used their reason to find their way to express how those rights could be guaranteed against government, and how individual citizens could live together with their rights to life, liberty and the pursuit of happiness.

This is no different than the message that the Holy Father brings today. The Holy Father has said that faith and reason are concomitant blessings from God which allow us to find him not only in ourselves but in each other.

So as Americans await the Pope's first visit, I am not saying that there will be teenyboppers dropping in the streets as the popemobile passes, but I do say His Holiness will receive a warm reception from people who have understood and who continue to understand that faith and reason are gifts from God we squander at our own peril.

Mrs. BACHMANN. Mr. Speaker, I rise in support of H. Res. 838, welcoming His Holiness Pope Benedict XVI on his first apostolic visit to the United States. For centuries, Popes have provided inspiration and a strong foundation of faith for millions of Catholics around the world and many non-Catholics as well. As spiritual leader of the Roman Catholic Church, the Pope serves as the impassioned defender of Catholic doctrine and values, a role this Pope has taken to new heights.

On April 19, 2005, Catholics everywhere were introduced to Pope Benedict XVI, and in just 3 years, the Pope has emerged as a vocal and effective advocate, combating what many see as the world's sloping trend towards secularism. Rather than steering the Catholic Church towards a more moderate and relaxed approach to worship, Pope Benedict XVI has demonstrated the benefit and need of returning to fundamental Christian values. Certainly, it is not easy for a leader to take such a bold stand that bucks popular trends and culture, but it is an example of pure conviction and true leadership that inspires millions of Catholic believers.

Mr. Speaker, I am honored to welcome Pope Benedict XVI to America as he continues to spread his message of faith, love, and service in Christ. Millions are inspired by his presence; and his passionate convictions cast a light that all Catholics strive to follow. Your Holiness, it is my honor to join in welcoming you to the United States.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 838, 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 THE HOUSE REGARDING CARIBBEAN DRUG CRIME

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 865) expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with Caribbean countries to address crime and violence in the region, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 865

Whereas, in his 2006 New Year's address, then Prime Minister of Jamaica, P.J. Patterson, said, ''Without a doubt, the high level of violent crime remains our most troubling and pressing problem.'';

Whereas, in opening the Parliament of Trinidad and Tobago in September 2005, President George Maxwell Richards said his country was in crisis due to the escalating crime rate;

Whereas, in March 2007, the United Nations Office on Drugs and Crime (UNODC) and the International Bank for Reconstruction and Development (World Bank) issued a report entitled, ''Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean'';

Whereas the UNODC and World Bank report presents detailed analyses of crime and violence in the Caribbean region and offers possible policy responses;

Whereas the UNODC and World Bank report draws on input from governments, civil society organizations, and Caribbean experts;

Whereas the UNODC and World Bank report that the Caribbean region has the highest murder and assault rates in the world, with murder rates at 4 times the level of the United States;

Whereas the UNODC and World Bank report that high crime levels have long term developmental effects on the Caribbean:

(1) crime cost the Jamaican economy $12,400,000,000 in Jamaican dollars, 3.7 percent of its gross domestic product, in 2001; and

(2) reducing the region-wide homicide rate by ⅓ could over double the rate of economic growth per capita; and

Whereas the UNODC and World Bank report reached the following conclusions:

(1) Caribbean countries are transit points and not producers of cocaine. Interdiction needs to be complemented by other strategies outside the region: principally demand reduction in consumer countries and eradication and/or alternative development in producer countries;

(2) illegal gun trafficking is a dangerous outgrowth of the drug trade. Better enforcement methods help, as can improved gun interdiction in ports;

(3) deaths and injuries from youth violence constitute a major threat to public health and social and economic progress across the Caribbean. Youth are disproportionately represented in the ranks of both victims and perpetrators of crime and violence;

(4) although the average deportee from the United States to the Caribbean is not involved in criminal activity, a minority of deportees may be causing serious problems, both by direct involvement in crime and by providing a perverse role model for youth. The report recommends that more services be offered to reintegrate deportees, with deporting countries contributing to the cost of these programs;

(5) some types of crime, such as organized crime and drug and illegal firearms trafficking, are impervious to alternative prevention initiatives and require an efficient criminal justice system, and therefore urgent priorities for improving the criminal justice system in the region include the development of management information systems, tracking of justice system performance, monitoring of reform programs, and increased accountability to citizens;

(6) several Caribbean countries are increasingly investing in crime prevention—using approaches such as integrated citizen security programs, crime prevention through environmental design, and a public health approach that focuses on risk factors for violent behaviors;

(7) youth violence is a particularly serious problem in the region, and youth homicide rates in several countries of the region are significantly above the world average. To address issues of youth violence, Caribbean policymakers should invest in programs that have been shown to be successful in careful evaluations such as: (i) early childhood development and mentoring programs; (ii) interventions to keep high risk youth in secondary schools; and (iii) opening schools after hours and on weekends to offer additional activities and training; and

(8) many of the issues facing the Caribbean transcend national boundaries and require a coordinated regional and international response. Demand for drugs emanates from Europe and the United States; deportees are sent back to the region from the United States, the United Kingdom, and Canada; and many weapons that are trafficked are brought from the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) welcomes the recommendations for more effective law enforcement and crime prevention efforts contained in the March 2007 UNODC and World Bank report, ''Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean'', to the extent those recommendations do not conflict with existing U.S. law;

(2) urges the United States Government to consider fully and carefully the recommendations in the UNODC and World Bank Report and to take the recommendations into account when developing United States policy toward the current member states of the Caribbean Community (CARICOM) and the Dominican Republic;

(3) urges the governments of United States and other drug-consuming countries to increase counter-narcotics assistance to the current member states of CARICOM and the Dominican Republic;

(4) urges the United States Government to increase coordination on policy development and implementation with the current member states of CARICOM and the Dominican Republic to help combat crime and violence in the region;

(5) urges the Department of State and the Department of Homeland Security to work with the current member states of CARICOM and the Dominican Republic to mitigate the negative effects of United States deportation policy;

(6) urges the current member states of CARICOM and the Dominican Republic to consider fully and carefully the recommendations in the UNODC and World Bank Report, and to take the recommendations into account, especially regarding improvements in their criminal justice systems; and

(7) urges the United States Government to consider the impact on the current member states of CARICOM and the Dominican Republic of the proposed Merida Initiative to combat drugs, violence, and transnational crime in Mexico and Central America, especially whether a successful plan will drive narco-traffickers from Mexico and Central America to the current member states of CARICOM or the Dominican Republic.

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Over the past decade, the level of crime and violence throughout the Caribbean basin has increased. Last year, the United Nations and the World Bank issued a joint report titled, ''Crime, Violence, and Development: Trends, Costs and Policy Options in the Caribbean'' which confirms this trend.

The report makes a very disturbing finding: Crime and violence have generally increased in the Caribbean, to the point where the region as a whole now possesses the highest overall crime rate of any region in the world.

While I note that each member of the Caribbean community is different, and that some countries are successful in maintaining relatively low levels of crime, the report's numbers, while taken as a whole, are alarming. They document extremely high levels of murder, rape, and drug trafficking on a massive scale.

If the high levels of crime and violence in the Caribbean persist, they will undermine long-term economic development by eroding the region's trade, commerce, and tourism.

□ 1045

The impact of this regional law and order would have a crisis which could extend beyond the borders of CARICOM states by impacting immigration patterns to the United States and by undermining our efforts to fight organized crime and drug trade. Regional instability related to crime and violence in the region could also undermine U.S. border security efforts.

As the report points out, the United States is part of the cause of some of these problems, and we could also be a big part in the solution. Our allies in the Caribbean stand ready to partner with us in finding workable solutions. We have an opportunity to address this problem before it destabilizes much of the hemisphere and jeopardizes U.S. security.

I urge my colleagues to support H. Res. 865 and the accompanying amendment in the nature of a substitute to express the sense of the House that the United States and its CARICOM allies take up the U.N./World Bank report's recommendations and work together to solve this potentially devastating problem before it's too late.

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

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

The alarming rate of crime and violence in the Caribbean region cannot be ignored. Several countries have reached the point of crisis, while attempting to counter the social, economic and political repercussions of organized gangs and narcotrafficking.

Murder rates in the Caribbean are higher than in any other region in the world, and have risen in recent years for many of the countries in the region. Recent increases in kidnappings have been observed in the region over the past few years, and assault rates, based on police reports, are significantly above the world average.

Serving as seemingly insurmountable obstacles to the economic and social progress of countries in the Caribbean, the pervasive nature of crime and violence again cannot be ignored. We have a shared responsibility to confront this threat and engage in coordinated efforts that improve the quality of life for all of our communities.

The security threats faced in the Western Hemisphere as a result of violence and narcotrafficking call for strong action on the part of our government. So far, our partnerships with countries throughout the hemisphere are demonstrating significant success in the fight against drugs and crime; such as the case of Colombia, where substantial improvements in security have yielded positive patterns of growth, stability, and investment.

We have good reason to be optimistic, Mr. Speaker. The deadly flow of

cocaine into the United States has seen a dramatic decline in the last few months. Purity levels are falling, and retail prices are rising.

We must remain committed to defeating the perilous threats of crime and violence that endanger the youth and prosperity of our Nations today. Together, we must tackle these challenges and strive to further tighten the bonds that hold us together as nearby neighbors.

I am confident that through future cooperation and coordination, we can continue to see success and support the true potential of our friends in the Caribbean.

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

Mr. PAYNE. I yield 5 minutes to the gentlewoman from New York (Ms. CLARKE) who, incidentally, her district has one of the largest Caribbean communities in the United States, and her heritage is from the Caribbean. I am so pleased to yield her 5 minutes on her first resolution in her freshman year. I commend you for that.

Ms. CLARKE. Mr. Speaker, I'd like to thank the Representative from New Jersey (Mr. PAYNE) for yielding time, and for his words about this important resolution.

I also wholeheartedly thank Chairman HOWARD BERMAN of the Foreign Affairs Committee along with Western Hemisphere Subcommittee Chairman ELIOT ENGEL, full committee ranking member ILEANA ROS-LEHTINEN, and subcommittee ranking member DAN BURTON for their support and great help in moving this legislation through committee to the House floor.

The release of the U.N./World Bank report, ''Crime, Violence and Development: Trends, Costs and Policy Options in the Caribbean'' should be a wake-up call for every American interested in the security of our Nation.

As the report points out, a variety of factors, including some for which we in the U.S. are partly responsible, such as a seemingly insatiable and heavy illicit legal drug consumption and extremely problematic deportation policies has contributed to our neighboring Caribbean region having the highest crime rate in the world.

While today the region remains a wonderful place for Americans to visit, and most hospitable tourist destination in the world, in the long term, if this trend continues, it will wreak serious social, economic, and security troubles for many of the tranquil Caribbean nations.

Allowing this situation to deteriorate for years to come will ultimately create a security threat, not just for the Caribbean states, but, indeed, for our own country, as well as an unstable Caribbean region, and would create a vast vulnerability in America's border security.

Many of the problems identified by this report have long been recognized by Caribbean leadership. These emerging democracies and developing nations are doing everything within their means to collaborate on the safety of their respective nations and, by extension, our hemisphere.

Now, with the confirmation provided by this report in hand, ignorance is no excuse. The U.S. must partner with its Western Hemisphere neighbors and allow it to find workable solutions that will help the people of the Caribbean and ensure long-term security and stability of our region.

As the daughter of Caribbean immigrants, and a district that boasts the largest concentration of Caribbean Americans in the Nation, and as a member of the Committee on Homeland Security, I ask my colleagues to support this resolution calling for the U.S. to take up the solutions contained in the very important U.N./World Bank report. If we act now, we will help our allies to reduce crime greatly at levels before the situation becomes far less manageable and a threat to the Western Hemisphere that is, indeed, within our global community.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 865, ''Expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with Caribbean countries to address crime and violence in the region,'' introduced by my friend and colleague Congresswoman YVETTE CLARKE, of which I am proud to be an original cosponsor.

Mr. Speaker, I have traveled in the Caribbean recently, and I, together with many of my colleagues on the Committee on Foreign Affairs, had the opportunity to meet with CARICOM leaders last year. I believe that it is extremely beneficial to all our nations, and to the international community, that we continue this trend of increasing engagement and interaction. Equally important is that we ensure that, in our process of engagement, that we are truly listening and responding to the concerns presented by government and civil society leaders of the Caribbean nations, as well as addressing our own social, economic, and security goals.

Crime and violence in the Caribbean region is undoubtedly one area in which our concerns are in line with local needs. Most observers have indicated that the level of crime and violence throughout the Caribbean basin has increased over the past decade, a trend confirmed by a joint report issued by the United Nations and the World Bank last year. This report, titled "Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean," found that crime and violence have increased throughout the Caribbean to such an alarming extent that the region, as a whole, now has the highest overall crime rate of any region in the world.

Mr. Speaker, it is dangerous to characterize an entire region, as each nation is different; however, there are some general statistics regarding the Caribbean Community that cannot be ignored. While some countries have been relatively successful at maintaining low levels of crime, as a whole, the Caribbean has murder rates four times higher than those of the United States. Regional rape rates are above the global average, and three countries in the region are among the 10 countries globally with the highest rate of rape.

In addition to violent crime, trafficking of drugs remains a significant problem in the region, and one that has a serious impact on our own country as well. In 2005 alone, for example, 30 tons of cocaine transited through Jamaica, Haiti, and the Dominican Republic. According to the White House's Office of National Drug Policy, the Caribbean Corridor accounted for approximately 8 percent of the total documented flow of cocaine departing South America in 2004. The region also plays a prominent role in drug-related money laundering.

Mr. Speaker, these facts combine to create a crisis with long-term developmental consequences. Trade, commerce, tourism, and social well-being are all threatened by these crimes, and the nations in the Caribbean region will not be the only ones to suffer. Declining stability in the Western Hemisphere will seriously impair U.S. efforts to fight organized crime and drug trade, while instability in the Caribbean region has historically impacted immigration patterns to the United States. The Caribbean Community is one of our most important allies in ensuring our borders are secure—regional instability means gaps in our border protection efforts.

The United States must work together with our Caribbean friends and allies, to develop effective partnerships in search of workable solutions. If the Caribbean is destabilized, all of our nations will suffer the consequences. We have an opportunity to address this problem before it destabilizes much of the hemisphere and jeopardizes U.S. security.

Mr. Speaker, I strongly urge my colleagues to join me in supporting H. Res. 865 to express the sense of the House that the U.S. and its CARICOM allies take up the U.N./World Bank report's recommendations and work together to solve this potentially devastating problem before it is too late.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today in support of H. Res. 865, welcoming the recommendations contained in the March 2007 World Bank report "Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean." I would like to commend my colleague and sister from the Caribbean, Congresswoman YVETTE CLARKE inroducing this legislation.

Too often the Caribbean is overlooked when issues of global economy and diplomacy are discussed. I am pleased that H. Res. 865 urges the United States, other drug-consuming countries, and the Caribbean countries to increase counter-narcotics efforts in the Caribbean region. As a member of the House representing the U.S. Virgin Islands, I know firsthand the negative impact that crime can have on the economy of Caribbean islands. The report indicates that high rates of crime and violence in the Caribbean are undermining growth, threatening human welfare, and impeding social development. For the most part, the economy of the Caribbean is tourism driven. Safety and security are vital to providing quality tourism, and crime is a direct threat to the Caribbean tourism industry.

One contributing factor to the growing crime problem in the region is our country's deportation program that sends individuals who have

lived in this country for years—almost all their lives in some cases—back to their native country, if they have committed a crime. The individuals who learned their trade in this country are sent back often with no notification, many times without any known family and sometimes not knowing the language, as in Haiti. As long as we continue to deport criminals as we do now, we will continue to seed the growing drug and criminal activity in the Caribbean. Churches, especially those associated with Prison Ministries International are concerned and actively pursuing programs to address this situation.

Today, H. Res. 865 takes a positive step toward addressing the crime in the Caribbean by recognizing that a resolution requires an approach that "transcends Caribbean national boundaries." I am encouraged and hopeful that this report will provide a basis for developing good practices to eradicate crime in the Caribbean.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 865, 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.

The title was amended so as to read: "A resolution expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with the current member states of Caribbean Community and the Dominican Republic to address crime and violence in the region.".

A motion to reconsider was laid on the table.

CONGRESSWOMAN JO ANN S. DAVIS POST OFFICE

Mr. CLAY. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 5489) to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5489

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

SECTION 1. CONGRESSWOMAN JO ANN S. DAVIS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, shall be known and designated as the "Congresswoman Jo Ann S. Davis Post Office".

(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 "Congresswoman Jo Ann S. Davis Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Texas (Mr. MARCHANT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. 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 Missouri?

There was no objection.

Mr. CLAY. 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 H.R. 5489, which seeks to honor the life of Congresswoman Jo Ann Davis, and the example she has set for all of us; as an American stateswoman, legislator, and most importantly, as our friend, by naming a U.S. post office in her name.

Congresswoman Davis represented Virginia's first Congressional District from 2001 until her untimely death in 2007. She was the second woman ever to be elected to Congress from Virginia.

A woman of faith and strong conviction, Congresswoman Davis lived admirably and with down-to-earth humility, which is why her presence here in the House is sure to be missed for quite some time to come.

The bill before us, H.R. 5489, was introduced by Representative ROBERT WITTMAN of Virginia on February 26, 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 20 Members of Congress, and provides our body a collective opportunity to acknowledge one of our very own for her dedication and congressional action to improve the lives of others, whether in her congressional district, her beloved home State of Virginia, or throughout our great country.

Jo Ann Davis was born in Rowan County, North Carolina on June 29, 1950. At the age of 9, her parents moved to the Virginia peninsula. Despite her humble beginnings, Congresswoman Davis set her sights high and the expectations for herself even higher. In 1968 she graduated from Kecoughtan High School in Hampton, Virginia and then went on to attend Hampton Roads Business College. After graduating she became an executive secretary at a real estate company in Newport News until she obtained her real estate license in 1984 and soon thereafter, founded Jo Ann Davis Realty.

Her whole life she exceeded expectations, so it should come as no surprise when she ran for Congress in 1999 and won by receiving 58 percent of the vote in her Southern Virginia District.

Representative Davis' congressional record is a testimony to her fight for employees' rights and fairness in the workplace. Her first piece of legislation raised the life insurance benefit paid to survivors of military members killed on duty, and she also pushed for improving dental and vision benefits for government employees, and argued in favor of a more evenhanded system for compensating Federal law enforcement officers.

Our country owes her our sincere appreciation for her efforts in making public service, which is the lifeblood of our Nation, a more equitable and beneficial system.

In September 2005, our dear friend Congresswoman Davis was diagnosed with breast cancer and for years underwent the necessary treatments. Although she was planning to seek reelection in 2008, Congresswoman Davis unfortunately succumbed to the cancer on October 6, 2007 in her home in Gloucester, Virginia.

□ 1100

She is survived by her husband, Chuck Davis, a battalion chief of the Hampton Fire Department, two sons, and a granddaughter.

Mr. Speaker, let's join together this day to express our thanks and to pay our respects for the sacrifices and battles Congresswoman Jo Ann Davis fought in the name of liberty and justice and pass H.R. 5489 which would designate the Main Street post office in her hometown of Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office." I urge the swift passage of the bill.

I reserve the balance of my time.

Mr. MARCHANT. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, born in North Carolina but a Virginian since the age of 9, Jo Ann Davis set the standard for Republican women in Virginia. After graduating from high school in Hampton, Virginia, she attended Hampton Roads Business College and became a real estate agent. Prior to her election to the House of Representatives in November 2000, she served in the General Assembly of Virginia. Subsequently, she was the first Republican woman elected in her own right to the United States Congress from the Commonwealth. Congresswoman Davis served honorably for four terms as the representative of the First Congressional District of Virginia.

During her tenure, Congresswoman Davis served on the House Armed Services Committee and on the Foreign Affairs Committee. Congresswoman Davis was particularly proud of securing funding for the construction of the Navy's next-generation aircraft carrier, the CVN–21.

In 2001, the House passed her first piece of legislation, H.R. 1015, the SGLI Adjustment Act which increased the

amount of life insurance paid to beneficiaries of the Armed Forces who died in the performance of duty between November 2000 and April 2001.

In 2005, Congresswoman Davis was diagnosed with breast cancer. Tragically, in 2007, the cancer returned and her condition rapidly worsened. Congresswoman Davis died in October at the age of 57 leaving behind her husband, Chuck Davis, and two sons and a granddaughter.

Congresswoman Davis was an inspiration to so many of our Members, as well as her constituents, as she battled breast cancer courageously for over 2 years. Her determination to continue serving the citizens of the First District of Virginia while undergoing treatment set a remarkable standard of perseverance for many of us.

I believe that the naming of the postal service located at 6892 Main Street in Gloucester, Virginia, after Congresswoman Davis is a fitting tribute to her years of public service.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no further speakers, and I will reserve the balance of my time.

Mr. MARCHANT. I yield as much time as he may consume to my distinguished colleague from the State of Virginia (Mr. WITTMAN).

Mr. WITTMAN of Virginia. Mr. Speaker, I rise today to urge my colleagues to support H.R. 5489, a bill to designate a United States Postal Service facility located at 6892 Main Street in Gloucester, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office.'' I introduced this legislation to honor Jo Ann who dedicated her entire being to serving the First District of Virginia.

As you've heard, Jo Ann made history in 2000 when she became the first female Republican elected to the U.S. House of Representatives from the Commonwealth of Virginia. In Congress, she was a passionate advocate for better government, lower taxes, and a strong national defense. Jo Ann believed that God called her to service, and in her years of service to this Nation, Jo Ann's reliance on God never wavered.

Virginia's First District is home to one of our Nation's most treasured historical sites. In 1607, our Nation's first settlement was founded at Jamestown. Jo Ann often reminded others in Virginia and around the Nation that she actually represented America's First District where the beginnings of America were founded.

Indeed, the First District has a rich history, including a significant and important military community. And Jo Ann was a tireless advocate for our brave servicemembers. She constantly supported legislation that strengthened our armed services and improved benefits for our men and women in uniform. As cochair and founding member of the Ship Building Caucus, she worked tirelessly to ensure that Congress provided for our Navy.

Jo Ann truly loved her family and had an unwavering faith in our Lord and Savior, Jesus Christ. She regularly attended the Members' weekly prayer breakfast, and she was also cochair of the 2007 National Prayer Breakfast, an event designed to bring leaders of the country and leaders from around the world together in recognition of our dedication to God.

Jo Ann was known as an extraordinarily caring and helpful person, and anyone who came across her was touched. She worked on both sides of the aisle and truly defined bipartisanship.

Jo Ann represented the people of the First District of Virginia with extraordinary distinction, and through her service, she set an example of courage in the face of adversity. She refused to allow a disease that afflicts many to affect her life or to take away from her work that she loved so dearly. She was dedicated to representing her constituents even while undergoing chemotherapy treatments. And I have to say that the day after one of those chemotherapy treatments, she was in the little town of Kilmarnock in the northern neck of Virginia to celebrate their 75th anniversary. I had the privilege of being with Jo Ann that day, and it was a cold, windy spring day, and she was there without a coat on. And I thought, how brave for her to be there right after a chemotherapy session, to be out there celebrating with the folks of Kilmarnock. And afterwards I got her aside and said, Jo Ann, I am so surprised that you're here after that chemotherapy treatment. And she said, Rob, listen, I'm not different than anybody else. I have adversity in my life just like everybody else, and I don't expect for me to do anything different than anybody else who faces adversity would have to do.

And that just proved to me what a brave and humble soul Jo Ann was and how she really had in mind others above herself.

Mr. Speaker, because of Jo Ann Davis' diligence and devoted service to our country, the Commonwealth of Virginia, and the people of the First District, I am proud to sponsor this legislation, and I urge my colleagues to support H.R. 5489.

Mr. CLAY. I continue to reserve.

Mr. MARCHANT. Mr. Speaker, at this time, I would like to yield as much time as she may use to the gentlewoman from Virginia (Mrs. DRAKE).

Mrs. DRAKE. Mr. Speaker, I would certainly like to thank my colleagues for this resolution today in honor of my dear friend, Congresswoman Jo Ann Davis.

Jo Ann really was the American dream, and we have all heard a lot about her life since her very unfortunate and very early passing last fall. But she came from a very poor childhood and reached just, I think, the highest of success to serve in this body.

But she was a success because she cared for other people and she put them first. And that's what people saw in Jo Ann. They loved and trusted her. She was a woman of great faith, great courage, great honesty, great strength, and great integrity.

Jo Ann was a very private person, and when she told me of her diagnosis with breast cancer, I was really quite surprised that she had made the decision that she would be very public with her illness for the purpose of helping other women. I think we all admire and thank her for doing that. But I watched as she went through her chemo, and I saw how she struggled to be here with each and every one of us.

So, Mr. Speaker, I just want to thank my colleagues. I know if Jo Ann were here today she would say, oh, don't bother doing that. But we all need a memory of Jo Ann. I think this is a fitting way to do it. She loved America. She served her constituents, she was true to herself, and she was a gift to each and every one of us who knew her.

Mr. CLAY. Mr. Speaker, I continue to reserve.

Mr. MARCHANT. Mr. Speaker, I yield 2 minutes to my distinguished colleague from the State of North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Speaker, I thank the gentleman for yielding and also for bringing this resolution forward as a small token of honor for Jo Ann Davis.

All of us in this Chamber loved her because Jo Ann was Jo Ann. She was simply who she was. She made no bones about it. As the gentlewoman from Virginia said, she came from a humble background and achieved very good things in her life. She did care about other people, and I think having this post office named after her lets the people in her district, every time they go by it, because it's on a main road, every time they go in it they will remember Jo Ann.

She was a breast cancer survivor, as was mentioned, and she and I had a special bond not only because of that but because of a lot of similarities in our lives, and we all miss her greatly.

But the thing about Jo Ann was she was here for the right reasons. She was here to do public service, she was here to help her constituents, and she did that, even in trying times. She still came here and did her job. And she served her people well.

Thank you again for this resolution, and I hope everyone will support it.

Mr. CLAY. Mr. Speaker, I continue to reserve.

Mr. MARCHANT. Mr. Speaker, I have no more speakers at this time.

Mr. CLAY. Mr. Speaker, I urge my colleagues to give this recognition to our former colleague, Representative Jo Ann Davis, and urge the passage of this bill.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to honor my former colleague and friend, Jo Ann Davis. Congresswoman Davis was a remarkable woman whose courage under challenging circumstances made so many of us proud to be her friend. She never gave up during her valiant two-year fight

against breast cancer and continued to serve the citizens of the 1st District of Virginia throughout her treatments until her untimely death on October 6, 2007.

Inasmuch as Congresswoman Davis' district had a large number of Federal employees, and because of her impressive knowledge and advocacy on behalf of all civil servants, I appointed her Chairman of the Subcommittee on Civil Service and Agency Organization when I was Chairman of the Committee on Government Reform. Her dedication and sense of teamwork while a Member of Congress were traits I could always count on—as could the entire Virginia Delegation.

It is with pleasure I support the passage of H.R. 5489 and thank Mr. WITTMAN for taking this opportunity to dedicate the Postal Service located at 6892 Main Street in Gloucester, Virginia in honor of our esteemed former colleague, Congresswoman Jo Ann Davis.

Mr. WOLF. Mr. Speaker, I rise in support of H.R. 5489, to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office."

I would like to thank Congressman ROB WITTMAN for introducing this legislation to honor the memory of our colleague and friend.

Congresswoman Davis was not only my House colleague, she was my Virginia colleague who represented the First District of Virginia—a district, which she proudly called "America's 1st District" because of our country's roots at Jamestown and the many significant events in history, which occurred there.

Her career in elected office spanned 10 short years—from her first election in 1997 to the Virginia House of Delegates to her four elected terms in the House beginning in 2000. But over that decade, she made her mark as a deeply caring and hard-working public servant who believed in commonsense, conservative ideals.

She was a person of honesty, integrity, and strong moral conviction in representing her district and living her life. She was a dedicated and tenacious fighter for her beliefs, and the importance of her faith was obvious in the way she cared for and treated others. And, above all else, she worked tirelessly to protect the interests of the men and women in uniform, their families, and veterans.

Mr. Speaker, I believe that this designation will serve as a constant reminder to the constituents of the First District of Jo Ann's service and leadership. I wholeheartedly urge my colleagues to join us in recognizing Jo Ann's memory by supporting this bill.

Mr. CANTOR. Mr. Speaker, just a few months ago, we said farewell to a great woman and a great patriot, my colleague of several years, Jo Ann Davis. Jo Ann was a terrific friend, and the Commonwealth of Virginia suffered tremendously from her loss.

Since my days of serving with her in the Virginia House of Delegates, Jo Ann fought for and embodied the core values of Virginia. She was an ardent advocate for veterans, national defense and a strong military. The naming of a Gloucester post office in honor of Jo Ann Davis is a wonderful tribute that will serve as a reminder of her love and service to Virginia's First District.

Mr. CLAY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 5489.

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

The yeas and nays were ordered.

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

JULIA M. CARSON POST OFFICE BUILDING

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5472) to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the "Julia M. Carson Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5472

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

SECTION 1. JULIA M. CARSON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, shall be known and designated as the "Julia M. Carson 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 Julia M. Carson Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Texas (Mr. MARCHANT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members 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 Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, I yield 5 minutes to the sponsor of the legislation, the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentleman yielding.

Mr. Speaker, I rise today in strong support of H.R. 5472, a measure to name a post office in honor of our departed colleague and dear friend, Representative Julia Carson.

I would like to thank the 46 Members of the House who agreed to support and cosponsor this measure, as well as Senator BAYH for introducing S. 2534, the Senate companion legislation.

I would also like to acknowledge that Representative MEEK and Representative DAVID SCOTT have expressed their support, though they were unable to become official cosponsors of the measure due to its rapid movement out of committee. I would also be remiss if I did not thank the Chair and the ranking member of the full committee, as well as the ranking member and Chair of the subcommittee for considering the bill and reporting it out.

Julia Carson was a tremendous human being. She passed away on December 15 after a life devoted to service. And as I pointed out last December, with the solstice upon us, the darkest day of the year, that Julia Carson was a light to everyone she came into contact with and certainly was a beacon in this House.

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She could be tough, she could be gentle, but she was always effective.

It is a tribute to her life and to her service to name this Federal facility after her. And I only speak for myself when I would say, however, that Julia is probably looking in on this, is honored, but asking, why aren't we out helping someone else right now, because that was her life. And I would hope that we all take this moment and this honor to rededicate ourselves to helping others along life's path as this great and wonderful and kind and gentle woman has done.

Again, I thank the Chair and ranking member for their courtesy.

Mr. MARCHANT. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of this legislation to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King, Jr. Street, Indianapolis, Indiana, as the "Julia M. Carson Post Office Building."

Julia May Carson dedicated her life to the service of this country. Her career in public service began in 1972 when she was elected to the Indiana State House of Representatives. This was the first of many victories to come.

In her long and illustrious career, Julia never lost an election. In 1976, Julia ran for the Indiana State Senate, where she served 14 years. In 1990, she became the Trustee for the Center Township, a post she held for 6 years until she ran for the United States Congress, becoming both the first woman and the first African American to represent Indiana in Congress.

As a daughter of a single mother who worked as a housekeeper and a graduate of a segregated public school in Indiana, Julia's background was very different from those of her fellow representatives, but in the 10 years she served the Seventh District of Indiana, Julia never forgot her roots. She tried hard to represent the poor and the working class of Indiana, concentrated her energies on women's rights, children's issues, and efforts to reduce homelessness.

Throughout most of her time in Congress, Julia battled significant health problems. She finally succumbed to a lifelong struggle with lung cancer in December, 2007 at the age of 69.

In honor of her years of faithful service to her country and to the great State of Indiana, I ask my fellow Members to join me in support of this bill and rename the post office located at 2650 Dr. Martin Luther King, Jr. Street in Indianapolis, Indiana, in honor of her memory and long-lasting accomplishments.

I would like to thank Mr. VISCLOSKY for introducing this resolution and express my strong support for this bill.

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

Mr. CLAY. Mr. Speaker, I would like to recognize the gentleman from Indiana (Mr. DONNELLY) for 2 minutes.

Mr. DONNELLY. Mr. Speaker, I rise today in support of H.R. 5472 to designate an Indianapolis postal facility after my late colleague, Congresswoman Julia Carson.

A Hoosier icon, ''Ms. Carson,'' as her staff and friends admiringly called her, was both loved and respected by her district. She was living proof to them and to all of us that hard work and determination can take you very far in this country.

Ms. Carson had persevered through some difficult times in American history, growing up in poverty and segregation, yet she rose up to serve more than 20 years in the Indiana State Legislature and for a decade here in the House of Representatives.

It is fitting that the ''Julia M. Carson Post Office Building'' would be located on Dr. Martin Luther King, Jr. Street. Like Dr. King, Ms. Carson achieved much for civil rights, leading the drive to award civil rights icon Rosa Parks a Congressional Gold Medal and becoming both the first African American and the first woman to represent Indianapolis in the United States Congress.

It is bittersweet today to honor Ms. Carson, as we all wish Julia was still here with us. However, we are blessed to have her grandson, Andre, as a colleague representing the Seventh District of Indiana.

I am honored to offer my strong support for this bill.

Mr. CLAY. Mr. Speaker, I would like to be recognized for as much time as I may consume.

Representative Carson advocated and represented with distinction Indiana's Seventh Congressional District from 1997 until she passed away in the winter of 2007.

The first woman and the first African American to represent Indiana's Seventh Congressional District, Congresswoman Carson worked her way up the ranks to be a prominent Member of this body and a friend and confidant to many of us.

H.R. 5472 was first introduced by Carson's close colleague, Representative PETER VISCLOSKY of Indiana, on February 14, 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 45 Members of Congress and affords us a chance to recognize and pay tribute before the American public to a woman whose life serves as a testimony to the American dream. Her story is an inspiration to those who face insurmountable odds and reminds us that we live in a country where anything can be accomplished with diligence in one hand and dedication in the other.

Julia Carson was born in Louisville, Kentucky on July 8, 1938 to a single teenage mother. Despite her apparent disadvantages, Congresswoman Carson overcame the odds she was dealt by fate and achieved extraordinary goals and objectives by faith.

As a young girl, we learned that Congresswoman Carson shouldered a host of jobs in order to support her family, including waiting tables, delivering newspapers, and serving as a farm hand. In other words, our friend had to work for what she got and had to toil greatly to get where she got.

Julia Carson was first introduced to politics in 1972 when Congressman Andy Jacobs encouraged her to run for the Indiana House of Representatives. She served as a member for 4 years, and then moved on to the Indiana Senate, where she held a seat for 14 years. In 1990, she was elected as a Trustee for Center Township of downtown Indianapolis and was responsible for running the welfare office. Over the course of merely 6 years, Carson managed to take a $20 million debt and turn it into a $6 million surplus.

On November 25, 2007, it was reported that Julia Carson had been diagnosed with terminal lung cancer, which took her life. We are certainly at a loss for a dear colleague, and believe me, Julia Carson will be missed by this body.

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

Mr. MARCHANT. Mr. Speaker, I continue to reserve my time.

Mr. CLAY. Mr. Speaker, I would like to recognize the gentleman from Indiana (Mr. HILL) for 2 minutes.

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

Mr. HILL. I'd like to thank the gentleman for yielding his time.

Mr. Speaker, I knew Julia Carson for more than 20 years. I served with her in the legislature, and I got to know her very well. She was a great public servant in the Indiana legislature and she was a great public servant in the Congress of the United States.

Now, we've had several speakers here today, and I'm not going to repeat everything that they have said, but I would like to leave you with this departing thought about Julia:

Julia had a difficult childhood; she had a difficult life growing up. I have talked to Julia many times about her reaching to the point where she became an elected official in the Indiana Legislature and she actually became a Member of Congress.

I can't tell you how proud she was to be a Member of this august body. It was the highlight of her life. Other than her family, I don't think there was anything else that she felt better about than becoming a Member of Congress.

I can tell you without a shadow of a doubt that one of the biggest honors, and if Julia is looking from above, I know she's got a big smile on her face right now, and to have a post office named in her name would be the highlight of her career. And so it's with a great deal of happiness that I have the opportunity to speak on her behalf to acknowledge her great accomplishments in the Congress of the United States.

We all know about Julia's political points of view, but more importantly, I think I want to leave with this body that she was so proud to be one of the Members of the Congress of the United States. And I know that she would be very proud to have this post office named in her honor.

I rise today to honor one of Indiana's finest, Julia Carson. I knew Julia for more than 20 years, and am a better person for it. She was a dear friend and her spirit will unarguably live on not only in the halls of Congress, but in the neighborhoods of Indianapolis where she touched the lives of so many.

I am pleased we are able to recognize her by dedicating a post office in her hometown of Indianapolis in her honor. She had an enormous presence in Indianapolis and was always striving to help those in need. Julia embodied the true meaning of a ''liberal''—a woman who was always fighting for those without a voice.

She championed civil rights and walked alongside Martin Luther King, Jr. fighting for equality. She was to me, and so many others, a true hero. Julia was not only proud to be a Member of Congress and represent the fine people of Indianapolis, but she was constantly amazed at how far she had come.

As many know, Julia had a difficult upbringing but only used those experiences to strengthen and shape her political views. Julia constantly reminded us all how fortunate we are to be Members of Congress. I am so honored to have known Julia for so many years and to have worked so closely with her.

Mr. CLAY. Mr. Speaker, my colleague and friend, Julia, was an exemplary woman, a loyal patriot, and a formidable political force. She has also left us with someone who is just as capable as she. And at this time, I would like to recognize our new colleague, and her grandson, the gentleman from Indiana, Representative CARSON, for 5 minutes.

Mr. CARSON of Indiana. Thank you, Congressman CLAY.

Mr. Speaker, I would first like to thank my dear friend, Senator BAYH, my colleague, Congressman VISCLOSKY, and the entire Indiana delegation for supporting this important piece of legislation. I also would like to extend my sincere thanks to Subcommittee Chairman DANNY DAVIS and his staff for all

of their work in quickly bringing this bill to the floor for a vote.

Mr. Speaker, I come to the floor today with a heavy heart, but also with an overwhelming sense of gratitude and humility. I am sad that my grandmother, former Congresswoman Julia Carson, is not able to be here on this wonderful occasion, but I am also deeply grateful that my colleagues have chosen to honor my grandmother by authorizing a postal facility in my hometown of Indianapolis, Indiana to be renamed the ''Julia Carson Post Office Building.''

Congresswoman Carson was many good things to many people in the Indianapolis area. Many will remember her as a staunch advocate for the poor from her years in the Indiana State legislature. Others will perhaps remember her for her efforts in helping needy children receive health care services. But I think, most importantly, many people will just remember her for being who she was, and that was a good person with a kind and caring heart.

So I would like to thank again all of my colleagues who were instrumental in bringing this bill to the floor today, and I know that if my grandmother were here, she would thank you all.

Mr. CLAY. Mr. Speaker, in memory of our dear colleague and courageous colleague, let us pass H.R. 5472 and designate the facility of the U.S. Postal Service located at 2650 Dr. Martin Luther King, Jr. Street, Indianapolis, Indiana, as the ''Julia M. Carson Post Office Building.''

Mrs. JONES of Ohio. Mr. Speaker, I rise today in support of the designation of the Julia M. Carson Post Office Building in Indianapolis, IN.

Congresswoman Carson was not only a colleague but also a dear friend. It is truly gratifying to me, and surely her family and the constituents of the 7th Congressional District of Indiana, that the House of Representatives would seek to recognize her in this special way.

Congresswoman Carson's accomplishments in the House of Representatives are numerous. Most notably, her work to authorize a Congressional Gold Medal for Rosa Parks; sponsorship of an Amtrak reauthorization bill; and passage of language to improve the eligibility requirements for SCHIP, demonstrate her commitment to the needs of underserved people.

Her book, My Neighbor as Myself, outlines a vision of how she felt we, as public servants, should serve our community. In this book she discussed the plight of our children and the need for ''powerful parenting'', providing ''responsible relief'' for the poor, job creation, economic empowerment, and community reentry. She was tireless in her efforts to advocate for people who are rarely able to advocate for themselves.

Congresswoman Julia Carson will certainly be remembered in the halls of Congress for her character, humor, and unyielding commitment to oppressed and impoverished people. It is my hope that the naming of this post office after such a noble and honorable woman will inspire her story to continue to be told.

In years to come, when the children of Indiana ask, ''Who was Julia Carson?'' may they learn the story of a woman who came from the same neighborhood, overcame the same struggles, and pushed for the rights of all in our Nation's capitol. May they learn of a heroine who accomplished great personal success but always remained mindful of who she was here to serve. I pray that the designation of this post office in the name of my dear friend will provide inspiration to those she worked tirelessly for in the House of Representatives.

Mr. BURTON of Indiana. Mr. Speaker, I rise today to honor the life and legacy of a dear friend and respected colleague of mine, Representative Julia Carson, and strongly support the underlying bill, H.R. 5472, ''To designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, IN, as the ''Julia M. Carson Post Office Building.''

Born in poverty and racial segregation to a teenage single mother in 1938, Julia Porter Carson worked her way up through politics to become one of the most influential people in central Indiana. Julia Carson had a long career as a public servant.

In 1965, while working as a secretary at UAW Local 550, she was hired away by newly elected congressman Andy Jacobs to do casework in his Indianapolis office. When his own electoral prospects looked dim in 1972, he encouraged Carson to run for the Indiana State House of Representatives, which she did; she was elected in 1972, serving as a member for 4 years. In 1976, she successfully ran for the Indiana State Senate.

In 1990, she was elected as a trustee for Center Township that covers downtown Indianapolis, and was responsible for running welfare programs in central Indianapolis. Carson served 6 years as a trustee, creating a $6-million surplus from the office's $20-million debt. Carson employed an aggressive workfare program and anti-fraud procedures to quickly erase the enormous debt, while still providing much needed emergency services to the poor of Indianapolis. Her budget-balancing feat earned compliments from both sides of the political spectrum, including that of republican county auditor John Von Arx, who said, ''Julia Carson wrestled that monster to the ground.''

In 1996, Julia Carson made history by becoming the first African-American woman Indiana has ever sent to Congress. Despite all her accomplishments and success, she never forgot her roots; she always remained true to herself and her beliefs. With all her success and accomplishments, she could have moved to a better neighborhood but chose not to. To the day she died, Julia Carson's home telephone number was in the Indianapolis phone book.

In all my years in Congress, I am not sure I can remember anyone as dedicated to their constituents as Julia was. She reached out to senior citizens, mothers of men and women serving in Iraq, crime victims and those struggling to pay the rent. She sent cards and routinely showed up at funerals and hospitals and front doors. She worked to find work for young men who were coming out of prison. She helped crime victims who were seeking justice.

While I didn't always agree with Julia politically, I always enjoyed working with her and her welcoming smile. She was a great woman and a dedicated public servant. While I was lucky to serve with her in this body, I was luckier to call her my friend. It is right that we honor her in the community that she served by naming this post office in her memory.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5472, to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, IN, as the ''Julia M. Carson Post Office Building,'' introduced by my distinguished colleague from Indiana, Representative PETER VISCLOSKY. Through this important resolution, the House of Representatives will give final tribute to our colleague, sister, mentor and friend.

As a member of this House, I have been privileged to work with some extraordinary men and women. Julia Carson was an extraordinary woman and an extraordinary champion of justice and equality. Julia Carson was a powerful force for change in this country and was an articulate champion for the poor, homeless and those who suffered from discrimination and racial injustice.

As the first woman and first African-American elected to represent Indianapolis in Congress, Julia truly represented and will be remembered as an American hero. Julia was so keenly committed to those who could not speak for themselves and could not help themselves. A longtime legislator in the Indiana State Legislature and advocate for her community, Julia's history, by its very nature, directed her to the fight for those who, like herself, grew up with very little, but yet could look to this great country and actually believe that they could achieve their dreams.

Julia Carson who grew up poor and lived through segregation was elected in 1996 to the U.S. House of Representatives. Among many, one of her biggest achievements came in 1999 when she successfully pushed through legislation granting the Congressional Gold Medal to Rosa Parks, the mother of the civil rights movement.

Congresswoman Julia Carson lived her life to the fullest extent. She left few stones unturned. Her passion for family and community was unparallel. Though she was only a member of this body for 11 years, her life and legacy will last an eternity.

Representative Carson was a true advocate for and of the people. For over 35 years she worked tirelessly for her community and she was the greatest example of humility, self-determination, fortitude, strength and resilience. She will always be remembered for her advocacy of the most disadvantaged and she will truly be missed.

It is because of the legacy of Congresswoman Julia Carson that I rise today in support of the naming the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, IN, as the ''Julia M. Carson Post Office Building''. Though Julia is no longer with us, we can still honor her.

Mr. Speaker, we must never forget the life and legacy of a woman who touched the hearts and minds of so many. I urge my colleagues to join me in supporting this resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to support designating the post office located at 2650 Dr. Martin Luther King Jr. Street, INndianapolis, IN, as the Julia M. Carson Post Office Building.

This past December, my friend and colleague, Julia Carson, lost her battle with cancer. She had devoted her life to public service and her loss is still felt greatly. Congresswoman Carson was an extraordinary person, and a woman of principle who unabashedly championed the issues in which she believed. Her constituents and the Nation have lost a great legislator and an outstanding leader.

Congresswoman Carson made history in 1996 by becoming the first woman and the first African-American Indianapolis has ever sent to Congress. And she came to Congress with one mission—to improve the lives of the people of her community. Even as she rose to a position of prominence in this body, she never forgot the people she was sent here to serve. She truly dedicated her career to them—and for that, earned the respect and gratitude of all Americans.

Since her days in the Indiana State Senate, Congresswoman Carson was committed to helping seniors live with independence and dignity as they age. Throughout her career, she has provided exceptional leadership and devoted service to America's senior citizens.

Congresswoman Carson was also a strong proponent of civil rights movement, scaling the barriers imposed by poverty and sexism. She was a leader in advocating for voting rights, and worked diligently for the health and income needs of people experiencing homelessness and families at risk of homelessness.

Today her grandson continues her legacy here within the House of Representatives. I know that this honor is very meaningful to the Carson family and to her constituents in the 7th District of Indiana, and I'm certain if Julia were here today she would be touched as well. This post office designation is a fitting honor for a woman so dedicated to public service, and I fully support this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor my late great friend Congresswoman Julia M. Carson, a dedicated public servant from Indianapolis. I thank my colleague, Congressman VISCLOSKY, for introducing a resolution to recognize her achievements by naming a post office in her honor in Indianapolis as the Julia M. Carson Post Office Building.

Julia Carson was born on July 8, 1938 in Louisville, Kentucky and served in various elected offices. We first became colleagues when she was elected to the 105th Congress and served together until she passed away on December 15, 2007.

As the first African American and first woman to be elected to Congress from Indianapolis, Julia Carson was a woman of outstanding ambition and achievements. Not only was Julia a star in her city of Indianapolis, but she was a star of the nation. Her many invaluable legislative contributions, including the recognition of Rosa Parks with a Congressional Gold Medal, were a testament to her star qualities. I hope that my colleagues realize what we lost when Julia passed away.

Mr. Speaker, I can think of no one more deserving of this enduring recognition than Julia Carson. This resolution is fitting recognition for a tremendous woman who continued to deliver the truth until her final days. I urge my colleagues to support this resolution as we can all attest to her unprecedented devotion in serving her community and society.

Ms. LEE. Mr. Speaker, I rise in strong support of 5471, naming a U.S. Post Office the "Julia M. Carson Post Office Building." It is fitting and right that we recognize and honor the extraordinary life of our dear friend and former colleague Julia May Carson.

It is also fitting that the Julia Carson building will be located at 2650 Dr. Martin Luther King Jr. Street in Indianapolis, Indiana.

Like Dr. King, Congresswoman Carson championed the rights of the underprivileged, the underrepresented and the overlooked.

Many people in Indiana and many of us in Congress need no help to remember the great woman that Julia Carson was or what her service meant to her community and the Nation.

We came to depend on her determined leadership and commitment throughout her tenure in Congress. She was a true voice for the voiceless.

I know that her legacy will be carried on through the work of her grandson, the newest member of Congress, ANDRÉ CARSON.

Naming this post office after Julia is the least that we can do to mark her dedication and service to the people of Indianapolis and a grateful nation.

Her loyalty and her patriotism, her service and her love of our country will never be forgotten. I urge my colleagues to support H.R. 5472.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 5472, which designates the post office at 2650 Martin Luther King, Jr. Street, Indianapolis, Indiana as the "Julia M. Carson Post Office Building" in honor of my friend and former colleague, Congresswoman Julia Carson.

Julia Carson was a tireless representative of the people of Indiana who served them from her position as a congressional aide in the 1960s to two terms in the Indiana House of Representatives to service in the Indiana Senate from 1976 to 1990. She vigorously pursued issues related to the needs of working men and women, public health, the environment, and fundamental justice. When the AIDS epidemic broke out, Mrs. Carson was one of the early champions of the right of the sick to be treated fairly as she worked to bring public understanding about the new illness.

As a victim herself of discrimination in health care, which delayed the diagnosis and treatment of her heart disease, she was an ardent advocate for the elimination of all health disparities.

Julia Carson coupled her career in public service with a 10-year stint in corporate America. As Marion County Center Township Trustee in 1990, she saved the financially floundering office, earning the accolade of Indianapolis Woman of the Year from the Indianapolis Star for the second time in her career.

Julia Carson came to Congress in 1996 and brought the same energy and enthusiasm to this body to which her constituents in Indiana had grown accustomed.

As a Congresswoman, Julia Carson was proud of her vote against the Iraq War, her legislation that awarded the Congressional Medal of Honor to Rosa Parks, and her tireless advocacy for women, children, the homeless.

After more than 40 years of service to the people of her district and the State of Indiana and indeed to the country as a whole, I join my colleagues in their overwhelming support of the Indianapolis post office being named in her honor.

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

Mr. MARCHANT. Mr. Speaker, I urge all Members to support the passage of H.R. 5472 and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 5472.

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. CLAY. 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.

□ 1130

WILLIAM ''BILL'' CLAY POST OFFICE BUILDING

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5395) to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building.''

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5395

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

SECTION 1. WILLIAM "BILL" CLAY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, shall be known and designated as the ''William 'Bill' Clay 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 ''William 'Bill' Clay Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Texas (Mr. MARCHANT) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. 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 Missouri?

There was no objection.

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

Once again I stand as a member of the House Committee on Oversight and Government Reform to join my colleagues in the consideration of H.R. 5395, which would rename the post office facility at 11001 Dunklin Drive in

St. Louis, Missouri, after a true hero of mine: my beloved father, the Honorable William ''Bill'' Clay, Sr.

The measure before us was first introduced by my friend and colleague Representative RUSS CARNAHAN from my home State of Missouri on February 12, 2008. I am proud to say that the bill now enjoys the support and cosponsorship of nearly 60 Members of Congress, including the entire congressional delegation from the ''Show Me State'' of Missouri. H.R. 5395 was taken up by the House Oversight Committee on March 13, 2008, and reported out of the committee by voice vote that same day.

Mr. Speaker, I'm sure you can imagine that in commemorating the achievements and accomplishments of my father, I could begin anywhere and probably go on endlessly. Throughout my lifetime I have been blessed to experience and witness firsthand my father's commitment to his community and his country.

Congressman Clay served Missouri's First Congressional District for 32 years from 1968 to 2000. Born and raised in St. Louis, Missouri, Bill Clay served in the U.S. Army from 1953 to 1955. Prior to his service in the U.S. House of Representatives, my father held the position of alderman in St. Louis from 1959 to 1964. And prior to that, he held jobs as a real estate broker, a labor coordinator, and a union affiliate for the St. Louis City Employees Union from 1961 to 1964 and an education coordinator for the Steamfitters Union up until 1967.

During his tenure in Congress, Bill Clay became an advocate for environmentalism, labor issues, and social justice. Co-founder of the Congressional Black Caucus, he chaired the House Committee on the Post Office and Civil Service from 1991 to 1995. His leadership in this policy arena serves as greater evidence for passing the measure at hand, which would name the Dunklin Drive post office in his honor. Upon retiring in 2000, I was fortunate and honored to pick up where my father left off representing Missouri's First Congressional District.

Mr. Speaker, as we move to recognize the accomplishments of a great statesman, father, and to many of us friend, I ask that we pass the underlying bill without reservation and pay tribute to service and diligence rendered by Congressman Clay to this body over a 32-year period. I urge passage of H.R. 5395.

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

Mr. MARCHANT. Mr. Speaker, I yield such time as she may consume to my distinguished colleague from the State of Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, I really had to come over and couldn't let this opportunity slip by without coming to the floor to say a few words about my friend former Congressman Bill Clay, even though we still kind of call him ''Congressman.'' This is such a well-deserved honor for the former chairman of the Post Office and Civil Service Committee but really more so because of the man that he is.

Bill Clay has dedicated his life to his community in St. Louis, the State of Missouri, our Nation, and is well loved throughout the State, not just in St. Louis, where he is from. He was a magnificent leader in this Congress for civil rights and a congressman who really exemplified what's good about this institution, and that is that there are so many of us who can put aside differences and strive to work for a common good, and Bill Clay always did that. He was not a partisan politician. He was and he does remain a true leader.

So that is why I am happy to support this legislation to name a post office after our former colleague, a wonderful man and my friend, Bill Clay.

Mr. CLAY. I want to thank the gentlewoman from Missouri, my friend and colleague, for those kind words. I certainly appreciate it.

Mr. Speaker, I would like to yield 5 minutes to the sponsor of this amendment, my friend and colleague, the gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Mr. Speaker, I am honored to sponsor this bill today before us, H.R. 5395, a bill to name a Missouri post office after a true champion of civil rights, Congressman William ''Bill'' Clay. Mr. Clay retired from the House of Representatives in the year 2000 after a stellar career in public service.

It's especially appropriate to have this tribute for him to name the Florissant, Missouri, post office in his honor that is located in Missouri's First Congressional District that he represented for 32 years in Congress, where he rose to become chairman of the House Committee on the Post Office and Civil Service and achieved the third highest rank in seniority in the entire U.S. House.

Mr. Clay was born in St. Louis, Missouri, and began his political career in 1959 as a member of the St. Louis Board of Aldermen, where he served until 1964. Prior to entering Congress in 1968, he also worked as a real estate broker and later as a labor coordinator. He worked for the union of St. Louis City employees from 1961 to 1964 and then with the Steamfitters Union until 1967.

Congressman Bill Clay is known as a true pioneer of civil rights. Throughout his tenure in Congress, he became a champion of social justice and labor rights, working on behalf of the poor and the disenfranchised. Bill Clay was co-founder of the Congressional Black Caucus. He was an author of the history of African Americans who served in Congress. And he had a famous saying, that he did not have permanent friends or permanent enemies in politics, just permanent interest. He looked out for the people that he represented, and he served them well. He's been credited with turning back racial discrimination throughout his career. He remains today an outspoken leader in our community, an accomplished author. This will be a fitting tribute to his years of dedication in public service.

I ask that the U.S. House of Representatives respect this living legend, this inspirational leader, Congressman William ''Bill'' Clay with this fitting tribute of naming a Missouri post office in his honor.

Mr. MARCHANT. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, let me thank my friend and colleague Mr. CARNAHAN from Missouri for those kind words and for his friendship to our family. We are both proud Missourians with political families, and I'm certainly honored to serve with him in this body and honored that he would recognize a great Missourian like he has.

Let me also thank Mr. MARCHANT of Texas, too, for his indulgence and his support of this measure and thank the entire body for their support.

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

Mr. MARCHANT. Mr. Speaker, I urge all Members to support the passage of H.R. 5395.

Ms. JACKSON-LEE of Texas. Mr. Speaker. I rise today in strong support of H.R. 5395, to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building.'' I would like to thank my colleague Congressman CARNAHAN for introducing this bill, and Chairman WAXMAN of the House Oversight and Government Reform Committee for bringing this important legislation to the floor today.

As my colleagues are aware, William 'Bill' Clay served in the House of Representatives for 32 years, until his retirement in 2000. He was a true leader, a champion of civil rights, and a tireless voice for the people of Missouri's 1st Congressional District.

Mr. Speaker, Mr. Clay was born in 1931 in St. Louis, Missouri and he graduated from St. Louis University. He began his political career in 1959, serving as a member of the St. Louis Board of Aldermen until 1964. He also worked as a real estate broker, and served his community as a labor coordinator. From 1961–1964, he worked for the union of St. Louis city employees, and later with a steamfitters union until 1967.

Mr. Speaker, Mr. Clay was also a true champion of civil rights. He was one of the founders of the Congressional Black Caucus, and, throughout his time in Congress, he championed social justice and labor issues. He worked tirelessly on behalf of the poor and disenfranchised, always seeking to give them a voice in these halls. He was instrumental in fighting racial discrimination whenever and wherever it occurred. Congressman Clay authored the Historically Black Colleges and Universities Capital Financing Act, which provides $375 million in federal loan guarantees for construction and renovation projects at Historically Black Colleges and Universities.

Because of his commitment to labor he selected committees whose primary business

deals with labor issues, and he served as a senior Member of the Education and the Workforce Committee. Congressman Clay was a champion of education and played a key role in the reauthorization of the Elementary and Secondary Education Act, including efforts to reduce early grade class sizes by hiring 100,000 teachers nationwide. He has also leading the way for our Nation's schools to be first in getting the resources necessary for school construction, renovation and modernization. His work in education has also included winning concessions from the Republicans to increase the amount of Pell Grant funding and the reduction of student loan interest rates.

From 1991 until 1995, Congressman Clay chaired the House Committee on the Post Office and Civil Service. Upon his retirement in 2000, he was succeeded by his son, my colleague, Congressman WILLIAM LACY CLAY.

Mr. Speaker, this legislation will honor a true champion of civil rights in a very fitting way. It is fitting that a former Chairman of the House Committee on the Post Office and Civil Service be honored with a post office in the very town where his political career begun.

I am very proud to support this legislation, and I ask my colleagues to join me in voting honoring William ''Bill'' Clay and voting for H.R. 5395.

Mr. MARCHANT. Mr. Speaker, I rise today in support of this bill designating the facility of the United State Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri as the William ''Bill'' Clay Post Office Building. Representing the people of St. Louis in this chamber for 32 years, Bill Clay was the consummate advocate for Civil Rights, labor, and his community.

Born in St. Louis, Missouri in April of 1931, Clay grew up in the city and graduated from St. Louis University in 1953 with a bachelors degree in Political Science. After 2 years with the U.S. Army from 1953 to 1955, Clay returned home to begin his career serving the people of St. Louis. After spending some time as a real estate broker, Clay was elected to the Board of Aldermen in 1959. He held this position, representing the 26th Ward until 1964.

When Bill Clay, Sr. was elected to Congress in 1968, he was the first African American member elected from Missouri and one of only two African American representatives from states west of the Mississippi River. Throughout his 16 terms in Congress, he gained a reputation for his streetwise urban politics. A staunch advocate for civil rights and social justice, he also served as one of the founders of the Congressional Black Caucus. From 1991 to 1995 he chaired the House Committee on the Post Office and Civil Service and served as the Ranking Member on the Education and the Workforce Committee until he retired. In all that he did while he was serving the people of Missouri in Congress, he still found time to author several books.

Bill Clay, Sr. retired from Congress in 2000 but his legacy lives on through his successor whom I am proud to serve with in this chamber. His successor also happens to be his son, the gentleman from Missouri, WILLIAM LACY CLAY, Jr.

I urge my colleagues to support me in this resolution honoring a man who spent over 3 decades serving his community, state, and country.

Mr. SKELTON. Mr. Speaker, let me take this moment to recognize my former colleague, fellow Missourian, and good friend Bill Clay. Today, I join with my colleagues in support of H.R. 5395, a bill to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office

Bill was born in St. Louis, Missouri, the very town in which he carried out his storied political career. In 1959, he was elected as a member of the St. Louis Board of Alderman, where he served until 1964, Between 1964 and 1967, Bill worked as a real estate broker and later as a labor coordinator. He also worked for the union of St. Louis city employees and then with a Steamfitters Union.

In 1968, Mr. Clay was first elected to the U.S. House of Representatives, and he proudly served the residents of Missouri's First Congressional District for 32 years. Throughout his years in office, Bill became known as a champion of social justice and a true pioneer for civil rights. He was a co-founder of the Congressional Black Caucus and Chairman of the House Committee on the Post Office and Civil Service. He was always a truly delightful colleague and I am proud to have served with him as a fellow Missouri Congressman. I must also say, Mr. Speaker, that I am also so very honored to serve with Bill's son, LACY, who was elected to represent the First District upon Bill's retirement.

Naming a St. Louis post office after Bill Clay is an outstanding way to pay tribute to an outstanding public servant and a true pioneer in American politics. I urge the House to honor Bill for his years of public service and his commitment to his community by supporting H.R. 5395.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of the naming of the U.S. Post Office at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay'' Post Office Building.

