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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 9, 2008.

I hereby appoint the Honorable ED PERLMUTTER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

RECESS

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

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Lord God, by turning to You with faith, all can find lasting wisdom and clear direction, whether an individual or a nation. When in a cloud of confusion, You can offer a ray of light. When undecided because of many options, You can surface deepest convictions. When distracted or wandering around aimlessly, You can bring any of us back to center.

When bored with routine, You can create a surprise of new life. When smothered with disappointments, You can breathe the fresh breath of hope. When overwhelmed with an agenda, You can bring into focus priorities. When feeling most vulnerable, You are Our Strength now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LATTA 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.

IMPORTANT ENERGY POLICIES

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

Mr. LATTA. Mr. Speaker, as another week passes and gas prices continue to hit all-time record highs each day, our constituents want answers from Congress. Because there is no one single fix to stabilize the energy prices, we must have a comprehensive, realistic plan.

Last month I introduced House Resolution 1206 which promotes five important energy policies that I believe will assist Congress as we develop our comprehensive energy plan.

The five points within House Resolution 1206 include promotion and expansion of renewable alternative energy sources, increasing domestic refining capacity, promotion of conservation, increasing energy efficiency, expansion of research and development for domestic exploration, and enhancement of consumer education.

House Resolution 1206 is one piece of our energy puzzle, but an important one as Congress seeks to improve our Nation's comprehensive energy policy.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 2008.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 6, 2008, at 9:10 a.m.:

That the Senate passed without amendment H.R. 3913.

That the Senate passed S. 2482.

That the Senate agreed to without amendment H. Con. Res. 311.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

Printed on recycled paper.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 2008.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 6, 2008, at 3:27 p.m. and said to contain a message from the President whereby he submits a copy of a notice filed earlier with the Federal Register continuing the emergency with respect to Belarus first declared in Executive Order 13405 of June 16, 2006.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO BELARUS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–121)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus are to continue in effect beyond June 16, 2008.

The actions and policies of certain members of the Government of Belarus and other persons pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. These actions include undermining democratic processes or institutions; committing human rights abuses related to political repression, including detentions and disappearances; and engaging in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 6, 2008.*

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 5, 2008.

Hon. NANCY PELOSI,
Speaker of the House, U.S. Capitol Building, Washington, DC.

DEAR LEADER PELOSI: I am writing to notify you of my resignation from the Committee on Financial Services, effective today.

Thank you for your attention to this matter.

Respectfully yours,

DAN BOREN,
Member of Congress.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 5, 2008.

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

DEAR LEADER PELOSI: I am writing to notify you of my resignation from the Committee on Agriculture, effective today. I have appreciated the opportunity to serve my district and the U.S. House of Representatives in this capacity.

Thank you for your attention to this matter.

Sincerely,

LINCOLN DAVIS,
Member of Congress.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 2008.

Hon. NANCY PELOSI,
Speaker of the House, U.S. Capitol Building, Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Committee on Financial Services, effective today.

Thank you for your attention to this matter.

With warm regards,

ROBERT WEXLER.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

SEQUOIA AND KINGS CANYON NATIONAL PARK WILDERNESS ACT OF 2008

Mr. COSTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3022) to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3022

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 ''Sequoia and Kings Canyon National Parks Wilderness Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of California.

SEC. 3. DESIGNATION OF WILDERNESS AREAS.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) JOHN KREBS WILDERNESS.—

(A) DESIGNATION.—Certain land in Sequoia and Kings Canyon National Parks, comprising approximately 69,500 acres of land, and 130 acres of potential wilderness additions as generally depicted on the map numbered 102/60014a, titled ''John Krebs Wilderness'', and dated March 10, 2008.

(B) LIMITATIONS.—The designation of the wilderness under subparagraph (A) does not preclude operation and maintenance of the existing Hockett Meadow Cabin and Quinn Patrol Cabin in the same manner and degree in which the cabins were operated and maintained on the day before the date of enactment of this Act.

(C) EFFECT.—Nothing in this paragraph affects—

(i) the cabins in, and adjacent to, Mineral King Valley; or

(ii) the private inholdings known as ''Silver City'' and ''Kaweah Han''.

(D) POTENTIAL WILDERNESS ADDITIONS.—The designation of the potential wilderness additions under subparagraph (A) shall not prohibit the operation, maintenance, and repair of the small check dams and water impoundments on Lower Franklin Lake, Crystal Lake, Upper Monarch Lake, and Eagle Lake. The Secretary is authorized to allow the use of helicopters for the operation, maintenance, and repair of the small check dams and water impoundments on Lower Franklin Lake, Crystal Lake, Upper Monarch

Lake, and Eagle Lake. The potential wilderness additions shall be designated as wilderness and incorporated into the John Krebs Wilderness established by this Act upon termination of the non-conforming uses.

(2) SEQUOIA-KINGS CANYON WILDERNESS ADDITION.—Certain land in Sequoia and Kings Canyon National Parks, California, comprising approximately 45,186 acres as generally depicted on the map titled ''Sequoia-Kings Canyon Wilderness Addition'', numbered 102/60015a, and dated March 10, 2008, is incorporated in, and shall be considered to be a part of, the Sequoia-Kings Canyon Wilderness.

SEC. 4. ADMINISTRATION OF WILDERNESS AREAS.

(a) IN GENERAL.—Subject to valid existing rights, each area designated as wilderness by this Act shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in the Wilderness Act to the effective date of the Wilderness Act shall be considered to be a reference to the date of enactment of this Act.

(b) MAP AND LEGAL DESCRIPTION.—

(1) SUBMISSION OF MAP AND LEGAL DESCRIPTION.—As soon as practicable, but not later than 3 years, after the date of enactment of this Act, the Secretary shall file a map and legal description of each area designated as wilderness by this Act with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE AND EFFECT.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical error in the map or legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the Office of the Secretary.

(c) HYDROLOGIC, METEOROLOGIC, AND CLIMATOLOGICAL DEVICES, FACILITIES, AND ASSOCIATED EQUIPMENT.—The Secretary shall continue to manage maintenance and access to hydrologic, meteorologic, and climatological devices, facilities and associated equipment consistent with House Report 98–40.

(d) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this Act creates a protective perimeter or buffer zone around an area designated as wilderness by this Act.

(2) ACTIVITIES OUTSIDE WILDERNESS.—Nothing in this Act precludes authorized activities conducted outside of the areas designated as wilderness by this Act by cabin owners (or their designees) in the Mineral King Valley area, or the property owners (or their designees) or lessees in the Silver City private inholding (as identified on the map titled ''John Krebs Wilderness'' and dated March 10, 2008).

(e) HORSEBACK RIDING.—Nothing in this Act precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as wilderness by this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

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

The Chair recognize the gentleman the California (Mr. COSTA).

GENERAL LEAVE

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

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

There was no objection.

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

I rise today to introduce H.R. 3022, the Sequoia and Kings Canyon National Parks Wilderness Act of 2008. This bill adds nearly 115 acres of wilderness in the Sequoia and Kings Canyon National Parks in California, two parks that are among the crown jewels of our Nation's national park system. Coupled with existing wilderness areas in the parks, this bill will expand the wilderness to about 97 percent on the land base that is included within the park area.

About 45,000 acres of the wilderness created by this bill will be incorporated into currently existing Sequoia-Kings Canyon Wilderness Area. The other 70,000 acres will comprise a new wilderness area, which will be named after former Congressman John Krebs.

Congressman John Krebs served in this House from 1974 until 1978. He immigrated to this country when he was 17 years old. Like immigrants before him and immigrants since, he came here to find a better life for himself and his family. And in that effort, he contributed mightily, as all immigrants have, over the history of our Nation's years.

He served in this House with distinction and honor. He was tenacious, and one of the areas that he worked on was this area of wilderness within the Sequoia-Kings Canyon Wilderness Area.

So therefore it is appropriate that we designate this act by including this as a namesake, because within the Sequoia and Kings Canyon National Parks, we have California's and some of our country's most beautiful areas. The Redwood Canyon area contains Redwood Mountain Grove, the largest stand of giant sequoia within the parks. The Redwood Canyon also includes over 75 known caves, include the longest cave in California with over 21 miles of surveyed passage. The Hockett Plateau includes vast rolling forests of lodgepole pine surrounding spectacular subalpine meadows. The area is a favorite designation for equestrians, backpackers and anglers, people who, like all of us, like to enjoy our mountains.

This bill is obviously important not only to me but for my colleague, Congressman NUNES, and all that have been a part of this effort, for preserving our natural areas for future generations is a responsibility that we all share in common. And it gives us an opportunity to honor Congressman John Krebs, whom I first went to work for back in the 1970s when he served in Congress. He was a mentor and still today is a friend and is living well in Fresno, California, at the young, tender age of 82.

So it is fitting and appropriate that we recognize the people who deserve credit for making this bill a reality. Among those, I want to thank Chairman RAHALL, subcommittee Chairman GRIJALVA of the Natural Resources Committee for their support, their staffs, as well as the committee's minority staff that worked so hard on this bill, and the National Park Service.

In addition, there is a companion measure over in the Senate carried by Senator BOXER. I would very much like to thank her and her staff for their hard work, including most notably, the State director, Tom Bohigian, who devoted a great deal of time and energy to make this bill a reality.

□ 1415

Finally, I want to thank my colleague and dear friend, Congressman DEVIN NUNES, and his Deputy Chief of Staff, Damon Nelson, for their work on this bill. This is a sensitive issue. The land we are talking about resides within Congressman NUNES' congressional district. The wilderness created by H.R. 3022 there is important to Congressman NUNES, as well as to all of us, and I want to thank him for his hard work on this bill and for ensuring that he protects the interests of his district and the local communities and the folks that live and work and recreate in the wilderness and surrounding areas.

Mr. Speaker, I request my colleagues to support the passage of H.R. 3022, as amended.

I reserve the balance of my time.

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

Mr. Speaker, I take this opportunity to express my support for H.R. 3022, the Sequoia-Kings Canyon National Park Wilderness Act. I would also like to thank my good friend Mr. COSTA and Senator BOXER for their willingness to work in a bipartisan manner to secure protections for my constituents.

When the idea of this designation was proposed, my constituents had three main concerns: Specifically, continued access to the hydroelectric facilities in the area; continued access for private and commercial horse stock users; and, finally, the cabin owners in the Mineral King and Silver City area needed assurances that they will continue to have access to their cabins in accordance with their Park Service permits. In each case, Congressman COSTA and Senator BOXER agreed to add language to the bill that would resolve these concerns.

First the cabin owners were provided a half-mile buffer zone around the cabins in order to ensure that management of the wilderness does not impact their access to and their maintenance of the cabins.

Second, operators of the hydroelectric facilities were ensured they will continue to have access to their facilities to conduct maintenance and inspections as necessary. They will continue to be allowed motorized access, including helicopters, if non-motorized access is not reasonably feasible.

Finally, the private and commercial horse stock users were provided strong assurances that nothing in the act precludes access to the areas that are designated wilderness. There have been recurring problems with such access to surrounding wilderness areas, and the language in this bill intends to ensure that those issues will not be repeated in this wilderness.

Again, these were hard-fought protections, and the work of my colleagues during the drafting period was invaluable and much appreciated.

At this time, I would like to yield to my colleague Mr. COSTA and would appreciate any comments he may have about these specific provisions that I mentioned.

Mr. COSTA. First I would like to thank Congressman NUNES for your hard work and efforts on this. Without your support, I don't believe this measure would be a reality. The bipartisan effort I think is a commendation on how we ought to be working on all of our efforts here in the House.

Protecting the local interests was a concern of mine, as it was of yours, and I am glad that we were able to find ways to satisfy the existing uses within the wilderness and the park area, because having been one who has utilized that park and have enjoyed it over the years, I want to be able to continue to use it myself in those ways, as do all of our constituents from the valley, who believe this, as I said, is one of our crown jewels.

It was always a goal of mine that this be a bipartisan effort, and I am glad that Congressman NUNES feels comfortable with supporting the legislation and proud you were able to help make it a reality.