William ''Bill'' Clay served his country and his community at an important juncture in history, as he was one of the cofounders of the Congressional Black Caucus, an institution in this body that has grown in size and stature to 43 members, of which I am proud to be a part.

From his work in his native St. Louis as a real estate broker, labor coordinator and union affiliate, Bill Clay brought a reservoir of knowledge and experience to his service in this body for 33 years. He was well respected and he served as a mentor to me and other members as we learned our way around the House of Representatives.

William ''Bill'' Clay chaired the House Committee on the Post Office and Civil Service from 1991 until 1995. It is even more fitting that a U.S. Post Office in his beloved city bear his name and the memory of his work on behalf of so many.

Mr. MARCHANT. 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 Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 5395.

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.

RECOGNIZING THE FIFTH ANNIVERSARY OF THE DEPARTMENT OF HOMELAND SECURITY

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1038) recognizing the fifth anniversary of the Department of Homeland Security and honoring the Department's employees for their extraordinary efforts and contributions to protect and secure our Nation.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1038

Whereas, in the wake of the attacks of September 11, 2001, the Department of Homeland Security was created in an effort to consolidate our Nation's efforts to prevent, prepare for, respond to, and mitigate against threats to the homeland, including acts of terrorism, natural disasters, or other emergencies;

Whereas the Department of Homeland Security marked its fifth year of full-scale operations on March 1, 2008;

Whereas the Department has strived to integrate 22 disparate agencies and offices, while at the same time has been successful in helping prevent another terrorist attack over this period;

Whereas the United States must continue to remain vigilant against all such threats;

Whereas the employees of the Department of Homeland Security have spent the past 5 years enhancing our Nation's domestic preparedness and collective response to terrorism and standing ready to assist State, local, and tribal governments as they prepare for and prevent acts of terrorism and respond to natural disasters and other emergencies;

Whereas the Department's employees work diligently to deter, detect, and prevent acts of terrorism and stand willing, ready, and able to respond in the event of a terrorist incident or other major emergency;

Whereas the Department's employees have cooperated closely with the private sector to enhance emergency preparedness across the Nation;

Whereas the American people rely on the Department's employees to protect our Nation's borders, airports, seaports, rail lines, and other transit systems;

Whereas the continuing efforts of the Department's employees will be crucial to the security of our Nation in the years to come;

Whereas the Department's employees have sacrificed, and will continue to sacrifice, time with their families and working long hours to fulfill the Department's vital mission;

Whereas because the Nation depends on the Department's employees to keep the American people safe from harm, they deserve the best in training, testing, and equipment;

Whereas the Department's employees often do not receive the recognition they deserve; and

Whereas the Nation is indebted to the Department's employees for their sacrifices, efforts, and contributions: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) recognizes the fifth anniversary of the Department of Homeland Security; and

(2) honors the Department's dedicated public servants for their extraordinary service to this Nation in helping preserve the safety and security of the American people.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Pennsylvania (Mr. CARNEY) and the gentlewoman from Michigan (Mrs. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this resolution.

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

There was no objection.

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

Mr. Speaker, we are here today to recognize the fifth anniversary of the Department of Homeland Security. This is an opportunity for us to praise the tireless employees who, day in and day out, are working hard to prevent another terrorist attack on our soil, in our skies, and on our waters, and to also ensure that we're prepared should a catastrophe strike again.

Congress is often critical of DHS, and we have had some harsh hearings in the Homeland Security Committee. But our criticism of the management at DHS is only because we hope to ensure the department's employees have the resources they need to do their jobs and to keep America safe. The department is still in its formative years and still experiencing expected growing pains.

When DHS was established, it was the largest reorganization of the Federal Government since the creation of the Department of Defense 60 years ago, with 180,000 employees and 22 agencies that merged to form one new department. That number has grown by nearly 30,000 since then.

Let's take a moment to honor DHS in its 5-year anniversary but also to recognize these employees for their dedicated service.

To the Customs and Border Patrol officers and the Border Patrol agents protecting our borders, at our ports of entry and in between; and to our Immigration and Customs Enforcement agents ensuring that criminal aliens are accounted for and removed; and to our Transportation Security officers, protecting millions of passengers daily and quickly adapting to threats to prevent future hijackings or worse; and to our Federal Air Marshals, quietly protecting our skies; and to our Secret Service, called upon earlier than ever to protect presidential candidates; and to the men and women of the Coast Guard, protecting 360 ports and over 90,000 miles of coastline, ready to respond at a moment's notice; and to the first responders of FEMA, who have again proven themselves in their response to the California wildfires and the recent Midwest tornadoes.

Thank you. We know all too well the long hours you've committed to our country and the time away from your homes and families. We sincerely appreciate all of your work and your service.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I rise today to fully support this resolution, which speaks to this Congress, appropriately recognizing and honoring the brave Americans, the great patriots, who work to protect us all through their service at the Department of Homeland Security.

And I believe that the first and foremost responsibility of the Federal Government is to provide for the national defense. That is actually in the preamble of our Constitution. Additionally, for all of us who have the honor to serve in this House, protecting our homeland and securing our borders against those who would harm us is something that we all take an oath to do.

Before those horrific attacks on our Nation on 9/11, we thought about national defense more in terms of having a strong military, the best trained, the best resourced, facing down enemies overseas in conflicts where we had a national interest in spots around the world. We didn't usually think in terms of actually being attacked or continuing to be threatened with attacks on American soil here in our homeland.

□ 1145

9/11 changed all of our lives, as on that day cowardly terrorists murdered nearly 3,000 of our fellow Americans, innocent people who were just going about their daily lives. And the terrorists used the tools of our own freedoms against us. And why? Because they hate us, and they especially hate our freedoms.

They sought to weaken us, to destroy us, and instead they united us. They awoke us, and instead, made us begin to take the necessary steps to protect ourselves from future attacks.

We knew we had to change the way we practiced security measures at our airports, on our railways, on our roadways, at our ports, and at our border crossings. We knew we had to secure our infrastructure, that we had to better prepare our first responders and local emergency management agencies, that we had to share intelligence, that we had to tear down silo mentalities and do a much better job of sharing intelligence and resources.

And we also knew we had to create an agency here at the Federal level and task them with implementing this seemingly impossible job. And so the Department of Homeland Security was created 5 years ago, and what a remarkable success story it has been.

The brave men and women of the 22 agencies, more than 213,000 individuals that make up the department, deserve our respect, and they deserve our gratitude. We have not had another successful attack on our shores since that day, in no small part due to the vigilance and the hard work of the Department of Homeland Security and their efforts to provide for our common defense against America's enemies, against the enemies of freedom, those who are truly cowards, those who hide in the shadows and who prey on the innocent.

Mr. Speaker, as Congress recognizes and pays tribute to the Department of Homeland Security for the dedication and the commitment they have made to our homeland security during the past 5 years that they have been in existence, we also look forward to standing shoulder to shoulder with them as we look towards the future.

We understand that we need to do more to clearly define the lines of congressional committee jurisdiction, to streamline, to make more effective and cost efficient many of the department's missions. We recognize that the largest room is always the room for improvement, and that the department is looking to Congress to continue to assist them and not to hobble them.

Mr. Speaker, I am a new member of the Committee on Homeland Security, and I am proud to represent my district in Michigan, a border State with many unique dynamics, such as the first and second busiest international border crossings on the northern tier and the busiest rail entry in the country, the magnificent Great Lakes, fully one-fifth of the freshwater supply of the entire planet, a long liquid border that we share with our wonderful neighbors, the Canadians.

These are issues and items that require the attention of the Department of Homeland Security, and yet, Mr. Speaker, every Member, every Member of this House, could tell us of particular dynamics in their district, or their State, or their region of the country that also require the attention of the department.

Identifying and dealing with the threats to our homeland are done each and every day, 24/7, by the remarkable men and women of the Department of Homeland Security. And it is certainly appropriate that we honor those who serve us so well, that we thank them for their vigilance, we salute them for their dedication, we appreciate their commitment to democracy and liberty and freedom.

I urge my colleagues to pass the resolution before us and formally thank the great Americans who make up the Department of Homeland Security for keeping our Nation safe.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, at this time, it is my great honor to recognize for as much time as he may consume the distinguished ranking member of the Committee on Homeland Security, the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Speaker, I thank the gentlelady for yielding.

I thank Chairman CARNEY for helping to bring this matter to the House floor today, and I rise in strong support of H.

Res. 1038 because we do owe a tremendous debt of gratitude and thanks to all of the employees of the Department of Homeland Security.

Mr. Speaker, you and I come from adjoining districts in New York. Probably between our districts we lost well over 200 people on September 11. And I think any of us on September 12 and September 13 anticipated there would have to be another successful attack on our country in the not-too-distant future. Well, the fact is, we have now gone 6½ years without an attack.

During 5 of those years, the Department of Homeland Security has been up and operational. And it was really a tribute to the men and women who comprise the formerly separate 22 agencies who came together to be combined into this one department for what they have been able to do and what they have been able to achieve. It is no accident, it is not luck we haven't been attacked. It is for a number of reasons, but among the very prime reasons is the tremendous effort by all these men and women. And doing that was not easy because they each came from different cultures and traditions. They had different types of training and a different type of emphasis. They had a tough enough job before September 11. But now added to that was the new dimension of homeland security. And they had to do what they were doing at a different level, and they combined their efforts with employees from other agencies who were trained differently, who had a different way of looking at things, and they had to learn to speak and think as one. And they have done it. They have done a terrific job.

I believe it was last year we held hearings on how far the department has come. And yes, it is easy to be a critic. It is easy to stand back and say this should be done better and that should be done better. But the consensus of the testimony we had from experts was that the Department of Homeland Security is further along in its progress than the Defense Department was after a comparable period of time after it was formed over 60 years ago. So it is important to keep that in mind, and also to keep in mind that their work is a 24/7 job, that at any given time, there are active threats against the United States or active plots against the United States, and there is no simple easy way to stop it. And there are many ways. We have to fight it overseas. We have to fight it at the national level making sure that all intelligence is coordinated. But no one is more central to that than the Department of Homeland Security because they have to coordinate the national and international intelligence and then also make sure it gets down to the local levels, to make sure that the local police, the State police and the local law enforcements throughout the country are apprised of what could be happening, what might be happening, and also to absorb information that is sent back up from the local governments to the Department of Homeland Security.

So I commend them. I think it is too easy to take shots. And we see it in Presidential debates, we see people who take random shots at the people in this department, and it is so unfair because they are literally on the firing lines for us. They are on the front lines for us. In many ways, they are doing it anonymously because obviously their successes cannot be recorded. They are not publicized. How do you prove an attack didn't happen that was actually going to happen and didn't? And those that we do know about often can't be spoken about. But they are there. They are doing it. And in addition to that, they have the added responsibility from Congress because of the events of September 11 and having to do much more as far as border security and illegal immigration is concerned. So there is just a myriad of responsibilities that have been thrust upon them in addition to all they have been doing before, and they are doing it first class.

It is important for us in the Congress to live up to that same level, that same standard, that these employees are setting. It's important for us to get our act coordinated in the Congress, to make sure that jurisdiction is consolidated as much as possible so that we can speak with one voice, not to take partisan advantage, not to be allowing jurisdictional disputes between and among committees to impede the job that we should be doing. We can take a lesson from those employees out there who have put aside their prerogatives, put aside their own petty interests for the common good.

So I commend all the employees of the Department of Homeland Security on the fifth anniversary. Thanks for keeping us safe. Thanks for doing what you are doing. And I believe we can speak for all Members of this House that we will continue to do what we have to do to make sure that you get the tools to do your job and also get the support that you so richly deserve from all of us, and most important, from your fellow Americans whom you have done so much to protect.

I urge the adoption of the resolution.

Mr. CARNEY. Mr. Speaker, I have no more speakers.

If the gentlewoman from Michigan has no more, and she is ready to close, I will close after she does.

Mrs. MILLER of Michigan. Yes, I have no further speakers at this time, Mr. Speaker. And so I would certainly urge my colleagues to pass the resolution before us and honor the brave men and women of the Department of Homeland Security, and I yield back the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield myself as much time as I might consume.

I would like to talk about what the department does for a few moments. It is imperative that we honor and recognize the fact that the Department of Homeland Security and all its components provides the awareness for our Nation to prevent threats and identify our vulnerabilities. It prevents threats through detection and deterrence, and it mitigates those accidents and those attacks that might happen. It protects people and/or critical infrastructure and, of course, the economy. It responds to terrorism. It responds to natural disasters and certainly any other emergencies. It provides us the opportunity and the ability to recover from terrorism and from natural disasters. And it serves the public by facilitating lawful trade, lawful travel and lawful immigration.

It is committed to organizational excellence, and through that organizational excellence, we are all protected.

Ms. JACKSON-LEE of Texas. Mr. Speaker I rise today to support H. Res. 1038, "Recognizing the 5th Anniversary of the Department of Homeland Security and honoring the Department's Employees for their Extraordinary Efforts to Protect and Secure our Nation.

On September 11, 2001 this nation suffered a terrorist attack that surpassed anything we had dealt with before. After witnessing those events, I decided that the protection of our homeland would be at the forefront of my legislative agenda. I knew that all of our collective efforts as Americans would all be in vain if we did not achieve our most important priority: the security of our Nation.

After the events of September 11th, the Department of Homeland Security was created in an effort to consolidate our Nation's efforts to prevent, respond to, and mitigate threats to the homeland, including acts of terrorism, natural disasters, or other emergencies.

Since its first full scale year in 2003, the Department of Homeland Security has integrated 22 disparate agencies and offices. Due to the Homeland Security's employees' diligence, the department has done a magnificent job of deterring, detecting, and preventing acts of terrorism from occurring on U.S. soil.

Over 331 pieces of legislation related to Homeland Security have been introduced since the Department's inception. From the health-related issues surrounding clean up of Ground Zero to Customs and Border Protection, the Department covers several facets affecting our national security.

Working for the Department of Homeland Security is more than a job. It would be like saying that we as Members of Congress simply have a job. Homeland Security is a belief in the greatness of this nation and the desire to protect it no matter where the enemy comes from, no matter how large or small the attack.

I thank the employees for the work they do and their belief in the need for protecting our Nation's borders, airports, seaports, rail lines, transit systems, and most importantly our way of life.

That is why I have introduced legislation such as H.R. 750 [110th] the Save America Comprehensive Immigration Act of 2007, which seeks to amend the Immigration and Nationality Act (INA) to provide increased protections and eligibility for family-sponsored immigrants. It would authorize the Secretary of Homeland Security to deny a family-based immigration petition by a U.S. petitioner for an alien spouse or child if: (1) the petitioner is on

the national sex offender registry for a conviction that resulted in more than one year's imprisonment; (2) the petitioner has failed to rebut such information within 90 days; and (3) granting the petition would put a spouse or child beneficiary in danger of sexual abuse. Among other things it would direct the Secretary to establish the Task Force to Rescue Immigrant Victims of American Sex Offenders.

I also introduced H.R. 1530, the Chemical Facility Security Improvement Act of 2007 to prohibit federal funds from being used by the Secretary of Homeland Security to approve a site security plan for a chemical facility unless the facility meets or exceeds security standards and requirements to protect it against terrorist acts established by the State or local government for the area where it is located.

Because while I support and commend the Department of Homeland Security, I still believe that the Department's mission and goals are still malleable. We need to continue to improve the Department's comprehensive national strategies to ensure that the more than 87,000 different governmental jurisdictions at the Federal, State, and local level are protecting our nation's borders, transit systems, people, and ideals.

This work could not be done however, without the more than 208,000 employees of the Department working to ensure disaster preparedness at all levels of government while sacrificing their invaluable time with their family and working long hours to stand willing, able, and ready to respond if catastrophe strikes.

The Department of Homeland Security is critical in ensuring our great nation's preparation for future terrorist threats and attacks. Its employees step beyond the ordinary call of duty and tirelessly help to prepare our Nation to counter acts of terrorism, natural disasters, and other emergencies.

I urge my colleagues to support the achievements of the Department of Homeland Security, and support this resolution honoring the 5th anniversary of the Department of Homeland Security and its extraordinary employees.

Mr. THOMPSON of Mississippi. Mr. Speaker, It is my pleasure to be here today to honor the employees of the Department of Homeland Security. As we mark the Department's fifth anniversary, we must keep in mind that it is the people of the Department who make the sacrifices to keep us all safe.

Five years ago, this new Department was created and charged with the crucial mission of protecting and securing our homeland. This was not an easy task in the wake of the September 11th attacks. Hurricane Katrina demonstrated that this was a broader mission than the Department's leadership initially thought. However, despite the challenges before them, the employees of the Department have remained focused on ensuring the security of all Americans.

We talk about the activities of TSA or FEMA or CBP. What sometimes gets lost in the discussion are the individuals behind the acronyms. The people of DHS deserve our praise and our gratitude. They include the Customs and Border Protection Officers who man our ports-of-entry; the Federal Air Marshals who, everyday, sit through the same flight delays that so frustrate the American public to do their part to keep the flying public secure; FEMA teams who trek selflessly into disaster zones to help those in need; and support personnel such as contracting officers, administrative assistants, technical support teams without whom the folks on the front lines could not do their jobs.

I could go on, but my time is limited and I think my point is clear. All the men and women of the Department deserve to be recognized for 5 years of hard work. They work nights, weekends, and holidays. They put their life on the line to secure our country from all manner of threats. Today, we are here to extend a hard-earned and much deserved "Thank You."

As Chairman of the Committee on Homeland Security, it is an honor for me to stand here today in support of this resolution. I have, at times, been critical of the Department's management. But I want to be very clear: my criticism of the Department's management should in no way be construed as a lack of appreciation for the individuals who are making daily sacrifices to secure our Nation.

I urge my colleagues to join me in honoring these "everyday heroes."

Mr. ROGERS of Alabama. Mr. Speaker, I rise today in support of House Resolution 1038, which recognizes and honors the employees of the Department of Homeland Security for their contributions in protecting our Nation from terrorist attacks.

We commend today the more than 200,000 employees of the Department that have dedicated themselves to the ongoing effort to secure our Nation.

In January 2003, the Department of Homeland Security officially was established, and in March 2003, 22 Federal agencies were brought together and the Department became operational. The Department has come a long way these five years.

With great interest, our Subcommittee on Management, Investigations, and Oversight has watched and encouraged the Department's progress in managing its components, organizing its people, and executing the critical mission of protecting the Nation.

I am especially pleased with the 21 percent staffing increase that Customs and Border Protection achieved in just one year. I have every confidence these agents are working tirelessly to help improve the security of our borders every single day.

Similarly, the hard-working people at the Transportation Security Administration have implemented a wide range of improvements at our Nation's airports. T-S-A is now training its own employees to be explosives detection canine handlers, which will allow for a considerable surge in detection in the event of a threat to any transportation system.

I am also proud that two key DHS facilities are located in my hometown of Anniston, Alabama. The Center for Domestic Preparedness provides live chemical agent training to first responders, and the Noble Training Center provides training for hospital and healthcare professionals to prepare for and respond to disasters.

The people who serve at the CDP and Noble Training Center provide an invaluable service to our Nation and deserve our thanks.

Yet as we look back over five years of growth and accomplishment, we must also look forward to next year's transition and beyond.

Consolidation of congressional oversight authority is still sorely needed, and remains the sole recommendation of the 9/11 Commission yet to be enacted. The lack of consolidated Congressional oversight jurisdiction over the Department has a direct negative impact on the Department's ability to fulfill its mission of securing the homeland. Congress must address this issue immediately.

In addition, the Congress needs to establish an annual DHS authorization bill to provide the steady-handed guidance that 86 different committees and subcommittees cannot. This Committee, followed by the House and our colleagues in the Senate, must produce an authorization bill in advance of any appropriations bill this year.

And finally, we must allow the Department's employees to work unimpeded by further organizational shuffling.

These and many more challenges lie in front of us. It is our job to ensure that the Department is ready for the future, especially as it prepares to transition to a new administration.

We therefore gladly extend our thanks to the many dedicated individuals that make up the backbone of our Nation's current and future security.

I urge my colleagues to support passage of this resolution.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today in overwhelming support of H. Res. 1038, recognizing the fifth anniversary of the Department of Homeland Security and honoring the Department's employees for their extraordinary efforts and contributions to protect and secure our country.

As a member of the House Committee on Homeland Security, I am proud to work side-by-side with DHS on keeping our Nation secure. We have come a long way and it is hard to believe that so much has been accomplished in 5 years. For certain, consolidating 22 different agencies has been extremely challenging as it is the first act of its kind. The Department now employs more than 200,000 workers in its efforts to keep the Nation secure. Although there are many issues to still be resolved, and there always will be, I commend Secretary Chertoff and the DHS employees for their success in preventing another terrorist attack, thus far, and intercepting terrorists plots.

My colleagues and I remain committed to working on ensuring that the agency has the support and resources it needs to continue to get the job done. One of our top priorities and concerns has always been staff morale. We believe that the employees are the backbone of the agency and that the agency is a reflection of its employees' approach and outlook toward their job. Their continuing efforts are crucial to the security of our Nation in the years to come.

I would like to extend heartfelt congratulations to Secretary Chertoff and the employees of DHS, especially those in the U.S. Virgin Islands, for their outstanding service.

GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks of this resolution and include any extraneous material.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and agree to the resolution, H. Res. 1038.

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. CARNEY. 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.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL PLUMBING INDUSTRY WEEK

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the resolution (H. Res. 1082) recognizing the plumbing industry and supporting the goals and ideals of ''National Plumbing Industry Week''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1082

Whereas on June 27, 1883, Victorian plumbers came together at the Old Masonic Temple in New York City, New York, for the first-ever convention of master plumbers;

Whereas the Plumbing-Heating-Cooling Contractors—National Association (PHCC) is the oldest trade association in the construction industry;

Whereas for over 125 years, our Nation has been paving the way for today's plumbing, heating, and cooling contractor's status as important, and independent small business people;

Whereas the majority of plumbing contractors are small business owners, who help create critical jobs in this country;

Whereas the men and women who design, manufacture, install, and maintain water efficient plumbing systems play a crucial role in our economy;

Whereas this industry has one of the best and most extensive training programs in the country by providing young men and women with thousands of dollars in scholarships every year;

Whereas professional certified plumbers save our Nation millions of dollars each year through the design and installation of more efficient equipment that provides essential comfort while reducing water consumption; and

Whereas the House of Representatives supports the industry in its celebration of ''National Plumbing Industry Week'', April 27 through May 3, 2008: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that small business plumbing contractors have benefitted from the reduced regulatory burden provided as a result of passage of the Regulatory Flexibility Act of 1980 (Public Law 96–354) and the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121);

(2) recognizes that the loan guarantee program under Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) administered by the Administrator of the Small Business Administration has provided access to capital for small business plumbing contractors;

(3) recognizes that approximately 80 percent of plumbing contractors around the country are small, family owned and run companies;

(4) recognizes these small firms account for a large percentage of our Nation's GDP, through sales, service, and repair;

(5) recognizes how small businesses in the plumbing industry are the leader in developing, and utilizing new innovative technologies which help improve and maintain the infrastructure our Nation depends on; and

(6) supports the goals and ideals of ''National Plumbing Industry Week''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

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

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, as Chair of the House Small Business Committee, I rise to support this resolution recognizing the contributions of the U.S. plumbing industry during National Plumbing Industry Week. I am pleased to be joined by my ranking member, Representative STEVE CHABOT, in offering this legislation.

I stand before you today to honor a sector of the U.S. small businesses that provide vital contributions to the lives of millions of Americans. The plumbing industry is one of the oldest trades in the country. It employs thousands and serves every American. In fact, over 90 percent of the firms in this sector are led by entrepreneurs. And their companies create jobs in every city and town across the Nation.

In the coming weeks, one of the leading trade associations representing these plumbers will be celebrating its 125th anniversary. The Plumbing-Heating-Cooling Contractors National Association was founded in my home city of New York in 1883.

This resolution highlights the contributions of many of its members, as well as those of other American plumbing professionals. During National Plumbing Industry Week, many of them will visit Capitol Hill, as they have done in previous years, to advocate issues of critical importance to their trade.

The industry will also use the observance to promote greater energy efficiency, water conservation and worker training. On this last point, it is worth noting that because the plumbing industry has placed such emphasis on professional skills, it has one of the best and most extensive training programs in this country. That program has been vital in meeting the demands of the new green economy. Consumers in every community are benefiting from its careful design and unparalleled success. To accommodate the growing needs of our greener economy, the plumbing trade also has a newly developed apprentice and education program. It will create new opportunities and further showcase the positive impacts of green jobs.

Mr. Speaker, it is my hope that this resolution will focus the country's attention on the important role that plumbing contractors play in our daily lives. Their industry is vital to our economy for its work and for the job opportunities it provides thousands of our fellow Americans.

□ 1200

Mr. Speaker, without this industry, it would be difficult to be assured that the water our family uses to drink and bathe in is safe and nontoxic. We are proud this House will take a moment to thank such an important part of our Nation's infrastructure and economic base, our plumbers.

I urge my colleagues to join me and Mr. CHABOT in passing this resolution, and I urge support of this legislation.

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

Mr. CHABOT. Mr. Speaker, I rise in support of the resolution and yield myself such time as I may consume.

Mr. Speaker, I thank my good friend from New York, the distinguished chairwoman of the Small Business Committee, Ms. VELÁZQUEZ, for bringing this bipartisan measure to the floor recognizing the plumbing industry and supporting the goals and ideals of National Plumbing Industry Week.

Like many of our small businesses today, plumbing contractors face difficult times and many difficult issues; a burdensome regulatory system, confiscatory taxation policy at virtually every level of government, rising energy prices, and often the unavailability of affordable health care for their employees and families. Congress can and must help these entrepreneurs, and we will continue to work with the chairwoman and my colleagues on the Small Business Committee to address these obstacles to the success of our Nation's small business plumbing contractors.

As Chairwoman VELÁZQUEZ has pointed out, the Plumbing-Heating-Cooling Contractors National Association is the oldest trade association in the American construction industry. I congratulate the association for its contributions over the years and encourage the industry to continue its good work, especially in training and mentoring our future industry leaders in that field.

I have no doubt that our friends and neighbors in the plumbing industry

will continue to make strides in the design and installation of energy efficient equipment that will carry us through the 21st century.

I again want to thank my colleague, Chairwoman VELÁZQUEZ, for working in a bipartisan manner on this issue, as we do virtually on every issue in the Small Business Committee. I thank her for bringing this resolution to the floor today. I am happy to join her in supporting it.

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

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

Mr. Speaker, as Members of this Chamber know, our Nation's small businesses come in all types and a broad range of sizes. Each one makes an important contribution to our society and is an essential part of the great economic engine. In fact, there is no other nation on Earth where a person's dreams of service and innovation can be translated so effectively into the brand of success that yields both wealth and concrete benefits to communities. Entrepreneurs are the reason for this. They are the lifeblood of the U.S. economy.

Moving forward, we should remember that these hard-working business people, including those who are part of the plumbing trade, are the reason our Nation has thrived. So in recognizing the men and women of the plumbing industry today, we extend our salute to every small business person across America.

We thank plumbers for their invaluable effort and encourage the American spirit of service, progress and business excellence. That is the hallmark of our Nation's small firms, and it is one we should all be proud of.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

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

The SPEAKER pro tempore (Mr. HOLDEN). The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and agree to the resolution, H. Res. 1082.

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.

PROVIDING FOR CONSIDERATION OF H.R. 2016, NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1084 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1084

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 2016 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

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

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

GENERAL LEAVE

Mr. HASTINGS of Florida. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1084.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, House Resolution 1084 provides for consideration of H.R. 2016, the National Landscape Conservation System Act, under a structured rule. The rule provides 1 hour of general debate, controlled by the Committee on Natural Resources.

The rule makes in order the eight amendments listed in the Rules Committee report on this resolution. Six of these amendments will be offered by Republican Members, two by Democrats. Each amendment is debatable for 10 minutes. This rule is a continuation of our commitment to ensuring that the minority be given a fair opportunity to amend legislation on the House floor.

The rule provides one motion to recommit, with or without instructions.

Mr. Speaker, the American public has a vested interest in protecting our Nation's lands from the destructive uses that would ruin their natural beauty. In my home State of Florida, the protection and preservation of the magnificent ecosystem known as the Everglades, which spans 3 million acres of wetlands and is home to rare and endangered species, is of utmost importance to me and my constituents. It is a national priority to ensure that these majestic wetlands and others around our country will be preserved for all future generations of Americans to enjoy. The preservation of the National Landscape Conservation System is equally important to this Nation and to this Congress.

The underlying legislation would protect 27 million acres of land of the American West considered to have significant historical, cultural, ecological, scientific or scenic value. Most of the lands in this system are already protected and administered by the Bureau of Land Management, including wilderness areas, wild and scenic rivers and national monuments. This bill will help to streamline management of the system and reduce overall bureaucracy in the program.

If the statement of the gentleman from Alaska yesterday in the Rules Committee is any indication, and I am referring to our colleague Congressman YOUNG, there is a small minority of Members who may try and argue that this bill strips the private property rights of landowners. Quite the contrary. This bill protects only the lands the Bureau of Land Management already has authority over. Additionally, no owners' rights have been violated in the past, and there is no reason to believe they will be violated in the future.

Some may also argue that the underlying legislation changes the core management authority governing the individual National Landscape Conservation System units. Conversely, the bill includes an extensive savings clause that makes it abundantly clear that nothing in the bill alters the management authority governing the individual units.

According to the Congressional Budget Office, the bill would not affect the Bureau of Land Management's budget, direct spending or revenues, or the budgets of State, local or tribal governments.

Finally, the amendments made in order under the rule go a step further to address energy development, grazing rights, hunting and fishing and border security, ensuring that this bill does not change the law in these areas at all. All this bill does is help conserve and protect our Nation's land, our Nation's heritage.

It enjoys broad bipartisan support from groups including the Wilderness Society, Sierra Club, Defenders of Wildlife, American Hiking Society, the National Council of Churches, Boone and Crockett Club, National Trust for Historic Preservation, National Wildlife Foundation, and the Outdoor Industry Association.

The bill also enjoys the often unheard of support from both President Bush and former President Clinton.

It is my sincere hope that the House will pass this rule and underlying bill with the same overwhelming bipartisan support it currently enjoys. I urge my colleagues to support this rule and the National Landscape Conservation System Act as we further our efforts to protect and preserve public lands throughout America.

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

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

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

Mr. HASTINGS of Washington. Mr. Speaker, this is an unfair rule making in order, in my view, a bad bill, and a poor way to run the House of Representatives. It is claimed by this legislation's proponents that it is just an attempt to write into Federal law a new BLM, Bureau of Land Management, land management scheme that was invented by then-Secretary of Interior Bruce Babbitt.

□ 1215

It is the weakest of justifications for passing legislation and an abdication of responsibility for the legislative branch, for this Democratic Congress, to argue that we have to pass this bill to authorize what the last Democratic President created by fiat. Yet the harm to the powers and responsibilities of the House and our public lands is far greater.

This bill simply doesn't write into law the national landscape conservation system that Secretary Babbitt created, because this bill is written so poorly and loosely that it actually gifts the authority of the Congress over to the political appointees and career department bureaucrats in the Interior Department.

Vague words such as ''values'' are left undefined by this bill. It is the job of the Congress to define terms and write bills plainly and clearly. Not doing so gives away the power to these presidential appointees and career bureaucrats. When the elected Congress doesn't do its job, the unelected agencies and departments are free to impose their opinions and philosophy as laws and regulations.

With the faults and deficiencies of this bill so obvious, it was no surprise that last night 28 amendments to improve this legislation were filed with the Rules Committee, and with the Democratic track record of shutting down debate in this Congress, it was certainly no surprise when the Democratic Rules Committee blocked 19 of these amendments and denied representatives an ability to come to the floor and have a debate and a vote on their proposals.

My dear friend from Florida noted that the rule makes in order two Democratic amendments and six by Republicans, but I must point out that this means that every amendment offered by the Democrats were made in order, but 19 were not allowed to be made in order that were sponsored by Republicans.

Many relevant and constructive amendments were shut down by the Democratic Rules Committee. These include amendments to ensure the ability for wind and solar energy production on these public lands, to require that the Federal Government fully fund payments in lieu of taxes to local governments before spending new funds on landscaping, to ensure that there is no net loss of off-highway recreation areas and boating access facilities, to protect existing grazing rights, to ensure that hunting, fishing, recreational shooting and other current uses can continue on BLM lands and to require that the privately owned property of American citizens are not included in the NCLS without the written consent of the owner.

When the Rules Committee blocked these amendments, they acted to put the decisions in the hands of the Interior Department. This bill is a threat to the ability of citizens to enjoy and use their public lands. Democrat leaders won't even permit Members of the House to vote on whether Americans will be able to continue to ride, boat, graze livestock, shoot, hunt or fish on the lands that they can use today. This Congress says to Americans that their private property rights are not certain, that these rights and their land is at risk subject to the whims of the Interior Department.

That Democratic leaders are shutting down debate on this bill is truly not a surprise, but it is a broken promise. When the new majority took control after the 2006 elections, they promised to run the most open House in history. Unfortunately, they have not kept this promise.

In fact, the Democratic majority has set a historic record of the most closed rules in the history of the House, and they have already done that in record time. They have shut down debate on the House floor more than any other majority ever.

Why have they done so? It certainly isn't because of the tremendous accomplishments of the 110th Congress. The list of items not done, overdue bills and unfinished business of this House is long and growing longer.

For example, House Democrats have refused to pass the bipartisan Senate bill to protect our country by modernizing the 1970-era FISA law to monitor foreign persons in foreign places. Another example is the farm bill that expired last September, and America's farmers have been left waiting for months and wondering when this Congress will act.

Another is fixing the Medicare payments to doctors so that they can keep caring for seniors. Another is passing funding for the war on terrorism. The new No Child Left Behind act awaits renewal later this fall. Also the Secure Rural Schools Act desperately needs to be passed to keep the Federal promise made to rural communities whose hospitals and schools are at risk.

The State sales tax deduction expired last December for those States that don't have a State income tax like Washington and Florida. With the deadline just 6 days away, the new majority has yet to create a final budget outline for the next fiscal year.

The House isn't working on these national priorities, but last week the Rules Committee went so far as to pass a rule to restrict debate and permit only three amendments on legislation to renew the Fire Administration.

The end result of this closed process was that all three amendments passed by a voice vote and the bill passed this House by 412–0. Hardly a controversial bill, but under the closed process we are left with that example of how this House is being run.

With the House neglecting its work and not acting on these priorities, we have a lot of free time on our hands, to which the new majority leaders respond by shutting down Republicans from being allowed to offer amendments on even the most noncontroversial bills, like last week and what we will take up this week.

This is an unfair rule on a poorly written bill that threatens each and every American's ability to recreate, use and enjoy their public lands. It puts citizens' private property rights at a real risk.

I urge my colleagues to oppose the rule, to oppose the bill and insist that the House get to work on the important business this Congress is thus far failing to get done.

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

Mr. HASTINGS of Florida. Mr. Speaker, I will reserve my time until the gentleman has closed and yielded back his time.

Mr. HASTINGS of Washington. Mr. Speaker, at this time I would like to yield 4 minutes to my good friend and former member of the Rules Committee, Mr. BISHOP of Utah.

Mr. BISHOP of Utah. I appreciate the gentleman from Washington yielding me the time. It is always a pleasure for me to be on the floor with the two Representative HASTINGS who represent different parts of the country here. It's a pleasure.

Mr. Speaker, when I was a young State legislator in my second term, actually I was still in my twenties, so you know that was a long, long time ago, someone once came to me with an idea of doing some PR by doing what everyone wants to do, and that is to eliminate useless legislation. I thought this is great. This is going to be a great stunt that I can use to eliminate some useless legislation.

I picked a statute still in the Utah code still on the books which required the State of Utah to fund a summer encampment for every veteran of the Civil War, the Spanish-American War, and, since when this was written, it also said the Great War. Since there were no veterans alive, I thought this was an ideal situation to try to pass, and I introduced the bill.

The unfortunate thing is, even though this bill was supposed to do nothing, when it went to the committees of jurisdiction, there was this impending desire on the part of legislators to make the bill actually do something. By the time it went actually through the process, this bill allowed for any veterans group, including Boy Scouts, to be able to use all the National Guard armories in the State of Utah free of charge.

It got to the point where I killed my own bill, because all of a sudden something that wasn't supposed to do anything was now doing something. What it was doing was really, really wrong and not intended.

Now the proponents of this particular bill say the greatest benefit from this bill is simply that it basically does nothing. It doesn't change anything.

However, one of the proponents, when asked by his local newspaper if this would increase the cost and the regulations on these lands said, well, you establish the system first and then we go to step two.

It is what that step two may or may not be that has the greatest amount of concern with this particular bill, which direction will we be going? This bill talks about establishing values for the management of this land, but nowhere does it ever talk about what these values actually are.

We will hear amendments on the floor that we are talking about grazing and hunting and fishing and energy rights, as those are part of the values that should have been described and should have been defined in the very basis of this bill.

But what is significant is what will not be allowed to be discussed on this floor with this particular bill. Specifically, how do you treat individuals with this bill? We had an amendment that deals with the concept of recreation, boating and shooting rights. There would be no net loss of territory. On these types of recreation activities, this is a perfect example to talk about is this part of the value of these lands? It's traditional, and yet it was denied the ability to even present that on the floor.

We talked about the border security. There will be an amendment which will codify the status quo on border security, which is not what we wanted to bring up, because what we were talking about is not the status quo, which is bad, but changing the status quo. Those efforts to try and expand that opportunity on border security were denied discussion on this floor on the rule.

Now, this particular entity, this national land conservation system, came from the fertile mind of Secretary Babbitt. It also did not have a specific definition of what the values were.

There are two types of parks and monuments. Not all parks and monuments are created equal. Parks and monuments, run by the Park Service, talk about values and they are specified as to what those values are. What this bill is now trying to do is codify a new entity that will be talking about values of BLM, parks and national monuments.

Now, when you talk to the Department of the Interior, one of the reasons they say they are somewhat supportive of the concept of this bill was because it would allow them to maintain the multiple use values that make a difference between park service land and BLM land.

Yet when we tried to add an amendment to this bill, both in committee and again in the Rules Committee, to specifically say that one of the values must be multiple use, it was defeated on a straight party-line vote.

Once again, the very essence of the difference between national park monuments and national parks and BLM national parks and national monuments is this concept of multiple use. Yet we are not allowed to even talk about that, which goes to the question, if people eventually take legislation and want it to do something, in what direction will this take us? What will they start wanting to do?

If the core difference between national park land and BLM land is not specified in this legislation, where, actually, will we end up? This bill may, indeed, do something that we do not want to see happening, and this entity, which is nothing more than a $15 million a year boondoggle right now, a redundancy at best, could indeed end up to do something that creates real harm and real destructive elements.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. BISHOP of Utah. Now there is one other part that should have been part of this discussion and was not allowed by my friends on the Rules Committee.

It was briefly addressed by the gentleman from Florida, but he missed the point, I think, that the gentleman from Alaska was trying to make dealing with personal property.

Supposedly this issue does not deal with personal property because we are only dealing with BLM property. The difference, though, is with all of those entities within the Bureau of Land Management proposal, there are private inholdings. They have been a constant source of problem and contentions.

Unless you specify the significant value of how you are going to treat these inholdings, you make the situation of those private property holders much more difficult. You raise the specter of trying to change access restrictions because, indeed, if you are now going to run this land like the park service land, that will be a problem.

Not only do you create another level of bureaucracy to make those trying to solve their problems much more difficult to get equity, you also create all sorts of different solutions to be there that should have been specified in the legislation.

Protecting the private property holders' inholdings in those properties right now is one of the values that BLM lands should be doing, and it should be specified. It is not in this bill. The fact that we cannot add that to this bill, because of a ruling on a partisan vote by Rules Committee, is devastatingly wrong.

□ 1230

It will take us down a path where who knows what will be the end result. But, it is an end result that will have the high likelihood of harming individual people, individual people who use this land right now, either for recreation purposes, for sporting purposes, for hunting purposes, or for their own land value purposes, will be harmed unless those issues are clearly specified in this language, and the amendments to do that were not made in order.

Several good amendments were made in order, not nearly enough because this bill, as written, is flawed; and this bill, as amended, would still be flawed because it doesn't address those particular issues.

Mr. HASTINGS of Florida. Mr. Speaker, I would ask my friend from Utah not to leave, and I am going to ask him a question and then yield time to him, with the Speaker's permission.

The gentleman from Utah is my good friend and he served with us on the Rules Committee, but I am just curious, as the ranking member of the committee of relevant jurisdiction, did you offer these measures? And, in addition, in the Rules Committee did you offer any statement in support of your measures? Finally, you did offer one amendment that I would suggest we save yourself from by not making it in order because you are not asking, of course, or want us to take up a measure that is going to cost the Treasury $5 billion.

I yield to the gentleman.

Mr. BISHOP of Utah. Thank you very much, but please don't try and save myself from anything in the future.

Mr. HASTINGS of Florida. I will work on that.

Mr. BISHOP of Utah. Put all of my amendments on the floor, and then, then you've got a good argument that is there.

Indeed, one of these amendments, specifically the amendment on multiple use, was discussed in committee and was defeated on a partisan voice vote. That issue still is one that is relevant and needs to be part of this bill. If it is not, you have taken the core values between BLM and National Parks and blurred the lines into nonexistence. You can't do that. That has to be one of the values that is here.

The second issue I am talking about is private property rights. As I recall, I did not present that in the committee so but it is still very relevant and should be here, and is one of the problems that we are developing if we continue to go on with this.

I do have to say to the gentleman from Florida, no, I did not have the privilege of going before your committee and testifying last night. Gosh, I wish I could have done that, and I know you guys really wanted me to be there to continue the testimony and elongate the meeting last night.

Mr. HASTINGS of Florida. Reclaiming my time, did you not have the privilege or did you choose not to come?

Mr. BISHOP of Utah. I thank you if I can answer that question, and as much as I would have loved to, I must say in reality Delta Airlines made the decision for me.

Mr. HASTINGS of Florida. Yes, but that wasn't a privilege lost, that was just an airline not working.

Reclaiming my time, I wanted my friend to have an opportunity to say those things that he did. And notwithstanding his admonition, I can assure him that when he is offering measures that are going to cost the Treasury $5 billion and violate the PAYGO rule, that on the Rules Committee I will try to save him one more time.

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

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

I would just make this point: There are many times when amendments are filed by Members of this body and they do not come to the Rules Committee and their amendments are made in order, and that was the case, for example, of one of the amendments that was made in order by a Democrat Member last night. Those things do happen.

Mr. Speaker, as I mentioned earlier, this is a restrictive rule that prevents Members of this House from offering amendments to try and improve the poorly and loosely written underlying bill.

As has been said several times, 19 amendments were blocked by the Rules Committee. This rule does not allow the House to debate amendments to protect American's current ability to enjoy these BLM lands through fishing, riding, hunting, and boating.

But even more egregious is that this rule blocks the House from voting on an amendment to protect private property rights of American citizens. As Representative BISHOP has pointed out, and he had filed an amendment to the Rules Committee, it was amendment No. 13, that would have simply directed the Secretary of the Interior not to include private property within the National Landscape Conservation System without the written consent of the landowner, and this deals with the issue of in holdings, as Mr. BISHOP mentioned.

Mr. Speaker, this is a fair amendment. It is an important amendment. It seeks only to protect the private property rights of American citizens. The Rules Committee should not have blocked his amendment from being made in order and let Members vote ''yes'' or ''no'' on that amendment.

So I am going to give, Mr. Speaker, Members an opportunity to support or oppose private property rights by asking Members of the House to defeat the previous question on the rule. By defeating the previous question, I will seek to amend the rule to allow Representative BISHOP to offer his private property rights amendment No. 13. By voting ''no'' on the previous question, Members are voting to respect and protect the private property rights of all Americans.

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

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question and the rule, and I yield back the balance of my time.

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

Mr. Speaker, this is a fair rule and an inclusive rule. We have heard here why we must pass this rule and the National Landscape Conservation System Act. Far too many of our Nation's natural treasures have already been compromised by a variety of destructive threats. It is Congress' responsibility to ensure that the National Landscape Conservation System is forever protected. Each National Landscape Conservation System unit has been established by Congress or Presidential proclamation and is managed according to its enabling authority. This legislation establishes the system in statute.

It is crucial for Congress to act as a good steward for environmental land protection and fully codify the National Landscape Conservation System. It is our duty to help preserve the natural heritage of our Nation for all future generations of Americans to one day enjoy. I urge a ''yes'' vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 1084 OFFERED BY REP. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative Bishop of Utah or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 4. The amendment referred to in section 3 is as follows:

Page 4, line 9, strike ''and''.

Page 4, line 11, strike the period and insert the following:

(3) by ensuring that no private property will be included in the system without written consent of the owner.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the rules with respect to House Resolution 1077.

The vote was taken by electronic device, and there were—yeas 220, nays 190, not voting 20, as follows:

[Roll No. 164]

YEAS—220

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

NAYS—190

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

NOT VOTING—20

Abercrombie
Alexander
Boucher
Buyer
Cubin
Davis, Tom
Diaz-Balart, L.
Ferguson
Granger
Hill
Hunter
Jones (NC)
Kaptur
Larson (CT)
Neugebauer
Rothman
Rush
Shays
Sires
Velázquez

□ 1300

Mr. NUNES, Mrs. EMERSON, and Mr. LAMPSON changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 220, nays 188, not voting 22, as follows:

[Roll No. 165]

YEAS—220

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth

Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—188

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

NOT VOTING—22

Abercrombie
Alexander
Boucher
Buyer
Cubin
Davis, Tom
Diaz-Balart, L.
Ferguson
Granger
Green, Al
Larson (CT)
McGovern
Neugebauer
Rothman
Rush
Shays
Sires
Sullivan
Sutton
Udall (CO)
Velázquez
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remaining in this vote. Two minutes remaining.

□ 1307

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably delayed and missed the vote on H. Res. 1084, the Rule providing for consideration of H.R. 2016, the National Landscape Conservation System Act (rollcall 165). Although H. Res. 1084 passed by a vote of 220–188, I respectfully request the opportunity to record my position. Had I been present I would have voted "yea" on rollcall 165.

CALLING ON THE GOVERNMENT OF CHINA TO END ITS CRACKDOWN IN TIBET

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1077, 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 California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1077.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 1, not voting 17, as follows:

[Roll No. 166]

YEAS—413

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
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
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
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, 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
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)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
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
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
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)

NAYS—1

Paul

NOT VOTING—17

Abercrombie
Boucher
Buyer
Cubin
Diaz-Balart, L.
Feeney
Ferguson
Granger
Larson (CT)
Miller, George
Neugebauer
Rothman
Rush
Shays
Sires
Udall (CO)
Velázquez

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remaining in this vote. Two minutes remain.

□ 1315

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1665

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1665.

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

There was no objection.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2016.

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

There was no objection.

NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1084 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2016.

□ 1317

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes, with Mr. HOLDEN in the chair.

The Clerk read the title of the bill.

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

The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, H.R. 2016 is simple, straightforward legislation. The bill would provide statutory authorization for a conservation system which was established administratively nearly a decade ago. This is not a land management policy bill, rather, it seeks to finally grant the National Landscape Conservation System the congressional recognition that it truly deserves.

The NLCS covers approximately 26 million acres, about 10 percent of the land administered by the Bureau of Land Management, including all national scenic and historic trails, national conservation areas, national monuments, wilderness areas, wild and scenic rivers, and wilderness study areas managed by the BLM.

The individual lists which make up the National Landscape Conservation System are unique and beautiful. Canyons of the Ancients in Colorado, Craters of the Moon in Idaho, Agua Fria and Vermillion Cliffs in my home State of Arizona, these are poetic names for poetic landscapes. And Mr. Chairman, these units are truly nationally significant, ecologically, scientifically and culturally. For example, Agua Fria National Monument is remarkable for its natural splendor, with the Agua Fria River cutting through Sonoran Desert mesas, and for its unique and diverse wildlife, which includes pronghorn antelope, javelina, and the gila monster, among many others. But the monument also preserves significant and intact pueblo ruins, some with more than 100 rooms, terraced agricultural fields, which bear witness to the lives and stories of those that came long before us.

Like Agua Fria, each of the units included within the NLCS was created to conserve unique cultural and natural resources. But while the individual monument or wild and scenic river or other designations which make up the system are about conservation, creation of the NLCS itself has more to do with accomplishing the full mission of the Bureau of Land Management. From 1946 to 1996, very large, new national monuments created under the Antiquities Act was removed from BLM management and turned over to National Park Service.

The National Landscape Conservation System was created to assure that these valued public lands remain in the BLM system, allowing the agency to manage them and fully realize the conversation aspect of its multiple-use mandate.

The NLCS has been enormously successful. Visitation to these areas is increasing as more people are learning about BLM's spectacular landscapes. From its red rock deserts to its rugged coastlines, NLCS units provide unique and world-class outdoor recreation opportunities for hikers, hunters, anglers, climbers and bird watchers, among many others. Sportsmen consider these areas essential not only for their recreational value, but also because the NLCS is critical to the conservation of fish and wildlife habitat on BLM lands.

Mr. Chairman, opponents of this bill seem to be concerned that it will somehow change or alter the current management of these lands. This is simply not true. Included in H.R. 2016 is a section that specifically states, ''Nothing in this act shall be construed to enhance, diminish or modify any law or proclamation (or regulations related to such law or proclamation) under which the components of the system identified in section 3(b) were established or are managed, including but not limited to the Alaska National Interest Lands Conservation Act, the Wilderness act, the Wild and Scenic Rivers Act, the National Trails System Act, and the Federal Land Policy and Management Act.''

After almost a decade of success, it is time for Congress to finally put its stamp of approval on this system by formally authorizing NLCS. H.R. 2016 does nothing more or less than write the NLCS into statute. The bill will not alter management of a single acre of Federal, State or private land. Enactment of this legislation will not change the management of these areas, but it will change the perception; it will not upgrade their protection, but it will upgrade their stature.

The coalition of organizations supporting 2016 is as diverse as the system itself, including environmental groups, the American Hiking Society, the National Council of Churches, American Sportfishing Association, Boone and Crockett Club, National Trust for Historic Preservation, National Wildlife Federation, and the Outdoor Industry Association. The Bush Administration has enthusiastically supported the legislation.

Mr. Chairman, what we have here are uniquely American places that should and must be recognized. The NLCS deserves congressional sanction, and we should grant it.

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

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

You know, there was a time when Pete Rose was trying out to make a baseball team, and the scouting report said that ''Rose can't make a double play, he can't throw, he can't hit left-handed and he can't run.'' The first time Fred Astaire tried to make a movie preview, the report coming back on Fred Astaire was, ''he can't act, he's slightly bald, and he can dance a little bit.'' The Boston Red Sox were reviewing a new outfielder, and the scouting report came back saying, ''he's not the Red Sox type.'' The guy they were actually scouting was Willie Mays. Which simply means, in life, sometimes what we see and sometimes what we're told is not necessarily the reality of situations. As groups and individual Members of Congress are starting to see this bill for what the details are is one of the reasons why we see some of those groups peeling off on their support.

Why, some of the issues we raised in committee, it was said they're not really issues, now there are amendments that have been proposed by the majority party to deal with those so-called ''nonissues.''

It is said all we're trying to do here is codify and make permanent an institution that's already in existence, but it is much, much more than that. My freshman year, the goal of the freshman class was to try to eliminate waste, fraud and abuse in government. Sometimes I wish we were still doing this because today we have reached the mother lode of waste, fraud and abuse.

This is an entity, the National Landscape Conservation System, which spends money, but it does not hire anyone, it does not fire anyone, it does not write regulations, it does not repeal regulations, it doesn't administer any land, it doesn't manage any land. For the life of me, we have been trying to figure out what this thing does other than spend $50 million a year to encourage and to bring attention to certain particular areas.

We are told that this bill would not change any of that. This bill apparently does nothing to an entity that does nothing. But I'm going to portend to you that the reason this entity has been so successful so far is simply because it's been under the auspices of the Secretary of the Interior. But if, indeed, we codify this and put this into statute, an entity right now which sticks out on a flowchart like a sore thumb that doesn't really do anything will change, it will change significantly, and all of a sudden it will start to do something. And that's where the danger arises. Because when we wrote down the values of this supposed new system, they are extremely vague, which means, first of all, it opens us up to lawsuits right and left. If the amendment that will be offered later does not pass to try and limit the impact of those lawsuits, we are offering this Nation a great deal of harm and potential peril.

We have spent $50 million every year on what can best be called a redundant organization, but it actually should be changed. And the question obviously is, will we be spending more in this society? Now, once again, the proponents say nothing will change, it's not going to cost more, CBO says it's not going to cost more, there will be no regulations. The chairman of the subcommittee that sponsored this bill was asked once again at one point in time, will this create more cost, more regulation, and the answer was simply this: Well, you go in to establish the system, and then you go to step two. What that step two is is the fear that happens to be here. The values that have never been identified in this legislation dealing these parts of land deal with such issues as recreation. Amendments to actually define that were not allowed to be discussed. It deals with border security. Amendments to define that were not allowed to be discussed. We will have another border security amendment which, in my estimation, does anything more than establish the status quo as our policy when the status quo is not sufficient.

We will have discussions over grazing issues and energy issues. We should have had discussions over private end holding issues. All of those should be defined as part of the values that we are talking about here.

The Department of Interior has been very positive about this. They said they support this concept because it allows them to do what has always been done that is the difference between BLM monuments and parks versus national park monuments and parks, and that is, the value of multiple use. But in committee, when we tried to amend the language so that multiple use was a value to be maintained, it was defeated on a party line vote. And when we went to the Rules Committee and tried to make sure that we had a chance to discuss this, to put in multiple use as the value that is significant, it was again denied the ability even to discuss that on the floor. And that is the sum and substance that is different.

Now, we are dealing with a system that impacts people and their lives. It was said by Sir Henry Maine, ''Nobody is at liberty to attack civil property and say at the same time they value civilization because the history of two can never be disentangled.'' And that is where we're at.

Unless this bill is significantly modified, this bill will do harm to people. Unless this bill is changed and this system is moved back, it will do significant harm to people.

We have problems within this entity right now. Rather than solve any of these problems, it provides vague and fluffy language that will make the situation worse. It does not solve the problems, but it does create a permanent statutory entity without any solutions and, indeed, goes the other direction and makes permanent solutions to our problems more difficult actually to accomplish.

This simply is a bill whose time is not now. This is a bill that does not tell us exactly what to expect. It opens up the Federal Government to all sorts of potential lawsuits, and doesn't actually come up with a value that makes BLM land different than Park Service land, which is multiple use. That phrase has to be in that bill if this bill has any chance of having any some rationality of purpose.

With that, I reserve the balance of my time.

□ 1330

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the chairman of our full committee, the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I wish to commend the chairman of the Subcommittee on National Parks, Forests and Public Lands, the gentleman from Arizona (Mr. GRIJALVA), for his excellent leadership on this issue. He is the sponsor of it. I rise as chairman of the Committee on Natural Resources to lend my strong support thereto.

The National Landscape Conservation System was administratively established 8 years ago. It is comprised of Western public lands under the jurisdiction of the Bureau of Land Management that have been placed in conservation status either by presidential proclamation or by acts of Congress.

The BLM refers to the NLCS as ''Landscapes of the American Spirit.'' And the agency is enthusiastic about this system. And rightly so because it works. It works to highlight some of the unique features of these lands, and it helps BLM shed its imagine of simply being the Bureau of Livestock and Mining.

The pending legislation is supported by the Bush administration. I know that may raise some suspicion in certain quarters, but I can assure those of my colleagues who may have reservations with the bill due to this fact that the Natural Resources Committee has thoroughly examined the legislation. And under Chairman GRIJALVA's leadership, I'm here to assure you that there are no hidden provisions of this legislation to grow even more oil rigs on our already pressed public lands or to overthrow past presidential proclamations creating national monuments. This bill is a congressional stamp of approval of the existing NLCS system.

Each of the 850 or so areas that are part of this system came into it through different avenues. Many were designated by Congress as wilderness areas or national wild and scenic rivers, national conservation areas, or national historic and scenic trails. Others were designated by Presidents as national monuments under the Antiquities Act. As such, each element of the NLCS carries with it its own management regime. There is no one size fits all. The pending legislation does not change that.

And to make that point crystal clear, the bill contains a savings clause. It is a sweeping savings clause stating that nothing in this legislation enhances, diminishes, or modifies any law or proclamation under which the various components of the NLCS were established.

Later during debate on this bill, an amendment will be offered by the floor manager, the gentleman from Arizona (Mr. GRIJALVA), which will further elaborate on the savings clause by specifying nothing in this legislation can impede Homeland Security. I urge my colleagues to support that amendment. In addition, there will be an amendment offered by the gentleman from Pennsylvania, Mr. JASON ALTMIRE, to further elaborate on the savings clause as it relates to hunting, fishing, trapping, and recreational shooting that may take place on NLCS lands. This is a constructive amendment and one which we worked with my good friends at the National Rifle Association, and I urge my colleagues to support that amendment as well.

There are other amendments which fall under the category of putting forth a solution in search of a problem which simply does not exist, and I would urge opposition to those amendments.

So in conclusion, Mr. Chairman, I urge support of the bill and again commend the gentleman from Arizona for managing it on the floor today, for his sponsorship, and his valuable leadership.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1½ minutes to the gentleman from Idaho, a member of the committee (Mr. SALI).

Mr. SALI. Mr. Chairman, those recreating in Idaho, whether residents or tourists, will likely head to lands encompassed by this bill. More than 2 million acres in Idaho alone will be affected, which will in turn affect many of the uses enjoyed in Idaho, four wheelers and off-highway motorbikes, hunting, boating, and shooting. All of that today is at risk because of the legislation before us.

But more than just recreation is threatened by the bill. Federally managed public lands, treasured by so many, are in jeopardy of being cut off except to those who have the health and the strength to hike or perhaps to mountain bike.

My 84-year-old mother can only walk with a walker but still enjoys the outdoors. Mr. Chairman, look at that smile. I think everyone wishes that their mother could have that kind of enjoyment. With activities including off-highway vehicle use threatened under this bill, my mother and others like her will have no meaningful way to enjoy these lands. The same is true of people with disabilities. Today we are telling those individuals that these 2 million acres in Idaho and 26 million acres across the West will not be accessible to them and will only be available to a small segment of our society with very narrow uses.

Public lands should be available for everyone, including the elderly and people with disabilities, not just a select few. We can and must do better.

Mr. GRIJALVA. Mr. Chairman, I would like to yield such time as she may consume to the gentlewoman from California (Mrs. CAPPS), an original cosponsor of H.R. 2016.

Mrs. CAPPS. Mr. Chairman, I rise in strong support of the National Landscape Conservation System Act. This bill will help protect some of our Nation's most treasured landscapes. I want to commend my chairmen, both Mr. GRIJALVA, the subcommittee chairman from Arizona; and Mr. RAHALL, the full committee chairman, for bringing this important legislation to the floor today.

The NLCS was created administratively in 2000 to guide the management of the national monuments, wilderness areas, and other significant public lands under the Bureau of Land Management's authority. Many of these lands, like the Carrizo Plain National Monument and California Coastal Monument in my congressional district, are on par with our national parks in their beauty and value to the American people.

Unfortunately, the system has taken a back seat in our country's land conservation efforts. It's been shortchanged in funding in the President's budget year after year. There are not enough resources or staff to properly manage these lands. And reports continue to surface that the natural, cultural, and archeological sites on NLCS lands are being overrun or destroyed.

Today we can take the first step in improving the stewardship of these lands by passing H.R. 2016. This is a straightforward bill. It simply writes the NLCS into law. I want to stress to my colleagues this bill does not change how any of the units in the system are presently managed. Grazing rights, water rights, and public access to the areas are unchanged. The bill does, however, recognize that these landscapes are of great significance to the American people and should be managed to protect their values. Over the coming decades, these lands will become more widely used, and we must be prepared to handle that increase.

Finally, we have other areas that should be part of NLCS, and I hope they are, places like the Piedras Blancas Light Station in any district. I hope this will special place as one example, a place on California's central coast, will be soon be added to the system through legislation I have already introduced.

Mr. Chairman, this bill is a logical and needed next step toward improving the management of the units that make up the NLCS. I urge my colleagues to vote ''yes'' on H.R. 2016.

Mr. BISHOP of Utah. Mr. Chairman, it is my pleasure to yield 1 minute to one of the sponsors of this bill, our good friend and colleague from California, where obviously at this particular time both physically and intellectually we are on different sides of the field on this particular issue, but I yield 1 minute to the gentlewoman from California (Mrs. BONO MACK).

Mrs. BONO MACK. I thank the ranking member for his generosity in yielding me this time.