Mr. NUNES. Reclaiming my time, I want to thank the gentleman for his statements. I think this is a fitting tribute to Mr. Krebs, who dedicated his life to public service. He served on the Fresno County Board of Supervisors and also in the United States Congress honorably. Hopefully this wilderness bill ends up being something that is really done in a bipartisan manner, that after it is passed is also enacted in such a way that ensures use by all of our constituents, because really these are America's parks and resources and we want to make sure that access is granted to those that want it.

So, thank you, Mr. COSTA and Senator BOXER for honoring Mr. Krebs in this way, and I strongly urge passage of this bill.

I yield back the balance of my time.

Mr. COSTA. In closing, I just again want to thank Congressman NUNES and thank Senator BOXER. I think it is fitting and appropriate that we name this additional wilderness area on behalf of a gentleman who dedicated a large part of his time to protect and preserve our heritage for future generations to come and was one of my mentors. It is a proud day for me to be here today to in fact make this happen.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and pass the bill, H.R. 3022, as amended.

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

A motion to reconsider was laid on the table.

SABINOSO WILDERNESS ACT OF 2008

Mr. COSTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2632) to establish the Sabinoso Wilderness Area in San Miguel County, NM, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2632

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 ''Sabinoso Wilderness Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act:

(1) STATE.—The term ''State'' means the State of New Mexico.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. DESIGNATION OF THE SABINOSO WILDERNESS.

(a) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), there is hereby designated as wilderness, and, therefore, as a component of the National Wilderness Preservation System, the approximately 15,995 acres of land under the jurisdiction of the Taos Field Office Bureau of Land Management, New Mexico, as generally depicted on the map titled ''Sabinoso Wilderness'' and dated May 7, 2008, and which shall be known as the ''Sabinoso Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—The map and a legal description of the wilderness area designated by this Act shall—

(1) be filed by the Secretary with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as soon as practicable after the date of the enactment of this Act;

(2) have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the legal description and map; and

(3) be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) MANAGEMENT OF WILDERNESS.—Subject to valid existing rights, the wilderness areas designated by this Act shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act, except that with respect to the wilderness areas designated by this Act, any reference to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act and any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(d) INCORPORATION OF ACQUIRED LAND.—Any land or interest in land located inside the boundaries of the wilderness area designated by this Act that is acquired by the United States after the date of enactment of this Act shall become part of the wilderness area designated by this Act and shall be managed in accordance with this Act and other applicable law.

(e) GRAZING.—Grazing of livestock in the wilderness area designated by this Act, where established before the date of enactment of this Act, shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(f) FISH AND WILDLIFE.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State, including the regulation of hunting, fishing, and trapping, in the wilderness area designated by this Act.

(g) WITHDRAWAL.—Subject to valid existing rights, the wilderness area designated by this Act, is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(h) ACCESS.—

(1) Consistent with section 5(a) of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary shall continue to allow private landowners adequate access to inholdings in the Sabinoso Wilderness.

(2) For access purposes, private lands within T. 16 N., R. 23 E. Sections 17, 20 and the north half of Section 21, N.M.M. shall be managed as if an inholding in the Sabinoso Wilderness.

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

The Chair recognizes the gentleman from California (Mr. COSTA).

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 2632 would designate land managed by the Bureau of Land Management in San Miguel County in northwestern New Mexico as wilderness. The land has been managed as wilderness study area for more than 20 years. The area involved includes a mix of Ponderosa Pine and riparian vegetation and provides habitat for an array of species including the Red-tailed Hawk, bobcat and fox. The area features opportunities for hunting, hiking and horseback riding, among other activities. The area also includes a 1,000 foot deep canyon, Largo, which connects the Canadian River outside of the area.

I would like to commend my colleague, Representative TOM UDALL, for his fine work on this legislation. He has worked tirelessly to gain broad support for the measure before us today.

I would ask my colleagues to support the passage of H.R. 2622, as amended.

I reserve the balance of my time.

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

I think it is appropriate that the Congress continues to do their work, Mr. Speaker. But one of the problems that the Republicans have on this side of the aisle is that consumers are now paying upwards of $5 per gallon for gas in California and we want to make sure that the Republicans take our time to come to the House floor to make sure that we convey to the American people that the Republicans do have a plan, and part of that plan deals with drilling on Federal lands.

Although a lot of these bills that are coming to the floor deal with wilderness that may or may not have oil and gas exploration possibilities, like, for example, the bill that was just passed before the Congress that was in my district, there is no oil and gas in that area, this wilderness area I am not sure about. So I do have some concerns about this legislation, because I don't know this part of New Mexico, if there is oil and gas available.

I am concerned, because as we put this into a wilderness area, this is another area of America that will then be off-limits for drilling for oil or gas, and, like I said, at a time when Americans are paying $5 per gallon in some parts of the country, this is a big problem for the Republicans.

With that, I will reserve the balance of my time.

Mr. COSTA. I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, at this time I would like to yield such time as he may consume to my good friend from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank my friend from California for yielding.

As he mentioned, it is interesting that we are setting aside land for wilderness area to be managed by the Federal Government. It came out of the Committee on Natural Resources, but we are not using all our natural resources right now. We are not using some of the oil reserves that we have in ANWR. We are not using the oil that is on the Outer Continental Shelf. We are not using the shale coal that we have that we can convert to oil. We are not using the clean-burning coal to the best of our ability. We are not drilling for natural gas.

So we have natural resources in all parts of our country that we are not taking advantage of, and the reason that we are not taking advantage of it is because the new majority in the 110th Congress is being controlled or partly controlled by the radical environmentalists that don't want us to drive a Suburban or an extended cab pickup. They don't really care if gas goes to $10 a gallon.

So I would like for this House to concentrate on the majority of Americans who are tired of paying $4 a gallon for gas. They understood that when the new majority was elected, and you go back to April of 2006 and then minority leader, now Speaker NANCY PELOSI, made the statement, that the Democrats had a commonsense plan for bringing down the skyrocketing price of gas.

Now, I think at the time, Mr. Speaker, gas was about $2.20 a gallon. I never thought we would lament or say, man, can you remember back when gas was $2 a gallon? But that is what it was when the Democrat majority said they had this new commonsense approach for bringing down the skyrocketing gas price.

Since that time, gas has almost doubled. It has almost doubled. So where is that commonsense plan? Where is it that we are using some of our natural resources to increase the supply of production that we have in this country, rather than being so dependent on foreign oil?

Now, the problem is that the majority passed in January of 2007 an energy bill, and that energy bill, which many on our side of the aisle called the ''no-energy bill,'' went into effect. So we thought that that was the secret plan. Mr. Speaker, we thought that was this commonsense approach.

Once we looked at the bill, we saw that gasoline was mentioned about five or six times, that crude oil was mentioned about maybe 12 times, and that nothing was mentioned about domestic drilling, nothing was mentioned about increasing the production or using our natural resources to make us less dependent on foreign oil. But what we saw were words like ''swimming pool'' was used 47 times, ''lamp'' or ''light bulb'' was used 350 times, ''renewable energy'' was used a number of times, ''greenhouse gases'' was used a number of times, but nothing was really in that ''no-energy bill'' that helps us today.

I think we see evidence of that today with gas being over $4 a gallon. There was nothing in there to help us bring down the price of gas, number one, and that was where the commonsense approach was to be, was to bring down the skyrocketing price of gasoline. Not only did we not bring it down, it has doubled.

So where is this commonsense approach? I think the American people are ready to see it. I know my constituents are. When I go home, just like we have been home during the Memorial Day break, I had people ask me, what are we doing about increasing our domestic production? What are we doing about having the ability to become less dependent on foreign oil?

I have to explain to them the ''no-energy bill'' that was passed by this Congress and the things that it mentioned and the things that were there, and really and truly, Mr. Speaker, they think I am lying to them or kidding them, that that is the commonsense plan that the majority had, because it wasn't a plan at all. It was some type of smoke and mirrors that was sold to the American people. Now that gas is more than twice what it was, what are we to tell them? Because I have not seen anything come out of the Democratic side.

Now we have come up with an energy proposal that makes sense. It allows us to use some of our natural resources. What the other part that my constituents don't believe is that we as a government will not allow drilling off the coast of Florida, and yet China is fixing to start drilling 45 miles off our coast.

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They can use the slant drilling technology and probably get deeper into our oil reserves. Now, what are we to tell people? What am I to tell my constituents that this Congress is doing about that? They are doing nothing about it, not one single thing.

We are naming post offices, we are coming up with wilderness areas and many more days of honoring somebody or recognizing a week or recognizing a month, but we are not doing anything on this House floor, nor have we done anything on this House floor, to really bring down the price of gas, crude oil or come up with a commonsense plan for that American worker out there that's going to the pump, costing him $100 to fill up with gas.

Now, I don't know the answer to it, but I would suspect that if we pass some type of legislation that said we were going to start drilling, whether it be in ANWR, Outer Continental Shelf, wherever it is, that the oil speculators, that the bottom would fall out of that because people would say, you know what? They are finally doing something to become less dependent on somebody else's oil production.

So we don't have to hold them hostage anymore, and those prices would come down, just at the fact that we passed the legislation—not that we put the first drill bit in the ground—but just that these oil speculators and the American people saw that their elected officials were wanting to do something to take a positive step that we can meet our own energy needs.

Mr. Speaker, I want to ask, what's wrong with that? I don't think there is anything wrong with that. I think that the people that elect us deserve to know what our plan is. The Republican side has come out with a plan. They say, look, we are going to take advantage of our natural resources. We are going to take advantage of the things that we were God given in this land. We are going to take advantage of our oil reserves, of our natural gas, of our abundance of coal.

We are going to take advantage of those things, and we are going to use the technology that we have been so good about coming up with. We are going to take and convert this shale to oil, which Hitler did in the late 1920s—in the late 1920s—and we don't think that we can do that today?

There is a problem, and we need the courage, the political courage and the political guts to stand up and say we are going to—or at least I hope the majority party will go—we are going to go against those people that we owe so much to for being in the majority, and say we are going to do what's good for the American people. We are going to use our own natural resources. We are going to do what the people that elected us expect us to do, and that's what's the best for them, not the best for special interest groups.

I just hope that during this next conversation that we have on these upcoming bills that we will be on this floor discussing this issue, because we have not really had a debate on it. I wish that the majority party would bring a bill to this floor and have an open rule so we could vote on some of these things that are so important.

The truth of it is that our constituency doesn't really know how we believe on some of these issues, because the majority has never given us the ability to vote on it. Let's vote on drilling on ANWR, just a straight up or down vote, not anything else tied to it. Let's drill on our natural gas. Let's vote on our natural gas drilling, not anything else tied, just an up or down. Let's drill on the converting of coal-to-liquid oil. Let's vote on that, just an up or down, rather than tie so many things that's so confusing to the American people.

That's what I hope we will do.

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

Mr. COSTA. Mr. Speaker, reclaiming the balance of my time, how much time do I have remaining and the opposition?

The SPEAKER pro tempore. The gentleman from California (Mr. COSTA) has 19 minutes. The gentleman from California (Mr. NUNES) has 10 minutes.

Mr. COSTA. Mr. Speaker, as Sergeant Friday once said, for those of us who remember back to our youth and the old television series, he used to say, ''Just the facts, Ma'am.''

While we are debating the importance of a 20-year study that puts about an additional set-aside of land in New Mexico for a wilderness study, it seems that we have gotten off track here. But let me for the record, as Sergeant Friday once said, just state the facts.

Between 1999 and 2007, the number of drilling permits issued beginning with the Clinton administration, during the Bush administration to present day issued an increase in development of public lands on application of permits to drill increasing 361 percent. Let me repeat that. In the last 8-plus years we have increased the applications for permits to drill in public lands, both onshore and offshore, 361 percent.

The Bureau of Land Management has now issued over 28,776 permits to drill on public land. Yet at that time, today, only 18,954 wells have been actually drilled. In other words, 10,000 wells have been stockpiled in terms of the permits that have not been drilled.

In addition to that, when we talk about making additional available land, whether it's on the Florida coast or the California coast, we know there is opposition to that among both parties, but the fact of the matter is, again—as Sergeant Friday used to say, ''Just the facts, Ma'am''—the area that's available for energy companies to develop is 47.5 million acres onshore on Federal lands that are currently being leased by oil and gas companies.