I rise today as a co-Chair of the NLCS Caucus and supporter of H.R. 2016. This system, which is managed by the executive branch, deserves the oversight of Congress that comes with the passage of this legislation. One unit of the NLCS, the Santa Rosa and San Jacinto Mountains National Monument, is within my congressional District. This monument is instructive to today's debate. The unit was created by Congress in 2000 and was the direct result of the desire to have the public get involved in the creation of a large Federal land designation. The result is an impressive example of Federal lands that are to this day managed in their own unique manner. The intention of this bill is to continue the management and specific uses that are allowed on Federal lands across the country, the same approach taken at this monument ever since the creation of the NLCS in 2000.

With bipartisan backing and the endorsement of the administration, again, the endorsement of the administration, it is my hope that we can agree to move this bill forward.

Again, I thank my ranking member very much for his generosity and his time.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey, a sponsor of the legislation (Mr. HOLT).

Mr. HOLT. I thank the chairman of the subcommittee for this time.

Mr. Chairman, I rise in support of H.R. 2016, the National Landscape Conservation System Act.

Think about it. Ranging from the awe-inspiring volcanic landscape of the craters of the Moon National Monument in Idaho to the majestic White Mountain National Recreation Area in Alaska, the Bureau of Land Management's National Landscape Conservation System protects some of the most spectacular landscapes in America. Altogether it protects 26 million acres of America's diverse public lands from Alaskan tundra to red-rock wilderness, deep river canyons to ocean coasts, to American Indian cliff dwellings, and our Nation's oldest trails. These sites provide Americans with unique venues for recreation, for wildlife viewing, for exploring history, for scientific research, and for a wide range of traditional uses.

H.R. 2016 would ensure that all 800 sites that comprise the NLCS remain a cohesive and protected system for generations to come. Now, currently these are recognized only through BLM administrative regulations. There's no guarantee that these beautiful sites, that this system, will continue to exist even 5 years from now.

President Lyndon Johnson put it well. He said, ''If future generations are to remember us more with gratitude than sorrow, we must achieve more than just the miracles of technology. We must leave them a glimpse of the world as it was created, not just as it looked when we got through with it.'' By making the NLCS Federal statute, we will ensure that future generations will enjoy these national treasures, and I urge my colleagues to support Mr. GRIJALVA's legislation.

Mr. BISHOP of Utah. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Chairman, it is vital that we work to protect grazing on public and private lands. In fact, communities throughout the United States depend on it.

Millions of acres of lands within the NLCS have grazing. The NLCS is a direct threat to grazing for these several reasons. This is not by accident. Advocates who testified in support of H.R. 2016 list grazing as a ''threat'' to NLCS lands.

This bill, in fact, directs the Secretary of Interior to manage NLCS lands similar to the National Park Service. This is a problem because there is no grazing on National Park Service lands. Outside groups will use this to drive off ranchers through lawsuits. This is harmful not only to ranchers themselves, a very difficult industry at this time, but to the communities in which they reside. It is also harmful ultimately to the American consumer.

I urge others to vote ''no'' on H.R. 2016 and encourage a balanced policy as a result.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Thank you very much, Chairman GRIJALVA and Chairman RAHALL, for your very hard work on bringing this bill to the House floor today.

Connecticut's Fifth District, which I have the honor to represent, is rich in the kind of landmarks and natural treasures that today's legislation would help to better manage. From the beautiful Farmington River, a Wild and Scenic River, to the Metacomet Monadnock Mattabesett Trail, soon to be a National Scenic Trail, my constituents are personally familiar with the kind of benefits and resources these designations can provide in encouraging community-driven conservation and land management.

As we continue to grow as a region and as a Nation, we need to be mindful of preserving that delicate balance with the natural world around us. My home State of Connecticut has the highest proportional rate of farm land development in the country, creating a quandary for communities who want to promote economic development but don't want to sacrifice the unique character of their towns and of their regions in the process.

□ 1345

This is the kind of bipartisan issue that brings many of us together. The designations that my district enjoys today come by virtue of the hard work of my predecessor, Congresswoman JOHNSON. This brings together hunting enthusiasts as much as it does environmental advocates, and they are all asking the question, how do we best leverage the resources of the Federal Government to partner with communities?

The Federal Government can and should be that type of partner in helping support the regional management of the outdoors. A better coordinated Federal effort, which this bill will bring, can empower communities and can empower individuals to have a larger, more constructive role in the sensible conservation of our land and of our resources.

Again, I thank the chairman for his work on this bill. And I urge my colleagues to support it this afternoon.

Mr. BISHOP of Utah. I am pleased to yield 4 minutes to a member of the committee, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I rise in opposition to H.R. 2016. One of the Resources Committee staffers was just pointing out that 6 years ago she paid $1.10 for gasoline. Now we are seeing the price of gasoline at $3.30 and increasing. Now what have we done to improve the lives of the middle-class citizens who are struggling to pay taxes and to pay the cost of fuel for their car, and then face the prospect of losing jobs? Well, in 1995, the Republican Congress passed the provision to drill in ANWR. President Clinton vetoed that. If that had been passed, today we would have 1.5 million barrels of oil in production coming daily from there to help stem the price of gasoline. We have limited the ability to drill in our outer continental shelf, even though China is drilling 47 miles off our coast. So again, we are allowing foreign countries to develop our resources, yet we are restricting ourselves.

This past December, this Congress, under the leadership of NANCY PELOSI, put 2 trillion barrels of shale oil off limits in Colorado saying, I guess, that we're going to go ahead and import, and we're going to face the higher price of gasoline. Now, if we think there is no connection between the price of gasoline and this bill, take a look at the Wilderness Society and their 18-page brochure which tells us that it is imperative that we do something with this bill, that we pass this bill. It lists as problems that this bill will correct, road building, energy exploration, mining, recreational use, offroad vehicle use, boundary adjustments. These are all the immediate threats that the Wilderness Society points out that the NLCS is going to stop.

So we find that even the supporters of the legislation realize it is going to affect energy development, and yet our friends on the other side of the aisle say we are going to accept $3 gasoline, we are going to import from Hugo Chavez, and we are going to continue to import from the Middle Eastern countries that despise us and work against us. And they say they, as a majority, are not going to do anything. And in fact, they are going to pass this bill, which makes it more difficult for us to produce energy off of Federal lands. It just does not make sense in these times when it is a struggle for middle-class taxpayers to pay the bills of the family, to feed the family and then get the kids to the soccer games, to the classrooms and back, and we are passing a bill that has significant effects on the western lands of this country.

In many of my counties, we have 10 percent private lands. In many of my counties, the back will be broken of all economic activity as we undergo this management change, this way we manage our lands. Our western lands are managed well. Maybe the Bureau of Reclamation and the Forest Service could do a better job. But they are doing a good job. Instead, we are going to say we are going to treat all of the western lands like parklands where we have no economic activity at all.

Mr. Chairman, this legislation is sadly misguided. And it is not without understanding. My office proposed an amendment for wind energy on these lands. And they rejected without debate the idea that we would not only want to have energy production, but also convert to renewables on public lands. They rejected that without debate, without discussion, because they know they do not want the footprint of any entity, not even oil and gas or renewable energy.

Mr. Chairman, I would recommend that we turn this bill down flat because it is going to affect the future of all of our hardworking citizens. Just last year, Dow Chemical announced a $22 billion facility is going to Saudi Arabia. It is going because the price of natural gas is so high here. It took over 10,000 jobs with it when it went. We are seeing our jobs leave because of the policies that are being put in place by this majority. And this bill is just one more addition to those bad pieces of legislation of bad policy that is restricting oil and gas and restricting renewable development on the lands.

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

Mr. BISHOP of Utah. If the gentleman from Arizona would like to reclaim his time, I realize he has just had one of his speakers come in here, and we can keep the order going, which would be fine with me.

Mr. GRIJALVA. Thank you. Mr. Chairman, let me recognize Congressman INSLEE, a member of the Resources Committee, a sponsor of the legislation, for as much time as he may consume.

Mr. INSLEE. I rise in support of Mr. GRIJALVA's bill. I really applaud his leadership on this. It is long overdue.

This bill really takes care of the landscape conservation treasures that

we have come to enjoy. It protects 26 million acres of BLM's most exceptional landscapes. And to put it in perspective, that is a lot of territory, but it is only 10 percent of the BLM-managed areas. It is a very reasonable thing for us to do. And the reason is that it protects the heritage, the ancient Native American sites, pioneer ranches and pioneer homesteads. I am a fellow of the West. I enjoy looking at them. It preserves historic trails, rugged and remote mountains, deserts, prairies and rivers. These are the jewels in the crown of the BLM-managed property, and all Americans have a stake in them.

When you think about how expansive this is, there is something for everybody in America in this bill, those who like to raft, to hunt, to sightsee, to fish, to hike, to study, to bird-watch or to just hang around with their kids. This is an all-purpose bill. And it is a lot of places: Colorado's Canyons of the Ancients National Monument the Lewis and Clark National Historic Trail, Idaho's Craters of the Moon National Monument, California's Headwaters Forest Preserve, Nevada's Red Rock Canyon National Conservation Area, Montana's Upper Missouri River Breaks National Monument, Utah's Beaver Dam Mountain Wilderness Area, Oregon's Lower Deschutes Wild and Scenic River, and my kind of favorite, the Pacific Crest and Continental Divide National Trail System, a trail system that is in trouble and this bill can help preserve.

So this really is a universal bill. And I want to point out something that is kind of uniquely American. These systems really rely on volunteers to keep them healthy. And I want to commend the thousands of volunteers who spend their weekends working on these trails providing interpretive services. Thank you to all of you who are doing this. This bill will help them to have a more organized system, and I think it is a real economically sound thing to do.

The Bush administration has indicated its support for this bill. It's straightforward codifying legislation. As a member of the Resources Committee, I want to applaud Mr. GRIJALVA and all of those Americans who are going to take their kids out to these places and have a grand time. Congratulations on passing this bill.

Mr. BISHOP of Utah. At this time, I am happy to yield 4 minutes to the gentleman from Texas (Mr. POE).

Mr. POE. I want to thank the gentleman for yielding time.

This legislation will turn 26 million acres of land, the same size of all of New England, or 16 States, that are now in the Western part of the United States into vast tracks that will be walled off from almost all human use to the United States except illegals. And here is the reason I say that.

This bill is nothing more than another land grab by the Federal Government to restrict land use in America. Under current law, the Border Patrol is prohibited from patrolling these areas in the West and the Southwest. Remember, we are talking about the size of New England. And they are prohibited from doing so because of current law. And this measure will make it actually worse. All in the name of protecting the environment, we are going to restrict land use by our Border Patrol and American citizens.

Here is part of the problem that is already occurring on current land that we are trying to protect the environment from. This is a place called ''Amnesty Highway'' in Arizona where illegals come through the United States in an area where the Border Patrol cannot patrol with their vehicles. They are dumping all kinds of garbage and then moving into the vastness of the United States. This bill should be called the ''Illegal Immigrants Paradise Land Act'' because the area in question under this act will be a safe haven for illegal immigrants. In fact, just 2 months ago in the Tucson Weekly, it reported rampant illegal immigrant activity in Arizona's Ironwood Forest National Monument, that is this area right here, an estimated 180,000-acre preserve managed already by the Federal Government. People in Arizona call this the ''Amnesty Trail,'' the ''Amnesty Highway.'' The article reports that probably hundreds of illegals a week make it into the Ironwood area because of the ''Amnesty Trail.'' Areas that were once pristine wilderness now resemble dump yards because of the illegals already coming into this area. This bill will make this problem worse. In Arizona's Ironwood National Monument, 2 tons of trash left by illegal immigrants is removed every week. Trash like this that we see.

Federal land management officials can't even do their job now, and they want to restrict use of this land to Americans. In fact, for several weeks last year, Land Management officials did not even enter this area because three people were found executed. Supposedly they were illegals coming into the United States, maybe drug dealers.

So why doesn't the government do something about this problem and resolve this problem before we restrict the use of land in America to Americans? Almost all the lands included under current law have prohibitions against Border Patrol and law enforcement officials performing regular patrols by vehicles. And as I said, this bill will make the problem worse.

This other photograph is on the same trail, the ''Amnesty Trail.'' It is not a very good photograph, but it is taken with a telephoto lens. It shows a vehicle bringing in approximately 40 to 50 people in a pickup truck coming from south of the border into the United States, presumably illegals, traveling the highway that the Border Patrol is not even allowed to travel with their vehicles.

So it is important that we, for several reasons, don't pass this legislation. You know, the Border Patrol cannot protect the land, so the smugglers and the illegals have a sanctuary area in our national landscape. So much for protecting the environment. What we don't hear is that the Ironwood National Forest Monument is part of the largest human trafficking corridor in the world. Even government officials now acknowledge that there is a human trafficking problem in this area. They admit that smugglers are bringing people further north every year, giving them drugs and then abandoning them on this monument land where many of them die of starvation. So naturally, this is where all the drug runners and human traffickers go into the Arizona area.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BISHOP of Utah. Mr. Chairman, I offer the Member 1 more minute.

Mr. POE. What our government ought to be doing is opening up these lands to our law enforcement, so they can protect our Nation rather than putting another layer of Federal bureaucracy on these lands, which is what this legislation does. This bill does nothing to protect our lands, but makes our lands more susceptible to the land invasion by coyotes and drug smugglers.

There is a border crisis occurring on Federal land, and this bill ought to address that issue instead of making this bad situation worse.

And that's just the way it is.

Mr. GRIJALVA. May I inquire as to how much time remains.

The CHAIRMAN. The gentleman from Arizona has 13 minutes remaining. And the gentleman from Utah has 12 minutes remaining.

□ 1400

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

I think in the course of the debate on H.R. 2016 we are going to hear a lot of claims, a lot of allegations, of how H.R. 2016 will change the management of these public lands, how H.R. 2016 will restrict uses in the future for these public lands. I want to remind Members of section 4, Statutory Construction, the savings clause, which in fact codifies the existing management and codifies the existing uses. But we are going to continue to hear that, the generalizations. And with those generalizations come half-truths and untruths as to what this bill does and does not do.

What this bill does not do, it does not encroach on private property rights. What this bill does not do, it does not change grazing and oil and gas development on these lands. It does not threaten recreational and traditional uses of the land, including hunting, rock climbing, hiking, camping, rafting and motorized use. It does not make the conservation system parklike or eventually managed by the national parks. It does not provide additional protections for Wilderness Study

Areas in the conservation system, and will not designate new wilderness. It does not create a new level of bureaucracy. It does not take money away from national parks. It does not increase spending on government land acquisitions. And it does not impede border security.

I find it ironic that the now-minority, having been the majority for the past 7 years, has not been able to change some of the land designations that they are so upset about today. This vehicle, H.R. 2016, should not be the vehicle for them to vent their frustration. H.R. 2016 has gone through a rigorous process and has bipartisan support.

With regard to border security, the failure of this Congress to comprehensively grapple with the security issues, the border issues and the immigration issues that are facing this country, a broken immigration system that all of us can agree to, that failure to enact those should not be now made the responsibility of H.R. 2016, for the crisis that has been created by the inaction and the fearful reaction of many Members of Congress to try to deal with border issues and border security.

H.R. 2016 is a good piece of legislation. Specifically, the savings clause protects the intention of those lands, the management of those lands and the uses of those lands.

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

Mr. BISHOP of Utah. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, we have heard several things about this particular piece of legislation. This new entity, the National Land Conservation System, not to be confused with the National League Championship Series, which is a much better concept, this entity was not created by congressional action. It was created as the dream child of a former Secretary of Interior less than 10 years ago.

When asked in a hearing of the Bureau of Land Management if they were incompetent to manage these lands before this new entity was established, the simple answer was no. One would then ask the question, why was there a need 10 years ago for this new entity, because this new entity still does not administer anything, they don't manage anything, they don't regulate anything, nor will they, as has been carefully delineated by the sponsor of this legislation.

The first question still should be asked, what do they really do, other than to provide some vague philosophy of recognition and enhancement and anything else? If we really simply wanted to just create this system statutorily, a one-sentence piece of legislation would do: ''There is established a National Land Conservation System.''

Is there a threat to any lands that are currently under the auspices of the Bureau of Land Management, as has been indicated by certain speakers? The answer is no. The sponsor just admitted there is no threat to that. All we are talking about is some vague new entity, and the issue of concern with this vague new entity is the language now says this new entity has certain values that it is supposed to uphold. These values are vague. Nowhere does it specifically say what these values are.

Is this a threat to private property? No more than the present system. But that is where the issue comes in. We already have threats to the private property within this system, and this piece of legislation, rather than solving that issue, exacerbates that issue altogether.

Is there a border security issue? Yes, presently, and this piece of legislation does not help that issue. It exacerbates the issue, if anything else.

It is the vagueness of the language in this bill that puts into statutory language an entity that really doesn't do anything right now. That is a problem for the future, if at some stage or some point in time Congress wants or even the entity itself wants to make it do something proactively.

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

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Mr. Chairman, I want to thank Chairman RAHALL and Chairman GRIJALVA for their continued commitment to America's natural and historic treasures.

Our national parks, forests and public lands are among our Nation's most valuable resources. In fact, one of our country's most unique national parks, the Everglades National Park, is located near my district. It is important that we continue to protect these environmentally sensitive and historically significant areas for future generations to enjoy. I believe that the bill before us today, H.R. 2016, the National Landscape Conservation System Act, does just that.

The National Landscape Conservation System, and, more specifically, the Outstanding Natural Area designation which is part of that system, was created in 2000 by the Department of Interior in an effort to better meet the management needs of our Nation's public lands and historic treasures. In addition to the better management practices, the system promotes the designation of areas under the system to help spur tourism and expand educational opportunities in surrounding communities.

Mr. Chairman, just a few short weeks ago the House passed H.R. 1922, the Jupiter Inlet Lighthouse Outstanding Natural Areas Act. This bill, which I sponsored, would designate this historic lighthouse as an Outstanding Natural Area. It is important to note that the lighthouse is much more than a historical marker. It has become a symbol of our community, woven into the fabric of our culture, even appearing on the Town of Jupiter seal. With the passage of this legislation today, we have the ability to permanently protect our historic and natural treasures, such as the Jupiter Inlet Lighthouse, for future generations.

Again, I applaud Chairman GRIJALVA for his efforts.

Mr. BISHOP of Utah. Mr. Chairman, in closing, the gentleman from Florida just gave a wonderful speech, and I think he illustrated some of the problems with this particular bill. The territory to which he was speaking is National Park Service land, not BLM land. This bill only deals with BLM land, and that is precisely the problem that we have with this particular bill.

It is very simple one. We have parks and national monuments, some administered by the Bureau of Land Management, some administered by the National Park Service. They are different. Each one of them has a different value.

In the Park Service, the organic act that created it said what the values for this land would be. It is established in statute and in regulation. The Bureau of Land Management does not have that same value system, because they are different lands for a different purpose, which is why the language in this bill is so troubling, because it is simply a vague statement that simply says they will have values, and it has never, never been defined.

When the Department of Interior told me personally that they were in favor of this, it was because they could maintain the Bureau of Land Management parks and monuments with multiple use as the significant value. It would be protected, they said. Which is why I am so chagrined, that when we attempted to clarify in this legislation by amendment in the committee and once again before the Rules Committee that that is specifically the difference between the Park park and the BLM park, it was rejected.

Now, multiple use is the difference between national parks in the Park Service system and national parks in the BLM system, and that language, that language has to be maintained, because that is indeed the only value that makes a difference.

These lands are not threatened if the BLM has them. They are not threatened if we don't make this system, which is redundant at best and expensive at best, codified. But we do do something dangerous if we pass this legislation and now give a vague term of values on to a system that is defined nowhere. It opens us up to litigation problems, it causes problems in administration, and it does change the system. That is why there is so much danger, unless you are willing to do what our side has been saying all along, which is define what those vague terms actually mean.

That, Mr. Chairman, is why we oppose this piece of legislation. It opens up a door that has no definition as to what room we actually enter, and that is wrong. It is simply wrong.

The problem with that is it is going to hurt people, people who use this BLM land now to recreate, people who use it to graze, people who use it for their economy, people who have private property in-holdings in this area. They are put at risk because our language is simply too vague to allow them to understand what our intent is. That is why this bill has to be defeated.

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

Mr. GRIJALVA. Mr. Chairman, I mentioned earlier the discussion of what H.R. 2016 does not do. I think it is worth mentioning what it does do. It is very important. And I am only going to concentrate on one point. I think we will deal with the values issue in the amendment process.

H.R. 2016 unifies separate units into a coherent system. It ensures permanency, and I think that is the most important point. It will permanently establish perhaps a last great American conservation system in statute, and those lands will continue to be managed by the Bureau of Land Management and prevent any future attempts to get rid of the system. It enhances the statute of this system, and it deserves to be enhanced.

It is a good piece of legislation. It has good support from Members of Congress and from interest groups who care about the conservation issues that we face in this Congress.

Mr. BROWN of Georgia, Mr. Chairman, seizing land infringes on the most fundamental of Constitutional rights and endangers property owners across our great Nation. NLCS will eternally lock land into Government control and prevent Americans from their right to property ownership.

Our Federal Government already owns 653,229,090 acres of land. Does it really need to control any more? NLCS would take control of 26 million acres of land—13 percent of the nation's surface. This land will be forever taken and the right to own land denied. There is no justification to consume more land.

Second Amendment Rights are also under assault in this legislation. Nothing in this legislation protects hunting, fishing, or gun rights on NLCS land—even though they have traditionally been allowed.

The Constitutional right to own property should always be protected. Citizens should be allowed to utilize and prosper from the land. As chairman of the Property Rights Action Caucus, I believe that no legislation should ever infringe on property rights or attack the Second Amendment. Protect these fundamental Constitutional rights of land and gun use by voting ''no'' on H.R. 2016.

Mr. SHAYS. Mr. Chairman, I rise in support of H.R. 2016, the National Landscape Conservation System, NLCS, Act. This bill would codify the NLCS's management of 26 million acres of land presently under the direction of the Bureau of Land Management, BLM, affording the system the recognition, management, and unification of a national system.

The lands in question have been designated National Monuments, National Conservation Areas, Wilderness, Wild and Scenic Rivers, and National Scenic and Historic Trails by Congress and by Presidential Proclamation. Eight years ago, the Secretary of the Interior established the NLCS to manage these areas. Congressional recognition of NLCS's management of these treasured places only seeks to codify what the BLM currently administers.

H.R. 2016 does not change the BLM's multiple-use mandate. Rather, it celebrates the BLM's ability to manage its special lands for multiple uses, including conservation, for the benefit of the American people. By writing the NLCS into law, this legislation prevents any rescission that might put this new conservation system at risk. It is important that the BLM continue to manage and protect these lands and waterways enjoyed by millions of Americans each year.

I am grateful for the steps the BLM has taken in protecting this system of Federal lands and urge support of final passage of H.R. 2016.

Mr. HALL of New York. Mr. Chairman, I am a strong supporter of the rights of landowners. H.R. 2016, the National Landscape Conservation System Act, would not affect any private property. The bill deals only with land that is already owned by the Federal Government. No new lands are taken away from any person or added to Federal lands and there is no impact on how landowners can use their property.

Under the guise of protecting landowners, the minority attempted to use the vote on ordering the previous question, roll call number 164, to kill a good, bipartisan bill. I voted to order the previous question because I believe that the House of Representatives should consider and approve H.R. 2016.

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

The Acting CHAIRMAN (Mr. SERRANO). All time for general debate has expired.

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

The text of the committee amendment is as follows:

H.R. 2016

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 ''National Landscape Conservation System Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) SYSTEM.—The term ''system'' means the National Landscape Conservation System established by section 3(a).

SEC. 3. ESTABLISHMENT OF THE NATIONAL LANDSCAPE CONSERVATION SYSTEM.

(a) ESTABLISHMENT.—In order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations, there is established in the Bureau of Land Management the National Landscape Conservation System.

(b) COMPONENTS.—The system shall include each of the following areas administered by the Bureau of Land Management:

(1) Each area that is designated as—

(A) a national monument;

(B) a national conservation area;

(C) a wilderness study area;

(D) a National Scenic Trail or National Historic Trail designated as a component of the National Trails System;

(E) a component of the National Wild and Scenic Rivers System; or

(F) a component of the National Wilderness Preservation System.

(2) Any area designated by Congress to be administered for conservation purposes, including—

(A) the Steens Mountain Cooperative Management and Protection Area, as designated under section 101(a) of the Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn–11(a));

(B) the Headwaters Forest Reserve;

(C) the Yaquina Head Outstanding Natural Area; and

(D) any additional area designated by Congress for inclusion in the system.

(c) MANAGEMENT.—The Secretary shall manage the system—

(1) in accordance with each applicable law (including regulations) relating to each component of the system included under subsection (b); and

(2) in a manner that protects the values for which the components of the system were designated.

SEC. 4. STATUTORY CONSTRUCTION.

Nothing in this Act shall be construed to enhance, diminish, or modify any law or proclamation (or regulations related to such law or proclamation) under which the components of the system identified in section 3(b) were established, or are managed, including, but not limited to, the Alaska National Interest Land Conservation Act (43 U.S.C. 1601 et seq.), the Wilderness Act (16 U.S.C. 1131 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the National Trails System Act (16 U.S.C. 1241 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–573. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–573.

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. GRIJALVA:

At the end of the bill, add the following:

SEC. 5. BORDER SECURITY.

Nothing in this Act shall impede any efforts by the Department of Homeland Security to secure the borders of the United States.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1415

Mr. GRIJALVA. Mr. Chairman, this amendment states in its entirety that nothing in this act shall impede any effort by the Department of Homeland Security to secure the borders and enforce the immigration laws of the United States.

Let me be clear, the recent decision by DHS Secretary Chertoff to waive more than 30 bedrock environmental laws, including the Safe Drinking Water Act and the National Park Service Organic Act, in order to build a wall along our southern border was, in my opinion, an abuse of discretion granted to him by the previous Congress.

I have introduced separate standalone legislation, H.R. 2593, the Borderlands Conservation and Security Act to, among other things, repeal this waiver authority because, in my view, there are better ways to secure our borders than requiring them to waive laws which protect the water we drink and the air we breathe.

I have also joined with Members of Congress in filing a notice of our intent to file briefs before the United States Supreme Court because I believe the waiver provisions violate our Constitution.

However, the bill currently before the House, H.R. 2016, is not an appropriate vehicle for addressing these concerns. This is simply an authorization bill for a conservation system. It is not intended to impact the management on any of these units, including management decisions regarding border security.

The amendment I am offering here simply makes this as clear as possible. I oppose the law, and I am using every opportunity to make that opposition plain, but this is not the bill for those opportunities.

I urge my colleagues to support my amendment, make sure the debate on border security takes place in the appropriate time in an appropriate manner under the appropriate legislation, and then we can move forward on this straightforward conservation bill.

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

Mr. BISHOP of Utah. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. I first ask uanimous consent to include an article from the Tucson Weekly that deals with the areas of this issue.

The Acting CHAIRMAN. The gentleman's request will be covered by General Leave.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate Mr. GRIJALVA actually taking the lead on this issue.

In fact, Republicans had two amendments that were introduced to the Rules Committee that dealt with this same specific issue. Again, in a spirit of bipartisanship, the two Republicans ones were not put in place but the Democrat one was, and at least we are addressing this particular issue.

I do happen to have some objection to this one, because to me, what this amendment does, is put into statute or to put into language the status quo. Nothing in this act shall impede what we are already doing. I think this issue should be more forward thinking. We need to change what is happening in the status quo in this area that is simply now known as the trail of amnesty, where so much illegal narcotics work, illegal human trafficking and illegal gang activity has taken place. The article to which I referred actually specifies what that is there.

That is why the amendments that were not made in order were superior to the one that is made in order here, and it should be recognized.

Mr. Chairman, at this time I would like to yield to the gentleman from New Mexico 2 minutes of my time for discussion of this amendment.

Mr. PEARCE. I thank the gentleman for yielding time.

Mr. Chairman, again, I would point out that in committee we heard these same comments that we are talking in generalizations, half-truths, complete untruths. We were told then that the border is completely secured in the current legislation, and now we find that maybe there is a reason to kind of adapt the wording.

We also were told that there is nothing that would limit any sports, no hunting, shooting sports, that those assertions on the part of the minority were simply generalizations, half-truths and untruths.

So it's really amazing to me that those half-truths now are being incorporated into the bill by first the bill sponsor and then by another one of the majority Members.

The complete idea and argument that all of our discussions have been generalizations, half-truths and untruths, simply now rises to a level which we have to ask ourselves on which side do the generalizations lie, on which side do the untruths lie and on which side do the half truths lie, because we are finding the majority that is adopting and adapting the bill now in order to make it more secure if they did not blink, if they had not believed the arguments in committee, they would not be making these changes today, they would not be trying to work out deals behind the scenes to make this a little bit more, maybe, less risky.

I think if we all see what's going on, I think if we see the majority blinking in a big way here on the floor, it just tells us we should turn down the underlying language and turn down this offensive impact on our public land management.

I thank the gentleman from Utah for yielding.

Mr. BISHOP of Utah. Do I have remaining time still, Mr. Chairman?

The Acting CHAIRMAN. The gentleman has 2 minutes left.

Mr. BISHOP of Utah. Mr. Chairman, let me make this clear. I have no intention of opposing or voting against the language from the gentleman from Arizona.

I am appreciative that the gentleman from Arizona and the majority party has finally taken the initiative of bringing issues up here.

My objection is that the language that was proposed to the Rules Committee in other amendments dealing with this issue was far broader and would have been better in the future. When we talk about language right now that nothing of us actually impede, we were talking in other pieces of legislation about not hindering border security, not hindering illegal immigration for Homeland Security or other law enforcement agencies.

The amendments we tried to propose would have been far broader, far more inclusive and would have dealt with issues into future as opposed to this.

But having said that, this is at least a good step in the right direction.

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

Mr. GRIJALVA. Mr. Chairman, the amendment is straightforward, the amendment restates the obvious, and the question about taking initiative is an appropriate question. The initiative should be taken with a committee that has been formed to deal with the issues that are of great concern to some of my colleagues that have spoken.

That committee is the Homeland Security Committee, to take legislation there that would deal with the issues they were concerned about. This is not the vehicle for that legislation.

My amendment states the obvious, reiterates the obvious.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. CANNON

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–573.

Mr. CANNON. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CANNON:

Page 4, at the end of line 23, insert the following: ''In addition, nothing in this Act creates a Federal cause of action based on inclusion within the National Landscape Conservation System.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Utah (Mr. CANNON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. CANNON. Mr. Chairman, I rise today to offer an amendment that is necessary to refine the vague language contained within this bill.

The legislation requires the lands included in the National Landscape Conservation System be managed for values, without ever defining what the term values means.

As we all know, values have different meaning to different people. In the case of land management agencies, values can range from cultural and historic resources to things as nebulous as ''smell-scapes.''

The loose definition of the underlying bill leaves the Federal Government open to litigation based on what someone may or may not determine to be consistent with what they believe are the values of lands included within the National Landscape Conservation System.

Our Federal land management agencies are currently overwhelmed with litigation which distracts from their primary mission of land management.

This amendment will prevent unnecessary and onerous litigation.

While the underlying legislation has a savings clause, it does not prevent the bringing of a lawsuit. We have been assured time and again that activities on these lands currently allowed will continue without a problem. However, the language does not include important and defined terms such as multiple use.

To illustrate the problem, in the event that multiple use activities such as grazing are currently accruing on lands within the NLCS system and an individual or group decides that grazing activities are not consistent with the values of NLCS lands, they can sue to stop the grazing activities. Consequently, a permitted activity is left open under this new regime to lawsuits based on the loose definition of values.

Most of the parameters by which management is to occur are clearly defined. Passage of the underlying bill would create standards which are not practical to administer. This will allow external groups of all kinds to challenge the BLM's management of NCLS lands based upon what the perceived values of these lands are.

My amendment merely will prohibit lawsuits against the Bureau of Land Management based on how they manage the lands under the NLCS system.

Given the huge cost that we are now suffering with litigation, preventing unnecessary litigation should be a goal of this body.

I urge all of my colleagues to support getting dollars to the ground for management, rather than tying them up in legal proceedings.

I urge support for this amendment and reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise to claim time in opposition.

The Acting CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. GRIJALVA. Not necessarily.

The Acting CHAIRMAN. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. Mr. Chairman, as with most of these amendments, the Cannon amendment is clearly unnecessary. Once again, we have, in this bill, an ironclad savings clause which I demonstrated earlier. That would be, after the enactment of H.R. 2016. Nothing in this act would diminish or enhance that.

The ability to sue plaintiffs that they have under current law, that would not be changed by H.R. 2016, and nothing in this act would change that. Nothing we do here creates a Federal cause of action. Since the creation of the system in 2000, nothing ever has. The proponents of this amendment are looking for a problem where a problem doesn't exist.

However, if the proponents of this amendment will feel more comfortable that we include language that simply states the obvious, then we will not oppose the amendment.

I reserve the balance of my time.

Mr. CANNON. I appreciate the gentleman accepting this amendment.

Mr. Chairman, without further ado, I yield back.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. CANNON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–573.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BISHOP of Utah:

Page 2, strike line 15 and all that follows through page 3, line 2, and insert the following:

(a) ESTABLISHMENT.—There is established in the Bureau of Land Management the National Landscape Conservation System.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, again, as I was speaking earlier about the bill, one of the problems is simply the concept of some vague elements of what ''values'' may or may not be, especially as it applies to Park Service and Bureau of Land Management lands.

The language in question that I ask to be removed from this bill is language that comes specifically from the Organic Act that created the National Park System as well as the Redwood amendments. Those two concepts caused the National Park Service to administer park lands to the same standard.

In the absence of any other definition of what Bureau of Land Management land should be in this system, it is essential that we not have to revert back to what the National Park Service uses as its values standard, and that's the fear that comes in here.

Indeed, in the BLM land that has been put into this system, you have a multitude of different land, from Bureau of Land Management monuments to Bureau of Land Management parks, to wilderness areas, to wilderness study areas. If, indeed, the same language that has forced the Park Service to manage in the same administrative pattern is now imposed on the Bureau of Land Management, it would do irreparable harm to different lands that are specifically there so that they can use multiple use.

Once again, we come back to that issue. BLM lands are supposed to be administered differently. That's why it's BLM lands in the first place. This language opens up the possibility of using the same kind of litigation techniques that force the Park Service to use all of their lands in the exact same manner onto the National Park Service.

If you change it to simply do what we said earlier, establish a National Landscape Conservation System, without the other verbiage, you eliminate that potential problem.

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

□ 1430

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the gentleman from Utah's amendment because it would undermine not only this legislation, but the mission and the mandate of the Bureau of Land Management.

The language this amendment would strike reads as follows: ''In order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations.''

These words are not new, nor are they undefined. The NLCS already exists and has existed for nearly a decade and the Bush administration supports these words as a summary of the management goals already in place for these lands under existing law.

Versions of this language are found in the Federal Land Policy and Management Act, in the Wilderness Act, in the Wild and Scenic Rivers Act, in Presidential proclamations and specific statutes creating these conservation units.

Restating these goals in this authorizing legislation is an appropriate mission statement and preserves the status quo. In contrast, striking them

would send a terrible message. Cutting these words out of the bill implies that these are not worthy management goals.

In effect, this amendment suggests that the BLM should no longer ''conserve, protect or restore'' places like the Canyons of the Ancients or the Vermillion Cliffs.

Cutting these words out of the bill suggests that the Grand Canyon Parashant and the Sonoran Desert are no longer ''nationally significant'' and no longer include ''outstanding values.''

Cutting these words out of the bill suggests that ''providing benefits for future generations'' is no longer a worthy goal of the BLM to pursue at Colorado Canyons or Santa Rosa and San Jacinto.

The language this amendment would strike is not a secret attempt to create a new management standard. Rather, it is simply a restatement of the way these lands are already being managed according to mandates already approved by Congress.

The gentleman may not like it. He may even be surprised to learn it, but these words are accurate reinstatements of BLM's existing conservation mandate. Striking them is an attempt to strike at the heart of that mandate, and it must be defeated.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, the language that is put in here is part of the BLM mandate. They are to conserve, protect, restore cultural, ecological and scientific values for the benefit of current and future generations.

The issue at hand, though, is that this is not the only part of the BLM's management authority and management purpose. By refusing to expand this to the other areas to which BLM is supposed to do, the work they are supposed to do on this land, we are in danger of actually going the other way and trying to impose that this is the only way, especially when this language has been used in the Park Service to mandate specific management practices and hurt that process.

If you go on with this particular section, when you go to (b), it lists the kind of areas designated in this new land system. Each one was established with a certain land management plan. They are there. But the fact that we don't put them in here opens up the possibility of litigation to problems that are there.

It is important so we know that the Department of the Interior said they don't mind creating this system by statute, but they were opposed to this language. They said this language is harmful to their mission statement.

I wish to actually try and convince every Member on the floor, all three of us here, that this is indeed not what the department needs. It is not what the bureau needs. It is not the kind of language that you want to put in statute if you want to make sure what we are doing is specifically defined. This opens up more problems than we would otherwise have.

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

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

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

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–573.

Mr. BISHOP of Utah. Mr. Chairman, I have another amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BISHOP of Utah:

Page 4, strike lines 5 through 11, and insert the following:

(c) MANAGEMENT.—The Secretary shall manage the system in accordance with each applicable law (including regulations) relating to each component of the system included under subsection (b).

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I can be painfully brief on this amendment.

In two places in this bill you have the same problem we have been talking over and over about, about the vague notion of simply ''values.''

The last amendment took the very superfluous language in the preamble, which has the potential of creating problems, as it has in other sections. But also in section 3(c)(2), we once again find this vague, nefarious language.

It says that the Secretary shall manage the system in a manner that protects the values for which the components of this system were designated.

Once again, by simply saying ''values'' without any kind of definition, nor is there any regulatory definition, you have simply opened this up to a vague, contentious opportunity. If you are going to establish this system and give them something to do, for heaven's sake, tell them what they are going to do and make it simple and make it succinct.

That is why this section should be eliminated. Until we are ready to define these values, you don't put this in statute.

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

Mr. GRIJALVA. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I oppose this amendment for the same reasons I opposed the previous amendment offered by the gentleman from Utah.

Like the previous attempt to strike the purposes of this bill, this amendment would strike language instructing the BLM to continue managing these BLM conservation units in a ''manner that protects the values for which the components of the system were designated.''

Mr. BISHOP argues he simply does not understand what this term means, and he worries that the BLM doesn't know what it means either. Let me assure Members that this is not a new standard and that the BLM clearly understands what it means to manage land and to protect its values. In fact, they have been doing so for years.

I have here at least 10 instances in the Federal Land Policy and Management Act of 1976 in which the term ''values'' is used. Not only does it appear in the declaration of policy section of that law, it actually appears in the definition of the term ''multiple use.''

If that is not clear enough, most, if not all, of the laws or proclamations creating the individual units of the NLCS refer to the ''values'' to be protected.

I have three examples. There are many more, but we have selected three because they were approved by majority-Republican Congresses. The Black Canyon of Gunnison and Santa Rosa National Monuments and the Las Cienegas National Conservation Area, all units of the NLCS, all mention ''values'' in their enabling legislation.

The section this amendment would strike is an accurate reflection of the current management standards applied to these lands. To strike it would be to downgrade these conservation areas.

For a better understanding of what this standard means, I would encourage all of my colleagues to read the law, rather than simply trying to disregard language with which they are not familiar. The amendment needs to be defeated.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the gentleman from Arizona's comments. His initial sentence was that I am attempting to strike the very purpose of this act. I don't really think that is accurate because there is no purpose. If there was a purpose, it would have been written down as to what the purpose is. This simply says there will be values; and there is no definition of what those values are.

I would remind all of my colleagues in this room, this is the language that the department said they do not want.

This is the language BLM says does harm to them. This is the language they said was too vague and should be fixed, and it has not been fixed. That is why it should be eliminated.

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

Mr. GRIJALVA. Mr. Chairman, let me read from the Federal Land Policy and Management Act of 1976: ''the public lands to be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values.'' I repeat, this is not new language. This is language which has been part of the management of these units from its inception.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

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

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 5 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–573.

Mr. BISHOP of Utah. Mr. Chairman, I have another amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BISHOP of Utah:

Page 4, at the end of line 23, insert the following: ''Moreover, nothing in this Act is intended to additionally restrict or hinder energy development within the system.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this amendment deals with one of the other issues that we are talking about as far as potential development of energy on these lands that are currently under the control of the Bureau of Land Management and may or may not actually change with the formalizing of this new entity.

With skyrocketing energy prices, the last thing that Congress should do is lock up more lands that could provide a solution.

The NLCS lands include potentially billions of barrels of oil, vast quantities of natural gas and coal, and unlimited potential for renewable energy sources such as wind and solar.

The energy development on NLCS lands is vital to the economies of western States, and to the Nation. We should be looking at ways to keep the $400 billion that we spend to buy energy overseas here at home. We are only just beginning to understand what potential there is on NLCS lands for renewable energy sources. This amendment would ensure that those options remain open.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. GRIJALVA. At this point, not necessarily.

The Acting CHAIRMAN. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. GRIJALVA. As we have mentioned, H.R. 2016 already contains an extensive savings clause which makes absolutely clear that the simple act of writing the NLCS into statute will not change the way individual units are managed.

The inclusion of this savings clause should relieve Members of the need to come to the floor today and further amend the bill to enumerate each and every possible use of public lands for specific mention in the legislation.

The underlying bill already makes plain the fact that energy development, along with other authorized uses of these lands, will continue in those areas where they are currently allowed, even after H.R. 2016 is enacted.

Apparently, this broad savings clause is not plain enough. This amendment would single out energy production for special mention as one of those uses not impacted by the bill.

From the standpoint of writing clean, clear legislation that avoids redundancy and needless repetition, I oppose the amendment.

However, if this language provides an extra level of assurance and comfort for some Members, this amendment does not really change the bill, and I am prepared to accept it.

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

Mr. BISHOP of Utah. Mr. Chairman, I am assured and comforted.

I yield back the balance of my time.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

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

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. ALTMIRE

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–573.

Mr. ALTMIRE. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ALTMIRE:

At the end of the bill, add the following:

Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting on public land managed by the Bureau of Land Management. Nothing in this Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Pennsylvania (Mr. ALTMIRE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

I rise today to offer an amendment to the National Landscape Conservation System Act. Created in 2000, this act provides protective and restorative services to nearly 27 million acres of public lands, including a number of our Nation's most spectacular wilderness and scenic rivers.

□ 1445

The legislation before us today would codify this existing land preservation system, thus ensuring its existence for generations to come. However, as written, this bill does not protect the rights of our Nation's sportsmen, specifically, their continued right to hunt and fish on these lands.

Because I strongly support this right and want to make it absolutely clear that it is never infringed upon, my amendments states that enactment of this legislation will not, in any way, limit access for hunting, fishing, trapping or recreational shooting on the National Landscape Conservation System.

Furthermore, my amendment confirms that the right to manage, control and regulate hunting, fishing and trapping on these lands rests with the States, not with the Federal Government.

My amendment has garnered the enthusiastic support of a number of sportsmen's groups, including the National Rifle Association and Trout Unlimited. It is critically important that we ensure hunting and fishing activities remain a part of our Nation's heritage, so I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. BISHOP of Utah. I wish to claim the time in opposition although, as some others have said here, I may not necessarily be in opposition to this amendment.

The Acting CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. Mr. Chairman, to be honest, I will be voting in favor of

this particular amendment. I think this is actually a very good amendment. This is the issue we presented in committee that was rejected in committee. I am glad that someone somewhere, between the path of this bill from committee to here on the floor, found religion and is actually looking forward to this particular issue. It's a good one, even though we were told in committee it was just a shadow that we were fighting on the wall.

I would recognize also that there were three amendments that were introduced that did the exact same thing that have now been incorporated in this particular amendment. Somebody once told me, well, when you steal you should steal from the best. I think this is stolen from the best simply because the ones that were not recommended were my amendments.

Therefore, since we're saying the same thing, in the spirit of bipartisanship, what else can I say, other than this is the right thing to do, and I actually personally support this particular amendment. It is the right thing to do. Regardless of who gets credit for it, it is the right thing to do.

I yield back the balance of my time.

Mr. ALTMIRE. I thank the gentleman for his comments and welcome his support.

I do have a few other speakers who wish to weigh in. I would like to now recognize my good friend and colleague from the Commonwealth of Pennsylvania (Mr. CARNEY) for 2 minutes.

Mr. CARNEY. Mr. Chairman, I'd like to thank Mr. ALTMIRE for his leadership on this position.

Hunting and angling are beloved traditions. They are activities I enjoyed with my grandfather and my father, and I enjoy them with my children.

Hunting and angling are not just sports, however. They're also a way of life where fathers and mothers can spend quality time with their children and pass on some knowledge of what they learned as children themselves.

There are over 34 million hunters and anglers in the United States, and they spend more than $76 billion a year in hunting and fishing.

It is safe to say that hunters and anglers are an economic powerhouse, driving the economy from big businesses to rural towns, through booms and recessions. They are directly supportive of 1.6 million jobs, which is twice as many jobs as the combined civilian payrolls of our Air Force, our Army, our Navy and our Marine Corps.

Because of hunters, 28,000 jobs are supported in Pennsylvania alone. Over $425 million of tax revenues is generated that can preserve land and wildlife.

Now, our bill, this amendment does several things. It codifies the National Landscape Conservation System, the NLCS, under the control of the BLM. But it will ensure that nothing in the bill will limit, in any way, access to hunting, fishing, trapping or recreational shooting on the 27 million acres administered by the BLM, the Bureau of Land Management.

It also ensures that the bill will not infringe on a State's right to manage, control or regulate its hunting, fishing, trapping and recreational shooting activities. That is why I urge all my colleagues to support this important amendment.

Mr. ALTMIRE. I thank the gentleman from Pennsylvania, the coauthor of this important amendment. And at this time I would recognize another freshman colleague from the great State of Ohio, my good friend, Mr. SPACE, for 1 minute.

Mr. SPACE. Mr. Chairman, I rise today in support of the Altmire-Carney amendment before us. This amendment is necessary to ensure that the underlying bill protects the rights of sportsmen across the Nation. The amendment does this by making clear that in no way will the measure affect the ability of the States to regulate fish and wildlife under State laws. It also makes clear that nothing in the bill will limit access for hunting, fishing, trapping or recreational shooting.

As a gun owner, a member of the NRA, and as a member of the Sportsmen's Caucus, this amendment is incredibly important to our second amendment rights. And as my colleague from the great State of Pennsylvania indicated just a few moments ago, Mr. CARNEY, that is important to our way of life.

I'm proud to advocate for this amendment on behalf of my fellow sportsmen and women in Ohio's 18th District, and I strongly urge passage of this amendment.

Mr. KIND. Mr. Chairman, I rise today in strong support of the amendment by my colleagues, Mr. ALTMIRE and Mr. CARNEY, which will offer some needed comfort to those of us in the sportsmen's community who seek to protect what access remains to cherished hunting and fishing opportunities on public lands. With the adoption of this amendment, I would urge all of my colleagues on the Congressional Sportsmen's Caucus to vote for the underlying bill as well.

Without a doubt, the 26 million acres that constitute the National Landscape Conservation system's more than 850 individual units represent some of the very best hunting and fishing opportunities available today. These lands harbor bighorn sheep, elk, pronghorn, mule and white-tailed deer, caribou, salmon, chinook, sockeye, steelhead, redband trout, and so many more game and non-game species, not to mention spectacular landscapes unparalelled in the rest of the bureau of land management. These are the very best places the BLM has to offer, and they are very deserving of the additional recognition and institutional support H.R. 2016 will provide.

Opponents of H.R. 2016, the National Landscape Conservation System Act, have claimed that it will create a new Federal bureaucracy that will usurp private land rights, divert Federal dollars, and dilute public access. None of these claims is true. By simply codifying in law a designation that has existed through administrative action for the last eight years, H.R. 2016 will change nothing in how the BLM or Department of the Interior manages these lands. What it will do is raise the profile of these national treasures both within the department and with the public so that they are known by all as the gems of the BLM's stewardship mandate rather than mere afterthoughts subject to executive fiat.

While the underlying bill already contains a savings clause stating that all existing laws and regulations governing these lands will continue to be exercised and enforced as before, the Altmire-Carney Amendment very simply adds an explicit reminder that hunting and fishing will continue to go hand in hand with conservation. as sportsmen and women provide the primary source of funds for state and local conservation budgets, It is appropriate that hunting and fishing rights be retained in the National Landscape Conservation system.

As co-chair of the Congressional Sportsmen's Caucus and a member of the Natural Resources Committee, I wish to thank my friend and subcommittee chair RAÚL GRIJALVA for introducing this bill, chairman RAHALL for his invaluable support, and Representatives ALTMIRE and CARNEY for offering this important amendment. I urge my colleagues to support this amendment and the underlying measure.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ALTMIRE).

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

Mr. ALTMIRE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110–573.

Mr. PEARCE. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. PEARCE:

Page 4, at the end of line 23, insert the following: ''Specifically, inclusion in the National Landscape Conservation System shall not affect current grazing rights or operations.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, today I'm offering a simple, straightforward amendment. It states, ''Specifically, inclusion in the National Landscape Conservation System shall not affect current grazing rights or operations.'' That's it.

This language is very clear. We're working to protect the ranching economies of our western States.

In the West, many of our communities depend on ranching as a traditional and an important way of economy. The West was settled by ranchers who brought with them little more than a few cattle, the clothes on their back and hope for the future. Today, America's ranchers still hold the dream of a better future.

In New Mexico and across the West, our ranchers are real conservationists and know how to protect the land they depend on every day. Their lands are often the backstop against growth, and they are the voice of preserving the rural nature of our lands.

However, in countries in the West, it's not uncommon that we find 30 percent, 18 percent, 6 percent or even 2 percent private lands. Therefore, our ranchers depend on public lands for their operations. These ranchers bring in millions of dollars of economic activity to New Mexico and the entire West. In many places, ranching is the single largest economic driver in our communities.

My amendment will ensure that nothing in this act cuts off the current operations of ranchers in the West. Without this amendment, it is entirely possible that the enactment of this bill will cut off millions of dollars in activity and devastate our western counties.

Supporters of this bill tell us that it will not stop the multiple use of our BLM lands. However, my amendment ensures that this legislation does not stop ranching.

Let me leave you with no doubt. This amendment will ensure that we do not cut off our ranchers from lands that they have used for years. In some cases, the same ranching families have administered these lands for more than 100 years.

Ranching is an important part of our economy, an important part of the history of the West, and passing this amendment will ensure that ranching has a part of the future in this West.

It's a simple amendment. It is endorsed by the National Cattlemen's Beef Association, by the New Mexico Cattle Growers Association, New Mexico Wool Growers and the New Mexico Federal Lands Council.

Mr. Chairman, I urge its passage, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Grazing is obviously allowed in the units of the NLCS where it is appropriate, and nothing in this legislation would change that. The savings clause makes that fact as clear as it could possibly be. The underlying bill makes no changes to existing grazing rights.

Were this amendment written simply as an extension of the savings clause, as many other amendments offered today have been, it would be unnecessary, but not harmful to the bill. This amendment goes much, much further, however. It is not as simple as a savings clause specific to grazing. Rather, this amendment would operate to prohibit the BLM from maintaining current standards, dictating the location and the management of grazing on these lands.

This amendment goes beyond simply saying that nothing in this act shall impact grazing, to say that the presence of these areas in the NLCS cannot affect the operation of grazing. Talk about an invitation to litigation.

Does this mean the BLM would lose the authority to manage grazing on 800 or so units in the system?

Does this mean that those NLCS units where grazing is not allowed under current law would have to be opened up, whether it was appropriate or not?

The Pearce amendment could operate to force grazing into sensitive conservation areas where it is currently prohibited, and for good reason. Arguably, this amendment's an attempt to use this simple authorization bill to undermine provisions of existing grazing law that have been on the books for years.

If the gentleman from New Mexico wants to make sweeping amendments to the grazing law, he should do so directly, not by means of an amendment on this bill.

I urge the defeat of this amendment and reserve the balance of my time.

Mr. PEARCE. Mr. Chairman, at this time I'd like to yield 1 minute to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. The amendment offered by Mr. PEARCE is critical to protecting ranchers who produce our food from the negative consequences of this bill. Without the Pearce language, ranchers would be left to the whims of future Secretaries of Interior that will diminish ranching opportunities.

Already, grazing rights are under assault on multiple fronts. There is a simple element out there that loathes grazing on public land. And our food supply is, indeed, worthy of protection and worthy of the use of our public land.

Despite opposition to this amendment in committee, I hope the other side will now recognize that granting these small protections in the legislation is, indeed, our duty. We cannot abandon our responsibility to legislate by leaving to bureaucrats the opportunity to isolate bankrupt ranchers dependent upon grazing.

We thank Mr. PEARCE for his foresight and determination to protect grazing rights now and in the future, and urge support of his amendment.

Mr. GRIJALVA. We reserve our time, Mr. Chairman.

Mr. PEARCE. Mr. Chairman, I observe that we are hearing the same tired excuse that nothing in this underlying bill affects this. Yet I would simply point out to the ranchers of this land that now, under the majority, you don't rate as high as the sportsmen. You don't rate as high as those people who are concerned about border security, because we were told that same tired language that nothing in the bill affected them, but the majority's been willing to adapt the language here because they know that the underlying bill affects it. But they are not going to make one amendment in order that would protect our ranchers and protect and make sure that this language doesn't affect them.

It is really unusual that we're hearing such a diverse opinion from the sponsor of this bill right now. It says that nothing affects it. And then he reads all sorts of language in, and again for those people who are watching and listening, I would simply say again, read the very simple language: ''Specifically, inclusion in the National Landscape Conservation System shall not affect the current grazing rights or operations.''

And yet we've built all of these potentials that we have created for this language that we are, in fact, rewriting the entire way that grazing is done. Grazing is always done by cows walking out and munching on the grass. And it's a very simple operation. I think that maybe our amendment is being overcharacterized. I appreciate the gentleman from Arizona and his overcharacterization. But the truth is, we're simply trying to protect the ranchers in the West who use the public lands, and many times there are no private lands to graze off of.

I would reserve the balance of my time.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. GRIJALVA. Mr. Chairman, these are not tired excuses. I think my attempt has been an exercise in trying to drill the facts of the legislation into those that don't want to hear it.

□ 1500

The underlying bill makes no change to existing law regarding grazing. The amendment, in contrast, could be interpreted as expanding existing grazing into areas where it is not appropriate. We tried to work with the gentleman from New Mexico to draft his amendment more clearly, but because this amendment is unacceptably broad, it must be defeated.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

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

Mr. PEARCE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. WALDEN OF OREGON

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110–573.

Mr. WALDEN of Oregon. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. WALDEN of Oregon:

Page 3, strike lines 19 through 23.

Page 3, line 24, strike ''(B)'' and insert ''(A)''.

Page 4, line 1, strike ''(C)'' and insert ''(B)''.

Page 4, line 3, strike ''(D)'' and insert ''(C)''.

The Acting CHAIRMAN. Pursuant to House Resolution 1084, the gentleman from Oregon (Mr. WALDEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. WALDEN of Oregon. Mr. Chairman, almost 9 years ago, the Department of the Interior proposed designating Steens Mountain in Harney County, Oregon, as a national monument. This designation would have harmed the cooperative management and preservation successes on the mountain and would have choked the local ranching way of life while allowing little public input into the management process.

So I met with the people of Harney County out at Frenchglen, and we challenged then-Secretary of Interior Bruce Babbitt to let us attempt to write a plan, rather than suffer the consequences of a top-down Federal designation. That would have been a way that would not only preserve the ecological treasure of Steens Mountain but also the way of life out in that part of Oregon.

To his credit, Secretary Babbitt allowed for our request. He gave us a shot at coming up with something better, and the residents of Harney County rolled up their sleeves and we all went to work.

This effort produced an historic bipartisan, legislative success. Working with State and Federal officials, representatives from the environmental community, my colleagues in the Oregon congressional delegation, the governor and others, we crafted a unique piece of legislation that not only satisfied the environmental concerns, or ''lands legacy'' initiative, of the Clinton administration but also allowed for a way of life to continue on the mountain that has existed for more than 100 years since the first settlers started arriving in this rugged part of the West in the 1800s.

Moreover, the bipartisan legislation established an historic agreement between conservation groups and the local ranching community, implemented a unique cooperative management system with oversight by a citizens' advisory council, and among many other things, designated the first grazing-free, cow-free wilderness.

The bill was crafted with so much local and bipartisan support that it was approved by the House on voice vote and unanimously by the United States Senate. In the years since, management principles in that legislation have proven that they can work; although it has not always been easy.

Unfortunately, many in Harney County who have dedicated much to the successful implementation of the Steens Act worry that Washington, D.C., again may derail the very specific purposes and objectives laid out in that Act. Without consulting the formally recognized stakeholder groups in the region, I'm concerned the underlying legislation would include the Steens in the National Landscape Conservation System.

Given my experience in creating the historic Steens Act, I understand the delicate balance between providing additional protection for deserving areas, while also ensuring the opportunities for other, historic uses. That is why I drafted the amendment today to strike the reference of the Steens Act from H.R. 2016, the National Landscape Conservation System Act.

The problem is simple. The Steens already has a set of strongly supported, congressionally mandated management purposes and objectives from the 106th Congress. I'm concerned that the Steens Act, specifically noted in this legislation, would give the Steens a duplicative set of management principles that would prove to be bait for unproductive lawsuits.

I certainly don't want clauses in H.R. 2016 to be used to upend the delicate balance all parties, including conservation and ranching groups, achieved with the writing and passage of the Steens Act.

So, Mr. Chairman, if I might engage in a colloquy, can you assure me and the good people in Harney County that your bill, H.R. 2016, if it becomes law, will not in any way supersede, undermine, or be used as a reason to change any of the purposes established in section 1(b) or the objectives established in section 102(b) of the Steens Act, Public Law 106–399.

I yield to my colleague from Arizona.

Mr. GRIJALVA. Thank you very much.

I am very well aware of the efforts made by you and the rest of the Oregon delegation to create one of the most unique pieces of Federal land management legislation in the Steens Act. You sought a balance of land protection, multiple historic uses, citizen involvement, and the creation of the first grazing-free wilderness in the country.

I can clearly state to you that H.R. 2016 will not in any way supersede, undermine or be used as a reason to change any of the purposes established in section 1(b) or the objectives established in section 102(b) of the Steens Act, Public Law 106–399.

Mr. WALDEN of Oregon. Chairman GRIJALVA, I appreciate your commitment to the Steens Act and recognition of all that went into its development and approval by Congress.

I thank you for your assurances here today on the floor of the House of Representatives to me and to the people of Harney County and this country.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. GRIJALVA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CUMMINGS) having assumed the chair, Mr. SERRANO, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 3 o'clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1625

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUELLAR) at 4 o'clock and 25 minutes p.m.

REPORT ON RESOLUTION RELATING TO THE CONSIDERATION OF H.R. 5724, UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–574) on the resolution (H. Res. 1092) relating to the consideration of the bill (H.R. 5724) to implement the United States-Colombia Trade Promotion Agreement, which was referred to the House Calendar and ordered to be printed.

NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1084 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2016.

□ 1627

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System, and for

other purposes, with Mr. SALAZAR (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 8 printed in House Report 110–573 by the gentleman from Oregon (Mr. WALDEN) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110–573 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. GRIJALVA of Arizona.

Amendment No. 3 by Mr. BISHOP of Utah.

Amendment No. 4 by Mr. BISHOP of Utah.

Amendment No. 5 by Mr. BISHOP of Utah.

Amendment No. 6 by Mr. ALTMIRE of Pennsylvania.

Amendment No. 7 by Mr. PEARCE of New Mexico.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 414, noes 0, not voting 21, as follows:

[Roll No. 167]

AYES—414

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
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
Filner
Flake
Forbes
Fortenberry
Fortuño
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
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)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
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
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
Norton
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)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—21

Abercrombie
Berman
Blunt
Brady (TX)
Buyer
Costa
Culberson
Diaz-Balart, L.
Faleomavaega
Ferguson
Granger
Herger
Larson (CT)
Lee
McCrery
Rothman
Rush
Shays
Sires
Smith (NJ)
Wilson (SC)

□ 1651

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. WILSON of South Carolina. Mr. Chairman, on rollcall No. 167, I was delayed due to attending the Foreign Affairs Committee hearing for Gen. David Petraeus and Ambassador Ryan Crocker, had I been present, I would have voted "aye."

Mr. HERGER. Mr. Chairman, on rollcall No. 167, had I been present, I would have voted "aye."

AMENDMENT NO. 3 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 246, not voting 14, as follows:

[Roll No. 168]

AYES—175

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Boyda (KS)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (NY)
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)

Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOES—246

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

NOT VOTING—14

Abercrombie
Berman
Buyer
Diaz-Balart, L.
Faleomavaega
Ferguson
Granger
Larson (CT)
Lee
Rothman
Rush
Shays
Sires
Smith (NJ)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1700

Messrs. WELCH of Vermont, EHLERS, RUPPERSBERGER, MEEK of Florida and HINOJOSA changed their vote from ''aye'' to ''no.''