Today, only about 13 million of those acres are actually in production. Again, there are over 47.5 million acres that are currently available for use to be drilled for oil and gas. Only about 13 million acres are actually being utilized.

Clearly, there are a multitude of solutions that deal with this painful, painful energy dilemma that we find ourselves in today, not just in the United States but in other parts of the world. There are short-term solutions and there are long-term solutions.

Frankly, in my opinion, the sooner we get past this blame game—because if my memory serves me correctly, the loyal opposition was in control for 12 years to develop this comprehensive energy policy. We have been in the majority for less than a year and a half. Yet all of the blame somehow is seemingly being placed on us. The issue on ANWR that was talked about earlier passed this House in previous Republican-controlled houses, only to never see the light of day over in the Senate.

So, we can play the blame game, but what Americans want when I go to my constituencies, my district, is us to fashion bipartisan solutions that are commonsense that involve both the short-term dilemma that we are in and long-term solutions. Frankly, when we come together, in my view, to put together that sort of a bipartisan comprehensive effort is when I think we are going to be addressing the long-term needs for our country.

Now, the bill before us obviously has nothing to do with the discussion we have just had. For 20 years, 20 years, Congressman TOM UDALL and his colleagues in New Mexico have worked diligently to determine whether or not these lands could be put aside. That's what H.R. 2632 does, as amended.

I urge my colleagues to support this measure before us.

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

Mr. NUNES. Mr. Speaker, I think the issue here is really not about what is available for exploration and the amount of wells that have been able to be drilled on what's been allowed for exploration. The key here, as most people know, is that there is literally hundreds of billions of barrels of oil that is totally off-limits for us to research.

I know that my friend from California is part of the solution, because he is one of the few Members of the Democrat Caucus that actually believes in drilling for oil. I know that he agrees with drilling in Alaska, and he agrees with drilling in the gulf and other places where we have tremendous resources of oil.

So really the key here, like Mr. WESTMORELAND said earlier, is we need to have open time here on the floor with bills that come to the floor with open rules so that we can allow the majority to govern, meaning the majority of Members, not just one party.

The longer that the Democrats continue to take bills up to the Rules Committee and send them down here to the floor to where we have no chance to offer amendments, we never have an opportunity to increase exploration. I believe that the American people, now that gas is soon to be $5 a gallon, that the American people have had enough of us buying all of our oil from the Middle East and South America and Africa. They have had enough. They are fed up with it.

One-third of our trade balance is basically because of the money that we send out of this country for importing oil. What I am hoping to get back to is some reasonable common sense here in the Congress to where Republicans and Democrats can work together and build a majority that will allow drilling in our own country, because I believe that's what the American people are asking for.

Until the Speaker of the House and the rest of the leadership decide that they want to let the majority rule, a majority of Members of Congress and not just one party, we are going to continue to pay high prices at the pump.

Mr. Speaker, I would like to yield to my good friend from Georgia (Mr. WESTMORELAND) for as much time as he may consume.

Mr. WESTMORELAND. Thank you for yielding.

To my other friend from California over there, I know that the gentleman is the chairman of the Subcommittee on Energy and Mineral Resources, and I think that subcommittee has jurisdiction over the drilling in ANWR and the Outer Continental Shelf. Right now only 3 percent of the Outer Continental Shelf is leased for oil and natural gas, and only 6 percent of the Bureau of Land Management public lands are leased.

So I think that it would be a good opportunity for the gentleman, for just my suggestion, that we look at that. I know that it has been looked at many times before.

The gentleman mentioned about the Republicans being in control for 12 years, I was only here for 2 of those years, so I was quite disappointed too that we never passed a comprehensive energy plan. You know, I am very concerned about that, and I hate that.

What I am proud of is that right now that we have come up with an energy plan that would help with our dependence on foreign oil, and maybe it took 12 years for us to wake up. I certainly hope that the majority party that's in

control now, that it doesn't take them 12 years to wake up to understand that we need an energy policy.

Now, if it's going to take them 12 years to wake up, we will be paying $12 a gallon like they are paying in the Netherlands or $9 a gallon like they are paying in Germany. I know that would make some of their base awfully happy if we were paying those gas prices, but your average American family, the man and the woman out there trying to make a living and trying to provide for their family, does not like paying $4 a gallon for gasoline when we are not doing anything, anything to reduce our dependence on that foreign oil.

I agree with Mr. NUNES from California in the fact that we need to bring some bills to the floor. We are doing 20 suspension bills on this floor today. The U.S. Congress is addressing 20 bills on this floor today, that most of them will be passed by a voice vote, and most Americans won't even know what we did.

Some of these pieces of legislation should be going through a regular rule, a regular order of process, where we can come in and make some amendments on some of these. There may be in these wilderness areas, there may be some spots where we have the potential for natural gas or oil, where we have potential for solar, where we have potential for wind power. Those are being restricted on just about every one of these pieces of legislation that we are doing today.

So let's have an open, honest—that's another promise that the majority made to the American people, that this was going to be the most open, honest Congress in history. I hate to say this, and I was only here for 2 years when we were in control, but that's not true. That's another falsehood and whether they did it purposefully or not, that this is not the most open, honest Congress that this country has ever seen, and it does not or has not or not yet come up with a commonsense approach to bring down the skyrocketing cost of gasoline when it was $2.20 a gallon, and now it's over $4 a gallon.

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

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to encourage my colleagues to support passage of this legislation to designate as wilderness the lands in and near the Sabinoso Wilderness Study Area (WSA), located in my district. The Sabinoso WSA is one of New Mexico's special places and deserves to be protected and accessible to all.

The Sabinoso WSA comprises approximately 20,000 acres and is situated in San Miguel County, 40 miles east of Las Vegas, New Mexico, and 25 miles northwest of Conchas Dam State Park. During a trip I took to the area, I was immediately struck by the ecological, scenic and recreational value of the land. Sabinoso's soil includes a thick section of colorful sedimentary rocks, typical of desert rock formations throughout the West. The area's scenic and densely vegetated landscape is also home to a rich diversity of wildlife, such as red-tailed hawks, western scrub-jays, broad-tailed hummingbirds, mule deer, bobcats, and gray foxes. All of these natural resources will provide outstanding opportunities to hunt, hike, horseback ride, take photographs, and simply experience the unspoiled lands of our ancestors.

During the 2007 session of the New Mexico State Legislature, House Memorial 53, which calls on the New Mexico Congressional delegation to support the establishment of the Sabinoso Wilderness Area, was introduced by State Representative THOMAS GARCIA and passed unanimously by a vote of 66–0.

Unfortunately, this beautiful piece of land is currently inaccessible to the general public. Designating the area will help provide access to the land for everyone. Opening Sabinoso will also create important new economic development opportunities for the surrounding communities.

The bill that comes to the floor today is a result of compromise and open dialogue. It is a bill that addresses the concerns of, and is supported by, all parties involved. It is an example of the positive results that come from Federal agencies, local landowners, and wilderness groups working together towards a common goal. I would like to thank Chairman GRIJALVA and his staff for their tireless efforts to find compromise between these different groups, and to ensure that the rights of local private landowners would not be compromised.

I again encourage my colleagues to support this bill to establish a wilderness area that will help to preserve the natural beauty and cultural heritage of New Mexico.

Mr. NUNES. Mr. Speaker, I have no more speakers on this bill, and I yield back the balance of my time.

Mr. COSTA. Mr. Speaker, I would ask my colleagues to support the passage of H.R. 2632, as amended, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and pass the bill, H.R. 2632, as amended.

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

A motion to reconsider was laid on the table.

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CALIFORNIA DESERT AND MOUNTAIN HERITAGE ACT OF 2008

Mr. COSTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3682) to designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3682

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''California Desert and Mountain Heritage Act of 2008''.

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

Sec. 1. Short title; table of contents.

TITLE I—DESIGNATION AND EXPANSION OF WILDERNESS AREAS

Sec. 101. Definition of Secretary.

Sec. 102. Designation of wilderness, Cleveland and San Bernardino National Forests, Joshua Tree National Park, and Bureau of Land Management land in Riverside County, California.

Sec. 103. Joshua Tree National Park potential wilderness.

Sec. 104. Administration of wilderness.

TITLE II—WILD AND SCENIC RIVER DESIGNATIONS

Sec. 201. Wild and scenic river designations, Riverside County, California.

TITLE III—ADDITIONS AND TECHNICAL CORRECTIONS TO SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT

Sec. 301. Boundary adjustment, Santa Rosa and San Jacinto Mountains National Monument.

Sec. 302. Technical amendments to the Santa Rosa and San Jacinto Mountains National Monument Act of 2000.

TITLE I—DESIGNATION AND EXPANSION OF WILDERNESS AREAS

SEC. 101. DEFINITION OF SECRETARY.

In this title, the term ''Secretary'' means—

(1) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(2) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

SEC. 102. DESIGNATION OF WILDERNESS, CLEVELAND AND SAN BERNARDINO NATIONAL FORESTS, JOSHUA TREE NATIONAL PARK, AND BUREAU OF LAND MANAGEMENT LAND IN RIVERSIDE COUNTY, CALIFORNIA.

(a) AGUA TIBIA WILDERNESS ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the Cleveland National Forest and certain land administered by the Bureau of Land Management in Riverside County, California, together comprising approximately 2,053 acres, as generally depicted on the map titled ''Proposed Addition to Agua Tibia Wilderness'', and dated May 9, 2008, is designated as wilderness and is incorporated in, and shall be deemed to be a part of, the Agua Tibia Wilderness designated by section 2(a) of Public Law 93–632 (88 Stat. 2154; 16 U.S.C. 1132 note).

(b) CAHUILLA MOUNTAIN WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the San Bernardino National Forest, California, comprising approximately 5,585 acres, as generally depicted on the map titled ''Cahuilla Mountain Proposed Wilderness'', and dated May 1, 2008, is designated as wilderness and, therefore, as a component of the National Wilderness Preservation System, which shall be known as the ''Cahuilla Mountain Wilderness''.

(c) SOUTH FORK SAN JACINTO WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the San Bernardino National Forest, California, comprising approximately 20,217 acres, as generally depicted on the map titled ''South Fork San Jacinto Proposed Wilderness'', and dated May 1, 2008, is designated as wilderness and, therefore, as a component of the National Wilderness Preservation System, which shall be known as the ''South Fork San Jacinto Wilderness''.

(d) SANTA ROSA WILDERNESS ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C.

1131 et seq.), certain land in the San Bernardino National Forest, California, and certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 2,149 acres, as generally depicted on the map titled ''Santa Rosa-San Jacinto National Monument Expansion and Santa Rosa Wilderness Addition'', and dated March 12, 2008, is designated as wilderness and is incorporated in, and shall be deemed to be a part of, the Santa Rosa Wilderness designated by section 101(a)(28) of Public Law 98–425 (98 Stat. 1623; 16 U.S.C. 1132 note) and expanded by paragraph (59) of section 102 of Public Law 103–433 (108 Stat. 4472; 16 U.S.C. 1132 note).

(e) BEAUTY MOUNTAIN WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 15,621 acres, as generally depicted on the map titled ''Beauty Mountain Proposed Wilderness'', and dated April 3, 2007, is designated as wilderness and, therefore, as a component of the National Wilderness Preservation System, which shall be known as the ''Beauty Mountain Wilderness''.

(f) JOSHUA TREE NATIONAL PARK WILDERNESS ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in Joshua Tree National Park, comprising approximately 36,700 acres, as generally depicted on the map numbered 156/80,055, and titled ''Joshua Tree National Park Proposed Wilderness Additions'', and dated March 2008, is designated as wilderness and is incorporated in, and shall be deemed to be a part of, the Joshua Tree Wilderness designated by section 1(g) of Public Law 94–567 (90 Stat. 2692; 16 U.S.C. 1132 note).

(g) OROCOPIA MOUNTAINS WILDERNESS ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 4,635 acres, as generally depicted on the map titled ''Orocopia Mountains Proposed Wilderness Addition'', and dated May 8, 2008, is designated as wilderness and is incorporated in, and shall be deemed to be a part of, the Orocopia Mountains Wilderness as designated by paragraph (44) of section 102 of Public Law 103–433 (108 Stat. 4472; 16 U.S.C. 1132 note), except that the wilderness boundaries established by this subsection in Township 7 South are intended to exclude—

(1) a corridor 250 feet north of the centerline of the Bradshaw Trail;

(2) a corridor 250 feet from both sides of the centerline of the vehicle route in the unnamed wash that flows between the Eagle Mountain Railroad on the south and the existing Orocopia Mountains Wilderness boundary; and

(3) a corridor 250 feet from both sides of the centerline of the vehicle route in the unnamed wash that flows between the Chocolate Mountain Aerial Gunnery Range on the south and the existing Orocopia Mountains Wilderness boundary.

(h) PALEN/MCCOY WILDERNESS ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 22,645 acres, as generally depicted on the map titled ''Palen-McCoy Proposed Wilderness Additions'', and dated May 8, 2008, is designated as wilderness and is incorporated in, and shall be deemed to be a part of, the Palen/McCoy Wilderness as designated by paragraph (47) of section 102 of Public Law 103–433 (108 Stat. 4472; 16 U.S.C. 1132 note).

(i) PINTO MOUNTAINS WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 24,404 acres, as generally depicted on the map titled ''Pinto Mountains Proposed Wilderness'', and dated February 21, 2008, is designated as wilderness and, therefore, as a component of the National Wilderness Preservation System, which shall be known as the ''Pinto Mountains Wilderness''.

(j) CHUCKWALLA MOUNTAINS WILDERNESS ADDITIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land administered by the Bureau of Land Management in Riverside County, California, comprising approximately 12,815 acres, as generally depicted on the map titled ''Chuckwalla Mountains Proposed Wilderness Addition'', and dated May 8, 2008, is designated as wilderness and is incorporated in, and shall be deemed to be a part of the Chuckwalla Mountains Wilderness as designated by paragraph (12) of section 102 of Public Law 103–433 (108 Stat. 4472; 16 U.S.C. 1132 note).

(k) MAPS AND DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and legal description of each wilderness area and wilderness addition designated by this section with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the appropriate office of the Secretary.

(l) UTILITY FACILITIES AND CORRIDORS.—The wilderness areas and wilderness additions designated by this section are intended to exclude rights of way for existing utility facilities, such as power, gas, and telecommunications lines, and associated structures and access roads, and existing designated utility corridors. Nothing in this section or the Wilderness Act shall be construed to prohibit construction, operation, and maintenance, using standard industry practices, of existing utility facilities located outside of the wilderness areas and wilderness additions designated by this section.

SEC. 103. JOSHUA TREE NATIONAL PARK POTENTIAL WILDERNESS.

(a) DESIGNATION OF POTENTIAL WILDERNESS.—Certain land in the Joshua Tree National Park, comprising approximately 43,300 acres, as generally depicted on the map numbered 156/80,055, and titled ''Joshua Tree National Park Proposed Wilderness Additions'', and dated March 2008, is designated potential wilderness and shall be managed by the Secretary of the Interior insofar as practicable as wilderness until such time as the land is designated as wilderness pursuant to subsection (b).

(b) DESIGNATION AS WILDERNESS.—The land designated potential wilderness by subsection (a) shall be designated as wilderness and incorporated in, and be deemed to be a part of, the Joshua Tree Wilderness designated by section 1(g) of Public Law 94–567 (90 Stat. 2692; 16 U.S.C. 1132 note), effective upon publication by the Secretary of the Interior in the Federal Register of a notice that—

(1) all uses of the land within the potential wilderness prohibited by the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased; and

(2) sufficient inholdings within the boundaries of the potential wilderness have been acquired to establish a manageable wilderness unit.

(c) MAP AND DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date on which the notice required by subsection (b) is published in the Federal Register, the Secretary shall file a map and legal description of the land designated as wilderness and potential wilderness by this section with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the appropriate office of the Secretary.

SEC. 104. ADMINISTRATION OF WILDERNESS.

(a) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness or as a wilderness addition by this title shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be deemed to be a reference to—

(A) the date of the enactment of this Act; or

(B) in the case of the wilderness addition designated by subsection (b) of section 513, the date on which the notice required by such subsection is published in the Federal Register; and

(2) any reference in that Act to the Secretary of Agriculture shall be deemed to be a reference to the Secretary that has jurisdiction over the land.

(b) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundaries of a wilderness area or wilderness addition designated by this title that is acquired by the United States shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this title, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable law.

(c) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the land designated as wilderness by this title is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(d) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(1) IN GENERAL.—The Secretary may take such measures in a wilderness area or wilderness addition designated by this Act as are necessary for the control and prevention of fire, insects, and diseases (including the use of prescribed burning, priority treatments, or fuels reduction) in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98–40 of the 98th Congress.

(2) FUNDING PRIORITIES.—The designation of wilderness areas and wilderness additions by this title is not intended to alter the priorities afforded the land so designated in allocating funds for fire and related fuels management.

(3) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of the enactment of this Act, the Secretary shall amend the local fire management plans that apply to the Santa Rosa Wilderness and Agua Tibia Wilderness, and prepare local fire management plans for the Beauty Mountain Wilderness, Cahuilla Mountain Wilderness, and South Fork San Jacinto Wilderness Area, to identify appropriate local officials to take such actions in the wilderness areas as are necessary for fire prevention and watershed protection consistent with paragraph (1), including best management practices for fire pre-suppression and fire suppression measures and techniques.

(4) STATE OR LOCAL AGENCIES.—Consistent with paragraph (1) and other applicable Federal law, the Secretary may delegate by written agreement primary fire fighting authority and related public safety activities to an appropriate State or local agency.

(e) GRAZING.—Grazing of livestock in a wilderness area or wilderness addition designated by

this title shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines set forth in House Report 96–617 to accompany H.R. 5487 of the 96th Congress.

(f) NATIVE AMERICAN USES AND INTERESTS.—

(1) EFFECT OF DESIGNATION.—Nothing in the designation of the Cahuilla Mountain Wilderness by this title affects the unique cultural artifacts and sacred sites of the Indian tribes that are contained within that wilderness area, as identified by Indian tribes and the Forest Service.

(2) ACCESS AND USE.—To the extent practicable, the Secretary shall ensure access to the Cahuilla Mountain Wilderness by members of an Indian tribe for traditional cultural purposes. In implementing this subsection, the Secretary, upon the request of an Indian tribe, may temporarily close to the general public use of one or more specific portions of the wilderness area in order to protect the privacy of traditional cultural activities in such areas by members of the Indian tribe. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95–341 (42 U.S.C. 1996), commonly referred to as the American Indian Religious Freedom Act, and the Wilderness Act (11 U.S.C. 1131 et seq.).

(3) INDIAN TRIBE DEFINED.—In this subsection, the term ''Indian tribe'' means any Indian tribe, band, nation, or other organized group or community of Indians which is recognized as eligible by the Secretary of the Interior for the special programs and services provided by the United States to Indians because of their status as Indians.

TITLE II—WILD AND SCENIC RIVER DESIGNATIONS

SEC. 201. WILD AND SCENIC RIVER DESIGNATIONS, RIVERSIDE COUNTY, CALIFORNIA.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraphs:

''(__) NORTH FORK SAN JACINTO RIVER, CALIFORNIA.—The following segments of the North Fork San Jacinto River in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 2.12-mile segment from the source of the North Fork San Jacinto River at Deer Springs in Mt. San Jacinto State Park to the State Park boundary, as a wild river.

''(B) The 1.66-mile segment from the Mt. San Jacinto State Park boundary to the Lawler Park boundary in section 26, township 4 south, range 2 east, San Bernardino meridian, as a scenic river.

''(C) The 0.68-mile segment from the Lawler Park boundary to its confluence with Fuller Mill Creek, as a recreational river.

''(D) The 2.15-mile segment from its confluence with Fuller Mill Creek to .25 miles upstream of the 5S09 road crossing, as a wild river.

''(E) The 0.6-mile segment from .25 miles upstream of the 5S09 Road crossing to its confluence with Stone Creek, as a scenic river.

''(F) The 2.91-mile segment from the Stone Creek confluence to the northern boundary of section 17, township 5 south, range 2 east, San Bernardino meridian, as a wild river.

''(__) FULLER MILL CREEK, CALIFORNIA.—The following segments of Fuller Mill Creek in the State of California, to be administered by the Secretary of Agriculture:

''(A) The 1.2-mile segment from the source of Fuller Mill Creek in the San Jacinto Wilderness to the Pinewood property boundary in section 13, township 4 south, range 2 east, San Bernardino meridian, as a scenic river.

''(B) The 0.9-mile segment in the Pine Wood property, as a recreational river.

''(C) The 1.4-mile segment from the Pinewood property boundary in section 23, township 4 south, range 2 east, San Bernardino meridian, to its confluence with the North Fork San Jacinto River, as a scenic river.

''(__) PALM CANYON CREEK, CALIFORNIA.—The 8.1-mile segment of Palm Canyon Creek in the State of California from the southern boundary of section 6, township 7 south, range 5 east, San Bernardino meridian, to the San Bernardino National Forest boundary in section 1, township 6 south, range 4 east, San Bernardino meridian, to be administered by the Secretary of Agriculture as a wild river, and the Secretary shall enter into a cooperative management agreement with the Agua Caliente Band of Cahuilla Indians to protect and enhance river values.

''(__) BAUTISTA CREEK, CALIFORNIA.—The 9.8-mile segment of Bautista Creek in the State of California from the San Bernardino National Forest boundary in section 36, township 6 south, range 2 east, San Bernardino meridian, to the San Bernardino National Forest boundary in section 2, township 6 south, range 1 east, San Bernardino meridian, to be administered by the Secretary of Agriculture as a recreational river.''.

TITLE III—ADDITIONS AND TECHNICAL CORRECTIONS TO SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT

SEC. 301. BOUNDARY ADJUSTMENT, SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT.

Section 2 of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106–351; 114 U.S.C. 1362; 16 U.S.C. 431 note) is amended by adding at the end the following new subsection:

''(e) EXPANSION OF BOUNDARIES.—In addition to the land described in subsection (c), the boundaries of the National Monument shall include the following lands identified as additions to the National Monument on the map titled 'Santa Rosa-San Jacinto National Monument Expansion and Santa Rosa Wilderness Addition', and dated March 12, 2008:

''(1) The 'Santa Rosa Peak Area Monument Expansion'.

''(2) The 'Snow Creek Area Monument Expansion'.

''(3) The 'Tahquitz Peak Area Monument Expansion'.

''(4) The 'Southeast Area Monument Expansion', which is designated as wilderness in section 512(d), and is thus incorporated into, and shall be deemed part of, the Santa Rosa Wilderness.''.

SEC. 302. TECHNICAL AMENDMENTS TO THE SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT ACT OF 2000.

Section 7(d) of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106–351; 114 U.S.C. 1362; 16 U.S.C. 431 note) is amended by striking ''eight'' and inserting ''a majority of the appointed''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 3682 will designate more than 180,000 acres of new and potential wilderness in Riverside County, California. H.R. 3682 also will add 31 miles of new river segments to the National Wild and Scenic River System and add nearly 8,400 acres to the Santa Rosa-San Jacinto Mountains National Monument.

This legislation is carried by Representative BONO MACK, the author of the bill. We want to commend her on her diligence. She has spent years crafting this legislation. Her hard work has paid off with a conservation achievement that takes careful account of fire concerns, which are oftentimes a part of the natural conditions of that area, recreational interests and all of the magnificent resources that lie within her beautiful district.

This measure, H.R. 3682, will protect dramatic mountain vistas and vast desert landscapes, coastal sage and scrub and chaparral, and ancient Joshua trees. The areas covered by the bill include the largest ironwood ecosystem in the California desert, and one of the most pristine watersheds in southwestern California.

This legislation has broad support from over 400 organizations and businesses including local, State and national wilderness groups, as well as the National Hispanic Environmental Council.

Mr. Speaker, I urge Members to support this measure, H.R. 3682, as amended.