Mrs. BOYDA of Kansas changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HALL of New York. Mr. Chairman, during rollcall vote No. 168 on H.R. 2016, I mistakenly recorded my vote as "aye" when I should have voted "no."

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 245, not voting 18, as follows:

[Roll No. 169]

AYES—172

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

NOES—245

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Larsen (WA)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan

Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Petri
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Richardson
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—18

Abercrombie
Becerra
Buyer
Diaz-Balart, L.
Faleomavaega
Ferguson
Granger
Gutierrez
Jones (OH)
Larson (CT)
Perlmutter
Peterson (MN)
Rothman
Rush
Shays
Sires
Smith (NJ)
Tiberi

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1707

Mr. BOUCHER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. LEE. Mr. Chairman, because I was questioning General Petraeus and Ambassador Crocker in a hearing of the House Foreign Affairs Committee today, I missed rollcall votes numbered 167 through 169 regarding amendments to H.R. 2016, the National Landscape Conservation System Act. Had I been present, I would voted "aye" on the Grijalva amendment (rollcall 167); "nay" on the Bishop (UT) amendment No. 3 (rollcall 168); and "nay" on the Bishop (UT) amendment No. 4 (rollcall 169).

AMENDMENT NO. 5 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 333, noes 89, not voting 13, as follows:

[Roll No. 170]

AYES—333

Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berkley
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Chabot
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, M.
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Etheridge
Everett
Faleomavaega
Fallin
Fattah
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hoyer
Hulshof
Inglis (SC)
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kind
King (IA)
King (NY)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lowey
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Norton
Nunes
Oberstar
Obey
Ortiz
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Loretta
Sarbanes
Saxton
Schiff
Schmidt
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watt
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—89

Ackerman
Baird
Baldwin
Berman
Biggert
Bishop (NY)
Blumenauer
Braley (IA)
Capps
Capuano
Castor
Chandler
Christensen
Clarke
Conyers
Costello
Courtney
Delahunt
Dicks
Doggett
Ehlers
Engel
Eshoo
Farr
Filner
Frank (MA)
Grijalva
Gutierrez
Hastings (FL)
Higgins
Hinchey
Hirono
Hodes
Holt
Honda
Inslee
Israel
Johnson, E. B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kirk
Kucinich
Langevin
Lee
Lipinski
Lofgren, Zoe
Lynch
Maloney (NY)
Markey
Matsui
McCollum (MN)
McDermott
McGovern
McNulty
Miller, George
Moore (KS)
Moore (WI)
Nadler
Napolitano
Neal (MA)
Olver
Pallone
Pascrell
Pastor
Payne
Reyes
Roybal-Allard
Sánchez, Linda T.
Schakowsky
Schwartz
Sherman
Slaughter
Solis
Stark
Tauscher
Thompson (MS)
Tierney
Towns
Van Hollen
Wasserman Schultz
Watson
Waxman
Weiner
Welch (VT)
Wilson (OH)
Woolsey
Wu

NOT VOTING—13

Abercrombie
Becerra
Buyer
Diaz-Balart, L.
Ferguson
Granger
Hunter
Larson (CT)
Rothman
Rush
Shays
Sires
Smith (NJ)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1717

Messrs. BERMAN, MOORE of Kansas, WEINER, BISHOP of New York, and KIRK changed their vote from ''aye'' to ''no.''

Messrs. MCNERNEY, SALAZAR, and HALL of New York changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Chairman, during rollcall vote No. 170 on H.R. 2016, I mistakenly recorded my vote as "aye" when I should have voted "no."

AMENDMENT NO. 6 OFFERED BY MR. ALTMIRE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. ALTMIRE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 5, not voting 14, as follows:

[Roll No. 171]

AYES—416

Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
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
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
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, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fortuño
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
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
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
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)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—5

Honda
Kucinich
Lofgren, Zoe
McDermott
Moore (WI)

NOT VOTING—14

Abercrombie
Alexander
Becerra
Buyer
Diaz-Balart, L.
Ferguson
Granger
Larson (CT)
Peterson (MN)
Rothman
Rush
Shays
Sires
Smith (NJ)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1724

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. PEARCE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. PEARCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 207, not voting 14, as follows:

[Roll No. 172]

AYES—214

Aderholt
Akin
Altmire
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Berry
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Costa
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Dent
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Giffords
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Loebsack
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Norton
Nunes
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (OH)
Ryan (WI)
Salazar
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Weldon (FL)
Westmoreland
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOES—207

Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer

Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Petri
Platts
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Richardson
Rodriguez
Roybal-Allard
Ruppersberger
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield (KY)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Abercrombie
Alexander
Becerra
Buyer
Diaz-Balart, L.
Ferguson
Granger
Larson (CT)
Rothman
Rush
Shays
Sires
Smith (NJ)
Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1734

Mr. McINTYRE changed his vote from ''aye'' to ''no.''

Mr. PERLMUTTER changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. SALAZAR, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes, pursuant to House Resolution 1084, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CANNON

Mr. CANNON. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CANNON. Yes, Mr. Speaker, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cannon moves to recommit the bill, H.R. 2016, to the Committee on Natural Resources with instructions to report back to the House promptly with the following amendment:

At the end of section 4 of the bill, add the following:

In addition, nothing in this Act shall affect the right to bear arms under the Second Amendment within the National Landscape Conservation System.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 5 minutes.

Mr. CANNON. Mr. Speaker, it is essential that we keep the second amendment protections on BLM lands. This motion to recommit will prevent the NLCS from imposing a complete ban on the right to bear arms like the National Park Service.

In 2006 the National Park Service prevented visitors from protecting themselves, and 11 individuals were murdered, 35 were raped, and 16 were kidnapped. We cannot let the NLCS become an area where the public won't go because they can't protect themselves.

There's a crisis on our Federal lands, especially along the southern border, and a National Park Service second amendment restriction will ensure only the drug traffickers, rapists, and murderers will have guns. The ability to carry firearms on these lands for personal protection is a mere lawsuit and a sympathetic judge away from being denied.

The Altmire amendment already agreed to preserve certain rights, but the vague language of this legislation leaves second amendment rights woefully unprotected. The second amendment was never meant to provide cafeteria-style rights for legislators, for us to pick and choose. The second amendment is a constitutional right which you either support or oppose. This motion to recommit will unequivocally make sure that is the case.

I urge a ''yes'' vote on this motion to recommit.

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

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Speaker, as was indicated by the gentleman from Utah, the Altmire amendment, which was endorsed by the NRA and the NRA supported the bill with the inclusion of that amendment in its present form, dealt with this issue and dealt with it effectively by reaffirming the right of gun owners and hunters in those public lands. Also in the legislation is a savings clause which guarantees that management prerogatives that are on the land now will remain on the land.

This to me is clearly a bait and switch. It's a gotcha move. These issues have been dealt with in the legislation. It is not a second amendment threat that we are talking about here. We're talking about, more importantly, the issue of public lands and their management. And it might be added that the use of the word ''promptly'' in the motion to recommit would effectively kill this legislation, a decent, well-crafted, bipartisan legislation supported by many Members in this House.

Let me just read from the letter sent out by the NRA:

''Because of our longstanding support for our hunting heritage and sportsmen's rights, the National Rifle Association will consider the vote on this amendment,'' the Altmire amendment, ''in our future candidate ratings and endorsement. If the Altmire amendment is adopted, the NRA will withdraw our current opposition to H.R. 2016.''

I repeat again, this motion to recommit is not about protecting the second amendment. This motion to recommit is a ploy to effectively kill the bill. If you cannot win arguments, it appears, through facts and through rational discussion and debate, then you try to win votes by using scare tactics and ploys. This is a ploy to kill the bill.

I urge a ''no'' vote on the motion to recommit.

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

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

There was no objection.

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

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

RECORDED VOTE

Mr. CANNON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 208, noes 212, not voting 10, as follows:

[Roll No. 173]

AYES—208

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

NOES—212

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

NOT VOTING—10

Abercrombie
Buyer
Diaz-Balart, L.
Ferguson
Granger
Larson (CT)
Paul
Rush
Shays
Sires

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1801

Messrs. COSTELLO and HODES changed their vote from ''aye'' to ''no.''

Mr. KAGEN changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CANNON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 278, noes 140, not voting 12, as follows:

[Roll No. 174]

AYES—278

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono Mack
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
LaTourette
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)

Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—140

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Turner
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)

NOT VOTING—12

Abercrombie
Blackburn
Buyer
Diaz-Balart, L.
Feeney
Ferguson
Granger
Larson (CT)
Paul
Rush
Shays
Sires

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1810

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 3368

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 3368, a bill originally introduced by Representative Lantos of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

MOTION TO GO TO CONFERENCE ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

Mr. HOLDEN. Mr. Speaker, by direction of the Committee on Agriculture, I move to take from the Speaker's table the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Goodlatte moves that the managers on the part of the House at the conference on the disagreeing votes on the two Houses on the Senate amendment to the bill H.R. 2419 be instructed, within the scope of the conference, to—

Disagree to any provision which will result in an increase in taxes.

The SPEAKER pro tempore (Mr. HASTINGS of Florida). Pursuant to clause 7 of rule XXII, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Pennsylvania (Mr. HOLDEN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Speaker, I offer this motion to instruct conferees to make clear that tax increases do not belong in a farm bill. While there are still some funding issues that need to be worked out and many policy decisions to be negotiated, these instructions are very clear in stating that tax increases cannot be used to fund the remaining elements of the farm bill.

Again I will read the actual language of the motion, which is that the managers on the part of the House at the conference on the disagreeing votes on the two Houses on the Senate amendment to the bill H.R. 2419 be instructed within the scope of the conference to disagree to any provision which will result in an increase in taxes.

These instructions are very clear in stating that tax increases cannot be used to fund the remaining elements of the farm bill. Farm bills have long enjoyed bipartisan support in this body, and it would be devastating to American agriculture to add a divisive element such as tax increases to this bill.

This conference has been a long time coming, and we are ready to put together a reform-minded farm bill that addresses a variety of issues, including conservation, nutrition, energy, rural development, fruits and vegetables, and forestry, while maintaining a strong safety net for America's farmers and ranchers so that they can continue to meet the growing demand for their products in the global market.

□ 1815

This motion is very important. I expect that there will be strong bipartisan support for this motion, and it's important because we have been down this road of attempting to pass a farm bill for quite some time.

When the bill came out of the House Agriculture Committee last summer, many of the Members on this side of the aisle expected that the amount of money that was added outside of the committee's jurisdiction would not constitute tax increases. We are very disappointed to find that it did include tax increases, and that has definitely bogged down this process for the many, many, many months since.

We have now had some very good discussions with members of other committees that are involved in making sure that we have the ability to move forward and to pay for measures that exceed the amount of money within the jurisdiction of the Agriculture Committee, and those do not include tax increases.

This is, I think, an important statement to be made here and in the other body that we can complete this work without tax increases. We do not need to repeat the mistakes that were made earlier in that regard.

I also think it's very clear that the President of the United States has been very strong in his statement that this bill would be vetoed if it included tax increases. While we continue to work with the administration on a number of other issues, we are making progress there as well.

Again, this would reaffirm, I think, the kind of bipartisan support that it takes to pass a farm bill and get it signed into law.

I urge my colleagues to support this motion to instruct.

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

Mr. HOLDEN. I want to commend the ranking member of the committee for the hard work that he has done with the chairman of the committee, who is now in a meeting with leadership, as we are trying to iron out the final details of a long process where a lot of people, particularly Chairman PETERSON and Ranking Member GOODLATTE, have put a lot of time and effort to get to this spot in the process where we are. We are hoping that we can meet our deadline of next Friday to see that we can have this conference report completed.

The ranking member has correctly evaluated the process that we have gone through as we try to get to this process, and we are in agreement. We believe that we can pass this farm bill without any tax increases.

Before I yield back the balance of my time, Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank my friend from Pennsylvania for yielding me this time.

Mr. Speaker, we need a farm bill, and we need it soon. Planting season is

starting throughout the country, but I would hope that at the end of the process we get a good farm bill rather than a bad farm bill, one that recognizes current market prices and the conditions that farmers are experiencing out there. It was a little more bold on reform, especially under those title I commodity programs.

The President has made it clear that he won't find a farm bill acceptable that does call for an increase in taxes in order to pay for it. I and others who have been a part of a reform effort, especially with the commodity subsidy programs, believe that we are capable of producing a farm bill that maintains an important safety net for family farmers, but also protects the important priorities that are also a part of the farm bill.

It's based on the philosophy of let's help family farmers when they need it, let's not when they don't. Clearly with commodity prices at or near record highs in the marketplace today, part of it driven by the biofuels portion in this country, a large part of it due to the increased global demand, many of us are suspecting that these prices are going to continue. That's been great for the rural economy, and it's been great for farm income.

But let us also take this opportunity then of starting to move forward on some commonsense reasonable reforms of these commodity programs, while still maintaining a safety net in the farm bill, but without jeopardizing the conservation title or nutrition or specialty crops, rural economic development programs and renewable fuel investment.

I would hope that my colleagues support this motion to instruct. I think it's the right thing to do. I think at the end of the day, if we are going to have a bipartisan bill that the President feels comfortable in doing, one of the goals that we have to strive for is a bill that does not call for an increase in taxes in light of record high market prices.

I commend the gentleman for offering this motion and encourage support on the vote.

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

I would just say to the gentleman from Pennsylvania that I very much appreciate his kind words. We have worked in a very bipartisan fashion. The chairman of the committee has been very dedicated to working with us, and we very much appreciate that, as have the other members of the committee.

We now look forward to going to conference and have the opportunity to work together as we work with the other body to try to work out what are still many, many hurdles. A lot of the people have been excited that we are going to conference, and we need to make sure they understand that we are not done with this, but we do have some good ideas that we are going to be able to move forward with. I think that's very encouraging.

I would also say to the gentleman from Wisconsin that I too share his desire for reform. This farm bill will contain a lot of reform, and it will result in substantial savings to the taxpayers of the country, because, in fact, that has already occurred.

The current farm bill, if it were to be perpetuated, which I do not support, but if it were to be perpetuated, would cost $58 billion less for the next 5 years than it cost for the last 5. So the fact of the matter is there is already substantial savings being achieved.

There are, nonetheless, additional reforms that I and many others support as we move to conference with this legislation, and I think the outcome will be one that maintains the safety net for America's farmers and ranchers, but makes a number of very important reforms in a number of different areas and enhances those new areas that I know the gentleman has championed and others, like conservation, which I very much join him in supporting and making sure that the nutritional needs of many in this country are met, and other purposes. We can do that without tax increases, and, as a result, I think this is a very appropriate motion to instruct to adopt today.

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

Mr. HOLDEN. I would just like to thank the ranking member for his comments and also to say to my friend from Wisconsin, who served on the committee, that he understands that we are fortunate to serve on one of the most bipartisan committees in the Congress. We do not have Democrat and Republican disagreements on agriculture, but we do have regional ones.

I believe that the final product will reflect those regional differences and also will have a significant amount of reform that all of us are going to be able to go home and talk about that we did something positive in this farm bill.

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

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

There was no objection.

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to instruct will be followed by 5-minute votes on motions to suspend the rules with respect to H.R. 5489 and H.R. 5472.

The vote was taken by electronic device, and there were—yeas 400, nays 11, not voting 19, as follows:

[Roll No. 175]

YEAS—400

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
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
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
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
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
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
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
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
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
Nadler
Napolitano
Neal (MA)
Neugebauer

Nunes
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—11

Blumenauer
Capuano
DeFazio
Ellison
Frank (MA)
McDermott
McGovern
Olver
Payne
Waters
Woolsey

NOT VOTING—19

Abercrombie
Bachus
Buyer
Edwards
Ferguson
Giffords
Granger
Hooley
Larson (CT)
Myrick
Peterson (PA)
Rangel
Rush
Salazar
Shays
Sires
Stark
Stearns
Waxman

□ 1847

Ms. WOOLSEY and Messrs. DEFAZIO and PAYNE changed their vote from ''yea'' to ''nay.''

Messrs. NADLER and CLYBURN changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. STEARNS. Mr. Speaker, on rollcall No. 175, I was unavoidably detained. Had I been present, I would have voted "yea."

CONGRESSWOMAN JO ANN S. DAVIS POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5489, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 5489.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 0, not voting 33, as follows:

[Roll No. 176]

YEAS—397

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
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
Bonner
Bono Mack
Boozman
Boren
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)
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
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
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
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
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
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
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)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
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—33

Abercrombie
Bachus
Boehner
Boswell
Butterfield
Buyer
Cole (OK)
Edwards
Emanuel
Ferguson
Fossella
Giffords
Granger
Hooley
Hulshof
Issa
Jones (OH)
Larson (CT)
Mahoney (FL)
Marchant
McCrery
Moran (VA)
Murtha
Peterson (MN)
Peterson (PA)
Rangel
Reynolds
Rush
Shays
Sires
Slaughter
Stark
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain on this vote.

□ 1854

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

JULIA M. CARSON POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5472, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 5472.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 29, as follows:

[Roll No. 177]

YEAS—401

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
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
Bonner
Bono Mack
Boozman
Boren
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
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
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.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
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
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
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
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
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)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
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—29

Abercrombie
Bachus
Boehner
Boswell
Buyer
Coble
Dicks
Edwards
Ferguson
Garrett (NJ)
Giffords
Granger
Hooley
Kildee
Larson (CT)
Marchant
McCollum (MN)
McCrery
Moran (VA)
Murtha
Peterson (MN)
Peterson (PA)
Rangel
Rush
Shays
Sires
Slaughter
Stark
Waxman

□ 1900

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I regret that I was not present to vote on rollcall votes 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, and 177 due to a family medical matter. Had I been present, I would have voted:

"Yea" on rollcall vote No. 164 on ordering the previous question on H. Res. 1084, Providing for consideration of the bill H.R. 2016, to establish the National Landscape Conservation System, and for other purposes.

"Yea" on rollcall vote No. 165 on H. Res. 1084, Providing for consideration of the bill H.R. 2016, to establish the National Landscape Conservation System, and for other purposes.

"Yea" on rollcall vote No. 166 on H. Res. 1077, calling on the Government of the People's Republic of China to end its crackdown in Tibet and to enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identity, and fundamental freedom of all Tibetans.

"Yea" on rollcall vote No. 167 on agreeing to the amendment to H.R. 2016, to reiterate that nothing in the bill shall impede efforts by the Department of Homeland Security to secure the borders of the United States.

"No" on rollcall vote No. 168 on agreeing to the amendment to H.R. 2016, to strike the purposes of the National Landscape Conservation System.

"No" on rollcall vote No. 169 on agreeing to the amendment to H.R. 2016, to strike the existing management objectives of the National Landscape Conservation System and inserts language directing the Interior Secretary to manage the system in accordance with each applicable law (including regulations) relating to each component of the system included under subsection (b).

"No" on rollcall vote No. 170 on agreeing to the amendment to H.R. 2016, to provide that nothing in the bill additionally restricts or hinders energy development within the National Landscape Conservation System.

"No" on rollcall vote No. 171 on agreeing to the amendment to H.R. 2016, to provide that the bill does not in any way limit access for hunting, fishing, trapping or recreational shooting on the 27 million acres administered by the Bureau of Land Management. It also provides that H.R. 2016 does not in any way infringe on a State's right to manage, control or regulate its hunting, fishing, trapping and recreational shooting activities on these lands.

"No" on rollcall vote No. 172 on agreeing to the amendment to H.R. 2016, to provide that inclusion in the National Landscape Conservation System does not affect existing grazing rights or operations on those Bureau of Land Management Lands.

"No" on rollcall vote No. 173 on the motion to recommit H.R. 2016.

"No" on rollcall vote No. 174 on agreeing to the passage of H.R. 2016, to establish the National Landscape Conservation System, and for other purposes.

"Yea" on rollcall vote No. 175 on motion to construct the conferees on H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

"Yea" on rollcall vote No. 176 on agreeing to the passage of H.R. 5489, to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office" suspension bill.

"Yea" on rollcall vote No. 177 on agreeing to the passage of H.R. 5472, to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. St., Indianapolis, Indiana, as the "Julia M. Carson Post Office Building" suspension bill.

PERSONAL EXPLANATION

Mr. SHAYS. Mr. Speaker, today I missed 14 recorded votes.

I take my voting responsibility very seriously. Had I been present, I would have voted "nay" on recorded vote No. 164, "yea" on recorded vote No. 165, "yea" on recorded vote No. 166, "aye" on recorded vote No. 167, "no" on recorded vote No. 168, "no" on recorded vote No. 169, "aye" on recorded vote No. 170, "aye" on recorded vote No. 171, "aye" on recorded vote No. 172, "no" on recorded vote No. 173, "aye" on recorded vote No. 174, "yea" on recorded vote 175, "yea" on recorded vote No. 176, and "yea" on recorded vote No. 177.

APPOINTMENT OF CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Agriculture, for consideration of the House bill (except title XII) and the Senate amendment (except secs. 12001, 12201–12601, and 12701–12808), and modifications committed to conference: Messrs. PETERSON of Minnesota, HOLDEN, MCINTYRE, ETHERIDGE, BOSWELL, BACA, CARDOZA, SCOTT of Georgia, GOODLATTE, LUCAS, MORAN of Kansas, HAYES, Mrs. MUSGRAVE, and Mr. NEUGEBAUER.

From the Committee on Education and Labor, for consideration of secs. 4303 and 4304 of the House bill, and secs. 4901–4905, 4911, and 4912 of the Senate amendment, and modifications committed to conference: Mr. GEORGE MILLER of California, Mrs. MCCARTHY of New York, and Mr. PLATTS.

From the Committee on Energy and Commerce, for consideration of secs. 6012, 6023, 6024, 6028, 6029, 9004, 9005, and 9017 of the House bill, and secs. 6006, 6012, 6110–6112, 6202, 6302, 7044, 7049, 7307, 7507, 9001, 11060, 11072, 11087, and 11101–11103 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, PALLONE, and BARTON of Texas.

From the Committee on Financial Services, for consideration of sec. 11310 of the House bill, and secs. 6501–6505, 11068, and 13107 of the Senate amendment, and modifications committed to conference: Mr. KANJORSKI, Ms. WATERS, and Mr. BACHUS.

From the Committee on Foreign Affairs, for consideration of secs. 3001–3008, 3010–3014, and 3016 of the House bill, and secs. 3001–3022, 3101–3107, and 3201–3204 of the Senate amendment, and modifications committed to conference: Messrs. BERMAN, SHERMAN, and Ms. ROS-LEHTINEN.

From the Committee on the Judiciary, for consideration of secs. 11102, 11312, and 11314 of the House bill, and secs. 5402, 10103, 10201, 10203, 10205, 11017, 11069, 11076, 13102, and 13104 of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, SCOTT of Virginia, and SMITH of Texas.

From the Committee on Natural Resources, for consideration of secs. 2313, 2331, 2341, 2405, 2607, 2607A, 2611, 5401, 6020, 7033, 7311, 8101, 8112, 8121–8127, 8204, 8205, 11063, and 11075 of the Senate amendment, and modifications committed to conference: Mr. RAHALL, Ms. BORDALLO, and Mrs. MCMORRIS RODGERS.

From the Committee on Oversight and Government Reform, for consideration of secs. 1501 and 7109 of the House bill, and secs. 7020, 7313, 7314, 7316, 7502, 8126, 8205, and 10201 of the Senate amendment, and modifications committed to conference: Messrs. WAXMAN, TOWNS, and JORDAN of Ohio.

From the Committee on Science and Technology, for consideration of secs. 4403, 9003, 9006, 9010, 9015, 9019, and 9020 of the House bill, and secs. 7039, 7051, 7315, 7501, and 9001 of the Senate amendment, and modifications committed to conference: Messrs. GORDON of Tennessee, LAMPSON, and MCCAUL of Texas.

From the Committee on Small Business, for consideration of subtitle D of title XI of the Senate amendment, and modifications committed to conference: Ms. VELÁZQUEZ, Messrs. SHULER, and CHABOT.

From the Committee on Transportation and Infrastructure, for consideration of secs. 2203, 2301, 6019, and 6020 of the House bill, and secs. 2604, 6029, 6030, 6034, and 11087 of the Senate amendment, and modifications committed to conference: Mr. OBERSTAR, Ms. NORTON, and Mr. GRAVES.

From the Committee on Ways and Means, for consideration of sec. 1303 and title XII of the House bill, and secs. 12001–12601, and 12701–12808 of the Senate amendment, and modifications committed to conference: Messrs. RANGEL, POMEROY, and MCCRERY.

For consideration of the House bill (except title XII) and the Senate amendment (except secs. 12001, 12201–12601, and 12701–12808), and modifications committed to conference: Ms. DELAURO and Mr. PUTNAM.

There was no objection.

MR. CARTER—DON'T MEET WITH HAMAS

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

Mr. KIRK. Mr. Speaker, yesterday Al-Hayat reported that former President Carter will visit Syria to meet with Hamas leader Khaled Meshal.

The State Department lists Hamas as a foreign terrorist organization. It is responsible for the murder of at least 26 American citizens, some of them teenagers, children, and infants, like David Applebaum of Ohio, Nava Applebaum of Ohio, Alan Beer of Ohio, Marla Bennet of California, Benjamin Blutstein of Pennsylvania, David Boim of New York, Yael Botwin of California, Dina Carta of North Carolina, Janis Ruth Coulter of Massachusetts, Sara Duker of New Jersey, Matthew Eisenfeld of Connecticut, Tzvi Goldstein of New York, Judith Greenbaum of New Jersey, David Gritz of Massachusetts, Dina Horowitz of Florida, Rabbi Eli Horowitz of Illinois, Tehilla Nathanson, age 3, of New York, Malka Roth of New York, Mordechai Reinitz of New York, Yitzhak Reinitz of New York, Leah Stern of New Jersey, Goldie Taubenfeld of New York, Shmuel Taubenfeld of New York, Nachshon Wachsman of New York, Ira Weinstein of New York, and Yitzhak Weinstock of California.

President Carter, the voices of these victims in the grave beseech you: Do not meet with the man who ordered their murders.

DO NOT REWARD COLOMBIA WITH A FAIR TRADE AGREEMENT

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

Mr. HARE. Mr. Speaker, if I had been born in Colombia, I would probably be dead. As a former president of my labor union, my fight for higher wages, better working conditions, and secure pension could have cost me my life.

Thirty-nine trade unionists were murdered in Colombia in 2007, and they are being killed at a rate of over one per week this year. Even more alarming is only around 3 percent of cases result in convictions, illustrating the culture of violence that has existed in Colombia for decades. Inexplicably, President Bush wants to reward Colombia with a free trade agreement. Not on my watch.

The right to organize and bargain collectively is essential to human freedom and the passage of the U.S.-Colombia Free Trade Agreement would greatly diminish our Nation's reputation as a leader in the fight to end human rights abuses worldwide. We should not even consider this agreement until Colombia puts a stop to the violence against union organizers.

THE COLOMBIA FREE TRADE AGREEMENT IS UNFAIR

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

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in opposition to the Colombia Free Trade Agreement for four main reasons. One, the agreement will flood Colombia's market with subsidized U.S. produce. This will force Colombian farmers to turn to a more profitable crop, coca, thereby fueling the drug trade and threatening U.S. national security.

Second, this agreement will aggravate Colombia's horrendous human rights record. It will take away incentives to reduce child labor or protect union members, and the movement to improve workers' rights will languish in the face of international corporations' profits.

Third, the pact will worsen the plight of the Afro-Colombians. They will continue to be forced off their territories, which are prime for oil palm and natural gas exploitation.

And fourth, this free trade agreement is harmful to American workers. Its passage will make it more profitable for U.S. companies to move their operations to Colombia where labor is cheaper and environmental standards are lower.

Everyone agrees that free trade is good but only when it's fair. The Colombia Free Trade Agreement is transparently unfair, and I urge my colleagues to oppose it.

HONORING THE EMPLOYEES OF THE HOMELAND SECURITY DEPARTMENT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this is an interesting day. Earlier today on the floor of the House, we rose to pay tribute to the 5-year anniversary of the Department of Homeland Security and to express our appreciation for the employees for their extraordinary efforts and contributions to protect and secure our Nation. Security protection is not perfect.

And there have been challenges and, if you will, mountains to climb in preparing this Nation for its own security. Having been on the early established Homeland Security Committee and having gone to Ground Zero as the smoke was simmering, I know full well the value and purpose of all of these front-line employees.

I offer them today my greatest appreciation and would say to all of them, I would wish that all of our jobs relating to security would be extinguished, but we know that it cannot, and our task is to protect Americans. For that, we must be diligent and transparent. We must value civil liberties, but as well, we must be sure on security.

Mr. Speaker, I truly believe that when we bring our troops home, we will have a civilian Homeland Security Department that can truly help secure America.

DO NOT PASS THE U.S.-COLOMBIA FREE TRADE AGREEMENT

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

Ms. SHEA-PORTER. Mr. Speaker, I am pleased as Speaker PELOSI decided to assert Congress' power over international trade by waiving ill-advised fast-track rules, and I hope the decision to waive the 90-day deadline for a vote on the Colombia FTA will effectively kill the agreement.

This is not a good idea at this time. Colombia has not proven that they are capable of providing the human rights that the people of Colombia so desperately need. Passage of the U.S.-Colombia Free Trade Agreement would greatly diminish our Nation's reputation as a leader in the fight to end human rights abuses worldwide. Like the Peru agreement which preceded it, the Colombia FTA is based on the flawed NAFTA–CAFTA model which also led to the outsourcing of millions of high-paying American jobs. This comes at a time when our own country is in a recession and experiencing unprecedented job loss.

All around, this is not a good idea, and I hope that we will kill this.

□ 1915

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DONNELLY). 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.

BROKEN JUSTICE IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, the justice system has broken down for Jamie Leigh Jones and other female contractors sexually assaulted in Iraq by their coworkers.

In June 2005, nearly 3 years ago, Jamie Leigh Jones was drugged and gang raped by her KBR coworkers in Iraq. After 2½ years and no real answers from our own government agencies, Jamie decided to go public in hopes of finding the answers and getting justice. She testified before the House Judiciary Committee in December of last year. And despite Jamie's experiences and the national attention that this issue garnered, nothing changed in Iraq. There continues to be a hostile living and working environment for female contractors that are Americans working overseas for American employers.

A ''boys will be boys'' atmosphere seems to appear where assaults occur, and then they're covered up. The Department of Justice says it has several active investigations, but it has not prosecuted any contractor for a sexual assault since the invasion of Iraq 5 years ago.

The Justice Department has over 200 employees in Baghdad. The question is, what are they doing? Why aren't they prosecuting crimes by Americans against Americans? There are 180,000 civilian workers in Iraq; not all of those people are good folks, some of them have committed crimes, but yet not one of them has been prosecuted for an assault that has occurred. These assailants remain free and unaccountable while the victims continue to suffer.

And yet there is more. This week we learned of another victim. She identified herself this morning at the Senate Committee on Foreign Relations as Dawn Lemon. Dawn Lemon's story is brutal. She went to Iraq as a KBR contractor. She was stationed in the hostile red zone as a paramedic. She awoke in January of 2008, just 3 months ago, to the sound of incoming rocket attacks. But when she woke up, she was naked in a chair, covered in blood and feces. She had feces in her mouth. She found a U.S. soldier lying naked in the bed next to her with his clothes and his gun on the floor. All she could remember was screaming at this unknown soldier that was laying on top of her. She sought help from a KBR colleague, thinking that he would save her, but he didn't. As a soldier anally raped her, her KBR colleague forced her to perform oral sex on him. And when Dawn told her KBR supervisor about the incident, she was told to be quiet. When she reported the incident to the camp's military liaison, she was told again not to say anything.

In order to leave Iraq, Dawn had to cooperate with KBR. She had to sign documents agreeing not to discuss the rape in public. She decided to send those documents via e-mail to an attorney in the United States, but 20 minutes after she sent those documents Army investigators showed up and confiscated her computer. They were obviously tracking her e-mail communications.

Before she left Iraq on leave, she was assigned to sleep guarded by two Army Criminal Investigative Division officials to keep her safe. Her alleged assailants, however, were in the same camp, but they roamed freely, doing what they wished.

As the Federal Government agencies refuse to take responsibility and implement change and as these agencies have continued to pass the buck back and forth, still, nothing has occurred in these cases. There are no jurisdictional problems. The law exists to prosecute these individuals in Iraq, and these laws have been applicable for some time. There is nothing but excuses from our government agencies for failure to prosecute these criminals.

We knew in December that Jamie Leigh Jones was not alone. Three years later, this is still occurring. Dawn Lemon now joins a growing number of female contractors who have been sexually assaulted in Iraq by their coworkers.

Justice has failed these women. Is our government hiding these crimes? Why don't companies like KBR cooperate rather than stonewall these investigations?

Mr. Speaker, we will find the answers to these questions, I assure you. Victims like Jamie Leigh Jones and Dawn are to be admired for coming forward. Our duty is to protect them and their rights. We can do no less because, Mr. Speaker, justice is the one thing we should always find, even in Iraq.

And that's just the way it is.

NATIONAL PUBLIC HEALTH WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise today in recognition of National Public Health Week and to applaud the passage of legislation to address health issues that impact the quality of life of all Americans. I commend my colleagues for joining me in passing critical health care legislation to improve the lives of Americans, from the youngest to the oldest among us, by increasing their access to care.

It is fitting that we address this legislation during National Public Health Week, a time when our attention is focused on the critical need to improve public health. I think it is also fitting that we recognize this week while we remember Ryan White, who died 18 years ago yesterday. This brave young man, whose namesake, the Ryan White CARE Act, has saved so many from the ravages of HIV/AIDS, taught us all an important lesson about our personal roles in improving the public's health.

I am the sponsor of two bills that passed this week, the Early Hearing Detection & Intervention Act, which amends the Public Health Service Act regarding early detection, diagnosis and treatment of hearing loss, and the Food Allergy & Anaphylaxis Management Act, which provides schools with guidelines on how to create appropriate management and emergency plans for children with food allergies.

I also support the following bills that were adopted by the House this week:

The Wakefield Act, which amends the Public Health Service Act to improve emergency services for children who need treatment for trauma or critical care;

The Cytology Proficiency Improvement Act, which provides revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations to ensure that health care professionals who screen and interpret tests for cervical cancer are skilled in today's medical technology;

Reauthorization of the Traumatic Brain Injury Act, which provides for the expansion and improvement of traumatic brain injury programs by providing grants to States to support the treatment and rehabilitation of traumatic brain injury patients.

The Safety of Seniors Act, which directs the United States Department of Health and Human Services to oversee and support education campaigns focused on reducing falls and preventing repeat falls among older Americans;

And finally, the Newborn Screening Saves Lives Act, which establishes grant programs to provide for education and outreach on newborn screening and coordinated follow-up care once newborn screening has been conducted.

These bills will make great strides in ensuring the public's health and the essential mission of our Nation. Without health, children cannot grow to be all that God meant for them to be, adults cannot fulfill their role as contributing members of our society, and our elderly cannot peacefully live out their golden years.

If one were to ask any of us to list those things that might be the enemy of our destiny, we would all have to agree that poor health would be at the top of the list. For this reason, I will continue to fight for the expansion of quality health care programs to help ensure that every American can benefit from a more vibrant and productive quality of life.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

U.S.-COLOMBIA TRADE PROMOTION 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. Mr. Speaker, I rise in support of the U.S.-Colombia Trade Promotion Agreement. I rise in support of bringing this important agreement to the House floor.

Ladies and gentlemen, I come from the State of Illinois. I represent a district that's heavily dependent on exports for growing our economy. We make heavy construction equipment. We grow a lot of corn and soybeans. We export a tremendous amount of plastics and petrochemicals. This trade agreement is a big winner for States like Illinois as it is for our Nation.

You know, right now our products made in Colombia, whether farm products or manufactured goods, they enter the United States essentially duty free. The Andean Nations of Peru, Colombia, Ecuador and Bolivia, they've got the opportunity for all their products to come to the United States duty free, but our products made in America face taxes when they're exported to Colombia. In fact, the bulldozers made in my district, I have 8,000 workers, union workers who work for Caterpillar, they make the yellow bulldozers. Mining is a big industry in Colombia, we want to sell those products there, but they face 15 percent tariffs when they're exported. It makes them harder to compete with the Asians.

The corn and soybeans and livestock products produced in my district, they face tariffs today up to 40 percent, making it hard to compete with the Argentineans and Brazilians and the Colombian market, a nation of over 40 million people.

The bottom line is 80 percent of U.S. exports to Colombia will be duty free immediately once this trade agreement goes into effect. And I would note that, as we've seen, countries like Chile and the central American countries and elsewhere where we have trade agreements, we've seen 50 percent faster growth in exports in nations who have trade agreements than those who do not.

And I would note also, again, Colombian products come to the United States duty free, tariff free, but our products face barriers going in. This agreement eliminates those and makes trade a two-way street. It's an important agreement, and I urge it be brought up for a vote and I urge bipartisan support.

Those who oppose this trade agreement say Colombia hasn't done enough. And I want to begin by asking, who is the Republic of Colombia? What nation in Latin America is the oldest democracy in Latin America? It's Colombia. What nation is the second largest Spanish-speaking nation in all Latin America? Colombia. What nation is the most reliable ally of the United States, particularly when it comes to counterterrorism and counternarcotics? Colombia. And what nation has done more under its current democratically elected president to reduce violence in Latin America? It's Colombia, clearly.

Colombia is not only a friend of the United States, in fact, our enemies in Latin America identify Colombia as our best friend. And they say, you know, watch the United States, they always turn their back on their friends; watch how they treat Colombia when it comes to this trade agreement.

And those who would argue against this trade agreement say, you know, you've got to look at the labor violence, you've got to look at the violence in the country; and Colombia just has not done enough to address violence. Well, President Uribe is the most popular elected president in this entire hemisphere. This Congress today suffers from a 15 percent approval rating, President Uribe in Colombia has an 80 percent approval rating. He was elected to reduce the violence in his country, and he succeeded.

In fact, 71 percent of Colombians today say they feel more secure because of President Uribe. Seventy-three percent say President Uribe respects human rights. Homicides are down 40 percent, kidnappings are down 76 percent. Colombians feel free to drive anywhere in Colombia. And I would point out that today, the murder rate in Colombia is lower than Washington, D.C., it's lower than Baltimore. It's safer to walk the streets of Bogota, Colombia than it is in Washington, D.C., yet those who oppose this agreement say the murder rate is too high and that Colombia needs to do more. But Washington, D.C. is more violent than Colombia.

Here's the facts: When it comes to labor violence, President Uribe has made major changes. He has increased the Prosecutor General's budget by 72 percent in the last 2 years. He has added over 2,100 new posts, adding 418 new prosecutors, 445 new investigators. He has done so much that the President of the United Workers Confederation of Colombia says, ''never in the history of Colombia have we achieved something so important.'' Yet there are those who want to turn their back on President Uribe in Colombia.

And when it comes specifically to protections provided to labor leaders, and I have met with many Colombian labor leaders, and they note that in Colombia, if you're a labor activist or labor leader and you feel in danger, you can request special protection from the government.

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And last year under President Uribe, they spent $39 million providing body guards and special protection for labor leaders and labor activists. In fact, almost 2,000 labor leaders and activists have participated in this program, and it's been so successful that no labor leader who has requested the assistance has been denied because it's provided to those who are denied it, but also no one who has ever participated has ever been a victim of violence. It's been successful. And as the Washington Post noted, and you don't want to see anyone lose their life, but the murder rate for labor activists is actually lower than the murder rate for the average citizens of Colombia. And, again, it's safer to walk the streets of Bogota than it is in Washington, D.C. from the standpoint of being a victim of violent crime or, frankly, a victim of murder.

The International Labor Organization has recognized the progress Colombia has made. In fact, they have removed Colombia from its labor watch list. And Colombia has agreed to have a permanent International Labor Organization representative in Colombia.

Just a few weeks ago, this House overwhelmingly, with bipartisan support, ratified the U.S.-Peru agreement, and Colombia has agreed to every same labor condition that was demanded of Peru. Colombia has agreed to the same. So for those who demanded it, they should be proclaiming victory.

The bottom line is Colombia is a friend of the United States. And there are those who want to kill this agreement, those what want to turn their back on Colombia. Let's remember this agreement is good for Americans, it's also good for Colombia, but our best friend in Latin America is Colombia. They deserve a vote and they deserve a ''yes'' vote, bipartisan support, for the U.S.-Colombia Trade Promotion Agreement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. LINCOLN DAVIS) is recognized for 5 minutes.

(Mr. LINCOLN DAVIS of Tennessee addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COLOMBIA AND OIL: GET IT WHILE YOU CAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the Bush administration announced this week it will be sending to the Congress for approval the Colombia Free Trade Agreement. And the American people might ask, Colombia? Now? In 2008? What about the District of Columbia and getting gas prices lower here in our Nation's capital? Or what about more fairly priced student loans for the next generation who are attempting to improve their opportunities for the years ahead? Or what about dealing with mortgage foreclosures in the United States, which are at epidemic levels in places like Ohio and Michigan and Florida and California? No. The President sends us something to help another country. ''Colombia Free Trade,'' they call it.

Well, I would like to say to the American people tear the veneer off the agreement and look below it, and what you will find is crude. Oil. What this agreement really is about is more imported petroleum from one of the most undemocratic places in the world.

Colombia about 10 years ago was actually a net importer of oil. But today it is the fourth leading oil producer in South America. In fact, oil, rock/crude, has become Colombia's leading export product, and guess whom they send most of it to? You've got it right. The United States of America.

So what this Colombia Free Trade deal is all about is more imported oil, more dirty crude, more carbon emissions, more dependency of the people of the United States for energy, more living back in the 20th Century than embracing the 21st with energy independence here at home.

The oil picture in Colombia is clouded by rapidly declining production because of persistent attacks from people inside Colombia. What no one has mentioned, and the President didn't send it up here in his statement, is our country is already sending billions of dollars to Colombia to hold up the government. Why? To protect certain economic interests, including the rising export of petroleum.

This is a graph showing production levels of petroleum in Colombia back since the late 1980s, then up through 2000, when all of a sudden they started to decline because of unrest inside the country itself.

Now, it's no secret that there are 18 foreign oil companies in Colombia. Guess what. The majority of their headquarters is located right here in the United States. They have drilling operations in Colombia. California-based Occidental Petroleum launched an attempt to squeeze out of Colombia what oil remains with its discovery in 1983 of the Cano Limon field in the northeastern part of the country. The problem is that particular field produces less than a third of its total as recently as 4 years ago. Its production is going down.

British Petroleum, not to be outdone, has been drilling in the eastern plains in the Andes Mountains in the largest field in the country. However, that production has fallen by about two-thirds, and rather than 400,000 barrels a day, they produce about 170,000 barrels.

Faced with rapidly declining production, the Colombian Government has taken steps to improve the investment climate in Colombia and giving permission for foreign oil companies to own 100 percent stakes in oil ventures in Colombia. The Government of Colombia also established a lower sliding scale royalty fee, now at 8 percent on the smallest oil fields, and that set of actions have attracted an estimated $2 billion more in foreign investments since 2006. The oil industry is focusing heavily on this country.

Entering into the picture is the geopolitical position of Colombia because if we look at the United States having nearly half of their exports, Venezuela is number two, and we all know the difficulties with Venezuela. So there's a little strategic problem here related to the U.S. perception across Latin America. But it's important to tear the veneer off something called ''Colombia Free Trade'' and look at what is actually being traded out of Colombia.

While the United States continues to support the violent regime in Colombia, political unrest and political repression continue to cloud the discussion, and declining oil exports prove it. We can go back to 1988 when a car bomb outside of Occidental's nine-story Colombian headquarters in Bogota badly damaged that building. In October, 2000, a truck bomb nearly missed a bus filled with 40 Occidental secretaries and other company employees. And in April, 2001, rebels seized a bus filled with 100 Occidental oil workers.

Mr. Speaker, I'm going to include in the RECORD lots of information about Occidental Petroleum, which is just one example of what's happening in Colombia, and also some of Occidental Petroleum's political influence here in Washington, in the Congress and in the White House.

OCCIDENTAL PETROLEUM CORPORATION

Occidental Petroleum Corporation is one of the largest U.S.-based oil and gas multinationals, with exploration projects in three states and nine foreign countries, including Colombia. It has operated in Colombia for more than three decades; in 1983, Occidental discovered Caño Limón, Colombia's second-largest oil field and one of only 50 billion-barrel-class fields in the world. Occidental's investment in Caño Limón paid off long ago, with its share of production yielding hundreds of millions of dollars annually. Even through years of rebel attacks and pipeline closings, Caño Limón Field continues to be a profitable venture for Occidental.

In recent years, Occidental has simplified its oil and gas operations by focusing its operations in the United States, the Middle East and Latin America. Despite drastic oil price declines in 2001, Occidental Petroleum had its second-best annual earnings ever.

Annual sales: $14 billion

Annual net income: $1.2 billion.

CEO and annual executive salary: Ray Irani, $24 million (six-year average); Forbes Magazine ranked Irani the second-worst among executives who gave shareholders the least return on their investment compared with their own pay. In 2001, Irani's compensation package included free financial planning, country club dues and a $2.6 million bonus.

Founded: 1920.

Stock: Publicly traded (OXY) on the New York Stock Exchange.

Corporate headquarters: Los Angeles.

Employees: 8,235.

Colombia operations: Occidental owns Caño Limón Field in the province of Aruaca,

operates three exploration projects elsewhere in Colombia, and, in 1998, swapped its holdings in the Philippines and Malaysia for Shell Oil's interests in several producing blocks of Colombia.

Worldwide holdings: Russia, Pakistan, Saudi Arabia, Yemen, Qatar, Oman, Ecuador, the Gulf of Mexico, the United States (Texas, California and Alaska).

Worldwide reserves: 2.17 billion barrels of oil.

Worldwide annual production: 461,000 barrels of oil per day.

Colombia annual production: 34,000 barrels of oil per day in 2002, up 79 percent from the year before.

LABOR CONDITIONS

In addition to sabotaging the physical structure of Occidental's Caño Limón Pipeline, Colombia's rebel groups have attacked, kidnapped and murdered company employees. Employees also have often been caught in the crossfire between the rebels and the military. Not unlike other multinationals in Colombia, Occidental makes it clear with its employees that it will not pay ransom in the event of their kidnapping. With few exceptions, the company hires Colombians from distant cities to work in the danger areas because they are less likely to be knowledgeable about military troop locations or security measures should they fall into the hands of guerrillas. Prospective contractors are rigorously screened by Occidental's psychologists to ferret out spies; workers must show identification cards at a half-dozen security checkpoints; and palm-reading devices restrict access to executive offices. Still, Colombia's rebels have succeeded in breaching the multinational's security on a number of occasions.

Watchdog groups have ranked Occidental poorly on human rights after the company pursued a protested oil exploration project in Colombia's cloud forest, home to 5,000 members of the U'wa tribe. In 2000, three children were killed after Occidental called on the military to break up a nonviolent U'wa blockade of the road to the drill site. After years of public pressure protesting Occidental's exploration on ancestral lands, the company announced in May 2002 that it was canceling the project. The company blamed its withdrawal on technical and economic factors, but many believe Occidental caved to negative publicity.

Occidental's stand on human rights in Colombia was also tainted after a 1998 air raid of the village of Santo Domingo near the Caño Limón Pipeline. That year, three American pilots of AirScan (a Florida-based security firm that Occidental uses to protect its oil interests from rebel attacks) marked hostile targets for the Colombian military in an antiguerilla operation. The pilots' assistance mistakenly led to the killing of 18 civilians, including nine children. Survivors from the village said the aircraft (U.S.-donated) attacked them as they ran out of their homes to a nearby road with their hands in the air. The Colombian government is still investigating.

OCCIDENTAL INFLUENCE ON CAPITOL HILL NOT NEUTRAL

Between 1996 and 2000, Occidental spent more than $8.6 million lobbying the U.S. government, including for U.S. military aid to Colombia. In the 2000 election cycle, the company gave hard and soft money totaling about $551,000, with about 60 percent going to Republican candidates and political action committees. The CEO of Occidental's chemical subsidiary, J. Roger Hirl, raised more than $100,000 in support of George W. Bush's bid for the presidency.

Occidental also has maintained links to the Democratic Party for many years, primarily through former Vice President Al Gore's father, the late Al Gore Sr., who after leaving the Senate took a $500,000-a-year job with an Occidental subsidiary, then served on the company board for 28 years.

When the younger Gore joined Clinton's ticket in 1992, Occidental loaned the Presidential Inauguration Committee $100,000 to help pay for the ceremony. And after Gore took office, the company gave nearly $500,000 in soft money to Democratic committees and causes. In late 1997, the former vice president championed a $3.65 billion sale to Occidental of the government's stake in Elk Hills Oil Field (California), representing the largest privatization of federal property in U.S. history. In 1998, when his father died, Gore inherited about $500,000 worth of Occidental stock.

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.)

COMMUNIST CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, one of our greatest Presidents was Harry Truman. And one of the reasons President Truman was held in such high regard by people, including my own father, was that he had the courage to go against conventional wisdom, especially in the area of foreign relations.

It was President Truman who had the moral courage to tell the American people that our World War II ally the Soviet Union was no longer our friend and had become a threat to the very liberty that our people had helped advance throughout the course of that conflict. This was not a message that the American people were particularly expecting. In fact, there were many who decried President Truman's analysis at the time. One of them was George F. Kennan, who is, unfortunately, often remembered as the father of the containment policy.

In fact, when faced with the rise of the Soviet Union as a strategic threat and rival model of governance, it was Mr. Kennan's position that the Soviet Union could be managed, that we should constructively engage them, that their ideology meant nothing to them, and that, in fact, they were but a different variation of the traditional Czarist order within Russia. And, besides, Mr. Kennan concluded, what did it matter? Eventually the two systems of communism and our free Republic's democratic system would merge into one.

President Truman was not as educated as Mr. Kennan. He was not as sophisticated as Mr. Kennan. And President Truman took the Soviets at their word that they were in fact communists. He took them at their word that they meant they were going to put in practice their intrinsically evil ideology. And Mr. Truman dissented from Mr. Kennan and said that the fundamental goal of the United States foreign policy to defeat the intrinsic evil of communism will be the advancement of liberty throughout our world where and when we can achieve it.

Recently I came across a picture that I had ordered from a friend of mine in the District, Mr. Doug Brown. It was from one of Mr. Truman's return trips to St. Louis. He was meeting a gentleman from his old World War I Artillery Battery. And a picture that struck me the most was this: The MC of the event that night for President Truman in Missouri was an entertainer named Ronald Reagan. And in that crystalline moment, it was clear for me to see the link in the Cold War's victory between the foundation President Truman courageously laid and the way that President Reagan courageously won it ultimately.

What we see today now is a repeat of history where we have two paths we can take. We can take the path of Mr. Kennan and the detente crowd of the Kissingerites and others that says we can manage the rise of Communist China, that we can engage them and barter with them and engage in structural diplomacy, all the while the oppression of their own people's God-given rights to rights to life, liberty, and dignity are repressed, while Tibet suffers under their yoke, while the Burmese and Sudanese regimes are propped up, and while they continue their stealth assaults on our national security with sleeper cells, and I could go on. Or we who profess to be the heirs of Ronald Reagan, especially within the Republican Party, can follow the path of President Truman and understand that you cannot barter with butchers. You cannot constructively manage evil nor engage it. But what you can do is unleash the liberty of people yearning to breathe free where and when you can.

The reason I bring this up is not merely the Beijing Olympics. I'm on record as opposing our President's attendance at the games. I believe it would be a betrayal of our free Republic's commitment to liberty. But I was struck by a statement in this regard by our current Secretary of State, ironically enough herself a Sovietologist. I will not make the joke that a Sovietologist is often considered diplomacy's equivalent of a Latin teacher for this has relevance. She said, ''It is important for the Chinese people to see that the United States supports their emergence onto the world's stage.''

I fundamentally differ with that assessment. I remain a Reaganite. I remain my Truman Democratic father's son. The United States, and my party in particular, exists to put communism in the ash can of history, not to usher communism onto the world's stage. If my party, as it has strayed from principle in the past, does not understand

the emancipation imperative that runs through Abraham Lincoln to Ronald Reagan and to today, we are in a sad state. I trust we wake up while there is still time.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

(Mr. TANCREDO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

(Mr. WESTMORELAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of South Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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OUR ONGOING MILITARY AND DIPLOMATIC MISSION IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Louisiana (Mr. BOUSTANY) is recognized for 60 minutes as the designee of the minority leader.

Mr. BOUSTANY. Mr. Speaker, I come to the floor tonight to talk about the ongoing military and diplomatic mission in Iraq and to discuss the recent testimonies given to Congress by General David Petraeus and Ambassador Ryan Crocker. Make no mistake, the situation in Iraq is the most significant issue that we, in Congress, face today. Our troops on the frontlines of the battlefield, our constituents back home, and the world look upon the actions and the debates in this body to determine our resolve.

First, let me thank the men and women serving in our Armed Forces, the diplomatic corps who are serving in that country, and our Foreign Service officers on the ground who all serve so nobly under difficult circumstances. They make our Nation great. And we owe them a debt of gratitude that can never be adequately repaid.

There are three observations that I have that drive my views and understanding of the current efforts being made in Iraq. First, the plan that was implemented about a year ago is working. General Petraeus and Ambassador Ryan Crocker are leading an effort to bring stability into Baghdad and areas throughout Iraq because they have the flexibility and the necessary resources to respond to changes on the ground. This plan is more than just simply 30,000 troops in country. The troops are placed strategically.

And we also have civilian personnel and diplomats on the ground working to help build up the political institutions from the ground up as we work with the central government so that hopefully as the two meet, we will end up with a stable Iraq that has sovereignty that can protect its borders and that can build institutions on its own and that can protect minority rights. Second, America can complete this mission successfully. Given the appropriate support and guidance, our troops and diplomats will succeed. And third, clearly, challenges remain. Both General Petraeus and Ambassador Crocker outlined these challenges.

The positive trends as a result of this plan continue from last summer, and we will highlight those. But we understand many challenges remain before us, and clearly these challenges were outlined by these two gentlemen before Congress. I want to mention that failure in Iraq would have serious repercussions and dire consequences for U.S. foreign policy as well as for global security.

Most importantly, our efforts to stop terrorist organizations would be hindered. Secondly, the ability for us and others to deal with the Israeli-Palestinian peace process will become much more difficult. Thirdly, efforts to minimize Iran's dangerous mischief in this region will be diminished. And finally, stabilizing the broader Middle East will be exceedingly difficult if we fail in Iraq. Clearly, the cost and the consequences of failure are far too high.

As Members of Congress, we must listen to the professional judgments of the American leadership we have currently serving in Iraq and work with them to create and support policies that will successfully complete our mission.

Congress has a serious responsibility here. These two gentlemen and the work that they have done in Iraq has been outstanding and should be applauded. And we need to support them. And we need to have a serious debate here in Congress on what steps we need to take to continue to support this effort so that we are successful in Iraq.

Tonight, my colleagues and I will offer our thoughts on the situation there in Iraq, our reflections from recent trips and how we have moved forward. I want to encourage everyone who is listening to seek out and read the testimony of General Petraeus and Ambassador Crocker. Read it carefully because it is very thoughtfully put together. They have provided an unvarnished account of what is happening on the ground, and it is the most accurate assessment of the situation. And that is what policy should be based upon. This House now has the responsibility to the American people to truthfully assess their testimonies.

At this point, I would like to pause and introduce my good friend from Texas (Mr. CONAWAY). He is a member of the Armed Services Committee. He heard the testimony this afternoon, and he'll make some comments.

Mr. CONAWAY. I thank the gentleman from Louisiana, my friend, my classmate of the Class of 2005. I am glad to be with you tonight. I did sit today through General Petraeus' testimony, as well as Ambassador Crocker's testimony, and then later in the afternoon, we heard from both General Richard Cody, as well as General Robert Magnus, Army Vice Chief, and the Marine Corps Vice Chief respectively, on the status of our current forces. And I would like to talk about kind of a combination of those conversations that we heard today.

Ambassador Crocker was asked, what does success look like in Iraq? We ought to know both sides of the equation, both sides of the coin of success and failure. He described ''success'' in Iraq as an Iraq that is developed into a

united, stable country with a democratically elected government that operates under the rule of law. And that is a path that they are on to.

Ambassador Crocker also said today that just because something is hard, as this mission is, does not make it impossible, does not mean it is hopeless simply because it is hard. We have seen some progress on the government side, the national government as well as the provincial government side, in making progress. This surge, as it has been described, was intended to reduce violence as your chart shows. It was intended to allow the government to begin to function in an atmosphere where daily death was not an issue, but they could have the conversations and the sharp disagreements from a debate standpoint on how to run that country. And they have made some progress, not nearly as much we would like, but Ambassador Crocker pointed out today that something as simple as an Iraqi flag, the Council of Representatives and the leadership have adopted a national flag that now flies throughout the country. The Kurds would not fly the flag that had flown previous to that because it had such a connection to Saddam Hussein. And so something just as simple as rallying around a single flag, and we all know how important our flag is to us in its representation to our country, they have been able to do that, and now a common Iraqi flag flies over that country.

They have executed a 2008 budget recently in September which provides for record amounts of infrastructure spending, oil revenues that they are getting from these record high oil prices that they are now plowing back into the infrastructure that every government would have to do that is in that circumstance. They have passed a pension law that addresses some of the pension issues related to people that were there. They have passed an accountability and justice law after vigorous debate on both sides because this deals with de-Baathification, in other words, that process of bringing those Iraqi citizens who had previously been Baath party members under Saddam Hussein, ferreting out those who had sold out to Saddam's thuggery and really just have to be retired, and those who simply were members of the Baath party in order to have a job, in order to be a schoolteacher, in order to be a local administrator. They passed a Provincial Powers Act which deals with the elections that are coming up in October, elections which now all major parties have endorsed and they are going to support and will come to the table including the Sunnis.

And these are not earth shattering. They are not all that they need to do. But this is a clear line of march down a path that this surge, with its sacrifices that had been made, has provided a space to get that done, and they are making progress. We all want them to make much more progress than they have made. We want them to be quicker than they have currently been.

Today, General Petraeus told us that his team on the ground seized the successes that they have had and take great comfort in that. They take great pride in what they are doing. One of the issues that comes up is continuing to replace the number of folks in our Army that we need, I'm speaking specifically of the Army. Third, he told us today the third I.D. has met its April goal for total re-enlistments already just from people serving in Iraq. General Cody participated in a re-enlistment service earlier this month in Iraq. Men who were defending their country today signed up for additional tours and additional extensions on their service to this country, which is an incredibly heartening issue.

As I said, ''hard'' does not mean hopeless. But imagine how much easier this fight would be if every American recognized enemy propaganda for what that really is and could parse that out of what we try to think about. Imagine if every American would not tolerate inaccurate reporting and biased reporting out of our media, how much easier our tasks might be. Imagine if all those Americans who oppose this war, and have every right to, would refrain from using rhetoric that is cast just to discourage our fighters, just to cause our veterans to question their service to our country.

And the easy one is imagine how much easier this fight would have been had Congress provided the funding on a timely basis through the supplemental process that we have been doing it on. We have a large supplemental that is hung up. It was requested last summer, and this Congress has sat on its fist, leaning back on its thumb for 7 months now, waiting for who knows what. I think it is waiting until next week rolls around, quite frankly.

Mr. BOUSTANY. Would the gentleman yield? I want to amplify on that. That delay really caused a lot of problems, particularly as the State Department tried to mobilize its part of the surge. It really froze their efforts for a while, and so there was a delay in getting those personnel on the ground to amplify what was being done from a security standpoint.

And I was meeting yesterday with SSG Paul Gwimes in my office. He served with the 256th in Iraq. He told me, and I have seen this when I have gone over there on two previous occasions, our men and women watch these news programs, and they watch C–SPAN, and they hear what we say. And it has an impact. We need to do everything we can to support them. I yield back to my friend.

Mr. CONAWAY. I thank my colleague for that.

More on the spending issue, which is totally within the Members of this body's control, starting with the leadership of this House, dictates the pace at which that legislation should come to us. We should have already dealt with it a long time ago. But since we haven't, there are some pending consequences for not getting that done quickly.

By mid June, the military personnel account will be exhausted, and all military services will have to begin shifting money around, which, again, is just a back office accounting thing. But it delays purchasing the long lead items that are necessary to be bought out of this supplemental. This supplemental is intended not only to pay for the fight that is going on immediately, but it is also to pay for replacement of equipment and gear that is being destroyed and worn out as we fight this fight. That gear is special. You don't go down to your local Ford dealer and pick up a pickup truck. It takes long lead times to actually get that money set in place. So while we casually ignore it, we do so at the peril of our young men and women who fight this fight.