I reserve the balance of my time.

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

I want to commend Congresswoman MARY BONO MACK for including the language in this wilderness legislation that will allow fuels reduction and prescribed burns in wilderness areas, just as the 1964 Wilderness Act allows.

Also commendable is codifying an energy corridor which will allow renewable energy to be created and transferred through this new wilderness area.

I would like to thank Chairman RAHALL and his staff for allowing this language to be included in the bill, and I look forward to seeing this commonsense language included in future wilderness legislation. It will help protect lives and help provide energy which I think is critical as we begin to look at new wilderness areas being created around the country.

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

Mr. COSTA. I reserve.

Mr. NUNES. Mr. Speaker, I would like to yield such time as he may consume to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank my friend for yielding.

It was mentioned a while ago about all of the different land that was available for oil companies to drill in, that they weren't taking advantage of, and I would like to quote some figures, Mr. Speaker, for you and for the American

people to hear because one of the things, I guess, that is part of this secret plan for our energy is to tax oil companies. Somehow the majority has got in their mind by taxing companies, the price of their product is going to come down. I don't understand that, and I know that most of the people in the Third Congressional District of Georgia do not understand that, and I am sure there are probably people all over the world that don't understand that. But that seems to be their answer to everything, is to raise taxes.

When you talk about, Mr. Speaker, domestic oil and gas production, in 2006 the top 27 U.S. energy producing companies paid $81.5 billion in corporate Federal income taxes. That is $81.5 billion in corporate taxes, an 81 percent increase over 2004. In addition, they paid $3.1 billion in State and local government taxes. Those 27 companies paid 21 percent of the total corporate income taxes collected by this Federal Government in 2006. These 27 companies paid 21 percent of all the corporate taxes paid into the Federal Government.

Yet these 27 companies make up one one-thousandth of the domestic corporate filers. And yet they paid 21 percent of all the total corporate Federal taxes paid into our treasury.

Total non-income taxes paid in 2006 by the big 27 was $8.2 billion, and that was a 46 percent increase over 2004. Excise taxes collected by these same 27 companies on behalf of the Federal, State and local governments total $48.1 billion in 2006.

In 2006, these 27 companies were responsible for 44 percent of the total U.S. crude oil and natural gas production, and 81 percent of the domestic refining capacity.

For fiscal year 2006, $10.48 billion was collected in the form of bonus bids, rent and royalties from oil and gas companies operating on Federal lands.

The OCS, the Outer Continental Shelf, covers 1.7 billion acres of which 85 percent is off-limits to drilling. However, the Minerals Management Service broke records for bonus bids in several recent OCS lease sales. Last summer in the western gulf off the shore of Texas they received more than $289.9 million for tracts totaling 18 million acres. In February 2008 they received $2.6 billion for leases covering approximately 2.7 million acres in the Chukchi Sea. And in March, they received $3.7 billion in bonus bids in the central and eastern Gulf of Mexico.

The CRS estimates that ANWR production would deliver $191.1 billion in corporate income tax and royalty to the Federal treasury at today's prices.

So while they may not be drilling, you can see that 85 percent of the Federal land is off-limits. Maybe the land that they have to drill on doesn't have any oil reserves under it, any natural gas under it, any coal under it. That would be something, Mr. Speaker, for the chairman of the subcommittee to tell us, if there are any oil reserves or natural gas reserves or coal reserves under this 85 percent of Federal lands that does not have the ability to be drilled under. And then if it does have reserves for oil or natural gas or coal, maybe he could tell us, Mr. Speaker, why we can't drill there, why it is off-limits, what technology are we missing to be able to drill in an environmentally friendly way.

So yes, some of these companies do have land that they may be able to drill on. But as we see that this is a profitable thing for the Federal Government, to allow those companies to drill domestically, we can see the amount of money that it brings in. And goodness knows, the way the majority party loves to spend money, they passed a thing called PAYGO, the American people pay and we will go spend it. Now this is a great opportunity to get more revenue coming into our treasury by allowing us to take advantage of our own resources that we have in this country.

Mr. COSTA. Mr. Speaker, as the chairman of the Subcommittee on Energy and Minerals on Public Lands, it is my opinion that the oil and gas companies would not be buying the leases to these lands if they did not believe that oil and gas could be produced there. Yet these same companies are producing in other areas. Two months ago I was in the Gulf of Mexico surveying a lot of good work that is being done there, American companies and others that are actively drilling for both oil and gas.

But let me repeat again the current circumstance which we are dealing with. Trends include not only the fact that 13 million acres are actually being used out of the 47 million acres that are on shore, but when you look at offshore, 10 million acres of the gas and oil land that has been leased to these companies are being used out of the 44 million acres that are currently being leased.

If we extrapolate from that, the fact is that today's production rates on Federal land and waters, we can estimate that 68 million acres of leased but currently inactive Federal land and waters could produce 4.8 million barrels of oil and 44.7 billion cubic feet of natural gas each day, if the vast amount of land that is leased on which permits to drill have been allowed but is not currently being utilized were taking place. Are there other opportunities or options out there along with all of the other variables of trying to come together with a comprehensive energy plan, certainly. But I think my parents told me a long time ago that to be prudent, you first ought to use those available resources that have been approved by both the Federal Government in terms of Federal lands, both on shore as well as offshore, and the States that we are also dealing with in the circumstance.

So we are inventorying them and keeping a close eye on it, and we want to encourage that those lands already leased are utilized to the degree they could be utilized. And clearly, obviously, we will continue to look at all of the renewable sources of energy that are in our energy toolbox because there is no one silver bullet.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I would like to inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from California (Mr. NUNES) has 13 minutes. The gentleman from California (Mr. COSTA) has 15½ minutes.

□ 1500

Mr. NUNES. I yield myself as much time as I may consume.

The key here, Mr. Speaker, is that 86 percent of our Federal lands are off-use for drilling. What we have to really recognize in this country is that we have to quit blaming people and have to start, in my opinion, place the blame on ourselves. It's not a Democrat problem; it's not a Republican problem. It's the whole Congress itself that's the problem, because for decades now, we haven't been able to open up the Federal lands for drilling for oil. And there's a lot of us in this body who believe that what we ought to do is open up these areas for drilling, but, instead of using that tax revenue to go to pay for a lot of the things that we waste money here in Washington on, but instead take that tax revenue and invest it into the next generation of energy. That's what we're attempting to do on the Republican side of the aisle.

We actually, I've worked with, including Mr. COSTA and other Democrats, to develop bipartisan legislation that would, in fact, open these areas up for drilling, and then basically make the largest investment in American-made energy in our Nation's history. And that's how we move from fossil fuels to the next generation of clean and renewable energy.

Today a half a percent of our total energy is produced from solar and wind power; and so to think that we're going to go from a half a percent anywhere close to the energy needs that we need, it's not possible at this time, Mr. Speaker, and we need to be honest with the American people about what really is the problem, why don't we have an abundant energy availability in this country? Why are we exporting so many dollars overseas?

And the longer that we sit around and blame oil companies or blame OPEC or blame speculators, quite frankly, the longer it is the American people are going to be paying $5 per gallon per gas, as they are in California, or possibly even higher.

What I'd like to see us do, Mr. Speaker, I said this earlier, bringing bills to the floor that are not only wilderness bills but would actually open up large vast areas for drilling, and not only bringing these bills to the floor, but bringing them up in a way where they

don't come to the floor with a closed rule, where the Republicans can't offer any of their alternatives. Because, essentially, what's happening is that a majority of this Congress, I believe, both Republicans and Democrats, would vote to open up for drilling in this country. They would vote for that. We'd probably get 230, 240 votes, I would think. Because a lot of the folks that were elected last year, that helped put the Democrats in the majority, they ran on a pro-drilling platform. The problem is that we have to allow those people that were elected here, the new Members to this body, to have a chance, under an open rule, to vote on things that will really make substantial impacts for the American people.

And I believe that if we have open rules in this Congress, where we bring bills to the floor that we can actually vote on, the majority will rule, and it would be a majority of Republicans and Democrats working together to open up our energy resources in this country so that we can begin to rely on American-made energy, and not continuing to export so many dollars outside of this country, which is, in my opinion, one of the most irresponsible things that this Congress has done for decades.

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

Mr. COSTA. In closing, Mr. Speaker, I'd urge the Members to support H.R. 3682, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and pass the bill, H.R. 3682, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 100TH ANNIVERSARY OF THE OZARK NATIONAL FOREST

Mr. COSTA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1158) recognizing the 100th anniversary of the establishment of the Ozark National Forest in Arkansas.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1158

Whereas on March 6, 1908, President Theodore Roosevelt set aside by proclamation 917,944 acres of land for conservation purposes, which was designated as the Ozark National Forest;

Whereas the Ozark National Forest was the first federally protected stand of hardwoods in the United States;

Whereas the Ozark National Forest is home to Arkansas's tallest mountain, Mount Magazine;

Whereas the Ozark National Forest is home to Blanchard Springs Caverns, which is a magnificent limestone cave system, and the only cave system featuring guided tours administered by the Forest Service;

Whereas in 2006, the Ozark National Forest helped enrich the lives of 2.1 million visitors by sharing the beauty of Arkansas, which is known as ''The Natural State'';

Whereas diverse flora in the region include more than 500 species of trees and woody plants, and hardwoods occupy 65 percent of the forests; and

Whereas the Ozark National Forest operates outstanding destinations for visitors, including the Lake Wedington Recreation Area, which is on the National Register of Historic Places, White Rock Mountain, 6 National Scenic Byways that offer spectacular views of the Ozark Mountains, over 200 camping and picnic sites, 9 swimming beaches, 11 special interest areas, 5 wilderness areas, hundreds of miles of trails, including the Moccasin Gap Horse Trail, the Huckleberry Mountain Horse Trail, the Mill Creek Trail, and the Ozark Highlands Trail, trails for hiking, mountain biking, and recreational off-highway vehicles, and thousands of acres of lakes and streams: Now, therefore, be it

Resolved, That the House of Representatives recognizes the 100th Anniversary of the establishment of the Ozark National Forest in Arkansas.

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

The Chair recognizes the gentleman from California (Mr. COSTA).

GENERAL LEAVE

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

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

There was no objection.

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

House Resolution 1158 recognizes the 100th anniversary of the establishment of the Ozark National Forest in Arkansas.

On March 6, 1908, then President Theodore Roosevelt set aside, by proclamation, the Ozark National Forest which today includes more than 1 million acres in the northwestern part of the State. The Ozark National Forest is one of the true gems of our national forest system, providing extensive recreational opportunities, more than 500 species of trees, habitat for 11 threatened or endangered species, and it's very appropriate therefore today that the House recognize the forest's 100th anniversary.

This resolution is sponsored by the entire Arkansas delegation, and they are to be commended for their work on this measure. Representative JOHN BOOZMAN and the sponsor, Representative MIKE ROSS, have worked particularly hard to get this measure to the floor today.

Mr. Speaker, I would ask that Members of the House support the passage of House Resolution 1158.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I would like to yield myself such time as I may consume.

House Resolution 1158, introduced by Congressman JOHN BOOZMAN and supported by the entire Arkansas delegation, recognizes the 100th anniversary of the establishment of the Ozark National Forest. 100 years ago, President Theodore Roosevelt set aside, by Presidential proclamation, 917,000 acres of hardwood forest land in Arkansas.

I want to commend Congressman BOOZMAN on his hard work and dedication to recognize this unique and wonderful resource area that we have in our country.

At this time I yield to my good friend from Georgia (Mr. WESTMORELAND) as much time as he may consume.

Mr. WESTMORELAND. Mr. Speaker, I just wanted to bring up some more points about the Federal lands since that's one of the main things that we're talking about here today is Federal land. Coming from the Committee on Natural Resources and, Mr. Speaker, being privileged enough to be on the floor today with the subcommittee chairman that has authority over this, we have a problem in the fact that the majority, the Democratic majority keeps making what I think are false arguments about oil companies having the ability to drill on Federal lands right now.

The problem is that, and this is the reality, that 97 percent of the Federal offshore areas and 94 percent of Federal onshore areas are not leased by the government. 97 percent of offshore, 94 percent of onshore. The government is stockpiling these leases, not the oil companies.