I want to recount to you a story. I've been to Iraq five times now to visit our troops and hug their necks and tell them ''thank you.'' Probably my most memorable trip was Christmas Day of 2006. I was there with IKE SKELTON and a couple of other Members of Congress. And it was particularly meaningful to be away from my family and be with men and women who are away from their families, to share that experience. I was only away from my family for about 5 or 6 days, nothing like the 15-month deployments that our men and women are enduring right now. But nevertheless, it was great to be there with them.

At Camp Victory, we went out to a perimeter fence where this particular Kentucky National Guard unit was guarding this fence for the base. And a Lieutenant Colonel Lutrell had come out, having just returned from a trip outside the wire. He had gone to a mosque. You could see the minarets just across our fence. And he had gone over there to talk to the cleric about some sort of a neighborhood watch program because of what was happening. There was an elementary school right near there that some Shia gunmen and thugs were sneaking into and using that platform to shoot at our men and women walking that wire. So this lieutenant colonel had gone to the imam, or cleric, there, because it was a Sunni neighborhood. He said, we could work out a deal. If you just give us the heads up, we will stop that. It helps you because they are just trying to force us to fire back at them into the school. And they were taking the chance of hurting their guys. So he was discussing with us about what was going on. And a young buck sergeant kind of eased up to kind of the back side of the deal. And I was standing looking at the name tags, and it was Lieutenant Colonel Lutrell and it was Sergeant Lutrell. And when I got a chance to say something, I said, you two men have the same last name. And the lieutenant colonel said, let me introduce you to

my son, Sergeant Lutrell. And my comment was, sir, your wife and his mother must be a saint to be able to endure having two very, I assume, very important men in her life in harm's way. But that is indicative of the kind of commitment to country, commitment to duty, and commitment to that flag that is played out hundreds and hundreds and thousands of times every single day over the last 6 or 7 years that we have been in the fight, good men and women stepping forward, putting education on hold, putting families on hold, putting family decisions on hold, while they went to do a job that not very many people are qualified to do, not very many people are willing to do.

So in the words of Ambassador Crocker today, our current course is hard, but it is working.

I look forward to some additional dialogue with my good colleague a little later in this hour.

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Mr. BOUSTANY. I thank the gentleman.

I would like to now yield time to my good friend Judge CARTER from Texas. He is a member of the Appropriations Committee and the Foreign Operations Subcommittee. He knows a little bit about what is going on in Iraq. He has been there. I would love to hear what he has to say.

Mr. CARTER. I thank my friend for yielding, and I thank my friend for holding this special order this night where we try to lay the truth out about what is going on with our soldiers.

I have had the opportunity to go to Iraq on four different occasions and visit with soldiers. I am a blessed Congressman in that I have the very privilege and honor of representing Fort Hood, Texas. Fort Hood, Texas, is the only two division post in America, and both of those divisions are now famous for operations that have taken place in Iraq.

The 4th Infantry Division, one of the divisions at Fort Hood, captured Saddam Hussein. The 1st Calvary Division put on a free election in Baghdad. Both were major accomplishments in this war, major accomplishments in the future of Iraq, and the blood, sweat and tears that went into those projects have been brought back to central Texas on numerous occasions. So it is clearly an honor for me to be able to stand up and talk about what is going on in Iraq and why we, in my opinion, my humble opinion, and I think the opinion of those who really think about the issues, it is my opinion that we must stay the course.

What I want to be able to promise, I want to look every soldier that I see, and I see soldiers every week because I go back home every week and I go visit these soldiers, and I see them and I tell them what I want for them is I want them to come home, just like every American wants those soldiers to come home. But when the 4th Infantry Division, III Corps and the 1st Calvary Division and all those the other fine soldiers march out of Iraq, I want to see them marching out under ''The Star Spangled Banner'' and the red, white and blue, and not the white flag, and that is what they want too.

Every soldier I have spoken to, bar none, has told me they are doing a good job, they are winning, they will win, they want to stay the course. They want to finish the job they started. They say they owe it to their fallen comrades. They owe it to the effort they have put forward on behalf of humanity in Iraq.

I get real upset and tired when I hear people ragging on and insulting and writing stories about the ''evil American soldier.'' The evil American soldier that they describe doesn't exist. American soldiers are some of the closest things to sainthood that I have seen, because they are willing to stand up and fight for people, in many cases that don't even like them.

But what is really wonderful and what has changed in Iraq and what needs to be recognized by everyone is the last time I was over there in July, previous to that I was over there in May of 2006. First let me tell you, May of 2006 the weather was a lot better than the last day of July in 2007, and it was, as we say in Texas, it was hotter than a $3 pistol over there. But, seriously, when I went over this time, the difference was the interaction between ordinary Iraqi civilians and United States marines and United States soldiers. And they all talked about it at length, and I saw it demonstrated.

Prior to that time, I had never seen an Iraqi policeman anywhere. When we were in Ramadi, there was a pickup truck full of policemen on every corner and they were patrolling the streets, and people, ordinary people, were doing ordinary business in an area that had at one time been the bloodiest battlefield in Iraq, where they had pounded each other for days across this five-lane road. Now, ordinary Iraqi citizens of all ages, dressed all different ways, men and women and children, were walking, going about ordinary business there, addressing United States soldiers and United States marines, talking to them, discussing things with them, discussing things with their local politicians. It was an amazing turnaround. Amazing.

I talked to a young soldier, he couldn't have been more than about 19, a tow-headed kid, and I said, ''Tell me how it has changed?'' He said, ''Well, sir, you know, they plant these explosive devices in these streets and they plant them in the curbs and they plant them in garbage cans.'' He said, ''Boy, we used to crawl down these streets, watching everything, looking everywhere, just really concerned that the next step might blow up on us. Now we approach the streets and a member of the Friends of Iraq,'' I believe it is called, they have a belt across their chest, ''steps out and says, 'Excuse me, but don't go down this street. There is an explosive device planted in the middle of street. The arms of the other explosives are in that blue building over there. And one block over, the green front building, that is where the guys who planted it are.' '' He said, ''Sir, that makes life a whole lot easier for a marine patrolling the streets here.'' You know what? That is a good story, because that is Iraqis talking to soldiers.

We visited with sheiks, and they told us that they had come to the realization when al Qaeda began to kidnap their families and try to make them take certain positions by kidnapping their families, they realized, like a revelation, who the bad guys were.

Americans had never kidnapped their families. Americans had never intimidated them in that fashion. They had never seen anything from American soldiers but trying to help, picking up the garbage, trying to make the sewer work, trying to make the electrical plant work. And then they realized these people were kidnapping their children and in many instances killing their children to try to pressure the sheiks to get their tribes to do certain things. So the sheiks said, that is it. That is it. We have had enough of this. And they went to their tribes and they told them, we are going to join the Americans.

These were Sunnis. So the first thing, of course, that we had to be concerned about was we hear so much about the difference between Sunnis and Shias, the sectarian violence. Was this going to create a rift in Iraq? We heard this story.

We have got General Funk who is a very good friend of mine who lives in my district. His son is in command in another location in Iraq. I also went to visit him while I was over there. He is a colonel. He told me that the week before, I think it was 11 or 12 Shiite sheiks came to his place where he was settled in and wanted to meet him and said, ''We have decided to join in helping the Americans get rid of al Qaeda.'' So that is the whole story.

Those of us who can remember back to the Vietnam War, we were told we were going to win the hearts and the minds of the people and that is how you won this type of war. We haven't heard that term in this war, but I remember that term. And the difference is, we never quite won the hearts and minds of the people because of mistakes that were made.

General Petraeus' plan was to capture the hearts and minds of the Iraqi people on our side, and I believe he is succeeding, and I believe, given the tools, he will continue to succeed. I can tell you one thing, he has got the best fighting force that ever walked on this Earth and the best bunch of human beings that are trying to help him do it, and we should support them in every form or fashion. That is what I think this war is all about. That is how we will walk out under the red, white and blue, and not a white flag.

So I thank my friend for yielding to me.

Mr. BOUSTANY. I thank my friend. That is very compelling.

I had a similar situation back in August when we went to Fallujah, and I want to pay tribute to General Walter Gaskin, because he was on the ground, a Marine general, implementing this plan through Fallujah. They used their resources strategically to reach out to these sheiks and local leaders and tribal leaders, and it made all the difference in the world.

I remember loading up in an MRAP with him in a convey. We drove into Fallujah, and it was the most remarkable thing I have done since I have been a Congressman, because just weeks before, General Gaskin told us you couldn't go down this road without hitting an IED or getting shot at.

So we drove around some of the streets of Fallujah and then we got out and walked. And we walked four or five blocks to a joint security station with our marines and with the Iraqi police. And the first marine I came up to at the security station happened to be from my district in Abbeville, and we traded stories and talked about good Cajun food and all that. But I sure was proud of him. I called his parents when I got back and we talked.

You know, it just makes you feel good knowing these young men and women are just dedicated and they are doing what they have to do, and they are the best that humanity has to offer. I agree with you, Judge.

Then we met with the precinct police colonel who was so proud of the efforts, and he showed us how much success they had had because they were implementing Iraqi solutions to the security in Fallujah. And now Fallujah is growing. The population is coming back. Businesses are opening.

I walked into a small shop and met a shopkeeper with his young son and talked with them through a translator. We handed out candy to children in the streets. We encountered a group of young children playing soccer in the streets, another group of adolescents and young men playing volleyball, and it was quite a remarkable scene to experience. So I had a similar situation, and it is really a tribute to our men and women who are down there on the ground doing this job.

Mr. CARTER. Absolutely. You know, a story I love to tell, because it was so funny, KEVIN BRADY, our colleague from Texas, was a chamber of commerce representative for a long time before he came to Congress. Of course, he worked for the local county commissioners, courts and city council and things like that.

Well, when we were in Ramadi we walked into the market, and there was this old man, and he looked like the ancient age, sitting in the chair in front of a kind of a destroyed shop. Right next door was another shop where a guy was putting wares out and getting ready to sell something. We were walking in with the general and also with the newly-elected mayor.

Well, immediately he called to have the mayor come over there, and he told the mayor, he said, ''Look,'' he said. ''You fixed his shop up. I want to know what the timetable is for fixing my shop up.'' And the mayor said, ''Oh, well, you know, we are getting the resources in. We will get it done.'' He said, ''Well, I am going to hold you to your promise, and I am going to come by the city hall and I am going to check on this, because I need my shop up so I can start operating too.''

BRADY leaned over to me and says, ''It sounds like somebody at the city council meeting in The Woodlands in Texas.''

So, you know, that is the kind of normalcy we want to see start to happen, where people are starting to think about living their life, not dodging and ducking for their life. So to me that is a good story. That is a story that says peace is breaking out in some small area anyway, because this little old man wanted his shop open. That is a great story.

Mr. BOUSTANY. That peace is breaking out because of this plan that has been implemented. And we have seen dramatic results, yet those results are still fragile and still tenuous, as both Ambassador Crocker and General Petraeus have stated. But yet it is real progress, and we have an obligation to continue on this path so that we eventually see real stability in Iraq.

Mr. CARTER. Yes, we do. Yes, we do. You know, it is very important, there has been a lot of talk about this latest fight down in Basra. Fifteen thousand Iraqis went into the fight there and there has been a lot of talk about over 1,000 of those Iraqis ran. That is kind of looking at that glass half full or half empty. Yes, maybe 1,000 or more soldiers turned and ran, but 14,000 stayed and fought.

If you went 3 years ago when I went on my second trip to Iraq and I sat down at a dinner table with a bunch of ordinary soldiers and said what are we trying to accomplish over here? And they said, sir, when they think about their units the way we think about our units, they will be a qualified fighting force over here, and we are trying to instill that in them.

I say 14,000 of them acted like soldiers, and that is something we should be proud of.

Mr. BOUSTANY. That is absolutely true and important. Not only that, Prime Minister al-Maliki made the decision to employ those troops in Basra, to take it into his own hands, and that was a huge move, because before he was afraid to confront the Jaish al-Mahdi and those insurgents. Not only that, Muqtada al-Sadr was partly responsible for helping position Maliki in as prime minister, and before he refused to take action against them when they are were doing unlawful activities.

For him to take that step was large. It was huge. And even though operationally it didn't go as smoothly as we hoped, it was a big step for them to go forward to do this, and that is a sign that things have changed. And we are seeing a change at the central level as well as what has been accomplished at the local level. As those two efforts merge, we will see a stable Iraq.

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Mr. CARTER. That's right. I thank the gentleman for recognizing me.

Mr. BOUSTANY. I thank the gentleman for his comments.

Now I would like to yield some time to a good friend who has been patiently waiting here, Dr. GINGREY of Georgia, a fellow physician, a member of the Armed Services Committee who has traveled to Iraq, and we would like to hear what he has to say.

Mr. GINGREY. I thank my colleague from Louisiana, my fellow physician, for yielding. It's great to be here with two fine Texans, my classmate Judge CARTER and also Mr. CONAWAY, and talk about this important issue, because this is a very important week.

Representative CONAWAY and I both serve on the House Armed Services Committee, and my colleagues, Madam Speaker, as you, of course, know, you are a member of the committee as well, that we heard from General Petraeus and Ambassador Crocker here on the House side. The Foreign Affairs Committee did as well yesterday, the same thing on the Senate side.

It was also just unbelievable the negative approach and attitude that so many members of our committee, this body, the other body, the majority party, had toward them in September, saying, you know, this surge is too little too late, the war is lost, it's a hopeless cause, there's nothing that you can do militarily, and, besides, there are all these benchmarks that the Iraqi Government has not met, and it's a failed state, we need to bring the troops home.

Well, thank God we did not bring the troops home at that time. Here we are, 10 months later, General Petraeus and Ambassador Crocker returned and reported to the Congress. Almost every, indeed, every measure, every metric that you look at, they presented to us in chart form. Dr. BOUSTANY has one of those charts with him tonight in regard to the decrease in civilian deaths. He may want to talk about that later, but there is no question that in regard to security, tremendous, tremendous progress has been made. We are getting on top of this thing, and General Petraeus and Ambassador Crocker both said that.

There were questions from Members, particularly on the Democratic side of the aisle, on the House Armed Services Committee, to suggest that while there was progress made militarily, there was none, no progress made politically.

These points were addressed, these questions to Ambassador Crocker, about, well, how about all these benchmarks that we asked for back in September?

Well, you know, the fact is the political surge, my colleagues, has been just about as successful as the military surge, and the progress that we have made, and Congressman CONAWAY talked about that just a little bit earlier in regard to de-Ba'athification, and he explained what is meant by that, and I know my colleagues understand that, to bring these people back in, the Sunnis that didn't have jobs, they had no way of surviving other than maybe getting paid to do bad things to our troops and to their Shia countrymen.

It was important that the Iraqi Government do that. The Iraqi Government scheduled provincial elections, which are now scheduled for October of this year, that the Iraqi Government do something in regard to oil sharing to actually have legislation in place that spells out that just because the oil in the country of Iraq happens to be located in maybe a Shia area or a Kurdish area, that the Sunnis still, as fellow Iraqis, should have a share in that revenue.

Well, de facto, they are doing that. Ambassador Crocker basically told us that of the 18 benchmarks, 12 of them have now been met, and that of the additional 6, there is significant progress on 4.

Anyone that suggests that there is not progress made politically just has to have a willing suspension of disbelief, as someone in the other body quoted, I think, last year and actually said that, too. I wonder what she would say today, based on these statistics, to ignore these metrics, would require the willing suspension of brain power. It is clear as the nose on your face, but yet certain people refuse to believe it.

What distresses me too now is those Members who want us to come home are using a different argument. They are saying not only that we've spent too much money but also making this statement, and if my colleague will bear with me for a couple of more minutes, they are making the statement that our troops are tired, they have been there too long, the equipment is wearing out and that, God forbid, there may be another conflict that's just going to break out somewhere in the world, which does occur, I guess, on average, maybe every 5 years.

They are saying that for that reason, totally ignoring what success we have achieved on the ground, that we really have victory almost in the palm of our hands. It's not there yet, it's fragile. We all admit that. But let's bring them home and prepare them for the next conflict.

Well, my colleagues, they may be, these troops that Judge CARTER, Mr. CONAWAY and Dr. BOUSTANY talked about, these personal anecdotes that they gave tonight, in talking about the enthusiasm, the morale and the patriotism of these troops, if you bring them back home when they are just on the cusp of victory, having left, then, 4,000 of their colleagues dead, men and women, and probably 25,000 severely wounded, they come home without a victory, like Judge CARTER says, with a white flag rather than Old Glory, I don't care how much you rest them, I don't care how much you re-equip them, I don't care how much you give them, more manpower or reset them, when you send them to this next contingency, I am going to ask them how hard they are going to fight. What's their morale going to be like then?

I think that's what this is all about. I think that's what the American people need to understand and that's what our colleagues in this body need to understand.

We cannot let public opinion polls and political pressure, because of an upcoming election, drive the decisions that are so important to the safety and security and the well-being of this country. I think it's clear, it was very clear to me. I had this very question written out that I wanted to ask General Petraeus and Ambassador Crocker.

Unfortunately, as my colleagues know, if you are down on the lower row, Madam Speaker knows that, a lot of times they don't get to you before the clock runs out. I did submit this for the RECORD. I would like to know the answer to that question, I think the answer will be just as exactly as I expect. We can't worry about the next battle, we have got to win this one first.

I wanted to make those points to my colleagues. At this point I will yield back to the gentleman from Louisiana.

Mr. BOUSTANY. I thank the gentleman.

Mr. CARTER. If you would yield for just a moment.

Mr. BOUSTANY. I will be happy to yield.

Mr. CARTER. Hearing the comments of Dr. GINGREY, I was at the Vets for Freedom rally this morning, and someone read an e-mail that they had received from a captain in the field, and he said, it went something like this, I started my morning at daybreak, and I have been on three missions today. I have gotten home and I immediately went and checked the evening news, as we all do here in Iraq, to see what folks were saying back home, and I saw someone say ''I support the warriors, but I don't support the war.'' He said, ''Sir, we are the war.''

I think that's something we ought to remember. As far as they are concerned, not supporting their effort is not supporting them. We need to remember that before we hurt feelings.

Mr. BOUSTANY. Every American should remember that.

Mr. GINGREY. If the gentleman would yield just for a second, just to follow up on what Judge CARTER said, yes, this rally he was talking about was over on the Senate side in the park. JOHN MCCAIN, of course, was there and got such a round of applause and appreciation for his stance, his service, his patriotism, his service, his suffering during the Vietnam war. I stood on the dais with my fellow Members in a bipartisan way, there were Democrats there as well. I felt real proud.

I looked at these young veterans for freedom, just looking at their faces, one of them in the back had a sign, and the sign said ''General Petraeus, he is General Hooray Us,'' General Hooray Us is a take on what the New York Times did last year when General Petraeus came in anticipation of his testimony, ran that article. Of course, the New York Times didn't run the article, but it printed it. I think MoveOn.org or one of these organizations ran the article, half page, full page that said, ''General Petraeus or General Betray Us,'' a sad point in our history.

God bless these veterans for freedom.

Mr. CARTER. Amen, brother.

Mr. BOUSTANY. That's a perfect lead-in, because I want to talk a little bit about these two gentlemen who are leading this effort on the ground because I don't know if a lot of Americans really know about their background.

General Petraeus was a former commander of the 101st Airborne Division, and as many history buffs will remember, they were very famous for the first deployments behind German lines on D-Day. So that group, that division has a very illustrious history. Former Secretary of State Colin Powell was also a former commander of the 101st Airborne.

Not many people know this, but General Petraeus has a Ph.D. from Princeton University in international relations, and he is also an assistant professor of international relations at West Point.

He is a coauthor of the counter-insurgency manual that our military uses, and that's what they have actually implemented on the ground, and that's why we are seeing this great success.

Ambassador Crocker, there is a quote from his swearing in when he was sworn in as ambassador to Iraq, and I am going to quote Ambassador Crocker. He says, ''We have a historic challenge ahead of us. Terrorists, insurgents, militias continue to threaten security in Baghdad and around the country. Security is, without question, the central issue.''

In a very real sense it has been for at least the last four decades. I was here in the 1970s. There was no security. Iraqis everywhere lived in terror of the midnight knock on the door. Neighbors were afraid to talk to neighbors. It truly was the republic of fear.

Then came the savage Iran-Iraq war, Saddam Hussein's brutality to his own people, Desert Storm, and finally his overthrow in 2003. Those are all the things that the Iraqi people have had to endure in recent history.

This gentleman has a tremendous background as well. In January 2002 he was sent to Afghanistan to reopen the American embassy in Kabul. He received the Robert C. Frasure Memorial Award for ''exceptional courage and

leadership'' in Afghanistan. He was ambassador to Pakistan in 2004–2007, former Deputy Assistant Secretary of State for Near Eastern Affairs 2001–2003, and he has served as ambassador to Syria, Kuwait and Lebanon. In fact, he was at post in Lebanon in Beirut when our embassy was bombed there in 1983.

This gentleman has had tremendous experience in the Arab world, as has General Petraeus, and it's one measure of their integrity that they have provided this accurate testimony first back in September and now, to give us an accurate appraisal of what's happening in Iraq.

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Now, let's talk a little bit about what is going on and look at a few trends.

I have a chart here that shows by different metrics, two different metrics, the Iraqi and coalition in purple, and in the blue it is coalition data. This shows the trend line. You can see how the number of civilian deaths by both tracks had gone up, particularly in the 2006 and 2007 time frame, and now as we get down to the end of these curves, you get all of the way to March of this year, and you can see the significant improvement in the security situation with regard to civilians throughout Iraq.

How many Iraqi troops do we have there out front now. Currently there are 36 battalions of national police, up from 27 a year ago; and 171 battalions of Iraqi Army up from 115 a year ago. And of those 171 battalions, 112 are taking the lead in the fight against insurgents.

When I was in Baghdad in August, I was able to witness the result of training of the elite Iraqi force that they are sending out front to deal with hostage situations and terrorists and insurgents. It is a remarkable display to watch these gentlemen in action.

Afterwards I talked to some of our Special Forces guys doing the training, and they said they are getting close. They said they will never match up to American Special Forces and Delta Team, but they are pretty good. I got to witness this. It was a sign that this training process that we struggled with on the ground is finally coming to fruition and showing real results.

Next is the chart showing Iraqi security spending. This chart shows in the blue American or U.S. spending in dollars, billions of dollars, on Iraqi security forces. You can see the trend is dropping. We had an upsurge in 2006 and 2007, which was necessary, and now it is trending downward.

In green, look at the Iraqi expenditures going up. That is a significant sign that the Iraqis were committed to this process of taking care of their own security. I think it is critically important to recognize that trend.

Now I want to address the political, economic and social situation for a moment. It is important to recognize that prior to the brutal reign of Saddam Hussein, Iraq was basically a mosaic of tribes and subtribes, and governance was largely at the local level, dictated by tribal elders, and that is what it reverted to following the takedown of Saddam Hussein. We saw sectarian violence and all the jockeying for position. But at this point as a result of the plan that was implemented a little over a year ago, significant improvements in security have resulted, enabling Iraqis to make progress with their economy. Since the so-called surge began, business registrations have increased by 9 percent. And I know from my experience when I walked through the streets of Fallujah, there were a number of shops open and families were buying goods and food products. We are seeing microlending occurring to get new businesses started.

Iraqis still have a lot of work to do with their economy, and reforms are clearly needed to transition from what was a command-and-control economy to a modern market-based economy because clearly this is a major departure from what they had before.

Centralized electricity generation is now above prewar levels, still not sufficient to meet the needs of Iraq's growing demand, but markedly improved. Other key infrastructure needs are being upgraded, especially energy pipelines and storage facilities. Unemployment is still too high, and corruption still remains a challenge, but things are improving in those areas as well.

Early in the war, the U.S. funded most of the large scale reconstruction projects in Iraq. But now, the U.S. is focusing on encouraging entrepreneurship. This is clearly having positive results. The Iraqi government is now stepping up on reconstruction projects, and they have outspent the U.S. in a recent budget 11:1. That is 11 Iraqi dollar equivalents to $1 U.S. And soon, they are expected to cover 100 percent of these expenses. This is significant progress. Ambassador Crocker pointed this out in his testimony, and it is very important for Americans out there to understand that there is a transition being made where the Iraqis are going to pay this.

The National Government has now committed $196 million to fund jobs programs so brave Iraqis who have stood up to extremists and murderers and criminals can learn skills that they need to help build a free and prosperous nation.

In July, the Asian Cup Soccer Tournament was held. This was a very important demonstration of Iraqi nationalism as the Iraqi team, known as the Lions of Two Rivers, beat the three-time champions Saudi Arabia 1–0 in their first appearance in the Asian Cup final. And there was an outpouring of nationalism and public sentiment as a result of that.

The gentleman from Texas (Mr. CONAWAY) pointed out a number of major political accomplishments: The de-Ba'athification laws that have been passed that are allowing mid-level and low-level bureaucrats to return to service; the Iraqi leaders have agreed on a budget; and revenue sharing is well underway to get funds down to the provincial local level while the permanent revenue-sharing agreement is still being worked out.

Leaders have reached agreement on provincial powers law which will allow them to hold their provincial and local elections in October. This is a very important development because as I mentioned before, to have the local development and institutions come up while central government develops, as those two efforts meet, that is where we will see stability.

When I was in Baghdad, I met with the deputy prime minister, a Sunni member of the Council of Representatives, and he told me that he felt that Americans were paying too much attention to elections at the central level. He said elections are nice, but elections are like the fruit on the tree. You have to plant the tree, let it establish its roots, and grow. He was talking about institutions that need to develop from the ground up to have long-term stability. I will never forget that metaphor because it really demonstrates what is going on and the power of this plan that is in place that General Petraeus and Ambassador Crocker have implemented.

Ambassador Crocker said today, in commenting on the events in Basra, ''When viewed with a broader lens, the Iraqi decision to combat these groups in Basra has major significance. First, a Shia majority government has demonstrated its commitment to take on criminals and extremists regardless of sectarian identity.''

That is a significant development that would not have happened even a year ago.

My friend from Texas, I yield to him.

Mr. CONAWAY. As we draw to the close of this hour, I want to talk briefly about something that also came up in today's conversation. General Petraeus, you went through his resume awhile ago, something that you didn't mention was that he has been deployed overseas, away from his family 4½ years since this fight began in 2001, a significant sacrifice for his family, and in order for him to do the job that we have asked him to do.

He said he is keenly aware, personally as well as for the men and women that he leads, that the impact that multiple deployments have had, the impact of the 15-month deployment instead of the 12-month deployment is having on these troops. He said that they have answered the call every single time and have not yet one time blinked in the face of some incredible sacrifices and commitments that we are asking them to take on.

One of the problems that we face here stateside is that a remarkably small percentage of Americans have been directly involved in this fight. We have a little more than 4,000 families now

whose lives are forever changed as a result of that knock on the door saying that their loved one has been killed in action or killed in one of these two fights in Afghanistan or Iraq. We have 25,000 or so others wounded in some level of severity, some who have returned to the fight, and many who have life-altering circumstances that happened in the blink of the eye. None of them joined our services to get hurt like that; but they have, and they are now facing a different life, a different style of doing things than they ever contemplated before.

They also talked about the men and women who continue to sign up to serve their country. Men and women who know if you join our Army or our Marine Corps today, given this persistent war that we are going to be in, they will fight. This isn't your granddad's army. This is an Army and a Marine Corps that will be asked to fight.

I marvel personally at the strength and resolve and resoluteness that these families exhibit. Individually they have made incredible sacrifices. I get a tiny, little glimpse of the anxiety when I go to Afghanistan and Iraq because of the concern and worry that Suzanne, my wife, has while I am away. You and I when we go are never in harm's way. So that helps me a little bit empathize with what the families back home go through 24 hours a day, 7 days a week when they have a loved one in harm's way. While the loved one in harm's way knows whether or not something scary is going on, the folks back home think it is happening all the time and they live in dread of something bad happening.

In the face of those sacrifices and commitments that we have asked them to make, they are standing tall and reenlisting in numbers that are appropriate, and new people are coming into the system in numbers that are sufficient to grow the Marine Corps as well as grow the Army which will help shift some of the burden, spread some of the burden out across a larger number of troops.

But I stand in awe of how magnificent these warrior families are, as well as their warriors, doing a job that their Commander-in-Chief has asked them to do and that their Nation has asked them to do, and a fight that I personally believe protects America's interests and also keeps us safer at home than we otherwise would have been.

Mr. BOUSTANY. I thank the gentleman. We all owe a great debt of gratitude to every family who has sacrificed. This is hard, and every American should care about this and be engaged in this process.

I continue to say that the men and women who put on the American uniform are the finest that humanity has to offer because of those sacrifices and what they do. Oftentimes, whether it is Iraq or Afghanistan or some other tough spot, the only American that people in these countries actually get to see are our American men and women in uniform, and they are oftentimes our finest ambassadors. And so we owe them a whole lot, a great debt of gratitude for what they have done, and we should never forget and always stand up.

I would urge folks, whenever they see someone in uniform, shake their hand and thank them for the service they have provided, and thank their families for the difficulties they have had to go through.

You know, Ambassador Crocker said today, I am going to quote one more time here, ''Last September, I said that the cumulative trajectory of political, economic and diplomatic developments in Iraq was upwards, although the slope of that line was not steep. Developments over there, the last 7 months, have strengthened my sense of a positive trend. Immense challenges remain and progress is uneven and often frustratingly slow, but there is progress. Sustaining that progress will require continuing U.S. resolve and commitment. What has been achieved is substantial, and it is also reversible.''

That really summarizes where we are today and how important it is that we have the resolve to see this through because the consequences of failure are immense. I mentioned that earlier.

Osama bin Laden himself has made statements about the importance of Iraq to these terrorist activities. I have a quote here. This is Osama bin Laden: ''A war is underway. The epicenter of these wars is Baghdad, the seat of the caliphate.'' The caliphate is what they hope to achieve, an empire, an Islamist, radical empire. ''Success in Baghdad will be success for the U.S.''

They don't want us to succeed in Baghdad. They want to drive us out.

Let me pull up the next chart.

I want to read this last one. This is in a letter from Ayman al-Zawahiri, the number two of al Qaeda, to Abu Musab al-Zarqawi, who headed up the al Qaeda effort in Iraq before we were able to eliminate him: ''Al Qaeda's stated Iraq strategy consists of three steps: Expel the Americans from Iraq; establish an Islamic authority; and extend the jihad wave to the secular countries neighboring Iraq.''

□ 2045

That's important because the countries neighboring Iraq or Turkey, Saudi Arabia, Jordan and Kuwait, and their goal is to overthrow these countries. That's their stated goal over and over in their communications, and that's why it's critical that we have success in Iraq because, again, we won't have peace throughout the Middle East. It'll have dire repercussions with regard to Lebanon.

I didn't mention Iran, which also borders Iraq, and it's a fluid border. And the Iranians are definitely causing mischief, dangerous mischief in Iraq and around the region. That's what's at stake here, and that's why we must be successful in Iraq.

With that, I want to conclude. I want to thank my colleagues for participating in this. I can't help but think of a Gold Star mother back home, Yvette Burridge, who's a friend of mine who's son went to high school with my son in Lafayette, Louisiana, Marine, Private First Class, David Paul Burridge who was killed in action on September 6, 2004 at 19 years of age. And every time I see Yvette Burridge, she has pride in her eyes. She's proud of what her son did. She's proud that he gave his life for his country.

And we all have stories like that that we should commemorate, those who have given their lives and who have been wounded in this effort. But we should never forget this effort. It's critically important to success in American foreign policy and American national security.

HONORING BEN CRENSHAW

The SPEAKER pro tempore (Ms. RICHARDSON). Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

Mr. BROUN of Georgia. Madam Speaker, today I rise to honor and pay tribute to an exceptional athlete and distinguished American, Ben Crenshaw.

Architect, historian, gentleman, all of these words correctly portray Ben Daniel Crenshaw. But perhaps the most fitting description for this great golfer is champion.

The people of Augusta, Georgia, who I represent, and golf fans around the world recognize Ben Crenshaw as one of the finest, most talented golfers on the PGA circuit.

Crenshaw has been a phenomenon on the golf course since childhood, winning his first tournament, the Casis Elementary Open, in the fourth grade. He continued to play through middle school and high school, claiming several championship titles. It was clear then that Ben Crenshaw was on his way to greatness.

He made school history during the 1970–71 academic year at the University of Texas when Crenshaw became the first freshman to capture the individual title during the NCAA tournament at the Tuscan National Golf Club. His outstanding accomplishments and victories that year earned Crenshaw the privilege to be named to the 1971 All American collegiate golf team.

Crenshaw's early achievement set the stage for an extraordinary career. His most notable achievements include being a 19-time winner on the PGA tour, captain of the 1999 U.S. Ryder Cup team whose stunning comeback is remembered as one of the most exciting competitions in that match's history.

And he's also a two-time Masters champion. Many will never forget the emotional scene that played out on the 18th green when, in 1995, Crenshaw clinched his second Masters victory and earned yet another green jacket.

In addition to these accomplishments, he has been a tremendous ambassador for the game of golf, as well as a consummate gentleman and human being.

I had the privilege of being in Augusta on April 7, 2008 before the 72nd Master's Tournament as Mayor Deke Copenhaver awarded Crenshaw a crystal ''key to the city.'' It is an honor for me to pay tribute to a great American golf legend, Ben Crenshaw.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 60 minutes as the designee of the majority leader.

Ms. WASSERMAN SCHULTZ. Thank you, Madam Speaker, and good job on my name pronunciation. I have a hard time with it too.

Madam Speaker, I appreciate the opportunity to begin the 30–Something Working Group's special order hour tonight. Speaker PELOSI has given us the privilege to come to the floor night after night to talk about the issues that are important to the American people, from our generation's perspective. And it is something that we have appreciated for a number of years because we've had an opportunity to engage the next generation of Americans, who clearly are yearning for their government to be responsive to them, to have their confidence in their government restored.

And tonight what we want to focus on, particularly because General Petraeus and Ambassador Crocker came to Capitol Hill this week to talk about the so-called progress, or lack thereof, which is a better expression, in the war in Iraq, we felt it was important to highlight tonight the absolute cost of the war in Iraq and the toll that it is taking on, not just our military troops, but their families and on America as a whole.

And I think there is no more telling statement that could be made than the one that was made by General Petraeus himself in response to Senator EVAN BAYH's question, or comment, that there was much ambiguity in Iraq. And General Petraeus conceded that point.

General Petraeus stated this week, in fact I believe it was today, that in Iraq we haven't turned any corners; we haven't seen any lights at the end of the tunnel. The champagne bottle has been pushed to the back of the refrigerator, he said, referencing President Bush and former Vietnam-era General William Westmoreland's famous phrases.

It is clear that we have made virtually no progress, and that the only things that we are celebrating at this point is that there has been a reduction in violence. I wonder what that has brought us. What has that brought Americans?

Well, let's go through what the so-called progress in Iraq that was described by General Petraeus today and this week, what that's brought us.

We spend about $339 million in Iraq every single day, Madam Speaker. $339 million. And I'd like to go through the actual monetary costs of the war in a little bit. But let me just talk about what $339 million would get us and the investments that we could make in America, domestically, in the event that we were not hopelessly mired in this war in Iraq.

$339 million would get us 2,060 more Border Patrol agents that could be hired to protect our borders for a year.

18,000 more students could receive Pell Grants to help them attend college for a year with $339 million.

48,000 homeless veterans could be provided with a place to live for a year.

317,000 more children could receive every recommended vaccination for a year.

955,000 families could get help with their energy bills through the Low Income Home Energy Assistance program, that's the LIHEAP program, for a year.

Nearly 480,000 women, infants and children could receive nutritional help with the WIC program for a year.

2.6 million Americans without adequate health insurance could have access to medical and dental care at community health centers for a year for $339 million.

More than 100 local communities could make improvements to their drinking water with help from the Clean Water State Revolving Fund for a year.

I could continue on and on, Madam Speaker, listing all the important investments that we could and should be making, were we not spending $339 million in Iraq every day.

Now, let me just make that comparison again. I'm talking $339 million that we're spending in Iraq every day, and the list I just went through details what $339 million would buy for a year.

Now, I went home to my district a couple of weeks ago when we went into recess and talked to my constituents, had a lot of interaction with them. And you know, what was amazing was how top of mind the economy is.

We're less than a week from the April 15 tax deadline, and I'm sure that there are folks out there tonight that are sitting and doing their taxes while trying to figure out how they're going to write that check when they're done, and wondering how they're going to take their child to the doctor if they don't have health insurance, wondering how they're going to make sure that they can put food on the table and fill their gas tank, because now that gas is over $3 a gallon, really over $3.30 a gallon, it boggles the mind of my constituents and I know the constituents of virtually every Member, no matter what party we represent, that we are actually still, 5 years later, in Iraq, with an administration that just doesn't seem to get it; that doesn't seem to be willing to recognize that it is time to bring our troops home; that we have taken too great a toll.

The question that my constituents and that Americans are asking is, how much is too much? At what point do we say the cost is too great?

I think you have to take a look at the toll that this is taking on military families. If we're not going to say that the investments we can't make because we're spending so much money in Iraq are worth the cost, then let's look at what the military leadership is saying about the toll that this war is taking on our troops.

An Army study of mental health, and this is from an article a couple of days ago, April 6 in the New York Times, an Army study of mental health showed that 27 percent of noncommissioned officers, a critically important group, on their third or fourth tour, exhibited symptoms commonly referred to as post-traumatic stress disorders. That figure is far higher than the roughly 12 percent who exhibit those symptoms after one tour, and the 18½ percent who develop the disorders after a second deployment, according to the study which was conducted by the Army Surgeon General's mental health advisory team.

So we're not talking about organizations conducting studies examining the mental health of our troops that are outside the military process. We're talking about military organizations that are saying that the strain on our troops mentally has really reached a breaking point.

We have combat troops that have been sent to Iraq for a third and fourth time, where more than one in four, more than one in four, show signs of anxiety, depression or acute stress, according to an official Army survey of soldiers' mental health. There is an increasing alarm about the mental health of our troops and, at some point, something has to give.

Again, when do we say enough is enough? When do we say that we have to make sure that we can focus on the needs here in the United States of America?

We are struggling with an economy that is at its breaking point. Yet, the economy in Iraq seems to be thriving. The Iraqi government is actually dealing with a budget surplus, and we are facing a deficit. There's something wrong with that picture, Madam Speaker.

Let me just, I really want to turn, I think people should be given a really clear picture about the monetary cost that we are dealing with when it comes to this war, this ongoing and continuous war in Iraq.

This is from our nonpartisan Congressional Research Service report, the Cost of Iraq War Rising. Here's the breakdown of what we're spending in Iraq per year, per month, per week, per day, per hour, per minute and per second.

If you take a look at the number per year, the amount per year that we are

spending in Iraq, we're spending $123.6 billion per year.

Now, that's a hard number to maybe get your mind around. Billions and millions of dollars are very big numbers that most people aren't dealing with every day in their daily life.

So let's go down to the monthly expenditure that we're making here. That amounts to $10.3 billion.

But if we want to drill down a little bit further and deal with the weekly and daily expenditures, weekly, we're spending $2,376,923,077. Per day we're spending almost $339 million, as I described a few minutes ago.

But hourly, this is really the number, Madam Speaker, that I think will hit home with virtually all Americans. We are spending, hourly, in Iraq, and this is, again, third-party validator, the nonpartisan Congressional Research Service report on the cost of the Iraq war and its rising cost. Per hour we are spending $14,109,589 in Iraq.

I don't think it's necessary for me to go down to the minute and the second. I think the point is well made. $14 million an hour. I mean, that is just unbelievable.

□ 2100

How many is too much? When do we say that the toll that this is taking on our troops is just beyond our capacity? Since the start of the war in Iraq, we have had 4,013 brave American men and women in uniform that have been killed. We have an estimated almost 30,000 servicemembers that have been wounded in Iraq, and as of March 1, more than 31,300 have been treated for noncombat injuries and illness.

According, again, to the Army's own mental health advisory team, soldiers who are on their second, third, and fourth deployments report low morale, more mental health problems, and more stress-related work problems.

Now, Madam Speaker, these numbers right here really sent chills down my spine. An estimated three-quarters of a million troops have been discharged since the war in Iraq began, many of whom have had compromised mental and physical health. An estimated 260,000 have been treated at veterans' health facilities, nearly 100,000 have been diagnosed as having mental health conditions, and an additional 200,000 have received some level of care from walk-in facilities. That is just unbelievable.

I can tell you that I have been to Walter Reed Army Medical Center to visit our wounded troops that have come back from Iraq. I've told this story during the 30–Something Working Group in the past. I will tell it again because really, as a mom with young kids, it was so disturbing to me.

I walked into this young soldier's room to talk to him about his injury and to talk to him about what he went through, and his wife and his 6-year-old little boy were in there with him. And I had a nice chance to chat with the little boy. He was very exuberant and excited. It was really a lovely conversation. He was so excited. His dad had just come back from his third tour in Iraq, each of a year. Now remember, this little boy was 6 years old, and the father was telling me he had a stress-related mental health injury, and the father was telling me about how he was supposed to be finished with his tour in August, was still hoping to go back, by the way, which is amazing because these troops that represent the United States of America are just absolutely so committed and so patriotic, and really, I just so admire their bravery.

But what the little boy said when I had a chance to talk to him, he said he was so excited, my daddy is coming home after August. And when he said that, it occurred to me that this little boy being 6 and his father having been through three 1-year deployments in Iraq, this father had missed half of his son's life. Half of his son's life. That just was mind-boggling to me being a mom of 8-year-old twins and a 4-year-old. I just can't even imagine. I have children close to that age, and I can't imagine having missed half their life. I mean, that just takes a toll on families. It takes a toll on marriage.

Madam Speaker, even the time that myself and other parents serving in Congress here are away from our families, I know the toll that it takes on my husband when I'm here just working in Washington and not with him and leaving my kids with him to make sure that he gets them bathed and gets their dinner and the homework is done and all of the things that have to be done on a daily basis with families. It takes a toll that I am here and not with him to help him do that.

Add the stress of your family member being thousands of miles across the world in a war zone, in a war situation, not knowing whether they're going to ever come back, the not knowing when they're going to come back because the military keeps extending these tours of duty, keeps sending them back, does not give them enough rest in between the tours of duty. The Army, over the last several years, has extended the rest, extended the tours of duty from 12 months to 15 months, Madam Speaker, so now we are beyond a year for deployments. And General Petraeus said we may be able, by the end of the summer to pull back the length of the deployments from 15 months to 12 months, but we're still going to be at 140,000 troops once we draw down the amount of the surge. That means there is no difference, Madam Speaker, between where we are now and where we were before the start of the surge. How do you call that progress?

Someone is using a different dictionary than I am if that's progress. I mean, the dictionary that I use to define ''progress'' says that we see improvement, that the quality of life improves, that there's a light at the end of the tunnel, which General Petraeus clearly said we do not see right now.

I want to just quote, and in the 30–Something Working Group, we try to use third-party validators. So it is not just our words that we use to demonstrate the statements that we are making; we try to back up our words with evidence.

So let me talk about the cost to military families from military leaders' perspective.

General George Casey said recently on March 26 in the Wall Street Journal that 15-month-long deployments are impacting on their families, it's impacting on their mental health. We just can't keep going at the rate that we're going.

General Richard Cody, the Army vice chief of staff: Our readiness is being consumed as fast as we build it. Lengthy and repeated deployments with insufficient recovery time have placed incredible stress on our soldiers and our families, testing the resolve of our all-volunteer force like never before.

Let's go down to what retired Admiral William Fallon, the former commander of the U.S. Central Command said: I will certainly tell you that I think our troops are in need of a change in the deployment cycle. We've had too many, from my experience, of several of our key segments of the troop population, senior NCOs, mid- to junior officers, on multiple rotations. He said, I look at my commanders, and some of them have logged more months in Iraq in the last decade than they have at home by a significant amount.

Can you imagine? More months in Iraq over the last 10 years than they have at home. Imagine the cost, the toll that that takes on their families. Let us go beyond the toll on families.

It is pretty clear that we have had a dramatic increase in the cost of fuel and the cost of a barrel of oil just during our time in the last 5 years in the Middle East. We have gone from gas prices being a little more than $1, about $1.26 or so, to now gas prices being well over $3.30 and expected this summer to reach $4 or more.

I can tell you that I am a minivan mom, Madam Speaker, and I regularly drive my kids around our community and car pool with the best of them. The last time I filled up my tank, which was last week, it cost $65. Now, the last time I talked about how much it cost me to fill up my tank, and Mr. RYAN remembers this, I really feel like this is 30-Something redux. I mean, really. It's déjà vu all over again. You could roll back the tape to 2, 3 years ago when we were talking about the cost of the war in Iraq and the impact, and we are basically saying the exact same thing. It is just unbelievable.

But the last time I talked on the floor, spoke on the floor about how much it cost me to fill up my minivan, it was about $55. And that's really only been about a year since the last time we talked about the impact of oil prices. And what the leaders that look and examine this information have said is that any time we have extended involvement in the Middle East, you see

a dramatic rise in oil prices that coincide with that.

The price of gas and the price of oil, in this environment and in this economy, is just devastating to American families.

So you have extensions of impact and extensions of costs beyond just the toll that it takes on the troops themselves, the toll that it takes on their families. There's a toll on America. There's a toll on society. I mean, it's so disconcerting and it's so disheartening to listen to our colleagues on the other side of the aisle who seem to just be in utter denial. I mean, they just keep saying the same thing over and over.

And we've been talking about the cost of this war, and I'm so glad to be joined by my good friend, Congressman TIM RYAN from the great State of Ohio who I have shared many an opportunity to speak on the floor about the things that Americans care about in the 30–Something Working Group.

It's just shocking that the administration is continuing to expect more of the same and to have there be more of the same and to expect a different result. There really is, and I would be happy to yield to the gentleman.

Mr. RYAN of Ohio. As we've gone through this debate for years and years and years, as you said, we've been on the floor talking about this for a long time; and you start to hear these arguments, the same ones over and over and over regardless of what the facts are on the ground.

And the issue, I think, that has become most apparent, and some say the surge was a success. Some say, well, maybe it wasn't. Some say there hasn't been any political success. Some say there has been some. I think this has kind of gotten boiled down to one point. Some people are saying we need to stay. And you know what? Maybe, maybe if we accept that argument, maybe they're right. Maybe we should stay. But they're only going to stay at the expense of the future of this country. We will bankrupt this country if we continue to stay in Iraq.

And when you look at all of the great powers over time, they get too extended, too far out, too far out ahead of themselves; and what we are saying here is there is a reality on the ground that we need to deal with in order to address the issues that are facing the United States of America. This is about making sure that we are a strong country. If we are not a strong country, we are of no good to anybody else.

And the point that we are trying to make and that the Speaker is trying to make and the Democrats in the Senate are trying to make and like-minded Republicans are trying to make is that we can't sacrifice the United States of America for Iraq.

Now, we do bear some responsibility because we went in, but you can't continue to say that we are going to borrow, because we don't have this money. We are borrowing it all. $3 trillion is what the projections are now for the cost for Iraq when you factor in vets coming back and health care and what not. $3 trillion? We are going to borrow it from China and Japan and OPEC countries to fund a war that we are not having any political progress at all?

The sides are not reconciling. They're not moving forward in the political process. That's a problem.

So, even if you say we need to stay, you need to then be willing to spend enormous amounts of money, United States dollars, over the course of the next several decades and, as some people have said, over the course of the next hundred years.

And what we are trying to say is, we've got problems here at home that we need to deal with. We've got an energy crisis. We've got a health care issue that needs to be dealt with. Growing inequality. We can't afford to spend $3 trillion on this war.

Now, I don't think that's unreasonable because the strength of the country is at stake, and all we have to do is look around. We don't have this money. And this isn't just us. Joseph Stiglitz, Noble Peace Prize economist, there's no such thing as a free lunch, and there's no such thing as a free war. The Iraq adventure has severely weakened the U.S. economy whose woes go far beyond loose mortgage lending. You can't spend $3 trillion, yes, $3 trillion, on a failed war abroad and not feel the pain at home.

This is a political reality that we have to deal with in the United States of America. And we are making difficult decisions. No one is saying yank the rug out. We are saying have a responsible, planned exit in which this country and the soldiers that we have trained and the close to $1 trillion that we have spent already, that investment, allow these people to take over their country.

I think there's a little bit of a misperception that there is not going to be, like we are going to be able to just leave Iraq, whenever it is, tomorrow or 10 years from now; and if we do it right, that there is not going to be any conflict, we will just kind of sneak out and everything will just harmoniously arrange itself.

And I think we need to realize that whether we get out 6 months from now or a year from now or 8, 10 years from now, there's going to be conflict. You have got groups of people that have hated each other for thousands of years. And there is not going to be any real polite settlement of this dispute.

□ 2115

And so we need to realize that. And by realizing that, I think it helps us get to the point where we say, well, maybe we need to just get out now because this dust-up is going to happen anyway.

And when you look at what happened the other day with the Iraqi offensive onto this militia group and then a thousand Iraqi soldiers left and abandoned the mission, would they have left if we weren't there? That's a question I think we need to ask, would they have left? But they know we're there. This is part of the problem.

We're creating a welfare state. These people are in a state of dependency upon the United States, Ms. WASSERMAN SCHULTZ. And if we continue to be there all the time, we're never going to leave, we're always going to be here for you. You know, you see all the time, this is the equivalent of a 35-year-old person still living at home with their parents. They get into a state of dependency, and they can never be responsible.

And I understand all the dynamics. I didn't want to go into this war in the first place, I was against it from the beginning, so we've got some responsibility to bear. But haven't we made the investment? And we know at some point they've got to step up and make their own way here. So I think a lot of us are just saying, let's just do it.

I yield to my friend.

Ms. WASSERMAN SCHULTZ. Exactly. A lot of us are saying, it's time, that it is time to begin the drawdown, to begin to bring our troops home.

Many of us that believe it is time to begin the troop withdrawal, we're not talking about precipitous withdrawal. Our friends on the other side of the aisle like to, you know, they're really excellent at using strong language and scare tactics. And it's always interesting to listen to them try to exaggerate beyond all reasonable proportion what it is we're saying instead of actually listening to what we're saying. It would be nice if they would also listen to their own constituents because I have a feeling that they're not hearing anything different than what we're hearing when we go home, particularly when they are staring down the following facts:

Nearly 1.7 million U.S. troops have been deployed to Iraq and Afghanistan since September 2001; 1.7 million U.S. troops. That's 1.7 million different individuals. More than 599,000 have been deployed more than once. More than 782,000 servicemembers, Mr. RYAN, have been deployed to Iraq and Afghanistan that are parents with one or more children. Forty percent have been deployed more than once. Nearly 35,000 troops have been separated from their children for four or more deployments. And Mr. RYAN, I talked a little bit about that 6-year-old boy that I met when I went to Walter Reed whose dad had missed half his life. And I also talked about the toll that those separations from their families take on the parent who is gone, but particularly on the parent who is home, holding the fort down, making sure that they can move their children's lives and their lives forward by themselves and the stress that that brings on a family and on a marriage. The statistics that we know about say that, according to the Center for American Progress, 20 percent of marriages of deployed troops are headed for a divorce right now based on a

survey done by the Center for American Progress. According to a report, again by the Army's Mental Health Advisory Team, work-related problems due to stress, mental health problems and marital separations generally increase with each subsequent month of the deployment. So the length of these deployments is taking its toll on families.

An estimated 2,100 troops tried to commit suicide or injure themselves last year, which is up from 350 in 2002. That's an astronomical jump. I mean, we've got the facts right under our noses. When do we say that we care about these troops as people, not as fighters, not as defenders of America, but as people? And when do we recognize that there is a limit to their ability to hold down their lives and to be able to return to a quality of life that they had before they left? The insensitivity is mind boggling, and the refusal of this administration to recognize that there is a cost and a toll that is being taken on these families, on the individual troops, on the United States of America and on our economy.

Mr. RYAN of Ohio. Will the gentlelady yield?

Ms. WASSERMAN SCHULTZ. I would be happy to yield.

Mr. RYAN of Ohio. I don't know if you've had an opportunity to see the documentary, and I haven't seen the documentary, but I've seen Phil Donahue talking about the documentary that he did, it's called ''Body of War.'' And it's basically these soldiers who have come back and the injuries that they're dealing with, the folks that we see going up to Walter Reed. And talk about an eye-opening experience when you first go to Walter Reed and you see these 21, 22-year-old kids without legs, without arms, severe brain damage, brain trauma, you know, all of the gruesomeness. But I think Donahue does a good job by bringing this to life and doing a documentary, Eddie Vetter does some of the music on it, so it's really a compelling case. But it goes to the point that we're all talking, you know, we're all talking numbers, 4,013, and 29,628 injured. I mean, these are numbers, but these are families that have been ripped apart, that will never be the same.

If we have an opportunity and enough facts to stop this thing, because it's not in the best interest of, obviously, a lot of these families, but this country, and you look at the human cost, as Ms. WASSERMAN SCHULTZ has said, is tremendous. The financial aspect of this is detrimental to the future of this country. The readiness of our own troops, the lack of readiness, to be able to address some of these problems. And this is not something that you have to believe the Democrats or believe a politician on, this is retired Major General Punaro, Commission on the National Guard and Reserve, ''we think there is an appalling gap in readiness for homeland defense because it will be the Guard and Reserve that have to respond for these things.'' Army Vice Chief of Staff Richard Cody said the Army, ''no longer has fully combat ready brigades on standby should a threat or conflict occur.'' We're not making this up. In this country, we need to be prepared to responsibly, prudently, and practically disengage ourselves.

Empower the Iraqis. We've trained them for years. You know, I hate to always fall back on this example, but it's like when you're getting ready for a football season or a basketball season or a baseball season, you go through spring training and then the game is on a certain day and the coaches are coaching you, at some point you've taught the team all you can teach them, you've practiced as much as you can, and you're not fully ready for the game, but you've got to go play. And the coaches can't go on the field for you. And that's the situation we're in.

The Iraqis are never going to be perfectly prepared, Ms. WASSERMAN SCHULTZ. It's never going to be perfect. There's never going to be a perfect time where all these people are trained to the tee and we're going to be able to say, now they're ready. Because you always make mistakes, you're never trained enough, you're never prepared enough, especially when you're dealing with all the cultural issues that we're dealing with.

So what we're arguing is that they're never going to be perfectly ready. And I think there would have been a better chance the other day of these thousand soldiers sticking with the mission that they had and staying there, but they knew the Americans were there, and so it became convenient to say, I'm out of here, the Americans will take over.

Ms. WASSERMAN SCHULTZ. I think it's clear, and you're absolutely right, I think it's clear that the time has come. And this is not just our opinion, but it's clear that Americans believe that the time has come to shift our focus to the dire situation that we have with our economy.

And I can tell you, anecdotally, when I went home to my district during our recess, I had town hall meeting, and I do at least one town hall meeting every recess; when I did this last one, I actually, Mr. RYAN, had to bring Iraq up myself, otherwise the entire focus of the questions and the comments from my constituents would have been the economy. I actually had to affirmatively talk about the war in Iraq. And there was significant responsiveness on the part of my constituents, who agreed, it is long past time to bring the troops home. But really, at the top of their mind right now is the economy.

And just to illustrate that point, there was a new poll done recently by the New York Times, a CBS poll that showed 89 percent of those surveyed believe the cost of the war has contributed a lot or some to the United States' economic problems. When they were asked, from what you know, how much do you think the cost of the war in Iraq has contributed to the U.S. economic problem, a lot, some, not much, or not at all, 66 percent of people who responded to this survey said that it has affected the economy a lot. And add 22 percent more to make 88 percent who believe that it has affected the economy even at all.

Now, this week obviously it was a big deal that General Petraeus and Ambassador Crocker were coming to testify in front of Congress on the progress, or lack thereof, that has been made. There were lots of newspaper headlines with pictures of the general testifying, a plea from Petraeus in the Washington Post, and ''Petraeus Urges Halt in Weighing New Cut in Force'' in the New York Times. The Washington Times, ''Petraeus Warns of Iraq Backslide.'' ''Iraq Troop Levels Left Open'' in USA Today. But arguably, the newspaper in America that most closely focuses on the economy and on the financial health of our Nation is the Wall Street Journal.

This is today's Wall Street Journal, Mr. RYAN. There is absolutely no headlines, nothing on the front page, any article related to General Petraeus's testimony. There is a little tiny entry under ''What's News'' that says ''Petraeus recommended that U.S. troop withdrawals be halted indefinitely this summer, warning that security gains in Iraq are fragile.'' I mean, that's the priority that the Wall Street Journal places on the economy versus the war in Iraq, where every other article, ''Bush to Expand Help on Mortgages,'' ''Subprime Lenders Failure Sparks Lawsuit Against Wall Street Banks,'' those are the things that we should be focusing, like a laser beam, our attention on because our constituents are suffering.

There are folks that I represent who are having their homes foreclosed on that in a million years these middle class folks would never have been in that situation financially if we were not focused somewhere halfway across the world as opposed to getting our fiscal house in order here in the United States of America.

And if folks don't believe what we're saying here, let's use the third-party validators that we always use, Mr. RYAN. I will quote Robert Reischauer, the former Director of the Congressional Budget Office, also a respected institution here that is nonpartisan. He said, contrary to the notion that war spending bolsters the economy, he said recently that the ''domestic benefits of war spending have been muted because spending is stimulating economies elsewhere, not the least being the economies of Iraq, Kuwait and Saudi Arabia.''

I alluded to these numbers earlier, and now I've found them in my notes, the price of oil and the direct correlation to our involvement in the Middle East and the skyrocketing cost of oil. The price of oil has skyrocketed since the Iraq war began. The national average price per gallon of regular gasoline

before the start of the Iraq war was $1.73. Today, it's $3.34 cents, which is an increase of more than 93 percent. And this is predictable.

In March 2003, Sung Won Sohn, then an economist for Wells Fargo Bank, not exactly a progressive think tank, noted that ''any time there is conflict in the Middle East, oil prices hit record figures.'' And he warned that the longer the war lasted, the higher prices would go.

We can't take higher prices for gas than we're facing now. We already expect this summer for them to go over $4. When is enough going to be enough?

Mr. RYAN of Ohio. Well, when you look at how many different ways the Iraq war is like that pressure point that you hit and it has all these different ramifications all over the country, all over the economy, all over our society in so many different ways, and this is the one issue that needs to be addressed if we are going to make any kind of headway into converting our economy over from manufacturing and basically the industrial age into a new high-tech economy that everyone benefits from it.

Now, in Youngstown, Ohio, or in Warren or Akron or Cleveland or the industrial Midwest or Pittsburgh, Detroit, whatever the case may be, if the amount of money that was spent already in Iraq, nearly $1 trillion, was invested into these communities that, for example, have been hurt by globalization, and the big debate in the Ohio and Texas primary was NAFTA, NAFTA, NAFTA, and some areas benefited and some areas didn't, and Texas did this and Ohio did that and whatnot, just think, if all the communities that were very successful 50 years ago and pumped a lot of money into this country in steel and rubber and coal and all this stuff that were hurt by globalization, the investment of $1 trillion was made into those communities in water lines, sewer lines, roads, education, community colleges, worker retraining, investments into the NIH research, investments in alternative energy, figuring out who's going to make the windmill, figuring out how biodiesel is actually going to work without having all these different adverse effects, figuring out who's going to make the solar panels and how we're going to make these investments, $1 trillion that has been spent in Iraq, and we have no real signs of success.

□ 2130

No real signs of success. So this is what we're all factoring in here: The fact that it's costing us $1 trillion already and projected to be $3 trillion; the fact that all that money is borrowed; the fact that our friends on the other side raised the debt limit five times and borrowed $3 trillion already from Japan, China, and OPEC countries; the fact that our homeland has suffered because of the Guard and Reserve, and so we are incapable now of addressing major threats to the United States; the fact that our army is not at the level it should be, all of these factor in. The lack of readiness, the money, and then the lost opportunity.

We are Americans. We think about what can be. We think about the future. We think about where we want to go, what we want to be, what we want to do. And we are stuck because we don't have the resources to make the investments that Americans have always made: canals, railroads, Internet superhighway, investments in all these research projects that bounce into the Internet and put men in spaceships and land them on the moon. That's what Americans do. So let's put ourselves in a position where we can make these investments so these kids that we talk about all the time can have a future, have an economy. When you look at the benefits of NASA and science and technology and math over the years, how many corporations benefited from all of that, that's what we're talking about doing. Let's think about the future.

And when you look at this war as missed opportunities with Afghanistan, national security alone. We have missed opportunities catching bin Laden, focusing on Afghanistan, focusing on the global war on terror, these networks. We should have been tripling and quadrupling our special forces and hiring people who speak Farsi to translate tapes that we're pulling down from the satellites. All this stuff could have been done. A missed opportunity. Economically, missed opportunity.

So, Ms. WASSERMAN SCHULTZ, thank you for coming down to this floor and claiming our hour tonight, and it's been great to be with you again. And we're going to keep plugging away here.

Ms. WASSERMAN SCHULTZ. We are.

Mr. RYAN of Ohio. This is the pressure point. This is the issue facing our country, and we are going to keep speaking out on it.

Ms. WASSERMAN SCHULTZ. Madam Speaker, what I think has been really interesting is observing the struggle that military leaders underneath General Petraeus have been going through in trying to be good soldiers and toe the party line about not being ready to withdraw and for us to leave those 140,000 troops indefinitely in Iraq, which is the decision that was clearly made before General Petraeus came to testify this week. But when they're asked specific questions about the impact on our troops, the truth comes through in their statements.

General Richard Cody, the Army Vice Chief of Staff: ''Our readiness is being consumed as fast as we build it . . . lengthy and repeated deployments with insufficient recovery time have placed incredible stress on our soldiers and our families.''

And we're not talking about retired commanders or retired military leaders, who some people might suggest are retired for a reason. We're talking about the people who are currently fully engaged in our efforts over there.

Lieutenant General Benjamin Mixon, Commanding General of the U.S. Army Pacific: ''We are going to have to change our strategy in Iraq to reduce the numbers of troops and thereby reduce the rotations and increase the dwell time that we get back here at home.'' That was January 27.

Lieutenant General Michael Rochelle, Army Deputy Chief of Staff, G1: '' . . . I should mention that it's clear that the increase in suicide, as well as other measures that we track very, very closely, are a reflection of the amount of stress that's on the force.''

And, finally, Brigadier General Michael Linnington, Deputy Commanding General of the United States Army Infantry Center: ''Money is not the issue . . . They want an opportunity to catch their breath before deploying again and to have some control over their futures. They're tired and their families are tired.''

We have got to reach a point where we focus on the things that we know we need to focus on, like Afghanistan, for example. We have shifted. When we went to war in Iraq originally with the stated notion of pursuing the weapons of mass destruction that supposedly Saddam Hussein had that he clearly never had, we shifted our attention and our focus away from Afghanistan, where we clearly were succeeding, where we clearly had the world community behind us and fully engaged, where we had the American people's full commitment. And when we did that, when we shifted our attention away from Afghanistan and focused on Iraq, we lost tremendous ground in Afghanistan.

The Chairman of the Joint Chiefs of Staff, Admiral Michael Mullen, said: ''So should we be in a position where more troops are removed from Iraq, the possibility of sending additional troops to Afghanistan, where we need them, clearly, certainly it's a possibility. But it's really going to be based on the availability of troops. We don't have troops, particularly in Brigade Combat Team size, sitting on the shelf, ready to go.''

The military is obviously stretched incredibly thin. And when I talk to constituents and groups of folks, I'll tell you that I represent a large section of the Jewish community in my State, and I am constantly being asked by members of the Jewish community leadership, What about Iran and what if we face an increasing threat from Iran? What are we going to do then, DEBBIE?

And my honest answer is, Well, we are spread so thin militarily now that it would be incredibly difficult for us to continue our efforts in Iraq, for us to maintain and not lose ground in Afghanistan, and also pursue the possibility of staving off a significant threat from Iran. And, again, that's not something that I'm saying. That's something that is backed up by military leaders.

I mean it's been 2,399 days, Madam Speaker, since the September 11 attacks, 2,399 days, and Osama bin Laden still remains free. We have gone backwards in Afghanistan since we left and shifted our focus.

In July of 2007, a de-classified version of a National Intelligence Estimate on the terrorist threat to the U.S. homeland concluded that al Qaeda in Afghanistan and the border area with Pakistan has regained its strength over the last few years and has now reached the strength it had before 9/11.

We have put ourselves in jeopardy. The administration and this President talks about the war on terror, the supposed war on terror, and how committed we are to it and how we have to fight terror in every corner of the world. Well, it is incredibly disturbing that a National Intelligence Estimate, not a progressive think tank and not the critics of the administration but our own National Intelligence Estimate on the terrorist threat to the U.S. homeland, concluded that al Qaeda in Afghanistan has reached its strength that it had before 9/11. The Director of National Intelligence, Mike McConnell, testified in February that Afghanistan's President Hamid Karzai and his government control just one-third of the country now, Madam Speaker. The remaining majority is under control of either the Taliban or local tribes.

We have got to make sure that we refocus our energy and our effort on the priorities of the American people. I know our Democratic leadership, under the leadership of our Speaker, NANCY PELOSI, is focused and determined to move an agenda that is going to improve this Nation's economy. The economic stimulus package that she was able to negotiate with Leader BOEHNER to try to inject some stimulus into this economy, checks that are going to be coming to Americans very, very soon, those are the kinds of efforts and energy that we need to be putting in to deal with the crisis situation that Americans are facing. Not continue to insist, as the administration does, that they are right and we are wrong. Not continue to say that we need to keep the same troop strength that we have where we made absolutely no progress between now and before the surge. Basically it's almost as if we have run in place. It's just incredibly frustrating.

So, Madam Speaker, I'm going to end where I began. And that is to say, the toll that this war has taken on the individual troops who are fighting in Iraq and Afghanistan, on their families, on Americans, where our administration's priorities are not focused on what they should be, which should be improving our economy and making sure that we can reduce the deficit and get our fiscal house in order and make sure that Americans have access to health care and aren't having their homes foreclosed on and the skyrocketing cost of housing, and the list just goes on and on. But at the same time, we're taking care of the needs of the people in Iraq. They have a budget surplus. Their housing needs are being taken care of. Their children's schooling is being taken care of. Yet we still have the same 140,000 troops that the administration has committed to leaving in Iraq, as opposed to trying to bring these troops home and end this hopeless war that has not made progress. And at the end of the day, as Mr. RYAN stated, we need to ensure that the Iraqi troops can stand on their own and that they don't believe for generations to come that we are going to carry them throughout history. At some point we have to let them go and stand on their own, and we have reached that time.

With that, Madam Speaker, we appreciate the opportunity in the 30–Something Working Group that the Speaker has given us to talk about the issues that are important to the American people and to our generation and from our generation's perspectives. We hope that the people who have heard this presentation tonight will go to the Speaker's Web site and click on the 30–Something Working Group address. The charts that we have shown tonight are on that Web site, and they can feel free to e-mail us and contact us with any questions they have.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Madam Speaker, I come to the floor tonight to do what I often do, spend a little time talking about health care. The hour spent in this way, I think, delivers for the Speaker and other Members of the House perhaps perspectives on health care that you wouldn't hear in any other location. I've heard the hour that I spend down here talking about health care referred to as the ''House call.'' So perhaps that's a good way to look at it.

Madam Speaker, we have got a big job ahead of us here in this Congress and the next Congress. We are going to be talking about health care from all sorts of different perspectives. And really where we ought to be focusing our efforts, where we really ought to be channeling our efforts is delivering better care at a lower cost. And you know what? The good news is there are some examples out there in the real world. There are some examples in the real world that this House can embrace and expand upon and maybe accomplish this thing that we all want to accomplish, which is delivering more care to more people in our country at a better price. But we don't need to do it at the sacrifice of freedom because freedom is the foundation of life here in America. Without our liberty, we aren't America. So unlimited options, the unlimited opportunity that people have in this country, that's what makes this country great.

I always feel a little inadequate when I go into Starbucks because all I can do is order a cup of coffee. But other people go into Starbucks and are able to order from a wide variety of menu options. Who would have believed, when I was growing up, that there can be 57 different ways to spend your money in a coffee shop all to purchase a cup of coffee?

□ 2145

Madam Speaker, innovation goes hand in hand with the ability to make choices. The combinations that are available for all of us to choose from have, in fact, engendered that market, and the young folks of today wouldn't have it any other way. And I think that is exactly as it should be. The same kind of options, the same kind of inventive technology and the same kind of innovation should be what makes health care great, as well.

And, Madam Speaker, when it comes to innovation in health care, the United States is the world's leader in health care. Now in October of 2006, in the New York Times, no less, and please don't tell anyone back in my district that I read the New York Times, but in October of 2006 in the New York Times a piece by Tyler Cowen talked about just that issue. He talked about how 17 of the last 25 Nobel prizes in medicine have been awarded to American scientists. He talked about four of the six most significant breakthroughs in the last 25 years having been developed in the United States of America, things like the CAT scan, things like neuro treatments for hypertension, statins to lower cholesterol, coronary artery bypass surgery, all the product of the inventive American mind. And, as we all know, American scientists are not done with advances in medicine. And we are now counting on the next generation of doctors and scientists, a whole new generation, to produce whole new generations of breakthroughs, things like single gene therapy, advancements in protein science, and the incredible revolution in the way information is transmitted and handled. All of that is on the threshold. All of that is just over the horizon and going to have a significant impact on the delivery of health care in this country.

And these breakthroughs occurred because there was an environment that encouraged innovation, an environment that embraced innovation, and yes, an environment that sometimes tolerated a little bit of chaos because that, after all, drove some of that creative energy. And this environment is better known as a competitive environment and one based on individual choice. Innovation and choice are the hallmarks of our health care system. But it doesn't mean that we can't make a good thing better.

Now, Madam Speaker, as someone who has spent 25 years in the practice of medicine, I do believe I have a unique perspective on some of the issues that face our Nation's physician workforce, and certainly some of the

issues that face those of us in the House of Representatives here up on Capitol Hill. But I do have the unique perspective having lived in both worlds. I have had the pleasure, the opportunity and the high honor of sitting in an examination room and talking with a patient, being in the operating room or the emergency room or the delivery room with a patient. I have filed claims. I have filed claims with private insurance companies, Medicare and Medicaid, and dealt with the almost impossible bureaucratic nightmare that those claims have become, and also discovered that with the advent of electronic submissions for claims, some clever individuals delivered about 1,300 different codes for denying those claims.

I figured out how to build my business, sometimes in an environment that was quite hostile to small business. I figured out how to pay my employees, how to keep the lights on, how to provide health insurance for my employees. Sometimes I have the burden of being the only one in my committee, the Committee on Energy and Commerce, the Health Subcommittee, the only one who has had experience with the practice of medicine, the only one who has ever picked up a pen, written a prescription, looked a patient in the eye, counseled them for risks and benefits and costs, a significant burden to carry as we go through bills like the FDA Reauthorization bill that we went through this summer.

I have also had the benefit of some very good advisors along the way, some of my professors in Medical School, Jack Pritchard, who was the head of my residency program at Parkland Hospital, and my own mother, who told me, ''don't you ever let your office put me on hold on that telephone again. And further,'' she went on to say, ''don't let me ever hear that you refused to take a Medicare patient.'' And she never did have to hear that.

But what does this experience give me? Practical knowledge is absolutely critical when you delve into trying to craft the best public policy. And this practical experience is invaluable, especially in an environment that is as rapidly changing as our health care system and the focus of so many across the country.

Now, there is widespread recognition that there is some change in the air. You can scarcely turn on the television at night and not hear the word ''change'' mentioned over and over again. In fact, I told an audience of doctors the other day that I haven't heard the word ''change'' so many times since I was an intern in the newborn nursery at Parkland Hospital. There is a widespread recognition that change is coming in health care. There are a lot of different ideas on how to accomplish it. Presidential candidates have their ideas. A lot of Members of Congress have their ideas. And somehow we are all going to have to come together with these ideas to try to get the best policy going forward.

Now one of the things that has become absolutely apparent to me as I have spent a good deal of time studying this issue is that health care, not disease, but health care, the administration of health care, begins and ends with those who actually deliver the care. That means those that actually deliver the care, the doctors, the nurses, the technicians, really are the ones who should be on the front-lines leading that transformation in health care. A lot of health care professionals don't realize the critical role that they can play and, in fact, they must play in shaping the health care debate. If the professionals who work in health care, if the doctors and nurses are not active and engaged, they are going to be forced to play by the rules that someone in this House will set for them, someone in this House who may not have a clue as to what goes on in the day-to-day practice or administration of medicine.

So every chance I have, I meet with doctors, nurses, physical therapists, technicians, either here in Washington or my district back in Texas, listen to them about what their concerns are, try to understand the problems that they are having, problems that may have changed in the few short years since I left the clinics, and try to talk to them about how to not just complain about the problems of today, but how to craft the solutions of tomorrow and how to effectively communicate that to those who are policy makers, whether it be in a Federal agency or here in a legislative body. I am firmly convinced that if our health care professionals don't lead, we are going to have to accept the prescription given to us by those in the Federal agencies and those that may be sitting in the legislature this year, next year or the year after.

Now there is no sane person who would try to conduct their own operation. Most doctors, if they have controlling sense, wouldn't try to prepare their own income tax form. Doctors and nurses, health care professionals, need to be the ones to lead this change. And I will tell you something that just makes me stop dead in my tracks is when I hear people talk about a single payer government run system. It scares me to death. Now you stop and think, where is the largest single payer government health care system in the world? And it is here in the United States. It is our Medicare and Medicaid program. This body, the United States House of Representatives, currently controls about 50 cents out of every dollar that is spent in health care in this country, and that is an enormous amount that is spent on health care, 15, 16, 17 percent of our gross domestic product, upwards of $2 trillion a year, 50 percent of that originates on the floor of this House of Representatives. So government already controls 50 percent of the market. When people talk about expanding that role, I have to stop and ask myself, well, are we doing a good job with what we are already controlling? And I don't think there is anyone who would stand up and say, yes, you are doing such a good job, we want to turn more of it over to you.

But government can play a role by encouraging coverage and helping create programs that people actually want and empowering them to choose between options. And really, we just have to go back a year or 2 or 3 to look at the experience with the part D part of the Medicare program signed into law late in 2003. The prescription benefit became available in January 2006, and now we are coming into the beginning of our third year of experience with that program. And sure, there were some bugs early on. But if you look at some of the numbers now, and probably 90 percent of eligible seniors now have some type of health care coverage, which is an incredible change from when I took office in 2003. Eighty percent are happy with the program. Well, those are numbers that I will just tell you controlling practitioner would love to have.

When we crafted that program, the smart people over at the Center for Medicaid and Medicare Services put their sharpest pencils to the program and said, okay, here it is. We can devise a program that will provide coverage for seniors for $37 a month in premiums.

Well, now the average plan costs $24 a month. So what happened on the way to that $37 a month premium? Well, I will tell you what happened. The plans were opened up for competition and bidding. And guess what? The private sector found they could do things a little cheaper, faster and safer than those in the Federal agency. And I say more power to them. They have crafted different plans. Not everyone needs the same prescription drug plan. There is the ability to buy a prescription drug plan and change it once a year if your coverage needs change. It is a phenomenal tool to put at the hands of our seniors who are covered under Medicare.

Again, who is going to argue with something that delivers more health care, lower cost and better quality? It is just too simple to argue with. That is the type of program on which we need to be focused. But you hear so many people talking about, well, people won't do the right thing if you leave them to their own devices. You have to put a mandate on it. You have to put an individual mandate, or we have to put a State mandate, or we will have to put an employer mandate where we require people to take up this coverage; as opposed to creating programs that people actually want, pricing them in a reasonable range, making them available, and helping people understand the wisdom of taking up that coverage.

There are a variety of studies that have been done on mandates. Most recently there was one in Health Affairs

in November of 2007 looking at the experience and the history with mandates. I think the title of the article was ''Consider It Done'' because it was the opinion of the article that mandates would just simply have to be the next step.

But in this country, we have 50 percent of people with no health insurance and a voluntary program. Well, you say, we could do better with mandates, couldn't we? Well, for mandates to work, you have to have, of course, a widespread dissemination of knowledge that the mandate is required. You have to have widespread dissemination of the knowledge of the penalty for not taking up the good, service or product that has been mandated, and you have got to have a pretty strict enforcement mechanism, and people have to be aware that that enforcement is going to be swift, sure, and it is going to be painful when it happens. Well, where in real life in America today is there such a system? Hey, we are coming up on April 15. How about the Internal Revenue Service, for example? With the Internal Revenue Service, there is broad understanding throughout the population that you have to pay your taxes. There is a broad understanding of what will happen to you if you don't pay your taxes. Now there may be nuances, fine nuances to the Federal law, whether it is prison term or a fine, but people do understand there are a plethora of unpleasant circumstances for those who don't pay their taxes.

And what is the take-up rate, if you will, on this generous offer from the Internal Revenue Service? Well, it is about 85 percent. You have about 15 percent of people who don't comply, even with those relatively draconian and well-known practices within the IRS if you don't comply. So it does beg the question, if we simply go up there and say, you have to buy an individual insurance policy or there are going to be consequences to that behavior which will cost you, how do we know we are going to get up-take greater than the 85 percent up-take that we have today? And indeed, some of the experience early on with some of the States who have experimented with this have found that some people look at the cost of the insurance, and since it is now required, guess what? The cost went up because it is no longer a free market where you have a willing seller and a willing buyer. You have a buyer who is being coerced to buy that product, so the price goes up. And so some people look at that and say, that is pretty costly, I will just pay the fine, thank you very much. So then we are in a very difficult situation. We have someone paying a fine for not carrying health insurance. And if they get sick on top of it, then they are still a burden on the hospital, doctor, the State, whoever has to pick up the cost for that hospitalization.

So I would just urge my colleagues to be circumspect, to be careful when we talk about mandates and also look to the experience we had with Medicare part D where then a program was created that didn't exist before, and it was created in such a way as to put something out there that people actually wanted, put something out there that people actually saw as adding value to their health care coverage, put something up there that would be useful to people.

□ 2200

Not simply putting a requirement out there, a penalty if you don't comply, and then people are constantly gauging, well, would it be better just to pay the penalty and not comply and not have the more expensive health insurance, which I, after all, don't need, because I will never get sick.

So the part D program provides us a model that we could use when we are trying to see about developing those types of programs. And in a few minutes, let me cover with you some of the other models, some of the experience that has recently been gathered from the private sector, because I think that is useful to instruct, that is useful to inform this debate as well.

But the experience of part D in Medicare showed us that sometimes the best thing that government can do for health care is just simply get out of the way and let people, providers, third-party payers, work this out between themselves. If we create the right conditions, the right environment, the right set of circumstances and let the private sector develop the innovation, sometimes the cost savings can be substantial, the quality can be increased. And, after all, isn't that what we want, more care, better quality, lower cost? Who can be against those three things?

Now, Madam Speaker, I can remember a time when I was growing up that you could only have one kind of telephone. It was black, it was tethered to the wall and had a rotary dial. Over 10 or 15 or 20 years time we saw some technical innovation. It was still black, it was still tethered to the wall, but it had push buttons instead of a rotary dial.

Then came deregulation. Then came many phone companies that were able to compete on the open market, compete for the individual phone user's business. And the story tells itself, because nowadays you have cell phones on every belt buckle and hip pocket. You have text messages. You have a whole generation of young people who know how to text better than they know how to communicate with the king's English.

So change has come to this industry, not because the government said it would be a good idea for everyone to have a cell phone on their belt buckle or a cell phone in their hip pocket. It came about because industry, the private sector, was allowed to innovate, it was allowed to experiment, it was allowed to sometimes fail, and produce these products that people actually wanted and that deliver value, real value, to people's lives.

Many, many years ago I got a pilot's license. A lot of people learned to fly in a Piper Cub. The Piper Cub is truly a marvel of engineering science. But would anyone argue that the 737, the 787 that is new this year, would anyone argue that that is not a better way to move large numbers of people from one end of the country to another, rather than having each of us fly our own individual Piper Cub?

You know, you can't help but when you have this kind of discussion recognize that the invention of the Internet really changed a lot of things. Of course, now we have the Internet, we have e-mail, we have Web sites, we have YouTube, all of which were absolutely unimaginable as short as 20 years ago.

Here is the secret. Here is the secret to that success. The private sector, with its ability to tolerate innovation, with its ability to tolerate risk and reward, its ability to tolerate a little bit of experimentation, and, again, a little bit of chaos, can deliver that kind of value. I have personally experienced this in my years practicing medicine, and I have learned more about it since I have come here and worked legislatively.

Last fall, last November, I believe, there was a big health care symposium put on downtown by the periodical Health Affairs, and the morning panel was going to be four smart people. But one of them was a CEO of a large insurance company, an insurance company, quite honestly, that I had some trouble with when I was a practicing physician. So I thought, well, I want to go hear what Dr. McClellan has to say. I want to hear what Dr. Sarhuni from the National Institutes of Health has to say. But I will probably go for coffee when this CEO gets up to talk. But the CEO gave the most important part of the talk that morning.

This particular individual talked about running his large insurance company. He talked about his 45,000 employees, 15 percent of whom were devoted to the development of information technology. If that 15 percent had been a stand-alone software company, they would have been one of the largest in the United States of America.

Well, that is a pretty powerful notion. I stopped and did a little quick mental calculation of my own and I thought about my five or six physician practice back in Louisville, Texas. We were faced with the specter of Y2K and I had to upgrade my ancient and ailing computer system, and although at the time I thought it cost an incredible amount to do that, just doing a quick back-of-the-envelope calculation, I spent about .015 percent of my annual budget on information technology. So was it any wonder that that particular insurance company could run rings around a small practice when it came to the managing, the flow of information, the speed with which they could process information?

I was very intrigued by the fact that this individual said we have learned a lot about the progress of disease and the course of disease, not by studying clinical data, but by simply analyzing the financial data available to us within our information technology system. For example, if we see A and B, we are very likely going to see C, and of those patients who have C, some are going to go on to D, and D costs a lot of money. So we are far better off intervening at A or B and not having to buy as many Ds as we might otherwise have to buy.

He gave the example, and, of course, my practice was not in taking care of heart disease, but he gave the example of a middle-aged individual suffering a myocardial infarction or heart attack. He said we know from studying our data that this individual is very likely to suffer about a bout of significant depression somewhere along the line in their recovery, and in fact that bout of depression may be so significant that it precludes that individual complying with their exercise program, their cardiorehabilitative program, and very likely puts them at risk for a second cardiac event, or perhaps even consigning them to congestive heart failure in the future, which is terribly expensive to treat within and out of the hospital and lots of expensive medications.

So he found that by intervening early on with an aggressive assessment for depression, an aggressive treatment for depression, that they were in fact able to get better compliance in their rehabilitation, and ultimately lowered their cost at the out end because of this very aggressive management program that they had developed.

Again, that is all done with financial data. They were just beginning to be able to incorporate clinical data. They have got some problems with that because of some of the constraints, regulatory constraints that we here in Congress have put on them. But, nevertheless, it told a great story about the types of things that can be done in managing information in this brave new world, where so much information is available and so much can be assembled and analyzed at a very rapid rate. We are coming up on a period of rapid learning unlike anything ever seen before in any branch of science, and certainly medicine is not going to be any stranger to that.

When I was in training in the 1970s, when I was in practice in the 1980s and 1990s and early 2000s, it was very difficult to encounter a patient late in pregnancy with an elevated blood pressure. You never knew whether this was going to go on to a much more serious condition or whether in fact this was simply a transient problem that would be self-limited and of no consequence, and you had to treat them all as if they were the most serious consequences, sometimes even requiring hospitalization for a period of observation until things got squared away.

There are tests that are just around the corner that will analyze for a couple of things in the bloodstream that have a very high predictive value as to whether or not someone will develop a condition called preeclampsia over the next 14 days. What a tremendously powerful tool to put in the hands of clinicians. And how many dollars is that going to save? It may well be an expensive test when it first comes out, but how many dollars is it going to save for unnecessary hospitalizations?

Sometimes we would have to take someone off from work, not knowing whether they had a more serious disease or whether this was going to be a benign self-limited event. But you just couldn't take a chance. You just couldn't take that risk of not counseling that patient to behave as if this was going to be the more serious of the two conditions. How great it will be for the next generation of doctors who practice my specialty of obstetrics to be able to have that test at their disposal so they can adequately counsel their patients, recommend to their patients the correct treatment course for them, and, in the process, not overtreat a large group of patients, and, very importantly, not undertreat a much smaller but potentially much more lethal condition in a smaller group of patients.

Yesterday up here on the Hill I was very fortunate to be able to host a panel with several speakers that included the former Speaker of our House, Newt Gingrich, who came up on the Hill to talk about change in health care reform and transformation in health care.

Everyone knows that former Speaker Gingrich is a real leader when it comes to health care transformation. In fact, he has made that now his life's work here in Washington. We are certainly grateful for, first off, for his service in the House, but we are very grateful that he has devoted his enthusiasm, his considerable energy, his considerable ability to generate new ideas and to recognize great ideas when they are presented to him. We are very fortunate to have his expertise in Washington. So it was really a great experience to have him involved in this panel yesterday.

Several companies came in. The whole premise of the seminar, the whole premise of the series, was, just as I started out this talk, better health, lower cost, examples from the real world. These were four individuals that came in and talked to us about real world experience and how they have been able to deliver their product, health care, in a more timely fashion, better quality, lower cost.

Let me share with you some of what I learned. It was a very action-packed hour-and-a-half that we had yesterday. But let me share with you just a little bit of what I have learned with talking to some of those innovative medical leaders.

One of the central themes that kept repeating itself over and over again was the issue of personal responsibility. It is important to have someone invested in the concept that it is a good idea to take care of their own health and to be personally invested in their own health care, and a lot of the discussion came around to a concept that is popularly called consumer-driven health care. We have talked about that a lot up here on the Hill.

The fact is that because of our third-payer system, so many people are actually anesthetized to the true cost of their health care. All they want to know is can they see the doctor when they need to, how big is the copay, and if I need an expensive test, well, is it covered by insurance? If is not, I don't want it. If it is, I will take two.

Now, my own staff tells me that when they receive an explanation of benefits, that little form, that little EOB form that you get from your insurance company after you have a medical event or an intersection with the health care system, whether it be doctor or hospital, most people take that explanation of benefits, it says on it ''this is not a bill,'' so what happens to it? It goes straight into the trash. They never look at it. They never try to assess what is or is not on it. So they are consuming the health care service, but not really are conscious as to the cost. As a consequence, there is little or no incentive for anyone to take any proactive stance on the health care that is delivered to them, the health care that is offered to them. There is very little incentive for someone to actually take an active role in that.

There is an old saying from P.J. O'Rourke, if you think health care is expensive now, just wait until it is free, and that is the concept. If it doesn't cost anything, then, again, yes, nothing but the best will do, and let's be sure we have plenty of it, and don't be too long about getting it to me.

In a consumer-driven health care system, people would be more conscious of their health care cost, more conscientious, and more likely to make wiser decisions about lifestyle choices, about things that they might do to alter a lifestyle choice, to be able to maintain their health.

There was a study take that was talked about yesterday that found that in one hospital group, the patients who were in a consumer-directed health care plan were twice as likely as patients in traditional plans to ask about the cost, and three times as likely to choose a less expensive treatment option. And this is just not for young healthy patients. Patients with chronic conditions, chronic disease states, were 20 percent more likely to follow the treatment regimen recommended to them, to follow that regimen much more carefully.

Now, there is no shortage of critics of consumer-directed health care up here on the Hill. People will argue that it will cause patients, consumers, perhaps those less wealthy, perhaps those less educated, to avoid needed and appropriate health care because of the cost

burden and the inability to make informed appropriate choices.

One of the companies yesterday that discussed this at the panel has data that they say directly contradicts that criticism. And I don't doubt that that is correct, because back in the late 1990s a comparison was done with a country that had a large component of what were then called medical savings accounts or consumer-directed health care, in contrast to the United States, which at that time had no high deductible consumer-directed health care options, no MSA options, and that was in a lead-up to the beginning of the MSA era in 1996 or 1997.

□ 2215

Experience with that country that had about a 50/50 mix of consumer directed plans and what might be called standard indemnity plans found that there was no dialing back on needed services. There was no pulling back on services that were critical for the maintenance of a person's health, but more optional types of treatments perhaps, were the ones that had a lower uptake.

Now, a Midwestern health care company introduced consumer-driven health care plans to its 8,600 employees. They also left their traditional PPO plan in place.

In the first year, 79 percent of their employees chose one of the four consumer-directed health care options. These health plans had several important features.

Preventive care is free. Now, what a concept. That means that the annual visit to the doctor, required screening exams, don't cost money. They are provided for you free of charge.

Employees also receive financial incentives to change behaviors like smoking or those who need to lose weight. They also receive financial incentives to manage chronic conditions like asthma and diabetes more carefully and become active participants in the management of their disease.

The results so far have shown that they had 7 percent of health care dollars spent on prevention compared to a national average that was about a third of that.

Nearly 40 percent of employees take an annual personal health risk assessment and earn $100 for their trouble. But a 40 percent uptake on an annual health risk assessment is a significant number. Five hundred employees have quit smoking, their employees have lost a total of 13,000 pounds through their weight management programs with appropriate monitoring, 13,000 pounds. Talk about your biggest loser or your biggest winner, clearly, that's a program that is paying off.

Now, the average claim increase of 5½ or 5.1 percent the last 2 years is compared to a national trend of over 8 percent, so there has been a 3 percent savings on the average claim. The company has, again, collected an impressive amount of data, and we could learn from their example, from their experience.

There are some other companies we can learn from as well. There was another very large health insurance company that was on the panel. Then, again, it was a health insurance company with which I used to have some differences, but they described their incentive-based benefit design. They provide or have available to their employees one of the high deductible plans. A high deductible plan with a large deductible is going to cost less than a plan with a lower deductible.

They offer a plan with a high deductible. But without an increase in premium, the individuals, the families can lower that deductible to $1,000 by changing things like weight, smoking, serial cholesterol measurements complying with annual screening exams.

A $5,000 deductible at a lower policy rate then becomes a $1,000 deductible at the same rate. It's a significant cost savings for that patient or that family, that employee, where they get the benefits of a very high deductible plan but the deductible comes to them in a much more manageable size.

We also heard about some of the very positive results driven by consumer-driven health plan options. Now, the speaker who talked about that actually took me back a little bit, because I do remember back 1976 and 1977 the MSAs first became available. They were called the Archer Medical Savings Account after Bill Archer, chairman of the Ways and Means Committee from this body who had worked so hard on that over the years.

Phil Gramm, then a Senator from Texas over on the other side of the rotunda, had worked on that on the Senate side. As part of a large bill that was passed to increase insurance portability, they got a demonstration project, a pilot project that was going to allow 750,000 so-called high deductible policies or medical savings accounts to be sold. I heard about that, and I thought I don't know if I can sign up quickly enough to be in that first 750,000.

But the reality was I needn't have worried. There were so many restrictions placed on that insurance that the uptake was, in fact, probably only one-tenth of what were available.

There weren't many insurance companies that offered it. The premiums had to be paid for with after-tax dollars. Many of the things that we now think of as being associated with a health savings account just weren't available back in those early years.

But, still, although the amount that you could put away in a medical IRA or a medical savings account wasn't nearly as large as what you could do today, still, it was a significant amount of money. I purchased one of those myself back in 1976 or 1977, keeping it until I started service here in the House of Representatives, where at that time it wasn't available.

But that chunk of dollars has sat there, and with the time value of money, earning interest, compound interest, the miracle of compound interest, year over year now is a sizeable sum of money that is available to my wife and I for health care needs. Whether it be pre-Medicare or post-Medicare age, that money is still going to be available to us as additional cash that can be spent on health problems.

The doctor that talked to us about the nuances of the newer health savings account talked about how in his experience 88 percent, that's nearly nine out of ten account holders, carried a balance from 2006 to 2007. The actual percentage of people who either did not contribute or used up all the money that they had contributed to their medical IRA or their health savings account was only about one in 10, and the average balance for people across all income levels was $597 at the end of that carryover from year to year.

Now, you have to ask yourself how many Americans, how many families are encouraged to live a healthier life, conserve their health care dollars, like these individuals have done. These guys are making personal decisions about prevention, they are making personal decisions about life-style changes, they are managing chronic conditions, actively engaged in the management of those chronic conditions. As a consequence of those behaviors, they are holding down costs.

Now, most other populations with regular private indemnity insurance are not. The key is bringing about the necessary change to effect that transition from an individual who is really indifferent as to the cost of the expenditure on health care to one that is actively managing the cost of their health care.

But there are other tools we can put in the hands of people. We hear people talk about transparency. I have, in fact, introduced legislation dealing with transparency.

We have got some good things going on back home in my home State of Texas as far as some of the web-based transparency information and data that's out there as far as hospitals are concerned. The Centers for Medicare & Medicaid Services has, in fact, published their own data up on the web.

So as more and more information is gathered, patients, individuals, can have access to greater and greater amounts of information detailing what is available to them as far as what if the difference between one hospital and another is substantial as far as the cost of rendering a particular service, regardless of what it is. But the ability to go on the Internet and be able to compare the cost of those two services, that's a tremendous tool to put into someone's hands.

If you can further refine that to allow an individual to put in information about their particular health insurance or their health plan, or if they are a self-pay, to make that information available, to then go on and compare between the institutions, where

would their best benefit be derived? Where can they most adequately get the type of care that they want and, of course, there does have to be quality data published alongside that.

It can't just simply be the cheapest care at the cheapest cost. You want the best care at the most reasonable cost, or, as Dr. McClellan, former administrator of Centers for Medicare & Medicaid Services always talks about the four Rs, the right care for the right patient at the right time and the right price.

These are going to be critical aspects of any health care policy that we craft in this House. We simply have to keep those basic tenets in mind.

One of the speakers yesterday talked about in education the fundamentals of the three Rs, reading, writing and arithmetic. He went on to say in health care the fundamentals should be risk, responsibilities and reward, because, indeed, the risks are those that must be balanced against the possible benefit.

The patient needs to be an active participant in that. They can no longer simply be passive passengers on the journey through the health care system. They actually have to play a role in taking responsibility for their own care. The rewards, the reward aspect, the incentive aspect is often given. Well, while we are real good about being punitive in this body, we are pretty stingy when it comes to rewards or incentives. I could give you several examples of that.

One that comes to mind is the bill that was introduced late December as far as trying to encourage physicians for e-prescribing. The reward was a 1-percent increase in Medicare fees for a physician who participated in e-prescribing. The penalty 4 or 5 years later was a 10-percent reduction if they don't.

On a $100 procedure, and I will tell you there are not many office procedures under Medicare that pay $100, but let's use that number because it makes the math easy. In a $100 procedure administered in a physician's office if they utilize an e-prescribing module to administer that patient's care, they are going to get $1 extra for that $100 procedure or interaction, visit, whatever it was. That's okay, $1 is $1, and it's better than nothing.

But if you don't participate in 4 years time, 5 years time, that's going to be a 10-percent reduction. That same $100 procedure or test or interaction now will pay $90.

We are so focused on the punitive in this body, and we never focus on the front end of the problem, which is assigning the appropriate dollar amount or the appropriate incentive.

Now, go back to my earlier example of that large insurance company, and again an insurance company in the past which I have had great difficulty with, but what innovative thinking they have. They are offering a patient the ability to reduce from $5,000 to $1,000 their risk, their cost, on a deductible with no increase in premiums if they will do four simple things, lose a little weight, stop smoking, exercise regularly.

If you have asthma or diabetes you participate in a disease management program, and your deductible falls from a $5,000 deductible down to $1,000, and, oh, by the way, that premium that was less because you had a $5,000 deductible, it doesn't go up. It doesn't go up when that policy changed. That's the kind of innovative thinking I am talking about when I say we must balance the risk and rewards, because we haven't been good about doing that.

Everyone likes to quote the Rand study when they talk about information technology and programs like e-prescribing. The Rand study says that if we go to electronic prescribing in our health care system in this country, we are going to save $77 billion in 15 years, a tremendous amount of money.

Now, most of that savings is, in fact, out toward the end of that 15-year time. They don't really talk very much about who is going to pay for the cost of the implementation, putting the software, the hardware, the training, the upkeep of the software, the maintenance of the software, the time spent on the learning curve for all of these small offices across the country that have to make that investment. That's just going to be a given, but it will be worth while because we get a $77 billion savings at the end.

□ 2230

What is missed so often in this study is the last paragraph. At the end of a very large study, it talks about the incentives to make this happen, to get us to this happy place where we are saving $77 billion with e-prescribing.

The incentives have to be early. The late innovators are going to be rewarded, so you have to have the incentives arrive early, and they have to have a time limit otherwise people will wait and see if the technology doesn't improve because, after all, they know they will have to pay for the hardware, software, the training, the upkeep and maintenance of the software.

Finally, the third thing is the incentives must be substantial. And again, on both sides of the aisle, we forget that very important point. So while we hear the Rand study quoted over and over again, please remember the incentives are early, they are time limited, and they are substantial. That was the economic modeling that got them to the happy place where they were saving $77 billion in the 15th year of that study.

If we concentrate on the fundamentals, getting back to the fundamentals, focusing on the risk, talking to our patients about responsibility, that is not so hard to do; but we should obviously compensate the health care professional for their time, for counseling about that responsibility, so that we don't forget the reward for the provider, to be sure; for the patient, to be sure; for the taxpayer, the American taxpayer if it is on that 50 percent of every health care dollar that is spent in the largest single-payer, government-run health care system in the world, which is Medicare and Medicaid today.

So the right prescription for health professionals has to be focused on these three areas when it comes to providing the real direction for health care reform.

I know I am not alone when I say that I am going to use these principles as my guiding star as I continue to work on health care policy. I hope I can convince my colleagues both in committee and here in the House of Representatives to focus on those same issues as well.

IRAQ WAR

The SPEAKER pro tempore (Mr. PERLMUTTER). Under the Speaker's announced policy of January 18, 2007, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 60 minutes.

Mr. YARMUTH. Mr. Speaker, it is a great honor once again to come to the floor of the House as a representative of the landmark class of 2006 known as the majority makers, a group of 41 Democrats elected from 23 States who were sent here by the American people to change the direction of the country.

Of course one of the primary issues that was at the heart of the campaign in 2006 was our involvement in Iraq and Afghanistan. And this week that effort, national effort, has taken greater significance because we once again heard from General Petraeus and Ambassador Crocker about the progress or the situation, I should say, in Iraq. They testified before two congressional committees, two Senate committees yesterday and the House committees today. Their testimony, I think, raises two issues that I want to address tonight.

Of course the first is what the situation is in Iraq and what the prospects for success are in that part of the world. And, secondly, what is the cost to the American people and to the American economy because as we all know, the costs are varied and they are significant. They rise to magnitudes that we are not used to discussing in this country, both in human cost which of course is our top priority, and also the economic cost. And then there is the future cost as well because what we are doing is incurring obligations for our future generations that are real, that are incredibly large, and that the American people need to focus on because as we go forward and try to establish policies and have a national debate about what the appropriate course of action is in Iraq, we have to discuss again not just the human costs but also the cost to future generations of the American people, juxtaposed against the benefits and potential benefits of our continued involvement.

There are two things I think we need to say from the outset that really underlie all of these discussions and that is everyone in this body, in the Congress and in the country wants the United States to be successful, wants there to be a peaceful and beneficial result in Iraq. We all want a stable Middle East. We all want a stable, peaceful world. No one in this body or anywhere else that I know of is rooting for us to be unsuccessful in Iraq.

The second thing that we need to focus on is that it is unavoidable that we have to talk about economics and it is sad that we even have to talk about money because already we have lost 4,000 American men and women in Iraq. We have had virtually 30,000 wounded, many seriously, many with life-altering injuries; and the cost to the Iraqi people, of course, is also extraordinary with 2 million people having left Iraq, hundreds of thousands of Iraqis, Iraqi civilians dying, and many more dislocated throughout the country, families torn apart and lives ruined.

So the human cost of the U.S. involvement in this effort in Iraq and also in Afghanistan cannot be minimized, and nobody is trying to. That of course is the ultimate cost. But we do have to talk about the economic cost of this war because we are looking at a situation in which we have potential exposure throughout the world. We have a military that will be called on to be deployed in other situations, not just in the Middle East. We have by almost everyone's estimation a much more serious and ominous threat in Afghanistan and Pakistan that will require continued involvement of American forces, and where it is clear to everyone that terrorists, including particularly al Qaeda, are much more active and we need to focus much more intensely on Afghanistan and our involvement in Iraq is, of course, preventing us from doing as much as we could and probably should in Afghanistan and Pakistan.

These are all of the dynamics that we face as we discuss these issues. Two things in particular concern me about the testimony of General Petraeus and Ambassador Crocker yesterday. And, of course, everyone quite justifiably honors their service and their commitment to their duty, and they are certainly fulfilling their obligations well.

But two things in particular disturb me greatly, and one was when asked continuously by a number of Senators and House Members to describe the conditions under which we might be able to withdraw a substantial number of our forces from Iraq, General Petraeus basically said we will know them when we see them. He could not identify them. And he said, Well, we will look at it again in a few months. We will look at it in September. Maybe we can start withdrawing them then; maybe we can't.

What's the measure for success? He wouldn't specify. He couldn't specify. And I don't think he was being coy. I think, in fact, his unwillingness to specify or identify the conditions under which we might be able to leave was purely a function of the fact that we don't know what the conditions are, and we have never known exactly what we were trying to accomplish in that country.

The goalposts have been moved continuously. There have been dozens of different reasons for our involvement mentioned over the last 5 years. And it is, I think, quite indicative yesterday when asked on numerous occasions again what would you see, what would you have to see before you would recommend withdrawing more troops, General Petraeus and Ambassador Crocker said, Well, we'll know it when we see it; it is a matter of what the conditions are.

That is an important point to make.

Another answer that he gave to a question asked by Senator BIDEN, I think, was quite revealing. When Senator BIDEN asked when you come back and make your evaluation and assessment in September of this year, at that point do you think there is any chance that we could be within 30 days of having troops withdrawal?

General Petraeus said at that point, Well, it might be that very day. Of course he went on to say it could be a month later, it could be many months later, it could be years later.

When I heard him say that it occurred to me if he was willing to say there was a possibility that we could be out, be able to start withdrawing significant numbers of troops in September, if that was a possibility, he should know what the metrics are, what the conditions he would have to be looking for in September to allow us to do that. And yet when asked what are the conditions, he couldn't identify them.

So again, I think all of these points, reading between the lines, indicate that we are not getting the full story about what we should look for as a measure of success in Iraq because the people on the ground don't know what the measures are. I think they would tell us if they knew, but I don't think they know. And that is a pretty frightening thought because we are being asked to carry the burden of an incredibly large cost as a society.

Now many of us are not asked, unfortunately, I think in many ways, we are not asked to bear any of the burden. Most of the burden is being borne directly by the military families and the soldiers who are overseas in deployment, many for several deployments. They are bearing the hardest burden; but we are also bearing a serious cost, and it mounts by the second.

As a matter of fact, every minute that I spend speaking here, we are spending, the American taxpayers are spending $230,000. Every minute, $230,000 is being spent in Iraq; $4,000 a second. That mounts up. It becomes real, real money. It becomes $14 million an hour; $340 million a day; $2.5 billion a week, $10 billion a month; and while some estimates are higher, $125 billion a year, and that is just in Iraq.

Now I know, believe me, that many people have a hard time grasping what a billion dollars is, what $120 billion are, but there are a couple of easy ways to describe it. With $120 billion in 1 year, you could give every teacher in the United States a $20,000 a year raise. Every teacher. Every one of our 6 million teachers in the United States, and I think most people agree teachers are drastically underpaid, we could give them a $20,000 a year raise with what we are spending in Iraq.

We could pay for the health care of about 16 or 17 million people every year. That 47 million people we have uninsured, we could cover 16 or 17 million of those people with that $125 billion that we are now spending in Iraq.

We all know we have huge infrastructure needs in this country, bridges to repair, highways to repair, schools to rebuild. Throughout the country we face trillions of dollars of needed repairs and new construction on our infrastructure. This would make a considerable investment in that seriously needed national agenda. But that is going overseas. And, unfortunately, it is going to where it is not an investment, it is money that is irretrievably lost.

We could also, and this is taking what we spend every day, that $340 million or so we spend every day in Iraq, we could hire 2,000 more Border Patrol agents; 18,000 more students could receive Pell Grants to help them attend college for an entire year; 48,000 homeless veterans could be provided a place to live; 317,000 more kids could receive recommended vaccinations for a year; almost a million families could get help with their energy bills. The list goes on and on. This is the cost of this war in economic terms to the American people. This is the lost opportunity, the lost opportunity for our American people.

What is even worse is it would be one thing if we had this money, but we don't have this money. We know we are running a deficit of almost $500 billion this year, so we are borrowing this money. We are not just saying we have $125 billion lying around, we can allocate this to Iraq, no problem. We are borrowing it. At least half of it we are borrowing from foreign countries. So we are having China and other nations who are financing our debt, who are actually paying for this war, but it is not free. China is going to want to get paid back some time, and that is going to be on future generations. So again, whatever we feel about this war, we have to understand the cost, and the cost is real. The American people understand that this cost is real.

A recent New York Times CBS poll, 89 percent of Americans surveyed said that the war in Iraq is a drain on the U.S. economy; 66 percent said it is a big drain, and 22 percent said it is some drain.

□ 2245

So the American people understand this. The American people understand that while we have a housing crisis, while we have a crisis in our financial markets, where we're having trouble actually making, having funds made available to make student loans, we understand that there's a connection between the economic problems we face and our involvement in Iraq.

And again, I don't think any of us would argue if this were a war where there were clearly defined goals, and if there were an existential threat to the United States, our security. But our national intelligence estimate, our 16 agencies said no, that's not the case, that we don't face an existential threat in Iraq. We are, essentially, refereeing, as we know, a sectarian dispute.

And I think what is most frustrating, again, reading between the lines, listening to General Petraeus and Ambassador Crocker, is that there was never a mention that I heard of anything that we could do to change the outcome there; that the implication was we were just sitting there, and that we had to wait until they decided that they were going to make it okay for us to leave. And that's a very, very frustrating position to be in.

And I wish somebody, maybe somebody did ask that and I didn't hear it, but I wish that they had been asked that specific question; is there anything we can do to change the dynamics there to improve the conditions that would allow us to begin withdrawing our troops and to reduce this incredible cost to the American people?

So I would hope that as we go forward, and you hate to say, as we go forward, because we've been going forward, now, for 5 years, and the outlook is not any brighter. The prospects for resolution in Iraq are not any greater.

And unfortunately, listening to General Petraeus and Ambassador Crocker yesterday, I think it's, unfortunately, true that the people who are in charge don't know where we're going and most importantly, why we're going.

So these are things, as the months roll by, while the cost accumulates, and while, unfortunately, we will suffer, no doubt, as we have suffered, just in the last few days, 13 new American casualties, that the American people understand and demand, both of us and the administration, that we get a clear picture of what the objectives are, what the cost is, and will be, because we have estimates, Professor Joseph Stiglitz has estimated the total cost of the war in Iraq and Afghanistan, ultimately, of $3 trillion.

But we need to understand what our goals are, what our objectives are, what the possibilities are, what the risks are, what the potential benefits are, and of course, what the costs are, because we're not playing with small numbers. We're not playing with insignificant lives. And this is the greatest challenge facing this country.

And I hope that we can have the type of dialogue, continuously, which focuses on these points, because the American people, rightfully, are looking for leadership and progress on Iraq.

So once again, I thank you, Mr. Speaker. It has been a great privilege to stand in the House and represent the freshman Democrats who came to Congress to change the direction of the country, who are, in many ways, changing the direction of the country. And I think we will continue to ask the questions that need to be asked, and try to bring a much quicker resolution in Iraq and a new direction for the American people.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARSON of Connecticut (at the request of Mr. HOYER) for today and the balance of the week on account of a family health matter.

Mr. BUYER (at the request of Mr. BOEHNER) for today and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CUMMINGS) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. LINCOLN DAVIS of Tennessee, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. MCHENRY, for 5 minutes, today and April 10.

Mr. POE, for 5 minutes, April 16.

Mr. JONES of North Carolina, for 5 minutes, April 16.

Mr. WESTMORELAND, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, today.

Mr. BROWN of South Carolina, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. CONAWAY, for 5 minutes, April 10.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. BROUN of Georgia, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 550. An act to preserve existing judgeships on the Superior Court of the District of Columbia.

ADJOURNMENT

Mr. YARMUTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, April 10, 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:

5924. A letter from the Chief, Programs and Legislation Division, Department of the Air Force, Department of Defense, transmitting Notice of the decision to conduct a standard competition of the Civil Engineer Function at Schriever Air Force Base, Colorado, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

5925. A letter from the Chairman, Department of Defense, transmitting the 2008 report on vulnerability assessments for FY 2007 and military construction requirements for the FY 2007 to FY 2012 Future Years Defense Plan, pursuant to 10 U.S.C. 2859; to the Committee on Armed Services.

5926. A letter from the Assistant Secretary for Homeland Defense and Americas' Security Affairs, Department of Defense, transmitting the Annual Report of the Activities of the Western Hemisphere Institute for Security Cooperation for 2007, pursuant to 10 U.S.C. 2166(i); to the Committee on Armed Services.

5927. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Colonel Norman J. Brozenick, Jr., United States Air Force, to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5928. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting letter on the approved retirement Admiral William J. Fallon, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

5929. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral John G. Morgan, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

5930. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William E. Mortensen, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5931. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5932. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting notice of the intention to convert the combined commissary and exchange store at Homestead Air Reserve Base, Florida, to an independent Army and Air Force Exchange Service (AAFES) store; to the Committee on Armed Services.

5933. A letter from the Acting General Counsel, Department of Defense, transmitting a copy of legislative proposals as part of

the National Defense Authorization Bill for Fiscal Year 2009; to the Committee on Armed Services.

5934. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-40 concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Turkey for defense articles and services; to the Committee on Foreign Affairs.

5935. A letter from the Assistant Secretary for Legislative Affairs, Department of Defense, 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 Italy (Transmittal No. DDTC 018-08); to the Committee on Foreign Affairs.

5936. 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.

5937. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), including a copy of Presidential Determination No. 2008-11 on the Implementation of Sections 603 and 604 of the Foreign Relations Authorization Act of Fiscal Year 2003; to the Committee on Foreign Affairs.

5938. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), including a copy of Presidential Determination No. 2008-12 on the Implementation of Sections 603 and 604 of the Foreign Relations Authorization Act of Fiscal Year 2003; to the Committee on Foreign Affairs.

5939. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on assistance to Azerbaijan, pursuant to Public Law 107-115, section 907(g)(6); to the Committee on Foreign Affairs.

5940. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 2006 Annual Report on the United States Participation in the United Nations, pursuant to Public Law 79-264, section 4(a); to the Committee on Foreign Affairs.

5941. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning methods employed by the Government of Cuba to comply with the United States-Cuba September 1994 ''Joint Communique'' and the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 ''Joint Statement,'' together known as the Migration Accords, pursuant to Public Law 105-277, section 2245; to the Committee on Foreign Affairs.

5942. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's determination on Vietnamese cooperation on accounting for POW/MIAs, pursuant to Public Law 110-161, 109; to the Committee on Foreign Affairs.

5943. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on ''Tibet Negotiations,'' pursuant to Public Law 107-228, section 613(b); to the Committee on Foreign Affairs.

5944. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report mandated in the Participation of Taiwan in the World Health Organization Act, 2004 (Pub. L. 108-235), Section 1(c); to the Committee on Foreign Affairs.

5945. 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 United Kingdom (Transmittal No. DDTC 035-08); to the Committee on Foreign Affairs.

5946. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001; to the Committee on Foreign Affairs.

5947. A letter from the General Counsel, Department of the Treasury, transmitting a copy of a draft bill, ''To authorize the United States participation in, and appropriations for the United States constribution to, the fifteenth replenishment of the resources of the International Development Association''; to the Committee on Foreign Affairs.

5948. A letter from the General Counsel, Department of the Treasury, transmitting a copy of a draft bill, ''To authorize the United States Participation in and appropriations for the United States contribution to, the eleventh replenishment of the resources of the African Development Fund''; to the Committee on Foreign Affairs.

5949. A letter from the Chairman, International Fund for Ireland, transmitting a copy of the 2007 Annual Report of the Fund; to the Committee on Foreign Affairs.

5950. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Offshore Airspace Area 1485L and Revision of Control 1485H; Barrow, AK [Docket No. FAA-2006-23872; Airspace Docket No. 06-AAL-9] (RIN: 2120-AA66) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5951. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendments Class E Airspace; Provo, UT [Docket No. FAA-2006-24234; Airspace Docket No. 06-AWP-5] (RIN: 2120-AA66) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5952. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of High Altitude Area Navigation Routes; South Central United States [Docket No. FAA-2005-22398; Airspace Docket No. 05-ASO-7] (RIN: 2120-AA66) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5953. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Low Altitude Reporting Point; AK [Docket No. FAA-2005-225010; Airspace Docket No. 06-AAL-17] (RIN: 2120-AA66) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5954. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA-2006-24949; Directorate Identifier 2006-NM-110-AD; Amendment 39-14626; AD 2006-12-02] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5955. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Model 14RF-19 Propellers [Docket No. FAA-2005-21691; Directorate Identifier 2005-NE-13-AD; Amendment 39-14701; AD 2006-16-01] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5956. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2005-22510; Directorate Identifier 2004-NM-32-AD; Amendment 39-14600; AD 2006-10-16] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5957. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes [Docket No. FAA-2006-25332; Directorate Identifier 2006-CE-40-AD; Amendment 39-14808; AD 2006-22-11] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5958. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Tay 611-8, Tay 611-8C, Tay 620-15, Tay 650-15, and Tay 651-54 Turbofan Engines [Docket No. FAA-2007-27811; Directorate Identifier 2004-NE-11-AD; Amendment 39-15321; AD 2007-26-19] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5959. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ Airplanes [Docket No. FAA-2007-0044; Directorate Identifier 2007-NM-126-AD; Amendment 39-15320; AD 2007-26-18] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5960. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2007-28989; Directorate Identifier 2007-NM-070-AD; Amendment 39-15319; AD 2007-26-17] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5961. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Model 430 Helicopters [Docket No. FAA-2007-28688; Directorate Identifier 2005-SW-21-AD; Amendment 39-15312; AD 2007-26-10] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5962. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Boeing Model 707 Airplanes and Model 720 and 720B Series Airplanes [Docket No. FAA-2007-28828; Directorate Identifier 2007-NM-010-AD; Amendment 39-15258; AD 2007-23-12] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5963. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 680 Airplanes [Docket No. FAA-2007-0379; Directorate Identifier 2007-NM-331-AD; Amendment 39-15318; AD 2007-26-16] (RIN: 2120-AA64) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5964. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piaggio Aero Industries S.p.A. Model P 180 Airplanes [Docket No. FAA-2007-0294 Directorate Identifier 2007-CE-087-AD; Amendment 39-15365; AD 2008-03-14] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5965. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland Model EC135 Helicopters [Docket No. FAA-2008-0165; Directorate Identifier 2007-SW-58-AD; Amendment 39-15377; AD 2008-04-05] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5966. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2008-0167; Directorate Identifier 2008-NM-029-AD; Amendment 39-15374; AD 2008-04-02] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5967. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS-365N2 and N3, SA-365C, C1 and C2, and SA-365N and NI Helicopters [Docket No. FAA-2008-0164; Directorate Identifier 2007-SW-43-AD; Amendment 39-15375; AD 2008-04-03] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5968. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes [Docket No. FAA-2007-28246; Directorate Identifier 2007-CE-048-AD; Amendment 39-15367; AD 2008-03-16] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5969. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Model DG-500MB Gliders [Docket No. FAA-2007-28843 Directorate Identifier 2007-CE-065-AD; Amendment 39-15317; AD 2007-26-15] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5970. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model SA332C, L, L1, and L2 Helicopters [Docket No. FAA-2008-0044; Directorate Identifier 2007-SW-40-AD; Amendment 39-15341; AD 2008-02-11] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5971. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation AE 3007A and AE 3007C Series Turbofan Engines [Docket No. FAA-2007-26966; Directorate Identifier 99-NE-01-AD; Amendment 39-15271; AD 2007-24-05] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5972. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200, -200CB, and -300 Series Airplanes [Docket No. FAA-2007-28990; Directorate Identifier 2007-NM-033-AD; Amendment 39-15304; AD 2007-26-02] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5973. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA-2007-28942; Directorate Identifier 2007-NM-093-AD; Amendment 39-15306; AD 2007-26-04] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5974. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200, -200LR, -300, and -300ER Series Airplanes [Docket No. FAA-2007-28854; Directorate Identifier 2007-NM-109-AD; Amendment 39-15307; AD 2007-26-05] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5975. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200B, 747-300, and 747-400 Series Airplanes [Docket No. FAA-2007-0336; Directorate Identifier 2007-NM-201-AD; Amendment 39-15308; AD 2007-26-06] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5976. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thrush Aircraft, Inc. Model S2R Series Airplanes [Docket No. FAA-2007-28432; Directorate Identifier 2007-CE-051-AD; Amendment 39-15303; AD 2007-26-01] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5977. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hartzell Propeller Inc. Compact Series Propellers [Docket No. FAA-2007-28876; Directorate Identifier 2000-NE-08-AD; Amendment 39-15311; AD 2007-26-09] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5978. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200B, 747-300, 747-400, 747-400D, and 747-400F Series Airplanes Equipped with General Electric CF6-80C2 Engines [Docket No. FAA-2007-28352; Directorate Identifier 2007-NM-037-AD; Amendment 39-15309; AD 2007-26-07] (RIN: 2120-AA64) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5979. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Flight Simulation Training Device Initial and Continuing Qualification and Use [Docket No. FAA-2002-12461; Amendment Nos. 1-54, 11-52, 60-1, 121-327] (RIN: 2120-AH07) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5980. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Organization and Delegation of Powers and Duties; Secretarial Succession [Docket No. OST 2008-0103] (RIN: 2105-AD73) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5981. A letter from the Program Manager, Center for Beneficiary Choices, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Policy and Technical Changes to the Medicare Prescription Drug Benefit [CMS-4130-F] (RIN: 0938-AO74) received April 9, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5982. A letter from the Director, Defense Security Cooperation Agency, transmitting notification that the Department intends to use ''no year'' IMET funds for Pakistan, pursuant to Public Law 107-115, section 515; jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SLAUGHTER: Committee on Rules. House Resolution 1092. Resolution relating to the consideration of the bill (H.R. 5724) to implement the United States-Colombia Trade Promotion Agreement (Rept. 110–574). 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. TOWNS (for himself and Mr. STEARNS):

H.R. 5734. A bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York (for herself, Mr. RAMSTAD, Mr. ETHERIDGE, and Mr. POE):

H.R. 5735. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose their emergency response and evacuation procedures; to the Committee on Education and Labor.

By Mr. ADERHOLT:

H.R. 5736. A bill to designate the Department of Veterans Affairs outpatient clinic in Gadsden, Alabama, as the Colonel Ola Lee Mize Veterans Clinic; to the Committee on Veterans' Affairs.

By Mr. HELLER:

H.R. 5737. A bill to amend the Internal Revenue Code of 1986 to provide for a deduction for travel expenses to medical centers of the Department of Veterans Affairs in connection with examinations or treatments relating to service-connected disabilities; to the Committee on Ways and Means.

By Mr. ROSS:

H.R. 5738. A bill 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; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself and Mr. VISCLOSKY):

H.R. 5739. A bill to assure that the services of a nonemergency department physician are available to hospital patients 24-hours-a-day, seven days a week in all non-Federal hospitals with at least 100 licensed beds; to the Committee on Energy and Commerce.