And I'm not being a big defender of the oil companies. I just know that the truth is the truth. It's many things to many people. But at the end of the day, it's the truth. And the truth is that they are not stockpiling these leases.

The truth is that raising taxes on them is not going to bring down the price of gas. Oil companies are, indeed, drilling on these leases, which have oil in them, and when there's a pipeline close that they can ship this oil. You know, we haven't built a refinery in this country since the late 1970s. So that would be, Mr. Speaker, a perfect bill to bring to the floor where we can refine more oil.

We keep putting these boutique fuels on the market, and I forget, but I think there's probably 16 or 18 of those boutique fuels now, three different grades. We don't have the ability to refine even the crude that we have. So a novel idea is, why don't we build some refineries where some of these leases are, or where we know there are some oil reserves?

You see, if these leases and this available land that's out there does not have oil on it, why would somebody want to drill in a dry hole?

And so, if the government is only leasing this land that they know is a

dry hole, how can they expect the oil companies to get oil out of it?

Well, that's a pretty novel idea. And the fact that we have the leadership in this House, the Democrat leadership, the Speaker of the House sending President Bush a letter demanding that he ask OPEC to do more production, to do more drilling, when we're sitting here in this country, with 97 percent of our Federal offshore areas and 94 percent of our Federal onshore areas with no ability to drill on it. They must have felt that was kind of interesting.

We cannot produce, and I say we, this country cannot produce its own energy dependence by asking the companies that have the leases here to drill on land that does not have the oil.

Now, with more than 2 billion acres of Federal lands not leased, how can these oil companies find the oil?

We know the oil is under there. But if you're not going to lease the land, you've only leased the land that doesn't have the oil, and then you're saying that the oil companies aren't drilling on the land they have, when the land they have does not have the oil. I'd like to hear the answer to that one, Mr. Speaker.

We have got to open up these lands for us to be able to become dependent on our natural resources and not the resources of others. I think it's a great question, Mr. Speaker, that all the American people would ask is, is there oil under this Federal land?

Is there environmentally safe ways to drill it?

Is there natural gas there?

Is there shale coal there?

Is there coal that can be converted to oil there?

If it's there, let's go get it. ANWR, today, I think it was released, 10.4 billion, that's billion with a B, barrels of oil. 10.4 billion.

Mr. Speaker, we could use that natural resource that this country has to bring down the price of gas for the hardworking men and women of this country. And, Mr. Speaker, I hope that the American people will get an answer from the Democratic leadership about this commonsense plan, because surely the bill that was passed in January of 2007 was not that commonsense plan. Surely they are holding this commonsense plan for some reason.

And so I'm asking, the people of the Third District of Georgia are asking, and, Mr. Speaker, I think the American people are asking, where is this commonsense plan?

Mr. COSTA. Mr. Speaker, the gentleman from Georgia indicated earlier in his comments with regards to statistics gained by the Minerals and Management Service, which the last time I've checked has been under the executive branch of our Republican administration, has increased the leases to public lands, both on and offshore, 361 percent.

In addition, the gentleman from Georgia indicated that there is an increase in revenues to the Minerals and Management Service, therefore to our Nation's treasury, because, in fact, more leases are being provided, and there is more oil and gas being derived from those oil leased lands.

□ 1515

It is illogical and it would be unfactual to conclude that if revenues are up and more energy companies are seeking those leases, that they are seeking leases to lands that do not have oil nor gas. It is clearly illogical and unfactual.

These energy companies are smart, competitive companies. They do not lease lands that they have not surveyed and that they do not have a great degree of certainty, based on the seismology, that in fact there is oil and gas there; otherwise, these record bids that the gentleman made reference to that just came back 2 months ago would not be record bids for dry holes.

As a matter of fact, again, the Department of Interior that has been under the stewardship of our Republican leadership for the last 7½ years recently released a report, a report by Secretary Kempthorne, that indicates that only 38 percent of the oil and 16 percent of the natural gas today on public lands, whether they be onshore or offshore, are being excluded from leasing.

The fact of the matter is is that we need the energy. We need to do everything we can to stabilize our gas prices. We need to reduce our dependency from energy offshore. This administration and the previous administration started that effort in 1999, but that alone will not reduce our dependency on foreign sources of energy; therefore, we have to work together in a bipartisan effort to use all of the various energy management tools that are in our energy toolbox if we are going to address this issue in the short term and the long term.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, I would like to yield myself such time as I may consume.

Mr. Speaker, I had the opportunity over the weekend to meet with several legislators from Mexico. And a couple of the legislators asked me—they were very confused as to why the United States is asking Mexico to produce more oil because one of the legislators said, Well, don't you have more oil in your country than we do? And why don't you use your own oil in your own country? We will gladly sell it to you, especially at $140 a barrel, but we don't understand why your government doesn't allow for your own companies to drill for oil in your own country.

Now, if the Mexican legislature has figured that out, you would think that our legislature and our Congress could figure that out.

And so if we really want to end our reliance on foreign oil, it's very simple. There's two major ways to do it: You can drill for oil and gas in our own country on the 86 percent of the Federal lands that are off-limits to our use, that's one way; and the second way is to build nuclear power plants.

If we don't get serious about those two options, Mr. Speaker, we're going to continue to pay higher prices for gas and oil, and we're also going to continue to pay higher prices for electricity.

If we continue to make excuses, as people in this body have done for decades, decades this has been happening, we're going to continue to pay higher prices for fuel. I think it's time that we get serious about this in this Congress, we pass meaningful legislation that opens up our own areas for drilling for gas and oil so that we quit buying gas and oil from the likes of the Middle East, Venezuela, Nigeria, places that are, quite frankly, hostile in most cases towards our country, and we start to buy energy in our own country, drill for oil in our own country, create American-made energy, create American jobs. And then as we begin to put that revenue into solar and wind and future technologies that are going to allow for the next generation of energy to come on line, that, coupled with nuclear power, we can solve our Nation's energy problems.

But if we continue to allow the Democrat majority to place blame on oil companies, place blame on OPEC, place blame on any everyone else but themselves, we're going to pay high prices at the pump.

So I want to thank the gentleman, my good friend from California, for allowing us this opportunity to express our thoughts on this, the current energy situation, and on the wilderness areas that we're creating today in these bills.

Mr. BOOZMAN. Mr. Speaker, today I rise to honor the Ozark National Forest and offer my congratulations for a century of enriching the lives of all Americans.

A proclamation from President Theodore Roosevelt on March 6, 1908, dedicated the Ozark National Forest as the first federally protected stand of hardwoods in the U.S. 917,944 acres of land was set aside by President Roosevelt for the forest that currently covers more than one million acres, most of which is in Northwest Arkansas.

This great landscape is one prime example of why Arkansas is called the Natural State. The Ozark National Forest covers some of the region's most magnificent scenery. The Ozark National Forest is home to Mount Magazine, the tallest mountain in the state, as well as Blanchard Springs Caverns, a magnificent limestone cave system, and the only cave system featuring guided tours administered by the Forest Service.

I'm grateful for the efforts of all Forest Service employees, volunteers and sportsmen who serve as stewards in the preservation and management of this great land.

I thank my colleagues for passing this resolution to honor the 100th Anniversary of this great Arkansas treasure.

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

Mr. COSTA. Mr. Speaker, I would like to urge the support of the passage of House Resolution 1158.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and agree to the resolution, H. Res. 1158.

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.

KENDELL FREDERICK CITIZENSHIP ASSISTANCE ACT

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2516) to assist members of the Armed Forces in obtaining United States citizenship, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2516

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 ''Kendell Frederick Citizenship Assistance Act''.

SEC. 2. FINGERPRINTS AND OTHER BIOMETRIC INFORMATION FOR MEMBERS OF THE UNITED STATES ARMED FORCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, including section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act of 1974''), the Secretary of Homeland Security shall use the fingerprints provided by an individual at the time the individual enlisted in the United States Armed Forces, or at the time the individual filed an application for adjustment of status, to satisfy any requirement for background and security checks in connection with an application for naturalization if—

(1) the individual may be naturalized pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440);

(2) the individual was fingerprinted and provided other biometric information in accordance with the requirements of the Department of Defense at the time the individual enlisted in the United States Armed Forces;

(3) the individual—

(A) submitted an application for naturalization not later than 24 months after the date on which the individual enlisted in the United States Armed Forces; or

(B) provided the required biometric information to the Department of Homeland Security through a United States Citizenship and Immigration Services Application Support Center at the time of the individual's application for adjustment of status if filed not later than 24 months after the date on which the individual enlisted in the United States Armed Forces; and

(4) the Secretary of Homeland Security determines that the biometric information provided, including fingerprints, is sufficient to conduct the required background and security checks needed for the applicant's naturalization application.

(b) MORE TIMELY AND EFFECTIVE ADJUDICATION.—Nothing in this section precludes an individual described in subsection (a) from submitting a new set of biometric information, including fingerprints, to the Secretary of Homeland Security with an application for naturalization. If the Secretary determines that submitting a new set of biometric information, including fingerprints, would result in more timely and effective adjudication of the individual's naturalization application, the Secretary shall—

(1) inform the individual of such determination; and

(2) provide the individual with a description of how to submit such biometric information, including fingerprints.

(c) COOPERATION.—The Secretary of Homeland Security, in consultation with the Secretary of Defense, shall determine the format of biometric information, including fingerprints, acceptable for usage under subsection (a). The Secretary of Defense, or any other official having custody of the biometric information, including fingerprints, referred to in subsection (a), shall—

(1) make such prints available, without charge, to the Secretary of Homeland Security for the purpose described in subsection (a); and

(2) otherwise cooperate with the Secretary of Homeland Security to facilitate the processing of applications for naturalization under subsection (a).

(d) ELECTRONIC TRANSMISSION.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall, in coordination with the Secretary of Defense and the Director of the Federal Bureau of Investigation, implement procedures that will ensure the rapid electronic transmission of biometric information, including fingerprints, from existing repositories of such information needed for military personnel applying for naturalization as described in subsection (a) and that will safeguard privacy and civil liberties.

(e) CENTRALIZATION AND EXPEDITED PROCESSING.—

(1) CENTRALIZATION.—The Secretary of Homeland Security shall centralize the data processing of all applications for naturalization filed by members of the United States Armed Forces on active duty serving abroad.

(2) EXPEDITED PROCESSING.—The Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence shall take appropriate actions to ensure that applications for naturalization by members of the United States Armed Forces described in paragraph (1), and associated background checks, receive expedited processing and are adjudicated within 180 days of the receipt of responses to all background checks.

SEC. 3. PROVISION OF INFORMATION ON MILITARY NATURALIZATION.

(a) IN GENERAL.—Not later than 30 days after the effective date of any modification to a regulation related to naturalization under section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440), the Secretary of Homeland Security shall make appropriate updates to the Internet sites maintained by the Secretary to reflect such modification.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Homeland Security, not later than 180 days after each effective date described in subsection (a), should make necessary updates to the appropriate application forms of the Department of Homeland Security.

SEC. 4. REPORTS.

(a) ADJUDICATION PROCESS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees on the entire process for the adjudication of an application for naturalization filed pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440), including the process that—

(A) begins at the time the application is mailed to, or received by, the Secretary, regardless of whether the Secretary determines that such application is complete; and

(B) ends on the date of the final disposition of such application.

(2) CONTENTS.—The report submitted under paragraph (1) shall include a description of—

(A) the methods used by the Secretary of Homeland Security and the Secretary of Defense to prepare, handle, and adjudicate such applications;

(B) the effectiveness of the chain of authority, supervision, and training of employees of the Federal Government or of other entities, including contract employees, who have any role in such process or adjudication; and

(C) the ability of the Secretary of Homeland Security and the Secretary of Defense to use technology to facilitate or accomplish any aspect of such process or adjudication and to safeguard privacy and civil liberties.

(b) IMPLEMENTATION.—

(1) STUDY.—The Comptroller General of the United States and the Inspector General of the Department of Homeland Security shall conduct a study on the implementation of this Act by the Secretary of Homeland Security and the Secretary of Defense, including an assessment of any technology that may be used to improve the efficiency of the naturalization process for members of the United States Armed Forces and an assessment of the impact of this Act on privacy and civil liberties.