By Mr. MITCHELL (for himself, Mr. SCOTT of Virginia, Ms. GINNY BROWN-WAITE of Florida, Mr. KING of New York, Mr. CARNEY, Mr. BOUCHER, Mr. MORAN of Virginia, Mr. SALAZAR, Mr. BISHOP of Georgia, Mr. HOLT, Mr. COURTNEY, Ms. BERKLEY, Mr. ELLISON, Mr. WALZ of Minnesota, Ms. MATSUI, Mr. DINGELL, Mr. PATRICK MURPHY of Pennsylvania, Mr. BARTLETT of Maryland, Mr. SESTAK, Mr. YOUNG of Alaska, Mrs. MALONEY of New York, Mr. UDALL of Colorado, Mr. JEFFERSON, Mrs. NAPOLITANO, Mr. MOLLOHAN, Ms. SHEA-PORTER, Mr. MCNERNEY, Mr. BUCHANAN, Mr. MCHENRY, Mrs. TAUSCHER, Mr. PASCRELL, Ms. BORDALLO, Ms. HERSETH SANDLIN, Mr. SAXTON, Mr. JONES of North Carolina, Ms. KAPTUR, Ms. SUTTON, Mr. KENNEDY, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Mr. BILIRAKIS, Mr. WEINER, Mr. HINOJOSA, Ms. ESHOO, Mr. RODRIGUEZ, Mr. WALDEN of Oregon, Mr. KLEIN of Florida, Mr. ORTIZ, Mr. TIM MURPHY of Pennsylvania, Ms. WOOLSEY, Mr. HOLDEN, Mr. LARSON of Connecticut, Ms. MOORE of Wisconsin, Mr. MCGOVERN, Mr. MURPHY of Connecticut, Ms. DELAURO, Mr. COSTELLO, Mrs. CHRISTENSEN, Mrs. CAPPS, Mr. SHAYS, Ms. MCCOLLUM of Minnesota, Mr. TOWNS, Mr. DEFAZIO, Mr. GRIJALVA, Mr. HONDA, Mr. WATT, Mr. ETHERIDGE, Mr. ROTHMAN, Mr. MAHONEY of Florida, Mr. LEWIS of Georgia, Mrs. MYRICK, Mr. DELAHUNT, Mr. HARE, Mr. SARBANES, Mr. RYAN of Ohio, Mrs. DRAKE, Mr. SCHIFF, Mr. CLEAVER, Mr. HINCHEY, Mr. UDALL of New Mexico, Ms. ROYBAL-ALLARD, Mrs. BOYDA of Kansas, Mr. BOSWELL, Mrs. MCCARTHY of New York, Mr. LATHAM, Mr. HALL of New York, Mr. CROWLEY, Mr. LOEBSACK, Mr. MILLER of North Carolina, Ms. TSONGAS, Mr. MICHAUD, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Alabama, Mr. YOUNG of Florida, Mr. REICHERT, Mr. KUHL of New York, Mr. ROGERS of Michigan, Mr. WEXLER, Mr. BUTTERFIELD, Mrs. CAPITO, Mr. ELLSWORTH, Mr. PORTER, Mr. ALTMIRE, Mr. SPACE, Mrs. DAVIS of California, Mr. HAYES, Mr. ROSKAM, Mr. DAVID DAVIS of Tennessee, Mrs. SCHMIDT, Mr. REYNOLDS, Mr. FOSSELLA, Mr. CASTLE, Mrs. MUSGRAVE, Mr. SALI, Ms. WASSERMAN SCHULTZ, Mr. BERRY, Mr. CARNAHAN, Mr. TIERNEY, Mr. BERMAN, Mr. WELCH of Vermont, Ms. GIFFORDS, Mr. PETERSON of Minnesota, Mr. PALLONE, Mr. PAYNE, Mr. RUSH, Mr. CHABOT, Mr. LAMPSON, Mr. JACKSON of Illinois, Mr. MARIO DIAZ-BALART of Florida, Mr. YARMUTH, Mr. CARDOZA, Mr. ALLEN, Mr. LOBIONDO, Ms. HOOLEY, Mr. RANGEL, Mr. KIND, Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, Mr. SHULER, Mr. REYES, Mr. ENGEL, Mr. HIGGINS, Mr. KNOLLENBERG, Mr. PLATTS, Mr. KAGEN, Mr. MCINTYRE, Mr. CRAMER, Mr. VISCLOSKY, Mr. BLUMENAUER, Mr. COHEN, Ms. ZOE LOFGREN of California, Mr. KILDEE, Mr. MCCOTTER, Mr. MILLER of Florida, Mr. GILCHREST, Mr. ENGLISH of Pennsylvania, Ms. HIRONO, Ms. LEE, Mr. SHUSTER, Mr. HERGER, Mr. BRALEY of Iowa, Ms. ROS-LEHTINEN, Mr. LAHOOD, Mr. THOMPSON of California, Mr. COSTA, Mr. OBERSTAR, Mr. CAPUANO, Mr. EDWARDS, Mr. SOUDER, Mr. MICA, and Mr. DAVIS of Illinois):

H.R. 5740. A bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. FARR, Mr. PALLONE, Mr. HINCHEY, Mrs. CHRISTENSEN, and Mr. GONZALEZ):

H.R. 5741. A bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks; to the Committee on Natural Resources.

By Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, and Mr. FORTUÑO):

H.R. 5742. A bill to amend the Internal Revenue Code of 1986 to extend eligibility under the new markets tax credit for community development entities created or organized in American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands; to the Committee on Ways and Means.

By Mr. BROUN of Georgia:

H.R. 5743. A bill to provide the Secretary of Homeland Security with the authority to procure real property and accept in-kind donations; to the Committee on Homeland Security.

By Mr. COHEN:

H.R. 5744. A bill to amend the Internal Revenue Code of 1986 to extend permanently the election to deduct State and local general sales taxes; to the Committee on Ways and Means.

By Mr. LAMPSON (for himself, Mr. CHABOT, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. KAGEN, Mr. SHIMKUS, Mr. UDALL of Colorado, and Mr. POE):

H.R. 5745. A bill to amend the Missing Children's Assistance Act to expand the definition of missing child for purposes of that Act; to the Committee on Education and Labor.

By Mr. LARSON of Connecticut (for himself, Mr. DENT, Mr. WYNN, Mr. INGLIS of South Carolina, Ms. DELAURO, Mr. DOYLE, Mr. HOLDEN, Mr. WAMP, Mr. TERRY, Mr. MCNULTY, and Mr. BUTTERFIELD):

H.R. 5746. A bill to amend the Internal Revenue Code of 1986 to establish the infrastructure foundation for the hydrogen economy, and for other purposes; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself, Mr. CAMPBELL of California, Ms. BEAN, and Mr. GRIJALVA):

H.R. 5747. A bill to amend the Federal Election Campaign Act of 1971 to restrict political robocalls, and for other purposes; to the Committee on House Administration.

By Mr. MARCHANT:

H.R. 5748. A bill to amend title XIX of the Social Security Act to permit States to exclude earned income in determining eligibility for medical assistance for individuals with extremely high prescription drug costs; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself and Mr. ENGLISH of Pennsylvania):

H.R. 5749. A bill to provide for a program of emergency unemployment compensation; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 5750. A bill to amend the Immigration and Nationality Act to exempt certain elderly persons from demonstrating an understanding of the English language and the history, principles, and form of government of the United States as a requirement for naturalization, and to permit certain other elderly persons to take the history and government examination in a language of their choice; to the Committee on the Judiciary.

By Mr. PASTOR (for himself and Mr. GRIJALVA):

H.R. 5751. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. SALI (for himself, Mr. HUNTER, Mr. WHITFIELD of Kentucky, Mr. MCCOTTER, Mr. JONES of North Carolina, Mr. RENZI, Mr. POE, Mr. DEAL of Georgia, Mr. GARY G. MILLER of California, Mr. TERRY, and Ms. FALLIN):

H.R. 5752. A bill to provide for the security of United States passports, and for other purposes; to the Committee on Foreign Affairs.

By Mr. STUPAK (for himself and Mr. FOSSELLA):

H.R. 5753. A bill to prohibit the sale of kitchen ranges or ovens which do not include a design, bracket, or other device which complies with an applicable consensus product safety standard intended to prevent the product from tipping; to the Committee on Energy and Commerce.

By Mr. VISCLOSKY:

H.R. 5754. A bill to amend the Employee Retirement Income Security Act of 1974 and title 11, United State Code, to provide necessary reforms for employee pension benefit plans; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H. Con. Res. 325. Concurrent resolution celebrating the 50th Anniversary of the Mackinac Island State Park Commission's Historical Preservation and Museum Program, which began on June 15, 1958, and for other purposes; to the Committee on Natural Resources.

By Mr. VAN HOLLEN (for himself and Mr. DENT):

H. Con. Res. 326. Concurrent resolution honoring professional surveyors and recognizing their contributions to society; to the Committee on Oversight and Government Reform.

By Mr. CAPUANO (for himself, Mr. DOYLE, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. MCCOTTER, Mr. MCGOVERN, and Mr. OLVER):

H. Res. 1093. A resolution calling on the President not to attend the Opening Ceremony of the 2008 Olympic Games in Beijing

until China takes credible steps to persuade Sudan to end the genocide in Darfur and allow full deployment of the United Nations-African Union Mission in Darfur; to the Committee on Foreign Affairs.

By Mr. COSTA (for himself, Mr. CAMP of Michigan, Ms. ROS-LEHTINEN, and Mr. CLAY):

H. Res. 1094. A resolution expressing support for designation of April as ''National Donate Life Month'' and expressing gratitude to all Americans who have communicated their intent to be organ and tissue donors; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas (for himself, Mr. BACA, Mr. HONDA, Ms. KILPATRICK, Mr. BUTTERFIELD, Mr. BISHOP of Georgia, Mr. CARNAHAN, Ms. CLARKE, Mr. CLEAVER, Mr. COHEN, Mr. CUELLAR, Mr. CUMMINGS, Mr. ELLISON, Mr. ELLSWORTH, Mr. FATTAH, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. MEEK of Florida, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SIRES, Ms. SOLIS, Ms. SUTTON, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WATT, Mr. WYNN, Mr. GONZALEZ, and Mr. SMITH of Texas):

H. Res. 1095. A resolution recognizing and honoring the 40th anniversary of congressional passage of title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and the 20th anniversary of the Fair Housing Amendments Act of 1988; to the Committee on the Judiciary.

By Mr. MOORE of Kansas (for himself, Mrs. BOYDA of Kansas, Mr. MORAN of Kansas, Mr. TIAHRT, and Mr. LAMBORN):

H. Res. 1096. A resolution commending the University of Kansas Jayhawks for winning the 2008 National Collegiate Athletic Association Division I basketball championship; to the Committee on Education and Labor.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 78: Mr. BILBRAY.
H.R. 96: Mr. MORAN of Virginia.
H.R. 303: Mr. GALLEGLY.
H.R. 351: Mr. BLUMENAUER and Mr. LEWIS of Georgia.
H.R. 406: Mr. ANDREWS, Mr. MICHAUD, Mr. WILSON of Ohio, Mr. GORDON, Mr. LIPINSKI, Mr. SPACE, Mr. VISCLOSKY, Mrs. CUBIN, Mr. WOLF, Mr. SESSIONS, Mr. BOUCHER, Mrs. BACHMANN, Mr. BARTON of Texas, Mrs. BLACKBURN, Mr. BOUSTANY, Mr. CAMPBELL of California, Mr. CRENSHAW, Mr. DAVID DAVIS of Tennessee, Mr. TOM DAVIS of Virginia, Mr. DENT, Mr. FOSSELLA, Mr. MCCARTHY of California, Mrs. MYRICK, Mr. PUTNAM, Mr. ROHRABACHER, and Mrs. SCHMIDT.
H.R. 436: Mr. SHIMKUS.
H.R. 471: Mr. RENZI.
H.R. 510: Mr. BROUN of Georgia, Mr. KINGSTON, Mr. ALEXANDER, Mr. BROWN of South Carolina, Mr. DAVID DAVIS of Tennessee, Mr. DUNCAN, Mrs. BLACKBURN, Mrs. MUSGRAVE, Mr. PITTS, Mr. CAMPBELL of California, and Mr. COLE of Oklahoma.
H.R. 579: Ms. ROS-LEHTINEN, Mr. WITTMAN of Virginia, Mr. SIRES, and Mr. BLUMENAUER.
H.R. 583: Mr. GERLACH.
H.R. 621: Mr. SESTAK.
H.R. 736: Mr. PITTS.
H.R. 741: Mr. GENE GREEN of Texas.
H.R. 748: Mr. BRADY of Pennsylvania, Mr. CARNEY, Mr. DEFAZIO, Mr. WITTMAN of Virginia, Mr. DAVIS of Illinois, Mr. CRAMER, Mr. GALLEGLY, Mr. SCHIFF, and Mr. YOUNG of Alaska.
H.R. 769: Mr. BROUN of Georgia and Mr. WITTMAN of Virginia.
H.R. 843: Mr. GALLEGLY.
H.R. 989: Mr. SHULER.
H.R. 992: Mr. LIPINSKI.
H.R. 997: Mr. MCCARTHY of California.
H.R. 998: Mr. COHEN and Mr. NADLER.
H.R. 1000: Mr. BOUCHER, Mr. TANNER and Mr. NUNES.
H.R. 1032: Mr. KILDEE and Mr. BUTTERFIELD.
H.R. 1072: Mr. MARKEY.
H.R. 1108: Mr. THOMPSON of California.
H.R. 1110: Mr. KENNEDY.
H.R. 1176: Mr. MCDERMOTT and Mr. PAYNE.
H.R. 1185: Mr. MITCHELL.
H.R. 1264: Mr. SPACE.
H.R. 1306: Mr. HAYES.
H.R. 1308: Ms. DEGETTE.
H.R. 1322: Mr. DAVIS of Illinois.
H.R. 1359: Mr. SOUDER.
H.R. 1386: Mr. MCNERNEY.
H.R. 1439: Mr. SHAYS and Mr. MAHONEY of Florida.
H.R. 1456: Mrs. MUSGRAVE.
H.R. 1472: Mr. MCCAUL of Texas.
H.R. 1475: Mr. JACKSON of Illinois.
H.R. 1518: Mr. LYNCH.
H.R. 1527: Mr. TERRY.
H.R. 1553: Mr. MILLER of Florida.
H.R. 1609: Mr. LEWIS of California, Mr. BOOZMAN, Mr. SOUDER and Mr. RAHALL.
H.R. 1647: Mr. BARTLETT of Maryland, Mr. MCGOVERN, Mr. MEEKS of New York, Mr. SARBANES, Mr. BILBRAY and Mr. INSLEE.
H.R. 1653: Mr. SCHIFF.
H.R. 1742: Ms. JACKSON-LEE of Texas, Mr. ALEXANDER, Ms. FOXX, Mr. YOUNG of Alaska, Mr. KENNEDY, Mr. WHITFIELD of Kentucky, Mr. GUTIERREZ, Mr. SKELTON and Mr. BACHUS.
H.R. 1781: Mr. SPACE.
H.R. 1820: Mr. BECERRA and Mr. MARKEY.
H.R. 1881: Mr. LOEBSACK, Mr. FOSSELLA, Mr. LATOURETTE, Ms. BORDALLO, Mr. WEXLER, Mr. OLVER, and Mr. MICHAUD.
H.R. 1973: Mr. TURNER.
H.R. 1983: Ms. KAPTUR.
H.R. 2042: Ms. HOOLEY and Mr. BISHOP of New York.
H.R. 2073: Mr. DAVIS of Illinois.
H.R. 2114: Mrs. CAPPS.
H.R. 2158: Mr. BROUN of Georgia and Mr. GOODE.
H.R. 2167: Mr. JOHNSON of Georgia.
H.R. 2169: Ms. SUTTON, Ms. KILPATRICK, and Mr. HINOJOSA.
H.R. 2219: Mr. ROTHMAN.
H.R. 2231: Mr. YOUNG of Florida.
H.R. 2267: Mr. ENGLISH of Pennsylvania.
H.R. 2471: Mr. FRANKS of Arizona.
H.R. 2478: Ms. ESHOO.
H.R. 2593: Mr. JACKSON of Illinois.
H.R. 2676: Mr. DAVIS of Illinois.
H.R. 2686: Mr. SCHIFF, Mr. BACA, Ms. LORETTA SANCHEZ of California, Mr. HOLDEN, Mr. CARNEY, Mr. BOREN, and Mr. GORDON.
H.R. 2744: Mr. WEXLER, Mr. SERRANO, Mr. FATTAH, Mr. LARSON of Connecticut, Mr. MOORE of Kansas, Mr. MAHONEY of Florida, Mr. CARDOZA, and Mr. RODRIGUEZ.
H.R. 2762: Mr. CONAWAY.
H.R. 2792: Ms. ZOE LOFGREN of California.
H.R. 2802: Mr. CARNAHAN, Mr. EMANUEL, and Mr. TIBERI.
H.R. 2809: Mr. MCGOVERN.
H.R. 2905: Mr. WITTMAN of Virginia.
H.R. 2915: Ms. DEGETTE.
H.R. 2942: Mr. JEFFERSON.
H.R. 3005: Mr. KING of New York.
H.R. 3054: Ms. JACKSON-LEE of Texas, Mr. HINCHEY, and Mr. RUSH.
H.R. 3140: Mr. JOHNSON of Georgia and Mr. KAGEN.
H.R. 3227: Mr. SMITH of Washington.
H.R. 3287: Mr. JACKSON of Illinois.
H.R. 3334: Mr. KIRK.
H.R. 3484: Mrs. TAUSCHER.
H.R. 3609: Ms. LEE.
H.R. 3652: Mr. SIRES.
H.R. 3767: Mr. RADANOVICH.
H.R. 3865: Mr. MOORE of Kansas and Ms. MCCOLLUM of Minnesota.
H.R. 3886: Mr. PRICE of North Carolina.
H.R. 3892: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4008: Mr. HENSARLING.
H.R. 4018: Ms. BERKLEY.
H.R. 4044: Mr. WALZ of Minnesota and Mr. GRIJALVA.
H.R. 4205: Mr. LYNCH.
H.R. 4218: Mr. MCGOVERN.
H.R. 4236: Mr. ISRAEL, Ms. TSONGAS, and Mr. SCHIFF.
H.R. 4248: Mrs. BLACKBURN.
H.R. 4318: Mr. DAVIS of Kentucky, Mr. LATOURETTE, and Mr. POMEROY.
H.R. 4344: Mr. GOODE and Mr. TERRY.
H.R. 4450: Mrs. CAPPS and Ms. PRYCE of Ohio.
H.R. 4516: Mr. FILNER.
H.R. 4540: Mr. RENZI.
H.R. 4900: Mr. DEFAZIO, Mr. GOHMERT, Mr. GENE GREEN of Texas, Mr. REHBERG, Mrs. MUSGRAVE, Mr. ISSA, Mr. CRAMER, Ms. HERSETH SANDLIN, Mr. YOUNG of Alaska, and Mr. SHIMKUS.
H.R. 4926: Ms. ZOE LOFGREN of California, Mr. BOREN, Mr. COURTNEY, Mr. JOHNSON of Georgia, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, and Mr. SPACE.
H.R. 4927: Mrs. MUSGRAVE and Mr. PERLMUTTER.
H.R. 4934: Mr. BOUCHER.
H.R. 4959: Mr. KILDEE.
H.R. 5134: Mr. KLINE of Minnesota.
H.R. 5173: Mr. SPACE, Mr. CHANDLER, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5176: Mr. MCGOVERN.
H.R. 5223: Ms. SUTTON, Ms. MOORE of Wisconsin, Mr. WALZ of Minnesota, and Mr. ELLISON.
H.R. 5233: Mr. GILCHREST.
H.R. 5236: Mr. TERRY.
H.R. 5267: Mr. WILSON of South Carolina.
H.R. 5405: Mr. FRANKS of Arizona.
H.R. 5425: Mr. WALSH of New York.
H.R. 5440: Mr. HENSARLING.
H.R. 5442: Mr. GENE GREEN of Texas and Ms. LINDA T. SÁNCHEZ of California.
H.R. 5443: Mr. SAXTON.
H.R. 5445: Mr. MORAN of Kansas, Mr. GINGREY, and Mr. NEUGEBAUER.
H.R. 5446: Ms. BERKLEY.
H.R. 5447: Mr. KILDEE, Ms. SUTTON, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ABERCROMBIE, and Mr. ISRAEL.
H.R. 5463: Mr. CANNON.
H.R. 5465: Mr. JONES of North Carolina, Mr. SPRATT, and Mr. ANDREWS.
H.R. 5466: Mr. COHEN and Mr. GENE GREEN of Texas.
H.R. 5481: Mr. LAHOOD and Mr. GALLEGLY.
H.R. 5488: Mr. WYNN, Mr. PAYNE, Ms. SCHAKOWSKY, Mr. FATTAH, and Ms. RICHARDSON.
H.R. 5534: Mr. HINCHEY, Mrs. CAPPS, Mr. FERGUSON, and Ms. ZOE LOFGREN of California.
H.R. 5541: Mr. SPRATT, Mr. INSLEE, Ms. HERSETH SANDLIN, and Mr. GENE GREEN of Texas.
H.R. 5546: Mr. YARMUTH.
H.R. 5567: Mr. DUNCAN.
H.R. 5573: Mr. ELLSWORTH, Mr. PETRI, and Mr. MEEKS of New York.
H.R. 5583: Mr. PASTOR.

H.R. 5591: Mr. TERRY and Mrs. BLACKBURN.
H.R. 5595: Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. BOUCHER, and Mr. GOODE.
H.R. 5602: Mr. THOMPSON of California, Mr. BISHOP of Georgia, Mr. HOLDEN, and Mr. MOORE of Kansas.
H.R. 5603: Ms. BORDALLO and Mr. GORDON.
H.R. 5609: Mr. SHIMKUS.
H.R. 5613: Mr. DENT, Mr. AL GREEN of Texas, Mr. RAHALL, Mr. MCHUGH, Mr. MATHESON, Mr. SCOTT of Georgia, Ms. TSONGAS, Mr. ARCURI, Mr. KUHL of New York, Mr. SKELTON, Ms. SLAUGHTER, Mr. MCNERNEY, Mr. THOMPSON of Mississippi, Mr. YARMUTH, Mr. DAVIS of Illinois, Ms. ZOE LOFGREN of California, Mr. SHERMAN, Mr. BISHOP of New York, Mrs. NAPOLITANO, and Mr. CHANDLER.
H.R. 5614: Mr. REHBERG and Mr. PAUL.
H.R. 5626: Mr. MCGOVERN, Mr. FRANK of Massachusetts, and Mr. ELLISON.
H.R. 5635: Mr. KLINE of Minnesota.
H.R. 5636: Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. ELLISON, Mrs. MALONEY of New York, and Mr. DAVIS of Illinois.
H.R. 5637: Ms. LEE and Mr. FILNER.
H.R. 5640: Mr. CHABOT.
H.R. 5645: Ms. RICHARDSON.
H.R. 5648: Ms. HERSETH SANDLIN.
H.R. 5656: Mr. BURGESS, Mr. CULBERSON, Mr. COLE of Oklahoma, Mr. HALL of Texas, and Mr. BROUN of Georgia.
H.R. 5662: Mr. HINOJOSA.
H.R. 5668: Mr. MICHAUD, Mr. SOUDER, and Ms. WATERS.
H.R. 5672: Ms. LEE.
H.R. 5685: Mr. SCHIFF.
H.R. 5695: Mrs. MYRICK.
H.R. 5696: Mr. HARE.
H.R. 5699: Mr. ROHRABACHER, Mr. ROYCE, and Mr. BLUNT.
H.R. 5700: Ms. WOOLSEY and Mr. KILDEE.
H.R. 5710: Mrs. WILSON of New Mexico.
H.R. 5716: Mr. STARK.
H.R. 5721: Mrs. CUBIN.
H.R. 5731: Mrs. BLACKBURN and Mr. CULBERSON.
H.J. Res. 12: Mr. DAVID DAVIS of Tennessee and Mrs. BLACKBURN.
H. Con. Res. 13: Mr. SPACE.
H. Con. Res. 305: Mr. JACKSON of Illinois, Mr. CHANDLER, Mr. SESTAK, and Mr. WAXMAN.
H. Con. Res. 315: Mr. STEARNS.
H. Con. Res. 317: Mr. BRADY of Pennsylvania, Mr. MCGOVERN, and Mr. BLUMENAUER.
H. Con. Res. 322: Mr. ENGEL, Mr. MANZULLO, Mr. WEXLER, Mr. MACK, Mr. BURTON of Indiana, Mr. PAYNE, Mr. FORTUNO, Ms. BERKLEY, Mrs. MCCARTHY of New York, Mr. POE, Mr. BROWN of South Carolina, Ms. SCHWARTZ, Mr. TANNER, Ms. JACKSON-LEE of Texas, Mr. HENSARLING, Mr. GARRETT of New Jersey, Mr. WILSON of South Carolina, Mr. WEINER, Mr. CHABOT, Mr. KUHL of New York, Mr. WAXMAN, Ms. CORRINE BROWN of Florida, Mrs. MALONEY of New York, Mr. SKELTON, Mr. NADLER, Mr. MCNULTY, Mr. LEVIN, Mrs. TAUSCHER, Mr. KLEIN of Florida, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mrs. DAVIS of California, Ms. TSONGAS, Ms. GIFFORDS, Mr. KAGEN, Mr. REICHERT, Mr. PORTER, Mr. AL GREEN of Texas, Mr. COHEN, Ms. MCCOLLUM of Minnesota, Ms. HARMAN, Mr. SHERMAN, Mr. HOLT, Ms. WASSERMAN SCHULTZ, Mr. VAN HOLLEN, Ms. LINDA T. SÁNCHEZ of California, Mr. SESTAK, Mr. LARSON of Connecticut, Mr. SCHIFF, Mr. HARE, Mr. MEEK of Florida, Mr. GENE GREEN of Texas, Mr. ROTHMAN, Mr. CUELLAR, Mr. CHANDLER, Mr. BACA, Mr. MARKEY, Mr. COSTELLO, Mr. MCCARTHY of California, Mr. BISHOP of Georgia, Mr. LANGEVIN, Mr. GALLEGLY, Mr. KING of New York, Mr. TERRY, Mr. MCHENRY, Mr. PATRICK MURPHY of Pennsylvania, Mr. BISHOP of New York, Ms. ROYBAL-ALLARD, Mr. PALLONE, Mr. MOORE of Kansas, Ms. DELAURO, Mr. LEWIS of Georgia, Mr. KNOLLENBERG, and Mr. NEUGEBAUER.
H. Res. 49: Mr. NUNES, Mr. ENGLISH of Pennsylvania, and Mr. DINGELL.
H. Res. 111: Mr. SALAZAR.
H. Res. 146: Mr. DELAHUNT.
H. Res. 424: Ms. LEE and Ms. DEGETTE.
H. Res. 653: Mr. DAVIS of Illinois and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 705: Mrs. MILLER of Michigan, Mr. SMITH of New Jersey, and Mr. DUNCAN.
H. Res. 758: Mr. GALLEGLY, Mr. ROGERS of Michigan, Mrs. MILLER of Michigan, and Mr. SAXTON.
H. Res. 896: Mr. PAYNE.
H. Res. 981: Mr. SENSENBRENNER, Mr. ISSA, Mr. HARE, and Ms. RICHARDSON.
H. Res. 987: Mr. BUTTERFIELD, Mr. SHULER, Ms. BALDWIN, Mr. DOYLE, Mr. GILCHREST, Mr. GENE GREEN of Texas, Ms. HARMAN, Mr. HILL, Ms. HOOLEY, Mr. MATHESON, Mr. ROSS, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SHIMKUS, Ms. SOLIS, and Mr. TAYLOR.
H. Res. 1008: Ms. ESHOO and Mr. MCHUGH.
H. Res. 1011: Mr. MILLER of North Carolina, Mr. JACKSON of Illinois, Mr. PLATTS, Mr. LANGEVIN, and Ms. CORRINE BROWN of Florida.
H. Res. 1022: Ms. CORRINE BROWN of Florida, Mrs. DAVIS of California, Ms. WATSON, Mr. BERMAN, Ms. PRYCE of Ohio, Mrs. NAPOLITANO, Mrs. BONO MACK, Mrs. LOWEY, Mrs. GILLIBRAND, Ms. TSONGAS, Ms. HARMAN, Ms. BERKLEY, Ms. WOOLSEY, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, and Ms. CLARKE.
H. Res. 1026: Mr. DINGELL.
H. Res. 1048: Mr. MCNULTY.
H. Res. 1054: Mr. CARNAHAN, Ms. HIRONO, and Mr. HARE.
H. Res. 1055: Mr. PAYNE, Mr. ELLISON, and Mr. LEWIS of Georgia.
H. Res. 1063: Mr. TANNER, Mr. WHITFIELD of Kentucky, Ms. JACKSON-LEE of Texas, Mr. KLEIN of Florida, Mr. COSTA, and Mr. HINOJOSA.
H. Res. 1064: Mr. SHAYS.
H. Res. 1069: Mr. KING of New York.
H. Res. 1072: Mr. WALZ of Minnesota.
H. Res. 1073: Mr. MCDERMOTT, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS of New York, Mr. CLAY, Mr. RANGEL, Mrs. JONES of Ohio, Mr. MCGOVERN, Ms. LEE, Ms. MATSUI, Mr. SARBANES, Ms. JACKSON-LEE of Texas, Mr. MCHUGH, Ms. MCCOLLUM of Minnesota, Mr. KUCINICH, Mr. SNYDER, Mr. RUSH, Mr. SMITH of Washington, Mr. FATTAH, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. JOHNSON of Georgia, Ms. MOORE of Wisconsin, Ms. NORTON, Mr. PAYNE, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. HINOJOSA, Mr. HASTINGS of Florida, Mr. BUTTERFIELD, Ms. WATSON, Mrs. MALONEY of New York, Mr. HOYER, Mr. SHIMKUS, Mr. GUTIERREZ, Mr. CLEAVER, Ms. SCHAKOWSKY, Mr. LYNCH, Mr. HIGGINS, Mr. COSTELLO, and Mr. LIPINSKI.
H. Res. 1079: Mr. MCCOTTER, Mr. PEARCE, Ms. PRYCE of Ohio, Ms. MOORE of Wisconsin, Ms. MCCOLLUM of Minnesota, Mr. DAVIS of Illinois, and Ms. EDDIE BERNICE JOHNSON of Texas.
H. Res. 1080: Mr. HENSARLING and Mrs. DRAKE.
H. Res. 1081: Mr. WU, Ms. WASSERMAN SCHULTZ, Ms. KILPATRICK, Mr. HILL, Ms. DELAURO, Ms. SLAUGHTER, Mr. PRICE of North Carolina, Mr. FILNER, Mr. WYNN, Mr. SCOTT of Virginia and Mr. OBERSTAR.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1665: Mr. TIM MURPHY of Pennsylvania.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2537

OFFERED BY: MRS. MCCARTHY OF NEW YORK

AMENDMENT NO. 3: At the end of the bill, add the following:

SEC. 11. PRESENCE OF PHARMACEUTICALS AND PERSONAL CARE PRODUCTS IN COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency, in consultation with appropriate government agencies (including the National Institute of Environmental Health Sciences), shall conduct a study of the presence of pharmaceuticals and personal care products (in this section referred to as ''PPCPs'') in coastal recreation waters .

(b) CONTENTS.—In conducting the study under subsection (a), the Administrator shall—

(1) identify PPCPs that have been detected in the waters of the United States and the levels at which such PPCPs have been detected; and

(2) identify the sources of PPCPs in the waters of the United States.

(c) EXAMINATION OF WASTEWATER EFFLUENT AND RUN-OFF FROM AGRICULTURAL PRODUCTS.—In identifying sources of PPCPs under subsection (b)(2), the Administrator shall examine wastewater effluent and run-off from agricultural products.

(d) REPORT.—Not later than one year after the date of enactment of this Act, in order to provide a better understanding of the effects of PPCPs in the waters of the United States on human health, aquatic animal health, and aquatic wildlife, the Administrator shall submit to Congress a report on the results of the study conducted under this section.

(e) PHARMACEUTICALS AND PERSONAL CARE PRODUCTS DEFINED.—In this section, the terms ''pharmaceuticals and personal care products'' and ''PPCPs'' mean products used by individuals for personal health or cosmetic reasons or used by agribusiness to enhance growth or health of livestock.

H.R. 2537

OFFERED BY: MR. FOSSELLA

AMENDMENT NO. 4: Page 2, after line 2 insert the following:

TITLE I—BEACH PROTECTION ACT OF 2007

At the end of the bill, add the following new title:

TITLE II—FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978 AMENDMENTS ACT OF 2008

SEC. 100. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2008'' or the ''FISA Amendments Act of 2008''.

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

Sec. 100. Short title; table of contents.

Subtitle A—Foreign Intelligence Surveillance

Sec. 101. Additional procedures regarding certain persons outside the United States.
Sec. 102. Statement of exclusive means by which electronic surveillance and interception of domestic communications may be conducted.
Sec. 103. Submittal to Congress of certain court orders under the Foreign Intelligence Surveillance Act of 1978.
Sec. 104. Applications for court orders.
Sec. 105. Issuance of an order.

Sec. 106. Use of information.
Sec. 107. Amendments for physical searches.
Sec. 108. Amendments for emergency pen registers and trap and trace devices.
Sec. 109. Foreign Intelligence Surveillance Court.
Sec. 110. Weapons of mass destruction.
Sec. 111. Technical and conforming amendments.
Subtitle B—Protections for Electronic Communication Service Providers
Sec. 201. Definitions.
Sec. 202. Limitations on civil actions for electronic communication service providers.
Sec. 203. Procedures for implementing statutory defenses under the Foreign Intelligence Surveillance Act of 1978.
Sec. 204. Preemption of State investigations.
Sec. 205. Technical amendments.
Subtitle C—Other Provisions
Sec. 301. Severability.
Sec. 302. Effective date; repeal; transition procedures.

Subtitle A—Foreign Intelligence Surveillance

SEC. 101. ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended—

(1) by striking title VII; and

(2) by adding after title VI the following new title:

"TITLE VII—ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES

"SEC. 701. LIMITATION ON DEFINITION OF ELECTRONIC SURVEILLANCE.

''Nothing in the definition of electronic surveillance under section 101(f) shall be construed to encompass surveillance that is targeted in accordance with this title at a person reasonably believed to be located outside the United States.

"SEC. 702. DEFINITIONS.

''(a) IN GENERAL.—The terms 'agent of a foreign power', 'Attorney General', 'contents', 'electronic surveillance', 'foreign intelligence information', 'foreign power', 'minimization procedures', 'person', 'United States', and 'United States person' shall have the meanings given such terms in section 101, except as specifically provided in this title.

''(b) ADDITIONAL DEFINITIONS.—

''(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term 'congressional intelligence committees' means—

''(A) the Select Committee on Intelligence of the Senate; and

''(B) the Permanent Select Committee on Intelligence of the House of Representatives.

''(2) FOREIGN INTELLIGENCE SURVEILLANCE COURT; COURT.—The terms 'Foreign Intelligence Surveillance Court' and 'Court' mean the court established by section 103(a).

''(3) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW; COURT OF REVIEW.—The terms 'Foreign Intelligence Surveillance Court of Review' and 'Court of Review' mean the court established by section 103(b).

''(4) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term 'electronic communication service provider' means—

''(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

''(B) a provider of electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

''(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;

''(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored; or

''(E) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), or (D).

''(5) ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term 'element of the intelligence community' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

"SEC. 703. PROCEDURES FOR TARGETING CERTAIN PERSONS OUTSIDE THE UNITED STATES OTHER THAN UNITED STATES PERSONS.

''(a) AUTHORIZATION.—Notwithstanding any other law, the Attorney General and the Director of National Intelligence may authorize jointly, for periods of up to 1 year, the targeting of persons reasonably believed to be located outside the United States to acquire foreign intelligence information.

''(b) LIMITATIONS.—An acquisition authorized under subsection (a)—

''(1) may not intentionally target any person known at the time of acquisition to be located in the United States;

''(2) may not intentionally target a person reasonably believed to be located outside the United States if the purpose of such acquisition is to target a particular, known person reasonably believed to be in the United States, except in accordance with title I or title III;

''(3) may not intentionally target a United States person reasonably believed to be located outside the United States, except in accordance with sections 704, 705, or 706;

''(4) shall not intentionally acquire any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States; and

''(5) shall be conducted in a manner consistent with the fourth amendment to the Constitution of the United States.

''(c) CONDUCT OF ACQUISITION.—An acquisition authorized under subsection (a) may be conducted only in accordance with—

''(1) a certification made by the Attorney General and the Director of National Intelligence pursuant to subsection (f); and

''(2) the targeting and minimization procedures required pursuant to subsections (d) and (e).

''(d) TARGETING PROCEDURES.—

''(1) REQUIREMENT TO ADOPT.—The Attorney General, in consultation with the Director of National Intelligence, shall adopt targeting procedures that are reasonably designed to ensure that any acquisition authorized under subsection (a) is limited to targeting persons reasonably believed to be located outside the United States and does not result in the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States.

''(2) JUDICIAL REVIEW.—The procedures referred to in paragraph (1) shall be subject to judicial review pursuant to subsection (h).

''(e) MINIMIZATION PROCEDURES.—

''(1) REQUIREMENT TO ADOPT.—The Attorney General, in consultation with the Director of National Intelligence, shall adopt minimization procedures that meet the definition of minimization procedures under section 101(h) or section 301(4) for acquisitions authorized under subsection (a).

''(2) JUDICIAL REVIEW.—The minimization procedures required by this subsection shall be subject to judicial review pursuant to subsection (h).

''(f) CERTIFICATION.—

''(1) IN GENERAL.—

''(A) REQUIREMENT.—Subject to subparagraph (B), prior to the initiation of an acquisition authorized under subsection (a), the Attorney General and the Director of National Intelligence shall provide, under oath, a written certification, as described in this subsection.

''(B) EXCEPTION.—If the Attorney General and the Director of National Intelligence determine that immediate action by the Government is required and time does not permit the preparation of a certification under this subsection prior to the initiation of an acquisition, the Attorney General and the Director of National Intelligence shall prepare such certification, including such determination, as soon as possible but in no event more than 7 days after such determination is made.

''(2) REQUIREMENTS.—A certification made under this subsection shall—

''(A) attest that—

''(i) there are reasonable procedures in place for determining that the acquisition authorized under subsection (a) is targeted at persons reasonably believed to be located outside the United States and that such procedures have been approved by, or will be submitted in not more than 5 days for approval by, the Foreign Intelligence Surveillance Court pursuant to subsection (h);

''(ii) there are reasonable procedures in place for determining that the acquisition authorized under subsection (a) does not result in the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States, and that such procedures have been approved by, or will be submitted in not more than 5 days for approval by, the Foreign Intelligence Surveillance Court pursuant to subsection (h);

''(iii) the procedures referred to in clauses (i) and (ii) are consistent with the requirements of the fourth amendment to the Constitution of the United States and do not permit the intentional targeting of any person who is known at the time of acquisition to be located in the United States or the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of acquisition to be located in the United States;

''(iv) a significant purpose of the acquisition is to obtain foreign intelligence information;

''(v) the minimization procedures to be used with respect to such acquisition—

''(I) meet the definition of minimization procedures under section 101(h) or section 301(4); and

''(II) have been approved by, or will be submitted in not more than 5 days for approval by, the Foreign Intelligence Surveillance Court pursuant to subsection (h);

''(vi) the acquisition involves obtaining the foreign intelligence information from or with the assistance of an electronic communication service provider; and

''(vii) the acquisition does not constitute electronic surveillance, as limited by section 701; and

''(B) be supported, as appropriate, by the affidavit of any appropriate official in the area of national security who is—

''(i) appointed by the President, by and with the consent of the Senate; or

''(ii) the head of any element of the intelligence community.

''(3) LIMITATION.—A certification made under this subsection is not required to identify the specific facilities, places, premises, or property at which the acquisition authorized under subsection (a) will be directed or conducted.

''(4) SUBMISSION TO THE COURT.—The Attorney General shall transmit a copy of a certification made under this subsection, and any supporting affidavit, under seal to the Foreign Intelligence Surveillance Court as soon as possible, but in no event more than 5 days after such certification is made. Such certification shall be maintained under security measures adopted by the Chief Justice of the United States and the Attorney General, in consultation with the Director of National Intelligence.

''(5) REVIEW.—The certification required by this subsection shall be subject to judicial review pursuant to subsection (h).

''(g) DIRECTIVES AND JUDICIAL REVIEW OF DIRECTIVES.—

''(1) AUTHORITY.—With respect to an acquisition authorized under subsection (a), the Attorney General and the Director of National Intelligence may direct, in writing, an electronic communication service provider to—

''(A) immediately provide the Government with all information, facilities, or assistance necessary to accomplish the acquisition in a manner that will protect the secrecy of the acquisition and produce a minimum of interference with the services that such electronic communication service provider is providing to the target; and

''(B) maintain under security procedures approved by the Attorney General and the Director of National Intelligence any records concerning the acquisition or the aid furnished that such electronic communication service provider wishes to maintain.

''(2) COMPENSATION.—The Government shall compensate, at the prevailing rate, an electronic communication service provider for providing information, facilities, or assistance pursuant to paragraph (1).

''(3) RELEASE FROM LIABILITY.—Notwithstanding any other law, no cause of action shall lie in any court against any electronic communication service provider for providing any information, facilities, or assistance in accordance with a directive issued pursuant to paragraph (1).

''(4) CHALLENGING OF DIRECTIVES.—

''(A) AUTHORITY TO CHALLENGE.—An electronic communication service provider receiving a directive issued pursuant to paragraph (1) may challenge the directive by filing a petition with the Foreign Intelligence Surveillance Court, which shall have jurisdiction to review such a petition.

''(B) ASSIGNMENT.—The presiding judge of the Court shall assign the petition filed under subparagraph (A) to 1 of the judges serving in the pool established by section 103(e)(1) not later than 24 hours after the filing of the petition.

''(C) STANDARDS FOR REVIEW.—A judge considering a petition to modify or set aside a directive may grant such petition only if the judge finds that the directive does not meet the requirements of this section, or is otherwise unlawful.

''(D) PROCEDURES FOR INITIAL REVIEW.—A judge shall conduct an initial review not later than 5 days after being assigned a petition described in subparagraph (C). If the judge determines that the petition consists of claims, defenses, or other legal contentions that are not warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law, the judge shall immediately deny the petition and affirm the directive or any part of the directive that is the subject of the petition and order the recipient to comply with the directive or any part of it. Upon making such a determination or promptly thereafter, the judge shall provide a written statement for the record of the reasons for a determination under this subparagraph.

''(E) PROCEDURES FOR PLENARY REVIEW.—If a judge determines that a petition described in subparagraph (C) requires plenary review, the judge shall affirm, modify, or set aside the directive that is the subject of that petition not later than 30 days after being assigned the petition, unless the judge, by order for reasons stated, extends that time as necessary to comport with the due process clause of the fifth amendment to the Constitution of the United States. Unless the judge sets aside the directive, the judge shall immediately affirm or affirm with modifications the directive, and order the recipient to comply with the directive in its entirety or as modified. The judge shall provide a written statement for the records of the reasons for a determination under this subparagraph.

''(F) CONTINUED EFFECT.—Any directive not explicitly modified or set aside under this paragraph shall remain in full effect.

''(G) CONTEMPT OF COURT.—Failure to obey an order of the Court issued under this paragraph may be punished by the Court as contempt of court.

''(5) ENFORCEMENT OF DIRECTIVES.—

''(A) ORDER TO COMPEL.—In the case of a failure to comply with a directive issued pursuant to paragraph (1), the Attorney General may file a petition for an order to compel compliance with the directive with the Foreign Intelligence Surveillance Court, which shall have jurisdiction to review such a petition.

''(B) ASSIGNMENT.—The presiding judge of the Court shall assign a petition filed under subparagraph (A) to 1 of the judges serving in the pool established by section 103(e)(1) not later than 24 hours after the filing of the petition.

''(C) STANDARDS FOR REVIEW.—A judge considering a petition filed under subparagraph (A) shall issue an order requiring the electronic communication service provider to comply with the directive or any part of it, as issued or as modified, if the judge finds that the directive meets the requirements of this section, and is otherwise lawful.

''(D) PROCEDURES FOR REVIEW.—The judge shall render a determination not later than 30 days after being assigned a petition filed under subparagraph (A), unless the judge, by order for reasons stated, extends that time if necessary to comport with the due process clause of the fifth amendment to the Constitution of the United States. The judge shall provide a written statement for the record of the reasons for a determination under this paragraph.

''(E) CONTEMPT OF COURT.—Failure to obey an order of the Court issued under this paragraph may be punished by the Court as contempt of court.

''(F) PROCESS.—Any process under this paragraph may be served in any judicial district in which the electronic communication service provider may be found.

''(6) APPEAL.—

''(A) APPEAL TO THE COURT OF REVIEW.—The Government or an electronic communication service provider receiving a directive issued pursuant to paragraph (1) may file a petition with the Foreign Intelligence Surveillance Court of Review for review of the decision issued pursuant to paragraph (4) or (5). The Court of Review shall have jurisdiction to consider such a petition and shall provide a written statement for the record of the reasons for a decision under this paragraph.

''(B) CERTIORARI TO THE SUPREME COURT.—The Government or an electronic communication service provider receiving a directive issued pursuant to paragraph (1) may file a petition for a writ of certiorari for review of the decision of the Court of Review issued under subparagraph (A). The record for such review shall be transmitted under seal to the Supreme Court of the United States, which shall have jurisdiction to review such decision.

''(h) JUDICIAL REVIEW OF CERTIFICATIONS AND PROCEDURES.—

''(1) IN GENERAL.—

''(A) REVIEW BY THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—The Foreign Intelligence Surveillance Court shall have jurisdiction to review any certification required by subsection (c) and the targeting and minimization procedures adopted pursuant to subsections (d) and (e).

''(B) SUBMISSION TO THE COURT.—The Attorney General shall submit to the Court any such certification or procedure, or amendment thereto, not later than 5 days after making or amending the certification or adopting or amending the procedures.

''(2) CERTIFICATIONS.—The Court shall review a certification provided under subsection (f) to determine whether the certification contains all the required elements.

''(3) TARGETING PROCEDURES.—The Court shall review the targeting procedures required by subsection (d) to assess whether the procedures are reasonably designed to ensure that the acquisition authorized under subsection (a) is limited to the targeting of persons reasonably believed to be located outside the United States and does not result in the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States.

''(4) MINIMIZATION PROCEDURES.—The Court shall review the minimization procedures required by subsection (e) to assess whether such procedures meet the definition of minimization procedures under section 101(h) or section 301(4).

''(5) ORDERS.—

''(A) APPROVAL.—If the Court finds that a certification required by subsection (f) contains all of the required elements and that the targeting and minimization procedures required by subsections (d) and (e) are consistent with the requirements of those subsections and with the fourth amendment to the Constitution of the United States, the Court shall enter an order approving the continued use of the procedures for the acquisition authorized under subsection (a).

''(B) CORRECTION OF DEFICIENCIES.—If the Court finds that a certification required by subsection (f) does not contain all of the required elements, or that the procedures required by subsections (d) and (e) are not consistent with the requirements of those subsections or the fourth amendment to the Constitution of the United States, the Court shall issue an order directing the Government to, at the Government's election and to the extent required by the Court's order—

''(i) correct any deficiency identified by the Court's order not later than 30 days after the date the Court issues the order; or

''(ii) cease the acquisition authorized under subsection (a).

''(C) REQUIREMENT FOR WRITTEN STATEMENT.—In support of its orders under this subsection, the Court shall provide, simultaneously with the orders, for the record a written statement of its reasons.

''(6) APPEAL.—

''(A) APPEAL TO THE COURT OF REVIEW.—The Government may appeal any order under this section to the Foreign Intelligence Surveillance Court of Review, which shall have jurisdiction to review such order. For any decision affirming, reversing, or modifying an order of the Foreign Intelligence Surveillance Court, the Court of Review shall provide for the record a written statement of its reasons.

''(B) CONTINUATION OF ACQUISITION PENDING REHEARING OR APPEAL.—Any acquisitions affected by an order under paragraph (5)(B) may continue—

''(i) during the pendency of any rehearing of the order by the Court en banc; and

''(ii) if the Government appeals an order under this section, until the Court of Review enters an order under subparagraph (C).

''(C) IMPLEMENTATION PENDING APPEAL.—Not later than 60 days after the filing of an appeal of an order under paragraph (5)(B) directing the correction of a deficiency, the Court of Review shall determine, and enter a corresponding order regarding, whether all or any part of the correction order, as issued or modified, shall be implemented during the pendency of the appeal.

''(D) CERTIORARI TO THE SUPREME COURT.—The Government may file a petition for a writ of certiorari for review of a decision of the Court of Review issued under subparagraph (A). The record for such review shall be transmitted under seal to the Supreme Court of the United States, which shall have jurisdiction to review such decision.

''(i) EXPEDITED JUDICIAL PROCEEDINGS.—Judicial proceedings under this section shall be conducted as expeditiously as possible.

''(j) MAINTENANCE AND SECURITY OF RECORDS AND PROCEEDINGS.—

''(1) STANDARDS.—A record of a proceeding under this section, including petitions filed, orders granted, and statements of reasons for decision, shall be maintained under security measures adopted by the Chief Justice of the United States, in consultation with the Attorney General and the Director of National Intelligence.

''(2) FILING AND REVIEW.—All petitions under this section shall be filed under seal. In any proceedings under this section, the court shall, upon request of the Government, review ex parte and in camera any Government submission, or portions of a submission, which may include classified information.

''(3) RETENTION OF RECORDS.—A directive made or an order granted under this section shall be retained for a period of not less than 10 years from the date on which such directive or such order is made.

''(k) ASSESSMENTS AND REVIEWS.—

''(1) SEMIANNUAL ASSESSMENT.—Not less frequently than once every 6 months, the Attorney General and Director of National Intelligence shall assess compliance with the targeting and minimization procedures required by subsections (e) and (f) and shall submit each such assessment to—

''(A) the Foreign Intelligence Surveillance Court; and

''(B) the congressional intelligence committees.

''(2) AGENCY ASSESSMENT.—The Inspectors General of the Department of Justice and of any element of the intelligence community authorized to acquire foreign intelligence information under subsection (a) with respect to their department, agency, or element—

''(A) are authorized to review the compliance with the targeting and minimization procedures required by subsections (d) and (e);

''(B) with respect to acquisitions authorized under subsection (a), shall review the number of disseminated intelligence reports containing a reference to a United States person identity and the number of United States person identities subsequently disseminated by the element concerned in response to requests for identities that were not referred to by name or title in the original reporting;

''(C) with respect to acquisitions authorized under subsection (a), shall review the number of targets that were later determined to be located in the United States and, to the extent possible, whether their communications were reviewed; and

''(D) shall provide each such review to—

''(i) the Attorney General;

''(ii) the Director of National Intelligence; and

''(iii) the congressional intelligence committees.

''(3) ANNUAL REVIEW.—

''(A) REQUIREMENT TO CONDUCT.—The head of an element of the intelligence community conducting an acquisition authorized under subsection (a) shall direct the element to conduct an annual review to determine whether there is reason to believe that foreign intelligence information has been or will be obtained from the acquisition. The annual review shall provide, with respect to such acquisitions authorized under subsection (a)—

''(i) an accounting of the number of disseminated intelligence reports containing a reference to a United States person identity;

''(ii) an accounting of the number of United States person identities subsequently disseminated by that element in response to requests for identities that were not referred to by name or title in the original reporting;

''(iii) the number of targets that were later determined to be located in the United States and, to the extent possible, whether their communications were reviewed; and

''(iv) a description of any procedures developed by the head of an element of the intelligence community and approved by the Director of National Intelligence to assess, in a manner consistent with national security, operational requirements and the privacy interests of United States persons, the extent to which the acquisitions authorized under subsection (a) acquire the communications of United States persons, as well as the results of any such assessment.

''(B) USE OF REVIEW.—The head of each element of the intelligence community that conducts an annual review under subparagraph (A) shall use each such review to evaluate the adequacy of the minimization procedures utilized by such element or the application of the minimization procedures to a particular acquisition authorized under subsection (a).

''(C) PROVISION OF REVIEW.—The head of each element of the intelligence community that conducts an annual review under subparagraph (A) shall provide such review to—

''(i) the Foreign Intelligence Surveillance Court;

''(ii) the Attorney General;

''(iii) the Director of National Intelligence; and

''(iv) the congressional intelligence committees.

''SEC. 704. CERTAIN ACQUISITIONS INSIDE THE UNITED STATES OF UNITED STATES PERSONS OUTSIDE THE UNITED STATES.

''(a) JURISDICTION OF THE FOREIGN INTELLIGENCE SURVEILLANCE COURT.—

''(1) IN GENERAL.—The Foreign Intelligence Surveillance Court shall have jurisdiction to enter an order approving the targeting of a United States person reasonably believed to be located outside the United States to acquire foreign intelligence information, if such acquisition constitutes electronic surveillance (as defined in section 101(f), regardless of the limitation of section 701) or the acquisition of stored electronic communications or stored electronic data that requires an order under this Act, and such acquisition is conducted within the United States.

''(2) LIMITATION.—In the event that a United States person targeted under this subsection is reasonably believed to be located in the United States during the pendency of an order issued pursuant to subsection (c), such acquisition shall cease until authority, other than under this section, is obtained pursuant to this Act or the targeted United States person is again reasonably believed to be located outside the United States during the pendency of an order issued pursuant to subsection (c).

''(b) APPLICATION.—

''(1) IN GENERAL.—Each application for an order under this section shall be made by a Federal officer in writing upon oath or affirmation to a judge having jurisdiction under subsection (a)(1). Each application shall require the approval of the Attorney General based upon the Attorney General's finding that it satisfies the criteria and requirements of such application, as set forth in this section, and shall include—

''(A) the identity of the Federal officer making the application;

''(B) the identity, if known, or a description of the United States person who is the target of the acquisition;

''(C) a statement of the facts and circumstances relied upon to justify the applicant's belief that the United States person who is the target of the acquisition is—

''(i) a person reasonably believed to be located outside the United States; and

''(ii) a foreign power, an agent of a foreign power, or an officer or employee of a foreign power;

''(D) a statement of the proposed minimization procedures that meet the definition of minimization procedures under section 101(h) or section 301(4);

''(E) a description of the nature of the information sought and the type of communications or activities to be subjected to acquisition;

''(F) a certification made by the Attorney General or an official specified in section 104(a)(6) that—

''(i) the certifying official deems the information sought to be foreign intelligence information;

''(ii) a significant purpose of the acquisition is to obtain foreign intelligence information;

''(iii) such information cannot reasonably be obtained by normal investigative techniques;

''(iv) designates the type of foreign intelligence information being sought according to the categories described in section 101(e); and

''(v) includes a statement of the basis for the certification that—

''(I) the information sought is the type of foreign intelligence information designated; and

''(II) such information cannot reasonably be obtained by normal investigative techniques;

''(G) a summary statement of the means by which the acquisition will be conducted and whether physical entry is required to effect the acquisition;

''(H) the identity of any electronic communication service provider necessary to effect the acquisition, provided, however, that the application is not required to identify the specific facilities, places, premises, or property at which the acquisition authorized under this section will be directed or conducted;

''(I) a statement of the facts concerning any previous applications that have been made to any judge of the Foreign Intelligence Surveillance Court involving the United States person specified in the application and the action taken on each previous application; and

''(J) a statement of the period of time for which the acquisition is required to be maintained, provided that such period of time shall not exceed 90 days per application.

''(2) OTHER REQUIREMENTS OF THE ATTORNEY GENERAL.—The Attorney General may require any other affidavit or certification from any other officer in connection with the application.

''(3) OTHER REQUIREMENTS OF THE JUDGE.—The judge may require the applicant to furnish such other information as may be necessary to make the findings required by subsection (c)(1).

''(c) ORDER.—

''(1) FINDINGS.—Upon an application made pursuant to subsection (b), the Foreign Intelligence Surveillance Court shall enter an ex parte order as requested or as modified approving the acquisition if the Court finds that—

''(A) the application has been made by a Federal officer and approved by the Attorney General;

''(B) on the basis of the facts submitted by the applicant, for the United States person who is the target of the acquisition, there is probable cause to believe that the target is—

''(i) a person reasonably believed to be located outside the United States; and

''(ii) a foreign power, an agent of a foreign power, or an officer or employee of a foreign power;

''(C) the proposed minimization procedures meet the definition of minimization procedures under section 101(h) or section 301(4); and

''(D) the application which has been filed contains all statements and certifications required by subsection (b) and the certification or certifications are not clearly erroneous on the basis of the statement made under subsection (b)(1)(F)(v) and any other information furnished under subsection (b)(3).

''(2) PROBABLE CAUSE.—In determining whether or not probable cause exists for purposes of an order under paragraph (1), a judge having jurisdiction under subsection (a)(1) may consider past activities of the target, as well as facts and circumstances relating to current or future activities of the target. However, no United States person may be considered a foreign power, agent of a foreign power, or officer or employee of a foreign power solely upon the basis of activities protected by the first amendment to the Constitution of the United States.

''(3) REVIEW.—

''(A) LIMITATION ON REVIEW.—Review by a judge having jurisdiction under subsection (a)(1) shall be limited to that required to make the findings described in paragraph (1).

''(B) REVIEW OF PROBABLE CAUSE.—If the judge determines that the facts submitted under subsection (b) are insufficient to establish probable cause to issue an order under paragraph (1), the judge shall enter an order so stating and provide a written statement for the record of the reasons for such determination. The Government may appeal an order under this clause pursuant to subsection (f).

''(C) REVIEW OF MINIMIZATION PROCEDURES.—If the judge determines that the proposed minimization procedures required under paragraph (1)(C) do not meet the definition of minimization procedures under section 101(h) or section 301(4), the judge shall enter an order so stating and provide a written statement for the record of the reasons for such determination. The Government may appeal an order under this clause pursuant to subsection (f).

''(D) REVIEW OF CERTIFICATION.—If the judge determines that an application required by subsection (b) does not contain all of the required elements, or that the certification or certifications are clearly erroneous on the basis of the statement made under subsection (b)(1)(F)(v) and any other information furnished under subsection (b)(3), the judge shall enter an order so stating and provide a written statement for the record of the reasons for such determination. The Government may appeal an order under this clause pursuant to subsection (f).

''(4) SPECIFICATIONS.—An order approving an acquisition under this subsection shall specify—

''(A) the identity, if known, or a description of the United States person who is the target of the acquisition identified or described in the application pursuant to subsection (b)(1)(B);

''(B) if provided in the application pursuant to subsection (b)(1)(H), the nature and location of each of the facilities or places at which the acquisition will be directed;

''(C) the nature of the information sought to be acquired and the type of communications or activities to be subjected to acquisition;

''(D) the means by which the acquisition will be conducted and whether physical entry is required to effect the acquisition; and

''(E) the period of time during which the acquisition is approved.

''(5) DIRECTIONS.—An order approving acquisitions under this subsection shall direct—

''(A) that the minimization procedures be followed;

''(B) an electronic communication service provider to provide to the Government forthwith all information, facilities, or assistance necessary to accomplish the acquisition authorized under this subsection in a manner that will protect the secrecy of the acquisition and produce a minimum of interference with the services that such electronic communication service provider is providing to the target;

''(C) an electronic communication service provider to maintain under security procedures approved by the Attorney General any records concerning the acquisition or the aid furnished that such electronic communication service provider wishes to maintain; and

''(D) that the Government compensate, at the prevailing rate, such electronic communication service provider for providing such information, facilities, or assistance.

''(6) DURATION.—An order approved under this paragraph shall be effective for a period not to exceed 90 days and such order may be renewed for additional 90-day periods upon submission of renewal applications meeting the requirements of subsection (b).

''(7) COMPLIANCE.—At or prior to the end of the period of time for which an acquisition is approved by an order or extension under this section, the judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.

''(d) EMERGENCY AUTHORIZATION.—

''(1) AUTHORITY FOR EMERGENCY AUTHORIZATION.—Notwithstanding any other provision of this Act, if the Attorney General reasonably determines that—

''(A) an emergency situation exists with respect to the acquisition of foreign intelligence information for which an order may be obtained under subsection (c) before an order authorizing such acquisition can with due diligence be obtained, and

''(B) the factual basis for issuance of an order under this subsection to approve such acquisition exists,

the Attorney General may authorize the emergency acquisition if a judge having jurisdiction under subsection (a)(1) is informed by the Attorney General, or a designee of the Attorney General, at the time of such authorization that the decision has been made to conduct such acquisition and if an application in accordance with this subsection is made to a judge of the Foreign Intelligence Surveillance Court as soon as practicable, but not more than 7 days after the Attorney General authorizes such acquisition.

''(2) MINIMIZATION PROCEDURES.—If the Attorney General authorizes such emergency acquisition, the Attorney General shall require that the minimization procedures required by this section for the issuance of a judicial order be followed.

''(3) TERMINATION OF EMERGENCY AUTHORIZATION.—In the absence of a judicial order approving such acquisition, the acquisition shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time of authorization by the Attorney General, whichever is earliest.

''(4) USE OF INFORMATION.—In the event that such application for approval is denied, or in any other case where the acquisition is terminated and no order is issued approving the acquisition, no information obtained or evidence derived from such acquisition, except under circumstances in which the target of the acquisition is determined not to be a United States person during the pendency of the 7-day emergency acquisition period, shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(e) RELEASE FROM LIABILITY.—Notwithstanding any other law, no cause of action shall lie in any court against any electronic communication service provider for providing any information, facilities, or assistance in accordance with an order or request for emergency assistance issued pursuant to subsections (c) or (d).

''(f) APPEAL.—

''(1) APPEAL TO THE FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW.—The Government may file an appeal with the Foreign Intelligence Surveillance Court of Review for review of an order issued pursuant to subsection (c). The Court of Review shall have jurisdiction to consider such appeal and shall provide a written statement for the record of the reasons for a decision under this paragraph.

''(2) CERTIORARI TO THE SUPREME COURT.—The Government may file a petition for a writ of certiorari for review of the decision of the Court of Review issued under paragraph (1). The record for such review shall be transmitted under seal to the Supreme Court of the United States, which shall have jurisdiction to review such decision.

''SEC. 705. OTHER ACQUISITIONS TARGETING UNITED STATES PERSONS OUTSIDE THE UNITED STATES.

''(a) JURISDICTION AND SCOPE.—

''(1) JURISDICTION.—The Foreign Intelligence Surveillance Court shall have jurisdiction to enter an order pursuant to subsection (c).