(2) REPORT.—Not later than 180 days after the date on which the Secretary of Homeland Security submits the report required under subsection (a), the Comptroller General and the Inspector General shall submit a report to the appropriate congressional committees on the study required by paragraph (1) that includes recommendations for improving the implementation of this Act.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Armed Services of the House of Representatives;

(5) the Committee on Homeland Security of the House of Representatives; and

(6) the Committee on the Judiciary of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2516, the Kendell Frederick Citizenship Assistant Act, pays tribute to the memory of 21-year-old Army Reserve Specialist Kendell K. Frederick who was killed in Iraq while attempting to become an American citizen.

Specialist Frederick was born in Trinidad and immigrated to the United States when he was 15 years old to join his mother, stepfather, and two sisters. He attended Randallstown Senior High in Baltimore County, Maryland, where he joined the school's ROTC program. Specialist Frederick enlisted in the Army Reserve in his senior year and was deployed to Iraq in December of 2004.

As he was serving our country, Specialist Frederick sought to apply for U.S. citizenship, yet one bureaucratic hurdle after another delayed his application.

First, the USCIS failed to route his application to the unit that processes naturalization applications for members of the military. The gentleman then rejected his application for failure to pay an application fee even though active military personnel applying for U.S. citizenship are not required to pay that fee.

Next, the agency directed Specialist Frederick to get his fingerprints taken in Maryland despite the obvious fact that he was deployed in Iraq at the time. Besides, he had recently had his fingerprints taken as part of his background check when he enlisted in the Army Reserve.

But when his mother called the agency's help line, she was told that nothing could be done.

Finally, after trying for more than a year to become a U.S. citizen and having his application rejected and delayed as a result of various bureaucratic failings by his own government, Specialist Frederick was forced to travel on a convoy to a base where he could get his fingerprints taken again for his naturalization application.

Tragically, he was killed en route by a roadside bomb. Specialist Frederick was posthumously granted U.S. citizenship a week after his death.

S. 2516 would remove unnecessary procedural hurdles like the ones Specialist Frederick faced for naturalization applications currently or recently serving in the military. Most importantly, it directs Homeland Security to accept fingerprints taken at the time of enlistment as long as they are otherwise acceptable.

The House has already passed legislation similar to S. 2516. It was introduced by Representative ELIJAH CUMMINGS. It was H.R. 2884, the Kendell Frederick Citizenship Act, and passed the House by voice vote on November 6 of last year. There are a few minor differences between the House-passed bill and the Senate bill, but both accomplish the goal of removing these bureaucratic hurdles to our soldiers becoming U.S. citizens.

Therefore, I ask that my colleagues support the passage of this bill so that we can get the bill to the President and signed into law as quickly as possible.

Approximately 45,000 lawful permanent residents are currently serving in our Armed Forces. More than 35,000 noncitizen members of the military have applied for U.S. citizenship since 2002.

This bill is an excellent measure that will help ensure that from now on American soldiers do not face some unnecessary, unreasonable hurdles to American citizenship that cost Specialist Frederick his life. Much more needs to be done to assist America's soldiers with their hassles with our immigration system. But this bill is a good first step, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, Specialist Kendall Frederick was a 21-year-old U.S. Army soldier serving in Iraq who dreamed of becoming an American citizen. He was born in Trinidad and came to this country when he was 15 years old. Specialist Frederick joined ROTC while in high school—and I would point out there are increasing numbers of high schools that have denied ROTC presence on their campus. Not the case for Specialist Frederick and we are thankful.

He joined the Army after he graduated. On October 19, 2005, he was tragically killed by a roadside bomb while traveling in a convoy to a base. He was granted U.S. citizenship posthumously, but he never knew he was an American citizen. Tragically, the very reason that he was in that convoy that day was to get fingerprinted in order to achieve his dream.

We know that Kendell Frederick wanted to be an American citizen but bureaucracy stood in his way. He had been trying to become an American citizen for over a year, Mr. Speaker, having started the process while he was in training.

His mother and his sergeant in Iraq tried to help him, but they didn't know the rules. His efforts to become a citizen were thwarted by bureaucratic misinformation and other obstacles.

While he was fighting for our country in Iraq, he was told that he had to have his fingerprints retaken in Maryland. When his mother called 1–800–IMMIGRATION, it's a USCIS unit, United States Citizenship and Immigration Services hotline for immigration assistance, and tried to explain that he was fighting in a war and was, I should say, tied up at the time, as John McCain might say, he could not come home to Baltimore to be fingerprinted so she was told that there was nothing they could do.

This is wrong and this is intolerable that our soldiers are unable to get correct information, Mr. Speaker. They should be given every possible assistance in applying for citizenship.

Last year, the House passed H.R. 2884 which provides that a soldier who submits a naturalization application within 24 months of enlistment can have that application processed using the fingerprints that were taken at the time of his enlistment. I supported that bill then which was designed to and does honor Specialist Frederick and all of our lawful permanent resident servicemembers.

Today we're considering S. 2516 which is a bill the Senate passed that makes a few technical changes to H.R. 2884. I urge my colleagues to support this bill. It has taken us some time to get this resolved. I trust it will be resolved today in this House, Mr. Speaker, and done so with great gratitude from this Congress and the United States people to Specialist Kendell Frederick and to all of those who have given their lives and parts of their lives and some their limbs for the freedom of this great country.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the Senate bill, S. 2516.

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

A motion to reconsider was laid on the table.

□ 1530

EB–5 REGIONAL CENTER PILOT PROGRAM EXTENSION

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5569) to extend for 5 years the EB–5 regional center pilot program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5569

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

SECTION 1. EXTENSION OF EB–5 REGIONAL CENTER PILOT PROGRAM.

Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended by striking ''shall set aside'' and all that follows through ''eligible for admission'' and inserting ''shall set aside 3,000 visas annually for 20 years to include such aliens as are eligible for admission''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of the Congress that, to the extent practicable, qualifying investments under section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) should be made in targeted employment areas (as defined in section 203(b)(5)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)(B)(ii))), including rural areas (areas other than an area

within a metropolitan statistical area or within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States)) and high unemployment areas (areas that have experienced unemployment of at least 150 percent of the national average rate).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Today, we move to extend an immigration program proven to promote investment and to create jobs for American workers. H.R. 5569 would extend the EB–5 regional center pilot program for 5 years. Unless Congress acts, the regional center pilot program will sunset on September 30 of this year.

Congress created the fifth employment-based preference, known as EB–5, immigrant visa category in 1990 for immigrant investors. To qualify for a green card, the investor must prove that the investment is in a commercial enterprise that will benefit the United States economy and create at least 10 full-time jobs.

In general, investors must invest at least $1 million. However, that amount can be reduced to $500,000 if the investment is made in a rural or high unemployment area.

Approximately 10,000 visas have been made available in the EB–5 green card category each year. But the category has been underutilized ever since it came into being.

To help further encourage this program, Congress created a temporary pilot program in 1993. The regional center pilot program allocates 3,000 visas each year, out of the 10,000 available, for EB–5 investors who invest in so-called designated regional centers.

Under the immigrant investor pilot program, an applicant seeking EB–5 status must make the qualifying investment within an approved regional center. The requirement to create at least 10 new jobs, however, can be met by showing that, as a result of the new enterprise, such jobs will be created either directly or indirectly.

The regional center program is vital for our economy. For example, in fiscal year 2007, a total of 806 investors and family members immigrated to the United States in the EB–5 category.

That is not very many people, but even at that level, the EB–5 immigrant investor program is expected this year to generate an annual rate of $1 billion in aggregate immigrant investment, creating more than 20,000 new direct and indirect jobs. Usage of the program is expanding as new regional centers get approved.

The regional center program helps get investment money to some of the Nation's poorest communities, creating jobs and revitalizing communities. In Vermont's poorest county, for example, a regional center investment has put $17.5 million into a ski resort at Jay Peak. This project is expected to create close to 2,000 jobs in the area, according to the New York Times.

It is important that Congress reauthorize the EB–5 regional center program. The pilot program has been renewed several times, and is currently due to expire, as I said earlier, on September 30 of this year. This bill would extend the EB–5 regional center pilot program for 5 years, until September 30, 2013.

When the subcommittee reviewed this bill, we had a discussion about looking at the level of investment and also the possibility of including venture capital-driven investments, where it's really the patents and ideas that are creating the jobs. We hope to be able to work with the minority to further pursue those ideas at a subsequent date. It should not deter us from proceeding today with this program that has proven to be valuable to our Nation by creating jobs for Americans.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, the investor visa program is designed to attract entrepreneurial talent and capital to the United States and to create American jobs. Under this program, permanent resident visas are available each year to aliens who establish a new business in the United States and invest between $500,000 and $1 million in the business and eventually create at least 10 full-time jobs for American workers.

Once the Department of Homeland Security approves an alien business plan, the alien receives conditional permanent residence status. Two years later, the Department of Homeland Security determines whether the above requirements have, in fact, been met. If they have, the alien receives permanent residence.

To further encourage economic development, back in 1993, Congress created a temporary pilot program that set aside 3,000 investor visas each year for aliens who invested at least $500,000 in designated regional centers.

A regional center is any economic unit, public or private, which is involved with the promotion of economic growth, including increased export sales or improved regional productivity or job creation or increased domestic or capital investment.

Further, a regional center shall have jurisdiction over a limited geographical area which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones.

The establishment of a regional center may be based on jobs that will be created, directly or indirectly, as a result of such capital investments and the other positive economic effects such capital investments will have.

I should acknowledge, Mr. Speaker, that one of the operating pilot projects is the Iowa New Farm Family Project, under which host communities are inviting farm families to establish modern dairy farms in Iowa.

And according to Iowa State University, which is our resident authority on the subject matter, ''The project has the potential to enrich Iowa communities with young families who establish value-added agricultural businesses . . . and foster healthy economic development . . . The . . . project,'' which is the Iowa New Farm Family Project, Mr. Speaker, ''creates opportunities to increase the population of rural communities, support agriculture, expand value-added agriculture, and maintain Iowa's existing dairy processing industry.'' That's as described by Iowa State University, the Iowa New Farm Family Project.

I want to point out that it has been successful, and it's not just agriculture. It can be urban, too, depending on the region and the zone as it's defined. It has been quite helpful to us in Iowa, and I am grateful for the initiatives that have been taken by Members of this House, Members of the Senate who have not just reached out in support of this legislation but reached out to individuals and helped pave the way through the bureaucratic nightmare to get investors to come into the United States and establish themselves here, where often they will find their economic opportunities have been dried up because of, let's say, capital exchange or regulation.

It happens to be the case with our dutch dairy families that come in, that the regulations have gotten so heavy in The Netherlands that they want to continue their skill, their family tradition.

I note that the individual that stood at this particular microphone ahead of me was the gentleman from California who has a dairy tradition in his family, and you look back through generations. This establishes a generational linkage, Mr. Speaker, that I'm very grateful for, and it comes at a particularly good time, especially in the Midwest where we are a center for renewable energy.

Some 6 or 7 years ago, we had almost no industry to produce ethanol, and yet it began back in about 1978 and it began in my neighborhood in my region. And as the first gallon of ethanol was pumped, it became part of an alternative fuel that had been initiated in the late 1970s, came to fruition about 6 or 7 years ago, and since the time I've come to Congress, it has built such an

industry in my region that we now, the Fifth District of Iowa, are the number one renewable energy producing congressional district in America out of all 435.

Because we have the ethanol industry in Iowa, it has been very helpful to our dairy farmers because a byproduct of corn ethanol is the dried distiller strain, or the mash if it comes in a wet form. And the dairy farms have been able to utilize this, as well as anyone has, and it's added value to all of our feed. It's added value to our rough feed, and it's provided a high quality feed which makes it more attractive for our dairy producers to move into the region.

So, the pressure that we're under today with $4 gas, and, by the way, I just happened to check a receipt here, and I paid $141 for a tank of gas, $141.52 on Saturday, Mr. Speaker. That's enough money to put into a gas tank, and that was at $3.85. The folks on the west coast that are over $4 a gallon feel this.