''(2) SCOPE.—No element of the intelligence community may intentionally target, for the purpose of acquiring foreign intelligence information, a United States person reasonably believed to be located outside the United States under circumstances in which the targeted United States person has a reasonable expectation of privacy and a warrant would be required if the acquisition were

conducted inside the United States for law enforcement purposes, unless a judge of the Foreign Intelligence Surveillance Court has entered an order or the Attorney General has authorized an emergency acquisition pursuant to subsections (c) or (d) or any other provision of this Act.

''(3) LIMITATIONS.—

''(A) MOVING OR MISIDENTIFIED TARGETS.—In the event that the targeted United States person is reasonably believed to be in the United States during the pendency of an order issued pursuant to subsection (c), such acquisition shall cease until authority is obtained pursuant to this Act or the targeted United States person is again reasonably believed to be located outside the United States during the pendency of an order issued pursuant to subsection (c).

''(B) APPLICABILITY.—If the acquisition is to be conducted inside the United States and could be authorized under section 704, the procedures of section 704 shall apply, unless an order or emergency acquisition authority has been obtained under a provision of this Act other than under this section.

''(b) APPLICATION.—Each application for an order under this section shall be made by a Federal officer in writing upon oath or affirmation to a judge having jurisdiction under subsection (a)(1). Each application shall require the approval of the Attorney General based upon the Attorney General's finding that it satisfies the criteria and requirements of such application as set forth in this section and shall include—

''(1) the identity, if known, or a description of the specific United States person who is the target of the acquisition;

''(2) a statement of the facts and circumstances relied upon to justify the applicant's belief that the United States person who is the target of the acquisition is—

''(A) a person reasonably believed to be located outside the United States; and

''(B) a foreign power, an agent of a foreign power, or an officer or employee of a foreign power;

''(3) a statement of the proposed minimization procedures that meet the definition of minimization procedures under section 101(h) or section 301(4);

''(4) a certification made by the Attorney General, an official specified in section 104(a)(6), or the head of an element of the intelligence community that—

''(A) the certifying official deems the information sought to be foreign intelligence information; and

''(B) a significant purpose of the acquisition is to obtain foreign intelligence information;

''(5) a statement of the facts concerning any previous applications that have been made to any judge of the Foreign Intelligence Surveillance Court involving the United States person specified in the application and the action taken on each previous application; and

''(6) a statement of the period of time for which the acquisition is required to be maintained, provided that such period of time shall not exceed 90 days per application.

''(c) ORDER.—

''(1) FINDINGS.—If, upon an application made pursuant to subsection (b), a judge having jurisdiction under subsection (a) finds that—

''(A) on the basis of the facts submitted by the applicant, for the United States person who is the target of the acquisition, there is probable cause to believe that the target is—

''(i) a person reasonably believed to be located outside the United States; and

''(ii) a foreign power, an agent of a foreign power, or an officer or employee of a foreign power;

''(B) the proposed minimization procedures, with respect to their dissemination provisions, meet the definition of minimization procedures under section 101(h) or section 301(4); and

''(C) the application which has been filed contains all statements and certifications required by subsection (b) and the certification provided under subsection (b)(4) is not clearly erroneous on the basis of the information furnished under subsection (b),

the Court shall issue an ex parte order so stating.

''(2) PROBABLE CAUSE.—In determining whether or not probable cause exists for purposes of an order under paragraph (1)(A), a judge having jurisdiction under subsection (a)(1) may consider past activities of the target, as well as facts and circumstances relating to current or future activities of the target. However, no United States person may be considered a foreign power, agent of a foreign power, or officer or employee of a foreign power solely upon the basis of activities protected by the first amendment to the Constitution of the United States.

''(3) REVIEW.—

''(A) LIMITATIONS ON REVIEW.—Review by a judge having jurisdiction under subsection (a)(1) shall be limited to that required to make the findings described in paragraph (1). The judge shall not have jurisdiction to review the means by which an acquisition under this section may be conducted.

''(B) REVIEW OF PROBABLE CAUSE.—If the judge determines that the facts submitted under subsection (b) are insufficient to establish probable cause to issue an order under this subsection, the judge shall enter an order so stating and provide a written statement for the record of the reasons for such determination. The Government may appeal an order under this clause pursuant to subsection (e).

''(C) REVIEW OF MINIMIZATION PROCEDURES.—If the judge determines that the minimization procedures applicable to dissemination of information obtained through an acquisition under this subsection do not meet the definition of minimization procedures under section 101(h) or section 301(4), the judge shall enter an order so stating and provide a written statement for the record of the reasons for such determination. The Government may appeal an order under this clause pursuant to subsection (e).

''(D) SCOPE OF REVIEW OF CERTIFICATION.—If the judge determines that the certification provided under subsection (b)(4) is clearly erroneous on the basis of the information furnished under subsection (b), the judge shall enter an order so stating and provide a written statement for the record of the reasons for such determination. The Government may appeal an order under this subparagraph pursuant to subsection (e).

''(4) DURATION.—An order under this paragraph shall be effective for a period not to exceed 90 days and such order may be renewed for additional 90-day periods upon submission of renewal applications meeting the requirements of subsection (b).

''(5) COMPLIANCE.—At or prior to the end of the period of time for which an order or extension is granted under this section, the judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was disseminated, provided that the judge may not inquire into the circumstances relating to the conduct of the acquisition.

''(d) EMERGENCY AUTHORIZATION.—

''(1) AUTHORITY FOR EMERGENCY AUTHORIZATION.—Notwithstanding any other provision in this subsection, if the Attorney General reasonably determines that—

''(A) an emergency situation exists with respect to the acquisition of foreign intelligence information for which an order may be obtained under subsection (c) before an order under that subsection may, with due diligence, be obtained, and

''(B) the factual basis for issuance of an order under this section exists,

the Attorney General may authorize the emergency acquisition if a judge having jurisdiction under subsection (a)(1) is informed by the Attorney General or a designee of the Attorney General at the time of such authorization that the decision has been made to conduct such acquisition and if an application in accordance with this subsection is made to a judge of the Foreign Intelligence Surveillance Court as soon as practicable, but not more than 7 days after the Attorney General authorizes such acquisition.

''(2) MINIMIZATION PROCEDURES.—If the Attorney General authorizes such emergency acquisition, the Attorney General shall require that the minimization procedures required by this section be followed.

''(3) TERMINATION OF EMERGENCY AUTHORIZATION.—In the absence of an order under subsection (c), the acquisition shall terminate when the information sought is obtained, if the application for the order is denied, or after the expiration of 7 days from the time of authorization by the Attorney General, whichever is earliest.

''(4) USE OF INFORMATION.—In the event that such application is denied, or in any other case where the acquisition is terminated and no order is issued approving the acquisition, no information obtained or evidence derived from such acquisition, except under circumstances in which the target of the acquisition is determined not to be a United States person during the pendency of the 7-day emergency acquisition period, shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(e) APPEAL.—

''(1) APPEAL TO THE COURT OF REVIEW.—The Government may file an appeal with the Foreign Intelligence Surveillance Court of Review for review of an order issued pursuant to subsection (c). The Court of Review shall have jurisdiction to consider such appeal and shall provide a written statement for the record of the reasons for a decision under this paragraph.

''(2) CERTIORARI TO THE SUPREME COURT.—The Government may file a petition for a writ of certiorari for review of the decision of the Court of Review issued under paragraph (1). The record for such review shall be transmitted under seal to the Supreme Court of the United States, which shall have jurisdiction to review such decision.

''SEC. 706. JOINT APPLICATIONS AND CONCURRENT AUTHORIZATIONS.

''(a) JOINT APPLICATIONS AND ORDERS.—If an acquisition targeting a United States person under section 704 or section 705 is proposed to be conducted both inside and outside the United States, a judge having jurisdiction under section 704(a)(1) or section 705(a)(1) may issue simultaneously, upon the

request of the Government in a joint application complying with the requirements of section 704(b) or section 705(b), orders under section 704(c) or section 705(c), as applicable.

''(b) CONCURRENT AUTHORIZATION.—If an order authorizing electronic surveillance or physical search has been obtained under section 105 or section 304 and that order is still in effect, the Attorney General may authorize, without an order under section 704 or section 705, an acquisition of foreign intelligence information targeting that United States person while such person is reasonably believed to be located outside the United States.

''SEC. 707. USE OF INFORMATION ACQUIRED UNDER TITLE VII.

''(a) INFORMATION ACQUIRED UNDER SECTION 703.—Information acquired from an acquisition conducted under section 703 shall be deemed to be information acquired from an electronic surveillance pursuant to title I for purposes of section 106, except for the purposes of subsection (j) of such section.

''(b) INFORMATION ACQUIRED UNDER SECTION 704.—Information acquired from an acquisition conducted under section 704 shall be deemed to be information acquired from an electronic surveillance pursuant to title I for purposes of section 106.

''SEC. 708. CONGRESSIONAL OVERSIGHT.

''(a) SEMIANNUAL REPORT.—Not less frequently than once every 6 months, the Attorney General shall fully inform, in a manner consistent with national security, the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives, concerning the implementation of this title.

''(b) CONTENT.—Each report made under subparagraph (a) shall include—

''(1) with respect to section 703—

''(A) any certifications made under subsection 703(f) during the reporting period;

''(B) any directives issued under subsection 703(g) during the reporting period;

''(C) a description of the judicial review during the reporting period of any such certifications and targeting and minimization procedures utilized with respect to such acquisition, including a copy of any order or pleading in connection with such review that contains a significant legal interpretation of the provisions of this section;

''(D) any actions taken to challenge or enforce a directive under paragraphs (4) or (5) of section 703(g);

''(E) any compliance reviews conducted by the Department of Justice or the Office of the Director of National Intelligence of acquisitions authorized under subsection 703(a);

''(F) a description of any incidents of noncompliance with a directive issued by the Attorney General and the Director of National Intelligence under subsection 703(g), including—

''(i) incidents of noncompliance by an element of the intelligence community with procedures adopted pursuant to subsections (d) and (e) of section 703; and

''(ii) incidents of noncompliance by a specified person to whom the Attorney General and Director of National Intelligence issued a directive under subsection 703(g); and

''(G) any procedures implementing this section;

''(2) with respect to section 704—

''(A) the total number of applications made for orders under section 704(b);

''(B) the total number of such orders either granted, modified, or denied; and

''(C) the total number of emergency acquisitions authorized by the Attorney General under section 704(d) and the total number of subsequent orders approving or denying such acquisitions; and

''(3) with respect to section 705—

''(A) the total number of applications made for orders under 705(b);

''(B) the total number of such orders either granted, modified, or denied; and

''(C) the total number of emergency acquisitions authorized by the Attorney General under subsection 705(d) and the total number of subsequent orders approving or denying such applications.''.

(b) TABLE OF CONTENTS.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et. seq.) is amended—

(1) by striking the item relating to title VII;

(2) by striking the item relating to section 701; and

(3) by adding at the end the following:

''TITLE VII—ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES

''Sec. 701. Limitation on definition of electronic surveillance.
''Sec. 702. Definitions.
''Sec. 703. Procedures for targeting certain persons outside the United States other than United States persons.
''Sec. 704. Certain acquisitions inside the United States of United States persons outside the United States.
''Sec. 705. Other acquisitions targeting United States persons outside the United States.
''Sec. 706. Joint applications and concurrent authorizations.
''Sec. 707. Use of information acquired under title VII.
''Sec. 708. Congressional oversight.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 18, UNITED STATES CODE.—

(A) SECTION 2232.—Section 2232(e) of title 18, United States Code, is amended by inserting ''(as defined in section 101(f) of the Foreign Intelligence Surveillance Act of 1978, regardless of the limitation of section 701 of that Act)'' after ''electronic surveillance''.

(B) SECTION 2511.—Section 2511(2)(a)(ii)(A) of title 18, United States Code, is amended by inserting ''or a court order pursuant to section 705 of the Foreign Intelligence Surveillance Act of 1978'' after ''assistance''.

(2) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(A) SECTION 109.—Section 109 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1809) is amended by adding at the end the following:

''(e) DEFINITION.—For the purpose of this section, the term 'electronic surveillance' means electronic surveillance as defined in section 101(f) of this Act regardless of the limitation of section 701 of this Act.''.

(B) SECTION 110.—Section 110 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1810) is amended by—

(i) adding an ''(a)'' before ''CIVIL ACTION'',

(ii) redesignating subsections (a) through (c) as paragraphs (1) through (3), respectively; and

(iii) adding at the end the following:

''(b) DEFINITION.—For the purpose of this section, the term 'electronic surveillance' means electronic surveillance as defined in section 101(f) of this Act regardless of the limitation of section 701 of this Act.''.

(C) SECTION 601.—Section 601(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871(a)(1)) is amended by striking subparagraphs (C) and (D) and inserting the following:

''(C) pen registers under section 402;

''(D) access to records under section 501;

''(E) acquisitions under section 704; and

''(F) acquisitions under section 705;''.

(d) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsections (a)(2), (b), and (c) shall cease to have effect on December 31, 2013.

(2) CONTINUING APPLICABILITY.—Section 703(g)(3) of the Foreign Intelligence Surveillance Act of 1978 (as amended by subsection (a)) shall remain in effect with respect to any directive issued pursuant to section 703(g) of that Act (as so amended) for information, facilities, or assistance provided during the period such directive was or is in effect. Section 704(e) of the Foreign Intelligence Surveillance Act of 1978 (as amended by subsection (a)) shall remain in effect with respect to an order or request for emergency assistance under that section. The use of information acquired by an acquisition conducted under section 703 of that Act (as so amended) shall continue to be governed by the provisions of section 707 of that Act (as so amended).

SEC. 102. STATEMENT OF EXCLUSIVE MEANS BY WHICH ELECTRONIC SURVEILLANCE AND INTERCEPTION OF DOMESTIC COMMUNICATIONS MAY BE CONDUCTED.

(a) STATEMENT OF EXCLUSIVE MEANS.—Title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following new section:

''STATEMENT OF EXCLUSIVE MEANS BY WHICH ELECTRONIC SURVEILLANCE AND INTERCEPTION OF DOMESTIC COMMUNICATIONS MAY BE CONDUCTED

''SEC. 112. The procedures of chapters 119, 121, and 206 of title 18, United States Code, and this Act shall be the exclusive means by which electronic surveillance (as defined in section 101(f), regardless of the limitation of section 701) and the interception of domestic wire, oral, or electronic communications may be conducted.''.

(b) TABLE OF CONTENTS.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding after the item relating to section 111, the following:

''Sec. 112. Statement of exclusive means by which electronic surveillance and interception of domestic communications may be conducted.''.

(c) CONFORMING AMENDMENTS.—Section 2511(2) of title 18, United States Code, is amended in paragraph (f), by striking '', as defined in section 101 of such Act,'' and inserting ''(as defined in section 101(f) of such Act regardless of the limitation of section 701 of such Act)''.

SEC. 103. SUBMITTAL TO CONGRESS OF CERTAIN COURT ORDERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) INCLUSION OF CERTAIN ORDERS IN SEMIANNUAL REPORTS OF ATTORNEY GENERAL.—Subsection (a)(5) of section 601 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended by striking ''(not including orders)'' and inserting '', orders,''.

(b) REPORTS BY ATTORNEY GENERAL ON CERTAIN OTHER ORDERS.—Such section 601 is further amended by adding at the end the following:

''(c) SUBMISSIONS TO CONGRESS.—The Attorney General shall submit to the committees of Congress referred to in subsection (a)—

''(1) a copy of any decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review that includes significant construction or interpretation of any provision of this Act, and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion,

not later than 45 days after such decision, order, or opinion is issued; and

''(2) a copy of any such decision, order, or opinion, and any pleadings, applications, or memoranda of law associated with such decision, order, or opinion, that was issued during the 5-year period ending on the date of the enactment of the FISA Amendments Act of 2008 and not previously submitted in a report under subsection (a).

''(d) PROTECTION OF NATIONAL SECURITY.—The Attorney General, in consultation with the Director of National Intelligence, may authorize redactions of materials described in subsection (c) that are provided to the committees of Congress referred to in subsection (a), if such redactions are necessary to protect the national security of the United States and are limited to sensitive sources and methods information or the identities of targets.''.

(c) DEFINITIONS.—Such section 601, as amended by subsections (a) and (b), is further amended by adding at the end the following:

''(e) DEFINITIONS.—In this section:

''(1) FOREIGN INTELLIGENCE SURVEILLANCE COURT; COURT.—The term ''Foreign Intelligence Surveillance Court'' means the court established by section 103(a).

''(2) FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW; COURT OF REVIEW.—The term 'Foreign Intelligence Surveillance Court of Review' means the court established by section 103(b).''.

SEC. 104. APPLICATIONS FOR COURT ORDERS.

Section 104 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (2) and (11);

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively;

(C) in paragraph (5), as redesignated by subparagraph (B) of this paragraph, by striking ''detailed'';

(D) in paragraph (6), as redesignated by subparagraph (B) of this paragraph, in the matter preceding subparagraph (A)—

(i) by striking ''Affairs or'' and inserting ''Affairs,''; and

(ii) by striking ''Senate—'' and inserting ''Senate, or the Deputy Director of the Federal Bureau of Investigation, if designated by the President as a certifying official—'';

(E) in paragraph (7), as redesignated by subparagraph (B) of this paragraph, by striking ''statement of'' and inserting ''summary statement of'';

(F) in paragraph (8), as redesignated by subparagraph (B) of this paragraph, by adding ''and'' at the end; and

(G) in paragraph (9), as redesignated by subparagraph (B) of this paragraph, by striking ''; and'' and inserting a period;

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively; and

(4) in paragraph (1)(A) of subsection (d), as redesignated by paragraph (3) of this subsection, by striking ''or the Director of National Intelligence'' and inserting ''the Director of National Intelligence, or the Director of the Central Intelligence Agency''.

SEC. 105. ISSUANCE OF AN ORDER.

Section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(2) in subsection (b), by striking ''(a)(3)'' and inserting ''(a)(2)'';

(3) in subsection (c)(1)—

(A) in subparagraph (D), by adding ''and'' at the end;

(B) in subparagraph (E), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (F);

(4) by striking subsection (d);

(5) by redesignating subsections (e) through (i) as subsections (d) through (h), respectively;

(6) by amending subsection (e), as redesignated by paragraph (5) of this section, to read as follows:

''(e)(1) Notwithstanding any other provision of this title, the Attorney General may authorize the emergency employment of electronic surveillance if the Attorney General—

''(A) reasonably determines that an emergency situation exists with respect to the employment of electronic surveillance to obtain foreign intelligence information before an order authorizing such surveillance can with due diligence be obtained;

''(B) resonably determines that the factual basis for issuance of an order under this title to approve such electronic surveillance exists;

''(C) informs, either personally or through a designee, a judge having jurisdiction under section 103 at the time of such authorization that the decision has been made to employ emergency electronic surveillance; and

''(D) makes an application in accordance with this title to a judge having jurisdiction under section 103 as soon as practicable, but not later than 7 days after the Attorney General authorizes such surveillance.

''(2) If the Attorney General authorizes the emergency employment of electronic surveillance under paragraph (1), the Attorney General shall require that the minimization procedures required by this title for the issuance of a judicial order be followed.

''(3) In the absence of a judicial order approving such electronic surveillance, the surveillance shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time of authorization by the Attorney General, whichever is earliest.

''(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

''(5) In the event that such application for approval is denied, or in any other case where the electronic surveillance is terminated and no order is issued approving the surveillance, no information obtained or evidence derived from such surveillance shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such surveillance shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(6) The Attorney General shall assess compliance with the requirements of paragraph (5).''; and

(7) by adding at the end the following:

''(i) In any case in which the Government makes an application to a judge under this title to conduct electronic surveillance involving communications and the judge grants such application, upon the request of the applicant, the judge shall also authorize the installation and use of pen registers and trap and trace devices, and direct the disclosure of the information set forth in section 402(d)(2).''.

SEC. 106. USE OF INFORMATION.

Subsection (i) of section 106 of the Foreign Intelligence Surveillance Act of 1978 (8 U.S.C. 1806) is amended by striking ''radio communication'' and inserting ''communication''.

SEC. 107. AMENDMENTS FOR PHYSICAL SEARCHES.

(a) APPLICATIONS.—Section 303 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1823) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) through (9) as paragraphs (2) through (8), respectively;

(C) in paragraph (2), as redesignated by subparagraph (B) of this paragraph, by striking ''detailed'';

(D) in paragraph (3)(C), as redesignated by subparagraph (B) of this paragraph, by inserting ''or is about to be'' before ''owned''; and

(E) in paragraph (6), as redesignated by subparagraph (B) of this paragraph, in the matter preceding subparagraph (A)—

(i) by striking ''Affairs or'' and inserting ''Affairs,''; and

(ii) by striking ''Senate—'' and inserting ''Senate, or the Deputy Director of the Federal Bureau of Investigation, if designated by the President as a certifying official—''; and

(2) in subsection (d)(1)(A), by striking ''or the Director of National Intelligence'' and inserting ''the Director of National Intelligence, or the Director of the Central Intelligence Agency''.

(b) ORDERS.—Section 304 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1824) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(2) by amending subsection (e) to read as follows:

''(e)(1) Notwithstanding any other provision of this title, the Attorney General may authorize the emergency employment of a physical search if the Attorney General reasonably—

''(A) determines that an emergency situation exists with respect to the employment of a physical search to obtain foreign intelligence information before an order authorizing such physical search can with due diligence be obtained;

''(B) determines that the factual basis for issuance of an order under this title to approve such physical search exists;

''(C) informs, either personally or through a designee, a judge of the Foreign Intelligence Surveillance Court at the time of such authorization that the decision has been made to employ an emergency physical search; and

''(D) makes an application in accordance with this title to a judge of the Foreign Intelligence Surveillance Court as soon as practicable, but not more than 7 days after the Attorney General authorizes such physical search.

''(2) If the Attorney General authorizes the emergency employment of a physical search under paragraph (1), the Attorney General shall require that the minimization procedures required by this title for the issuance of a judicial order be followed.

''(3) In the absence of a judicial order approving such physical search, the physical search shall terminate when the information sought is obtained, when the application for the order is denied, or after the expiration of 7 days from the time of authorization by the Attorney General, whichever is earliest.

''(4) A denial of the application made under this subsection may be reviewed as provided in section 103.

''(5)(A) In the event that such application for approval is denied, or in any other case where the physical search is terminated and no order is issued approving the physical search, no information obtained or evidence derived from such physical search shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such physical search shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(B) The Attorney General shall assess compliance with the requirements of subparagraph (A).''.

(c) CONFORMING AMENDMENTS.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended—

(1) in section 304(a)(4), as redesignated by subsection (b) of this section, by striking ''303(a)(7)(E)'' and inserting ''303(a)(6)(E)''; and

(2) in section 305(k)(2), by striking ''303(a)(7)'' and inserting ''303(a)(6)''.

SEC. 108. AMENDMENTS FOR EMERGENCY PEN REGISTERS AND TRAP AND TRACE DEVICES.

Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843) is amended—

(1) in subsection (a)(2), by striking ''48 hours'' and inserting ''7 days''; and

(2) in subsection (c)(1)(C), by striking ''48 hours'' and inserting ''7 days''.

SEC. 109. FOREIGN INTELLIGENCE SURVEILLANCE COURT.

(a) DESIGNATION OF JUDGES.—Subsection (a) of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) is amended by inserting ''at least'' before ''seven of the United States judicial circuits''.

(b) EN BANC AUTHORITY.—

(1) IN GENERAL.—Subsection (a) of section 103 of the Foreign Intelligence Surveillance Act of 1978, as amended by subsection (a) of this section, is further amended—

(A) by inserting ''(1)'' after ''(a)''; and

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

''(2)(A) The court established under this subsection may, on its own initiative, or upon the request of the Government in any proceeding or a party under section 501(f) or paragraph (4) or (5) of section 703(h), hold a hearing or rehearing, en banc, when ordered by a majority of the judges that constitute such court upon a determination that—

''(i) en banc consideration is necessary to secure or maintain uniformity of the court's decisions; or

''(ii) the proceeding involves a question of exceptional importance.

''(B) Any authority granted by this Act to a judge of the court established under this subsection may be exercised by the court en banc. When exercising such authority, the court en banc shall comply with any requirements of this Act on the exercise of such authority.

''(C) For purposes of this paragraph, the court en banc shall consist of all judges who constitute the court established under this subsection.''.

(2) CONFORMING AMENDMENTS.—The Foreign Intelligence Surveillance Act of 1978 is further amended—

(A) in subsection (a) of section 103, as amended by this subsection, by inserting ''(except when sitting en banc under paragraph (2))'' after ''no judge designated under this subsection''; and

(B) in section 302(c) (50 U.S.C. 1822(c)), by inserting ''(except when sitting en banc)'' after ''except that no judge''.

(c) STAY OR MODIFICATION DURING AN APPEAL.—Section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f)(1) A judge of the court established under subsection (a), the court established under subsection (b) or a judge of that court, or the Supreme Court of the United States or a justice of that court, may, in accordance with the rules of their respective courts, enter a stay of an order or an order modifying an order of the court established under subsection (a) or the court established under subsection (b) entered under any title of this Act, while the court established under subsection (a) conducts a rehearing, while an appeal is pending to the court established under subsection (b), or while a petition of certiorari is pending in the Supreme Court of the United States, or during the pendency of any review by that court.

''(2) The authority described in paragraph (1) shall apply to an order entered under any provision of this Act.''.

(d) AUTHORITY OF FOREIGN INTELLIGENCE SURVEILLANCE COURT.—Section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803), as amended by this Act, is amended by adding at the end the following:

''(h)(1) Nothing in this Act shall be considered to reduce or contravene the inherent authority of the Foreign Intelligence Surveillance Court to determine, or enforce, compliance with an order or a rule of such Court or with a procedure approved by such Court.

''(2) In this subsection, the terms 'Foreign Intelligence Surveillance Court' and 'Court' mean the court established by subsection (a).''.

SEC. 110. WEAPONS OF MASS DESTRUCTION.

(a) DEFINITIONS.—

(1) FOREIGN POWER.—Subsection (a)(4) of section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(a)(4)) is amended by inserting '', the international proliferation of weapons of mass destruction,'' after ''international terrorism''.

(2) AGENT OF A FOREIGN POWER.—Subsection (b)(1) of such section 101 is amended—

(A) in subparagraph (B), by striking ''or'' at the end

(B) in subparagraph (C), by striking ''or'' at the end; and

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

''(D) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor; or

''(E) engages in the international proliferation of weapons of mass destruction, or activities in preparation therefor, for or on behalf of a foreign power; or''.

(3) FOREIGN INTELLIGENCE INFORMATION.—Subsection (e)(1)(B) of such section 101 is amended by striking ''sabotage or international terrorism'' and inserting ''sabotage, international terrorism, or the international proliferation of weapons of mass destruction''.

(4) WEAPON OF MASS DESTRUCTION.—Such section 101 is amended by inserting after subsection (o) the following:

''(p) 'Weapon of mass destruction' means—

''(1) any destructive device described in section 921(a)(4)(A) of title 18, United States Code, that is intended or has the capability to cause death or serious bodily injury to a significant number of people;

''(2) any weapon that is designed or intended to cause death or serious bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals or their precursors;

''(3) any weapon involving a biological agent, toxin, or vector (as such terms are defined in section 178 of title 18, United States Code); or

''(4) any weapon that is designed to release radiation or radioactivity at a level dangerous to human life.''.

(b) USE OF INFORMATION.—

(1) IN GENERAL.—Section 106(k)(1)(B) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1806(k)(1)(B)) is amended by striking ''sabotage or international terrorism'' and inserting ''sabotage, international terrorism, or the international proliferation of weapons of mass destruction''.

(2) PHYSICAL SEARCHES.—Section 305(k)(1)(B) of such Act (50 U.S.C. 1825(k)(1)(B)) is amended by striking ''sabotage or international terrorism'' and inserting ''sabotage, international terrorism, or the international proliferation of weapons of mass destruction''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 301(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1821(1)) is amended by inserting ''weapon of mass destruction','' after ''person',''.

SEC. 111. TECHNICAL AND CONFORMING AMENDMENTS.

Section 103(e) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(e)) is amended—

(1) in paragraph (1), by striking ''105B(h) or 501(f)(1)'' and inserting ''501(f)(1) or 703''; and

(2) in paragraph (2), by striking ''105B(h) or 501(f)(1)'' and inserting ''501(f)(1) or 703''.

Subtitle B—Protections for Electronic Communication Service Providers

SEC. 201. DEFINITIONS.

In this title:

(1) ASSISTANCE.—The term ''assistance'' means the provision of, or the provision of access to, information (including communication contents, communications records, or other information relating to a customer or communication), facilities, or another form of assistance.

(2) CONTENTS.—The term ''contents'' has the meaning given that term in section 101(n) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(n)).

(3) COVERED CIVIL ACTION.—The term ''covered civil action'' means a civil action filed in a Federal or State court that—

(A) alleges that an electronic communication service provider furnished assistance to an element of the intelligence community; and

(B) seeks monetary or other relief from the electronic communication service provider related to the provision of such assistance.

(4) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term ''electronic communication service provider'' means—

(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(B) a provider of an electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;

(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored;

(E) a parent, subsidiary, affiliate, successor, or assignee of an entity described in subparagraph (A), (B), (C), or (D); or

(F) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), (D), or (E).

(5) ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term ''element of the intelligence community'' means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 202. LIMITATIONS ON CIVIL ACTIONS FOR ELECTRONIC COMMUNICATION SERVICE PROVIDERS.

(a) LIMITATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a covered civil action shall not lie or be maintained in a Federal or State court, and shall be promptly dismissed, if the Attorney General certifies to the court that—

(A) the assistance alleged to have been provided by the electronic communication service provider was—

(i) in connection with an intelligence activity involving communications that was—

(I) authorized by the President during the period beginning on September 11, 2001, and ending on January 17, 2007; and

(II) designed to detect or prevent a terrorist attack, or activities in preparation for a terrorist attack, against the United States; and

(ii) described in a written request or directive from the Attorney General or the head of an element of the intelligence community (or the deputy of such person) to the electronic communication service provider indicating that the activity was—

(I) authorized by the President; and

(II) determined to be lawful; or

(B) the electronic communication service provider did not provide the alleged assistance.

(2) REVIEW.—A certification made pursuant to paragraph (1) shall be subject to review by a court for abuse of discretion.

(b) REVIEW OF CERTIFICATIONS.—If the Attorney General files a declaration under section 1746 of title 28, United States Code, that disclosure of a certification made pursuant to subsection (a) would harm the national security of the United States, the court shall—

(1) review such certification in camera and ex parte; and

(2) limit any public disclosure concerning such certification, including any public order following such an ex parte review, to a statement that the conditions of subsection (a) have been met, without disclosing the subparagraph of subsection (a)(1) that is the basis for the certification.

(c) NONDELEGATION.—The authority and duties of the Attorney General under this section shall be performed by the Attorney General (or Acting Attorney General) or a designee in a position not lower than the Deputy Attorney General.

(d) CIVIL ACTIONS IN STATE COURT.—A covered civil action that is brought in a State court shall be deemed to arise under the Constitution and laws of the United States and shall be removable under section 1441 of title 28, United States Code.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit any otherwise available immunity, privilege, or defense under any other provision of law.

(f) EFFECTIVE DATE AND APPLICATION.—This section shall apply to any covered civil action that is pending on or filed after the date of enactment of this Act.

SEC. 203. PROCEDURES FOR IMPLEMENTING STATUTORY DEFENSES UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), as amended by section 101, is further amended by adding after title VII the following new title:

''TITLE VIII—PROTECTION OF PERSONS ASSISTING THE GOVERNMENT

''SEC. 801. DEFINITIONS.

''In this title:

''(1) ASSISTANCE.—The term 'assistance' means the provision of, or the provision of access to, information (including communication contents, communications records, or other information relating to a customer or communication), facilities, or another form of assistance.

''(2) ATTORNEY GENERAL.—The term 'Attorney General' has the meaning give that term in section 101(g).

''(3) CONTENTS.—The term 'contents' has the meaning given that term in section 101(n).

''(4) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term 'electronic communication service provider' means—

''(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

''(B) a provider of electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

''(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;

''(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored;

''(E) a parent, subsidiary, affiliate, successor, or assignee of an entity described in subparagraph (A), (B), (C), or (D); or

''(F) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), (D), or (E).

''(5) ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term 'element of the intelligence community' means an element of the intelligence community as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

''(6) PERSON.—The term 'person' means—

''(A) an electronic communication service provider; or

''(B) a landlord, custodian, or other person who may be authorized or required to furnish assistance pursuant to—

''(i) an order of the court established under section 103(a) directing such assistance;

''(ii) a certification in writing under section 2511(2)(a)(ii)(B) or 2709(b) of title 18, United States Code; or

''(iii) a directive under section 102(a)(4), 105B(e), as in effect on the day before the date of the enactment of the FISA Amendments Act of 2008 or 703(h).

''(7) STATE.—The term 'State' means any State, political subdivision of a State, the Commonwealth of Puerto Rico, the District of Columbia, and any territory or possession of the United States, and includes any officer, public utility commission, or other body authorized to regulate an electronic communication service provider.

''SEC. 802. PROCEDURES FOR IMPLEMENTING STATUTORY DEFENSES.

''(a) REQUIREMENT FOR CERTIFICATION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, no civil action may lie or be maintained in a Federal or State court against any person for providing assistance to an element of the intelligence community, and shall be promptly dismissed, if the Attorney General certifies to the court that—

''(A) any assistance by that person was provided pursuant to an order of the court established under section 103(a) directing such assistance;

''(B) any assistance by that person was provided pursuant to a certification in writing under section 2511(2)(a)(ii)(B) or 2709(b) of title 18, United States Code;

''(C) any assistance by that person was provided pursuant to a directive under sections 102(a)(4), 105B(e), as in effect on the day before the date of the enactment of the FISA Amendments Act of 2008, or 703(h) directing such assistance; or

''(D) the person did not provide the alleged assistance.

''(2) REVIEW.—A certification made pursuant to paragraph (1) shall be subject to review by a court for abuse of discretion.

''(b) LIMITATIONS ON DISCLOSURE.—If the Attorney General files a declaration under section 1746 of title 28, United States Code, that disclosure of a certification made pursuant to subsection (a) would harm the national security of the United States, the court shall—

''(1) review such certification in camera and ex parte; and

''(2) limit any public disclosure concerning such certification, including any public order following such an ex parte review, to a statement that the conditions of subsection (a) have been met, without disclosing the subparagraph of subsection (a)(1) that is the basis for the certification.

''(c) REMOVAL.—A civil action against a person for providing assistance to an element of the intelligence community that is brought in a State court shall be deemed to arise under the Constitution and laws of the United States and shall be removable under section 1441 of title 28, United States Code.

''(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this section may be construed to limit any otherwise available immunity, privilege, or defense under any other provision of law.

''(e) APPLICABILITY.—This section shall apply to a civil action pending on or filed after the date of enactment of the FISA Amendments Act of 2008.''.

SEC. 204. PREEMPTION OF STATE INVESTIGATIONS.

Title VIII of the Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.), as added by section 203 of this Act, is amended by adding at the end the following new section:

''SEC. 803. PREEMPTION.

''(a) IN GENERAL.—No State shall have authority to—

''(1) conduct an investigation into an electronic communication service provider's alleged assistance to an element of the intelligence community;

''(2) require through regulation or any other means the disclosure of information about an electronic communication service provider's alleged assistance to an element of the intelligence community;

''(3) impose any administrative sanction on an electronic communication service provider for assistance to an element of the intelligence community; or

''(4) commence or maintain a civil action or other proceeding to enforce a requirement that an electronic communication service provider disclose information concerning alleged assistance to an element of the intelligence community.

''(b) SUITS BY THE UNITED STATES.—The United States may bring suit to enforce the provisions of this section.

''(c) JURISDICTION.—The district courts of the United States shall have jurisdiction over any civil action brought by the United States to enforce the provisions of this section.

''(d) APPLICATION.—This section shall apply to any investigation, action, or proceeding that is pending on or filed after the date of enactment of the FISA Amendments Act of 2008.''.

SEC. 205. TECHNICAL AMENDMENTS.

The table of contents in the first section of the Foreign Intelligence Surveillance Act of

1978 (50 U.S.C. 1801 et seq.), as amended by section 101(b), is further amended by adding at the end the following:

''TITLE VIII—PROTECTION OF PERSONS ASSISTING THE GOVERNMENT

''Sec. 801. Definitions.
''Sec. 802. Procedures for implementing statutory defenses.
''Sec. 803. Preemption.''.

Subtitle C—Other Provisions

SEC. 301. SEVERABILITY.

If any provision of this Act, any amendment made by this Act, or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act, any such amendments, and of the application of such provisions to other persons and circumstances shall not be affected thereby.

SEC. 302. EFFECTIVE DATE; REPEAL; TRANSITION PROCEDURES.

(a) IN GENERAL.—Except as provided in subsection (c), the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) REPEAL.—

(1) IN GENERAL.—Except as provided in subsection (c), sections 105A, 105B, and 105C of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805a, 1805b, and 1805c) are repealed.

(2) TABLE OF CONTENTS.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by striking the items relating to sections 105A, 105B, and 105C.

(c) TRANSITIONS PROCEDURES.—

(1) PROTECTION FROM LIABILITY.—Notwithstanding subsection (b)(1), subsection (l) of section 105B of the Foreign Intelligence Surveillance Act of 1978 shall remain in effect with respect to any directives issued pursuant to such section 105B for information, facilities, or assistance provided during the period such directive was or is in effect.

(2) ORDERS IN EFFECT.—

(A) ORDERS IN EFFECT ON DATE OF ENACTMENT.—Notwithstanding any other provision of this Act or of the Foreign Intelligence Surveillance Act of 1978—

(i) any order in effect on the date of enactment of this Act issued pursuant to the Foreign Intelligence Surveillance Act of 1978 or section 6(b) of the Protect America Act of 2007 (Public Law 110–55; 121 Stat. 556) shall remain in effect until the date of expiration of such order; and

(ii) at the request of the applicant, the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803(a)) shall reauthorize such order if the facts and circumstances continue to justify issuance of such order under the provisions of such Act, as in effect on the day before the date of the enactment of the Protect America Act of 2007, except as amended by sections 102, 103, 104, 105, 106, 107, 108, 109, and 110 of this Act.

(B) ORDERS IN EFFECT ON DECEMBER 31, 2013.—Any order issued under title VII of the Foreign Intelligence Surveillance Act of 1978, as amended by section 101 of this Act, in effect on December 31, 2013, shall continue in effect until the date of the expiration of such order. Any such order shall be governed by the applicable provisions of the Foreign Intelligence Surveillance Act of 1978, as so amended.

(3) AUTHORIZATIONS AND DIRECTIVES IN EFFECT.—

(A) AUTHORIZATIONS AND DIRECTIVES IN EFFECT ON DATE OF ENACTMENT.—Notwithstanding any other provision of this Act or of the Foreign Intelligence Surveillance Act of 1978, any authorization or directive in effect on the date of the enactment of this Act issued pursuant to the Protect America Act of 2007, or any amendment made by that Act, shall remain in effect until the date of expiration of such authorization or directive. Any such authorization or directive shall be governed by the applicable provisions of the Protect America Act of 2007 (121 Stat. 552), and the amendment made by that Act, and, except as provided in paragraph (4) of this subsection, any acquisition pursuant to such authorization or directive shall be deemed not to constitute electronic surveillance (as that term is defined in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(f)), as construed in accordance with section 105A of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805a)).

(B) AUTHORIZATIONS AND DIRECTIVES IN EFFECT ON DECEMBER 31, 2013.—Any authorization or directive issued under title VII of the Foreign Intelligence Surveillance Act of 1978, as amended by section 101 of this Act, in effect on December 31, 2013, shall continue in effect until the date of the expiration of such authorization or directive. Any such authorization or directive shall be governed by the applicable provisions of the Foreign Intelligence Surveillance Act of 1978, as so amended, and, except as provided in section 707 of the Foreign Intelligence Surveillance Act of 1978, as so amended, any acquisition pursuant to such authorization or directive shall be deemed not to constitute electronic surveillance (as that term is defined in section 101(f) of the Foreign Intelligence Surveillance Act of 1978, to the extent that such section 101(f) is limited by section 701 of the Foreign Intelligence Surveillance Act of 1978, as so amended).

(4) USE OF INFORMATION ACQUIRED UNDER PROTECT AMERICA ACT.—Information acquired from an acquisition conducted under the Protect America Act of 2007, and the amendments made by that Act, shall be deemed to be information acquired from an electronic surveillance pursuant to title I of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) for purposes of section 106 of that Act (50 U.S.C. 1806), except for purposes of subsection (j) of such section.

(5) NEW ORDERS.—Notwithstanding any other provision of this Act or of the Foreign Intelligence Surveillance Act of 1978—

(A) the government may file an application for an order under the Foreign Intelligence Surveillance Act of 1978, as in effect on the day before the date of the enactment of the Protect America Act of 2007, except as amended by sections 102, 103, 104, 105, 106, 107, 108, 109, and 110 of this Act; and

(B) the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 shall enter an order granting such an application if the application meets the requirements of such Act, as in effect on the day before the date of the enactment of the Protect America Act of 2007, except as amended by sections 102, 103, 104, 105, 106, 107, 108, 109, and 110 of this Act.

(6) EXTANT AUTHORIZATIONS.—At the request of the applicant, the court established under section 103(a) of the Foreign Intelligence Surveillance Act of 1978 shall extinguish any extant authorization to conduct electronic surveillance or physical search entered pursuant to such Act.

(7) APPLICABLE PROVISIONS.—Any surveillance conducted pursuant to an order entered pursuant to this subsection shall be subject to the provisions of the Foreign Intelligence Surveillance Act of 1978, as in effect on the day before the date of the enactment of the Protect America Act of 2007, except as amended by sections 102, 103, 104, 105, 106, 107, 108, 109, and 110 of this Act.

(8) TRANSITION PROCEDURES CONCERNING THE TARGETING OF UNITED STATES PERSONS OVERSEAS.—Any authorization in effect on the date of enactment of this Act under section 2.5 of Executive Order 12333 to intentionally target a United States person reasonably believed to be located outside the United States shall remain in effect, and shall constitute a sufficient basis for conducting such an acquisition targeting a United States person located outside the United States until the earlier of—

(A) the date that authorization expires; or

(B) the date that is 90 days after the date of the enactment of this Act.

H.R. 2537

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 5: Page 3, line 3, strike ''indicators'' and insert ''indicators. If, in carrying out such source identification and tracking program, a source of pathogenic contamination is identified by such State or local government, such State or local government shall make information on the existence of such source available to the public on the Internet within 24 hours of the identification of such source.''.

H.R. 2537

OFFERED BY: MR. PETERSON OF PENNSYLVANIA

AMENDMENT NO. 6: Before section 1 insert the following:

TITLE I—BEACH PROTECTION

In section 1 strike ''This Act'' and insert ''This title''.

Add at the end the following new title:

TITLE II—OFFSHORE GAS DEVELOPMENT

SEC. 21. SHORT TITLE.

This title may be cited as the ''National Environment and Energy Development Act''.

SEC. 22. TERMINATION OF PROHIBITIONS ON EXPENDITURES FOR, AND WITHDRAWALS FROM, OFFSHORE GAS LEASING.

(a) PROHIBITIONS ON EXPENDITURES.—All provisions of Federal law that prohibit the expenditure of appropriated funds to conduct natural gas leasing and preleasing activities for any area of the Outer Continental Shelf shall have no force or effect with respect to such activities.

(b) REVOCATION WITHDRAWALS.—All withdrawals of Federal submerged lands of the Outer Continental Shelf from leasing, including withdrawals by the President under the authority of section 12(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1341(a)), are hereby revoked and are no longer in effect with respect to the leasing of areas for exploration for, and development and production of, natural gas.

(c) PROHIBITIONS AND WITHDRAWALS FOR OIL NOT AFFECTED.—This section does not affect—

(1) any prohibition on the expenditure of appropriated funds to conduct oil leasing or preleasing activities; and

(2) any withdrawal of Federal submerged lands from leasing for exploration for, and development and production of, oil.

SEC. 23. OUTER CONTINENTAL SHELF NATURAL GAS LEASING PROGRAM.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by inserting after section 9 the following:

''SEC. 10. MORATORIA AREA AND STATE APPROVAL REQUIREMENT WITH RESPECT TO NATURAL GAS LEASING.

''(a) BUFFER ZONE.—The Secretary may not grant any natural gas lease for any area of the outer Continental Shelf that is located within 25 miles of the coastline of a State.

''(b) STATE APPROVAL REQUIREMENT.—

''(1) IN GENERAL.—The Secretary may not issue any lease authorizing exploration for, or development of, natural gas in any area of the outer Continental Shelf that is located within 50 miles of the coastline of a State

unless the State has enacted a law approving of the issuance of such leases by the Secretary.

''(2) STATE APPROVAL PERMANENT.—Repeal of such a law by a State shall have no effect for purposes of paragraph (1).

''(c) STATE DISAPPROVAL AUTHORITY.—

''(1) IN GENERAL.—The Secretary may not issue any lease authorizing exploration for, or development of, natural gas in any area of the outer Continental Shelf that is located more than 50 miles and less than 100 miles from the coastline of a State if the State has enacted a law disapproving of the issuance of such leases by the Secretary.

''(2) REQUIREMENTS FOR STATE LAW.—A law enacted by a State for purposes of paragraph (1)—

''(A) shall have no force or effect for purposes of paragraph (1) unless first enacted by the State within the one-year period beginning on the date of the enactment of the National Environment and Energy Development Act; and

''(B) shall have no force or effect for purposes of paragraph (1) after the end of the 2-year period beginning on the date it first takes effect, unless the State, in the 2-year period preceding the application of the law for purposes of paragraph (1), enacted legislation extending the effectiveness of the law.''.

SEC. 24. SHARING OF REVENUES.

(a) IN GENERAL.—Section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)) is amended—

(1) in paragraph (2) by striking ''Notwithstanding'' and inserting ''Except as provided in paragraph (6), and notwithstanding'';

(2) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9); and

(3) by inserting after paragraph (5) the following:

''(6) BONUS BIDS AND ROYALTIES UNDER QUALIFIED GAS LEASES.—

''(A) NEW GAS LEASES.—Of amounts received by the United States as bonus bids and royalties under any qualified gas lease on submerged lands that are located within the seaward boundaries of a State established under section 4(a)(2)(A)—

''(i) 25 percent shall be deposited in the general fund of the Treasury;

''(ii) 37.5 percent shall be paid to the States that are producing States with respect to those submerged lands;

''(iii) 8.0 percent shall be deposited in the Energy Efficiency and Renewables Reserve established by paragraph (7);

''(iv) 8.0 percent shall be deposited in the Carbon Capture and Sequestration Reserve established by paragraph (7);

''(v) 5.0 percent shall be deposited in the Chesapeake Bay Restoration Reserve established by paragraph (7);

''(vi) 5.0 percent shall be deposited in the Great Lakes Restoration Reserve established by paragraph (7);

''(vii) 3.0 percent shall be deposited in the Everglades Restoration Reserve established by paragraph (7);

''(viii) 3.0 percent shall be deposited in the Colorado River Basin Restoration Reserve established by paragraph (7);

''(ix) 3.0 percent shall be deposited in the San Francisco Bay Restoration Reserve established by paragraph (7); and

''(x) 2.5 percent shall be available, half to the Secretary of Health and Human Services for carrying out the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621, et seq.) and half to the Secretary of Energy for carrying out the Weatherization Assistance program under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.).

''(B) LEASED TRACT THAT LIES PARTIALLY WITHIN THE SEAWARD BOUNDARIES OF A STATE.—In the case of a leased tract that lies partially within the seaward boundaries of a State, the amounts of bonus bids and royalties from such tract that are subject to subparagraph (A) with respect to such State shall be a percentage of the total amounts of bonus bids and royalties from such tract that is equivalent to the total percentage of surface acreage of the tract that lies within such seaward boundaries.

''(C) USE OF PAYMENTS TO STATES.—Amounts paid to a State under subparagraph (A)(ii) shall be used by the State for one or more of the following:

''(i) Education.

''(ii) Transportation.

''(iii) Reducing taxes.

''(iv) Coastal and environmental restoration.

''(v) Energy infrastructure and projects.

''(vi) State seismic monitoring programs.

''(vii) Alternative energy development.

''(viii) Energy efficiency and conservation.

''(ix) Hurricane and natural disaster insurance programs.

''(x) Any other purpose determined by State law.

''(D) DEFINITIONS.—In this paragraph:

''(i) ADJACENT STATE.—The term 'adjacent State' means, with respect to any program, plan, lease sale, leased tract or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, any State the laws of which are declared, pursuant to section 4(a)(2), to be the law of the United States for the portion of the outer Continental Shelf on which such program, plan, lease sale, leased tract, or activity appertains or is, or is proposed to be, conducted.

''(ii) ADJACENT ZONE.—The term 'adjacent zone' means, with respect to any program, plan, lease sale, leased tract, or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, the portion of the outer Continental Shelf for which the laws of a particular adjacent State are declared, pursuant to section 4(a)(2), to be the law of the United States.

''(iii) PRODUCING STATE.—The term 'producing State' means an Adjacent State having an adjacent zone containing leased tracts from which are derived bonus bids and royalties under a lease under this Act.

''(iv) STATE.—The term 'State' includes Puerto Rico and the other Territories of the United States.

''(v) QUALIFIED GAS LEASE.—The term 'qualified gas lease' means a lease under this Act granted after the date of the enactment of the National Environment and Energy Development Act that authorizes development and production of natural gas and associated condensate.

''(E) APPLICATION.—This paragraph shall apply to bonus bids and royalties received by the United States after September 30, 2007.

''(7) ESTABLISHMENT OF RESERVE ACCOUNTS.—

''(A) IN GENERAL.—For budgetary purposes, there is established as a separate account to receive deposits under paragraph (6)(A)—

''(i) the Energy Efficiency and Renewables Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to accelerate the use of clean domestic renewable energy resources and alternative fuels; to promote the utilization of energy-efficient products and practices and conservation; and to increase research, development, and deployment of clean renewable energy and efficiency technologies.

''(ii) the Carbon Capture and Sequestration Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to promote activities associated with carbon capture and sequestration;

''(iii) the Chesapeake Bay Restoration Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to conduct restoration activities primarily or entirely within the Chesapeake Bay watershed that seeks to improve the overall health of the ecosystem of the Chesapeake Bay;

''(iv) the Great Lakes Restoration Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to conduct restoration activities primarily or entirely within the the Great Lakes watershed that seeks to improve the overall health of the ecosystem of the Great Lakes;

''(v) the Everglades Restoration Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to conduct restoration activities primarily or entirely within the Florida Everglades watershed that seeks to improve the overall health of the ecosystem of the Everglades;

''(vi) the Colorado River Basin Restoration Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to conduct restoration activities primarily or entirely within the the Colorado River Basin watershed that seeks to improve the overall health of the ecosystem of the Colorado River Basin ; and

''(vii) the San Francisco Bay Restoration Reserve to offset the cost of legislation enacted after the date of the enactment of the National Environment and Energy Development Act to conduct restoration activities primarily or entirely within the San Francisco Bay, California, watershed that seeks to improve the overall health of the ecosystem of San Francisco Bay.

''(B) PROCEDURE FOR ADJUSTMENTS.—

''(i) BUDGET COMMITTEE CHAIRMAN.—After the reporting of a bill or joint resolution, or the offering of an amendment thereto or the submission of a conference report thereon, providing funding for the purposes set forth in clause (i), (ii), (iii), (iv), (v), (vi), or (vii) of subparagraph (A) in excess of the amount of the deposits under paragraph (6)(A) for those purposes for fiscal year 2007, the chairman of the Committee on the Budget of the applicable House of Congress shall make the adjustments set forth in clause (ii) for the amount of new budget authority and outlays in that measure and the outlays flowing from that budget authority.

''(ii) MATTERS TO BE ADJUSTED.—The adjustments referred to in clause (i) are to be made to—

''(I) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget;

''(II) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a) of the Congressional Budget Act of 1974; and

''(III) the budget aggregates contained in the appropriate concurrent resolution on the budget as required by section 301(a) of the Congressional Budget Act of 1974.

''(iii) AMOUNTS OF ADJUSTMENTS.—The adjustments referred to in clauses (i) and (ii) shall not exceed the receipts estimated by the Congressional Budget Office that are attributable to this Act for the fiscal year in which the adjustments are made.

''(C) EXPENDITURES ONLY BY SECRETARY OF THE INTERIOR IN CONSULTATION.—Legislation shall not be treated as legislation referred to in subparagraph (A) unless any expenditure under such legislation for a purpose referred to in that subparagraph may be made only

by the Secretary of the Interior after consultation with the Administrator of the Environmental Protection Agency, the Administrator of the National Oceanic and Atmospheric Administration, the Secretary of the Army acting through the Corps of Engineers, and, as appropriate, the Secretary of State.

''(8) MAINTENANCE OF EFFORT BY STATES.—The Secretary of the Interior, the Secretary of Health and Human Services, and the Secretary of Energy shall ensure that financial assistance provided to a State for any purpose with amounts made available under this subsection or in any legislation with respect to which paragraph (7) applies supplement, and do not replace, the amounts expended by the State for that purpose before the date of the enactment of the National Environment and Energy Development Act.''.

(b) ESTABLISHMENT OF STATE SEAWARD BOUNDARIES.—Section 4(a)(2)(A) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(2)(A)) is amended in the first sentence by striking '', and the President'' and all that follows through the end of the sentence and inserting the following: ''. Such extended lines are deemed to be as indicated on the maps for each Outer Continental Shelf region entitled 'Alaska OCS Region State Adjacent Zone and OCS Planning Areas', 'Pacific OCS Region State Adjacent Zones and OCS Planning Areas', 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas', and 'Atlantic OCS Region State Adjacent Zones and OCS Planning Areas', all of which are dated September 2005 and on file in the Office of the Director, Minerals Management Service. The preceding sentence shall not apply with respect to the treatment under section 105 of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109–432) of qualified outer Continental Shelf revenues deposited and disbursed under subsection (a)(2) of that section.''.

SEC. 25. NATURAL GAS LEASING.

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is further amended by adding at the end the following subsection:

''(r) NATURAL GAS LEASING.—

''(1) IN GENERAL.—The Secretary may issue leases under this section that authorize development and production of natural gas and associated condensate in accordance with regulations promulgated under paragraph (2).

''(2) REGULATIONS.—Before issuing any lease under paragraph (1), the Secretary must promulgate regulations that—

''(A) define what constitutes natural gas, condensate, and oil;

''(B) establish the lessee's rights and obligations regarding condensate produced in association with natural gas;

''(C) prescribe procedures and requirements that the lessee of a lease issued under this subsection must follow if the lessee discovers oil deposits in the course of exploration or development; and

''(D) establish such other requirements for natural gas leases as the Secretary considers appropriate.

''(3) APPLICATION OF OTHER LAWS.—All provisions of this Act or any other Federal law or regulations that apply to oil and natural gas leases for the Outer Continental Shelf shall apply to natural gas-only leases authorized under this subsection.

''(4) EXISTING LEASES.—At the request of the lessee of an oil and gas lease in effect under this section on the date of enactment of this subsection, and under the requirements prescribed in regulations promulgated under paragraph (2), the Secretary may restrict development under such a lease to natural gas and associated condensate.

''(5) OIL AND GAS LEASING PROGRAMS.—The Secretary may include provisions regarding issuance of natural gas leases in the outer Continental shelf leasing program that applies for the 5-year period beginning in 2007, notwithstanding any draft proposal for such program issued before the date of the enactment of this subsection.

''(6) PROHIBITIONS AND WITHDRAWALS FOR OIL NOT AFFECTED.—This subsection does not affect—

''(A) any prohibition on the expenditure of appropriated funds to conduct oil leasing or preleasing activities; and

''(B) any withdrawal of Federal submerged lands from leasing for exploration for, and development and production of, oil.''.

SEC. 26. POLICIES REGARDING BUYING AND BUILDING AMERICAN.

(a) INTENT OF CONGRESS.—It is the intent of the Congress that this title, among other things, result in a healthy and growing American industrial, manufacturing, transportation, and service sector employing the vast talents of America's workforce to assist in the development of affordable energy from the Outer Continental Shelf. Moreover, the Congress intends to monitor the deployment of personnel and material in the Outer Continental Shelf to encourage the development of American technology and manufacturing to enable United States workers to benefit from this title by good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) SAFEGUARD FOR EXTRAORDINARY ABILITY.—Section 30(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356(a)) is amended in the matter preceding paragraph (1) by striking ''regulations which'' and inserting ''regulations that shall be supplemental and complimentary with and under no circumstances a substitution for the provisions of the Constitution and laws of the United States extended to the subsoil and seabed of the outer Continental Shelf pursuant to section 24 of this Act, except insofar as such laws would otherwise apply to individuals who have extraordinary ability in the sciences, arts, education, or business, which has been demonstrated by sustained national or international acclaim, and that''.

H.R. 2537

OFFERED BY: MR. KIRK

AMENDMENT NO. 7: Redesignate sections 9 and 10 of the bill as sections 10 and 11, respectively.

After section 8 of the bill, insert the following:

SEC. 9. TREATMENT OF MERCURY AS PATHOGEN INDICATOR.

Section 406 of the Federal Water Pollution Control Act (33 U.S.C. 1346) is amended by adding at the end the following:

''(j) TREATMENT OF MERCURY AS PATHOGEN INDICATOR.—For purposes of monitoring and notification programs under this section, mercury shall be treated as a pathogen indicator.''.

H.R. 2537

OFFERED BY: MR. FLAKE

AMENDMENT NO. 8: Page 3, after line 8, insert the following:

(c) PROHIBITION ON EARMARKS.—None of the funds appropriated pursuant to section 406(i) of such Act (33 U.S.C. 1346(i)) may be used for a Congressional earmark as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives.

H.R. 2537

OFFERED BY: MR. FLAKE

AMENDMENT NO. 9: Page 3, line 7, strike ''$40,000,000'' and insert ''$30,000,000''.

H.R. 2537

OFFERED BY: MR. FLAKE

AMENDMENT NO. 10: Page 10, after line 23, insert the following:

SEC. 11. SENSE OF CONGRESS.

It is the Sense of Congress that__

(1) the program development and implementation grants program remain a formula-based grant program, and

(2) none of the funds appropriated pursuant to section 406(i) of such Act (33 U.S.C. 1346(i)) should be used for a Congressional earmark as defined in clause 9(d) of rule XXI of the Rules of the House of Representatives.

H.R. 2537

OFFERED BY: MS. RICHARDSON

AMENDMENT NO. 11: At the end of the bill, add the following:

SEC. 11. NATIONAL LIST OF BEACHES.

Section 406(g)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1346(g)(3)) is amended by striking ''The Administrator'' and all that follows through the period and inserting ''Within 12 months after the date of the enactment of the Beach Protection Act of 2008, and biennially thereafter, the Administrator shall update the list described in paragraph (1).''

H.R. 2537

OFFERED BY: MR. INSLEE

AMENDMENT NO. 12: At the end of the bill, add the following:

SEC. 11. IMPACT OF CLIMATE CHANGE ON POLLUTION OF COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency shall conduct a study on the long-term impact of climate change on pollution of coastal recreation waters.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under subsection (a).

(2) INFORMATION ON POTENTIAL CONTAMINANT IMPACTS.—The report shall include information on potential contaminant impacts on ground and surface water resources as well as ecosystem and public health in coastal communities.

(3) MONITORING.—The report shall address monitoring required to document and assess changing conditions of coastal water resources, recreational waters, and ecosystems and review the current ability to assess and forecast impacts associated with long-term change.

(4) FEDERAL ACTIONS.—The report shall highlight necessary Federal actions to help advance the availability of information and tools to assess and mitigate these effects in order to protect public and ecosystem health.

(5) CONSULTATION.—In developing the report, the Administrator shall work in consultation with agencies active in the development of the National Water Quality Monitoring Network and the implementation of the Ocean Research Priorities Plan and Implementation Strategy.

H.R. 2537

OFFERED BY: MR. BILBRAY

AMENDMENT NO. 13: At the end of the bill, add the following:

SEC. 11. USE OF MOLECULAR DIAGNOSTICS FOR MONITORING AND ASSESSING COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency shall conduct a study to assess the benefits of using molecular diagnostics for monitoring and assessing the quality of coastal recreation waters

adjacent to beaches and similar points of access that are used by the public.

(b) CONTENTS.—In conducting the study, the Administrator shall—

(1) to the extent practicable, evaluate the full range of available rapid testing methods, as defined by section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362), and methods that meet prescribed performance standards, including—

(A) the amplified nucleic acid assay method; and

(B) the indicator organisms enterococci and E. coli; and

(2) compare the use of molecular diagnostics to culture testing of same source water, including the time for obtaining results, accuracy of results, and future applicability.

(c) PARTNERSHIPS.—Notwithstanding chapter 63 of title 31, United States Code, the Administrator may award a grant or cooperative agreement to a public or private organization to assist the Administrator in carrying out the study.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall transmit to Congress a report on the results of the study.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.