But what we've done is created a renewable energy industry in the Midwest to help take on some of that burden of providing energy for America. And when we do that, and as of the 2007 crop it hasn't really brought forward the food versus fuel argument. We have produced more corn than ever before, exported more corn than ever before, and still left more corn for domestic consumption than ever before, and we have produced over 9 billion gallons of ethanol. And the byproduct of that 9 billion, you get about a third of the weight of corn out into ethanol. You get a third of the weight of corn that goes into feed for these dairy cows, for example, and about a third of it goes off in CO_2. That's the simple breakdown, which I'll go into more detail with perhaps a Special Order that I can get into the details, Mr. Speaker.

But I want to point out that we need these dairy farmers in Iowa. The energy situation is actually a plus because $4 gas holds up the price of corn and holds up the price for ethanol and helps make these systems work, and they're feeding the byproduct in a fashion that's producing more milk in the Midwest. We are still today a net importer of milk in a rural State like Iowa. So we can use some more.

But the regional center program expires in September. The bill will extend the program an additional 5 years. I think this is a very valuable program, and I support the passage of this bill.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I'm sure that we will pass this bill. We have broad bipartisan support for it. But one of the values of debating these bills is not just to enact law but to let the public know of opportunities that the law provides to them.

And it might be instructive to citizens who are observing our proceedings to know that these projects that are being investment-driven through this program are in rural, as well as urban, communities. The regional center staff—actually, it seems to me this pilot project has proven—make this thing work.

And so there are areas in the country today that are having economic problems. I would encourage those areas, through their local governments, to look very carefully at whether they may want to utilize this program as one piece of putting their economy on the road to recovery.

I note that our colleague SHEILA JACKSON-LEE expressed her interest in making sure that urban disadvantaged areas be looked at, and I note that Houston, Texas, has actually one of the largest applications of all. It is expected that they will have 7,000 jobs and a $350 million investment.

So this is a great opportunity for America. I would hope that we will pass this expeditiously. It is part of getting our economy on the move again.

I would reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, I want to pick up on the point made by the gentlelady from California about this is, of course, not by any means a complete solution to the immigration circumstances, but we agree on some of these points, and on this point of attracting investors to the United States who will invest in businesses that create jobs and create wealth, more importantly create wealth. Without the creation of wealth, there's no money to pay the wages. Companies have to make money. It takes capital of course and it takes labor, it takes ideas, it takes energy, it takes a free market environment and a low regulatory environment. The United States looks better than some of these other countries in the world.

This sends the right message here today that this Congress is interested in opening up and laying out the welcome mat, at least in this specific case, where we ask investors to come into the United States under this EB–5 program.

Then I would add that there are other interests that we at least philosophically agree on, and one of those is highly skilled immigrants coming into the United States and those that are highly educated. When we can do the calculation on what kind of return we get from someone who comes into the United States as a legal immigrant to work here, to invest here, to start and run a business here, and we can see what they will do from a prosperity perspective, what their contribution will be to the economy and to the society, there are many records that help support that.

What we do see, though, Mr. Speaker, is that between 89 and 93 percent of the legal immigration in America isn't based upon merit like this program is.

□ 1545

Most of it is based on familial connections, who are you related to, as opposed to what can you do for the United States of America?

And I have said for years, we need an immigration policy that's designed to enhance the economic, the social, and the cultural well-being of the United States of America. Every Nation has to have an immigration policy that is for them. And we held a hearing a year or two ago about the point system that some of the countries have established. Canada has one established; the United kingdom is implementing a point system; New Zealand has one; and I believe Australia is looking at one. Those countries come to mind, where they give certain points for certain categories that demonstrate how a person can contribute to society.

For example, higher education is one category that offers significant merit. The next one is job skills; so that's earning capacity. Another one is language skills, which says how easily they will be able to assimilate in a society. It's not a barrier not having the language, but it's easier to assimilate, of course, if you are fluent in the language of the host country.

And another component is youth. If we bring people in here that are 65 years old, that qualify right away for Social Security and Medicare, of course they're not going to be contributing to our economy. And so I plugged myself into the Canadian equation and found out—I don't think the welcome mat is open for me in Canada because I'm a little over the hill, Mr. Speaker.

Youth is a big, important thing because, if you come in at age 22 with a college education, you can contribute to the economy for, let's just say, 43 years before you retire. So youth is an important criteria, as is education, as is job skills, as are language skills. These things are all things that a wise country should reach out for and craft an immigration policy that will enhance the economic, the social, and the cultural well-being of the United States of America, where 89–93 percent of our legal immigrants are not measured that way; about seven to 11 percent are measured that way.

This is a measure on merit. It is strictly a capital investment, and then meeting the other criteria about establishing the jobs in the business. But I fully support it. It is a bipartisan effort. And it is something that we agree on the theme and the philosophy. I wanted to point out that I believe that we need to set a hard cap on our overall immigration, and then start to shift within those visa allotments so that we get a higher percentage of merit coming in legally into the United States. And of course control the border, stop the bleeding there; none of this matters unless we can do that, Mr. Speaker.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I appreciate that we will likely have an extended debate next year when we visit again the issue of comprehensive immigration reform. I don't

want to get into a debate today, I will just say a core principle of immigration law has always been that the United States Government doesn't tell American citizens who they get to fall in love with and marry. And a second core principle is, when our U.S. citizen marries somebody from another country, the American doesn't have to move to France, his wife gets to move here. So that's something that we will protect as this debate goes forward.

This bill has bipartisan support, and I urge its adoption.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support H.R. 5569. I am proud to join my colleagues in cosponsoring this timely legislation. I would like to thank my colleague, Congresswoman ZOE LOFGREN, Chairwoman of the Immigration Subcommittee, for her leadership on sponsoring this legislation. I would also like to thank Mr. Blake Chisam, counsel on the Immigration Subcommittee, and Mr. Arthur Sidney, of my staff, for their important work in including my amendment in the bill.

By way of background and explanation, H.R. 5569 extends for five years the EB–5 regional center pilot program. Congress created the fifth employment-based preference, EB–5, immigrant visa category in 1990 for immigrants seeking to engage in a commercial enterprise that will benefit the U.S. economy and create at least 10 full-time jobs.

The basic amount required to invest is $1 million, although that amount may be $500,000 if the investment is made in a "targeted employment area." Of the approximately 10,000 numbers available for this preference each year, 3,000 are reserved for entrepreneurs who invest in targeted employment areas. A separate allocation of 3,000 visas is set aside for entrepreneurs who immigrate through a regional center pilot program.

In 2003, Congress asked the U.S. Government Accountability Office, GAO, to study the EB–5 program. The GAO report concluded that the program has been under-used for a variety of reasons, including the rigorous application process and the failure to issue regulations implementing the 2002 law. The report found that even though few people have used the EB–5 category, EB–5 participants have invested an estimated $1 billion in a variety of U.S. businesses.

My amendment expresses the sense of Congress that, to the extent possible, qualifying investments should be made in targeted employment areas, including rural areas and areas of high unemployment. My amendment defines rural areas as an area other than an area within a metropolitan statistical area within the outer boundary of any city or town having a population of 20,000 or more based upon the most recent decennial census of the United States. My amendment also defines an area of high unemployment as an area that has experienced unemployment of at least 150 percent of the national average rate.

The purpose of my amendment is to ensure that all of America will benefit from greater development and investment. The amendment is a bold first step in ensuring that all Americans have a seat at the table and are able to progress and advance as a result of foreign investment as Americans in the wealthy cities and suburbs. I have long championed the rights of Americans in the rural areas and in underserved communities. These Americans are our brothers and sisters. To be sure, no Americans should be left out from investment. My amendment makes sure that these groups that are often forgotten are not left out.

Ms. ZOE, LOFGREN of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5569, as amended.

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

The title was amended so as to read: "A bill to extend for 5 years the EB–5 regional center pilot program, and for other purposes.".

A motion to reconsider was laid on the table.

FORMER VICE PRESIDENT PROTECTION ACT OF 2008

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5938) to amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5938

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 referred to as the "Former Vice President Protection Act of 2008".

SEC. 2. SECRET SERVICE PROTECTION FOR FORMER VICE PRESIDENTS AND THEIR FAMILIES.

Section 3056(a) of title 18, United States Code, is amended—

(1) by inserting immediately after paragraph (7) the following:

"(8) Former Vice Presidents, their spouses, and their children who are under 16 years of age, for a period of not more than six months after the date the former Vice President leaves office. The Secretary of Homeland Security shall have the authority to direct the Secret Service to provide temporary protection for any of these individuals at any time thereafter if the Secretary of Homeland Security or designee determines that information or conditions warrant such protection."; and

(2) in the sentence immediately preceding subsection (b) of section 3056, by striking "(7)" and inserting "(8)".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to any Vice President holding office on or after the date of enactment of the Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5938, the Former Vice President Protection Act of 2008, a much-needed permanent solution that would authorize protection for our former Vice Presidents and their families.

As you no doubt know, the President of the United States, along with his or her spouse and children, are provided continued protection by the United States Secret Service after the President leaves office, but the law does not provide such protection for a former Vice President and his or her family. Rather, Congress has, on an intermittent basis, authorized such protection for limited periods of time.

In the near future, Congress will again be faced with this issue. In January, Vice President CHENEY will be leaving office, and we will presumably decide to provide continued Secret Service protection for him and his family, as has been done for every Vice President in recent decades. But this ad hoc process is inefficient, and the legislation before us replaces it with a permanent fix to current law. Specifically, it provides for Secret Service protection to a former Vice President, including his or her spouse and children under 16 years of age, for 6 months, and it permits this period to be extended if information or conditions so warrant.

I would urge my colleagues to support this important legislation.

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

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

Mr. Speaker, I join my colleagues in strong support of H.R. 5938, the Former Vice President Protection Act of 2008.

The Secret Service must be authorized by law or the President to provide protection. Federal law provides Secret Service protection to sitting Presidents and Vice Presidents, former Presidents, their spouses and children, visiting heads of state, Presidential candidates, and other dignitaries. However, the statute does not include former Vice Presidents.

For the past 30 years, it has been common practice for former Vice Presidents to receive protection on a temporary basis via a joint resolution of Congress or Presidential memorandum. This temporary protection typically continues for 6 months after the Vice President leaves office. When necessary, Congress or the President has extended this protection for an additional 6 months.

H.R. 5938, the Former Vice President Protection Act, makes this routine

practice a permanent authority of the Secret Service. H.R. 5938 amends title 18 to provide statutory protection of former Vice Presidents, their spouses and their children under the age of 16 for the initial 6 months after leaving office. The bill also provides the Secret Service with the authority to reevaluate the need for continued protection in 6-month increments.

The permanent authority granted by H.R. 5938 will improve the Secret Service's ability to prepare for the protection of Vice Presidents after they leave office. Preparation for such security takes time and can often overlap administrations. Permanent authority will allow for the development of long-term protection plans.

The upcoming change of administrations, not to mention the current threat level, makes permanent statutory authority for the Secret Service to provide such protections even more timely.

I urge my colleagues to support this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5938, the "Former Vice President Protection Act of 2008." I would like to thank the Chair of the Judiciary Committee, Congressman CONYERS, for introducing this bill and for providing leadership on this important issue.

The former vice presidents of the United States have brought to that office significant public service experience, including as members of Congress or state governors. Some came to their role as president of the Senate already familiar with the body, having served as U.S. Senators. Several vice presidents later returned to serve again in the Senate, among them former President Andrew Johnson. Two vice presidents, George Clinton and John C. Calhoun, held the office under two different presidents.

Of the fourteen vice presidents who fulfilled their ambition by achieving the presidency, eight succeeded to the office on the death of a president, and four of these were later elected president. Two vice presidents, Hannibal Hamlin and Henry Wallace, were dropped from the ticket after their first term, only to see their successors become president months after taking office, when the assassination of Abraham Lincoln made Andrew Johnson president and the death of Franklin D. Roosevelt raised Harry Truman to the presidency. Similarly, when Spiro Agnew resigned, he was replaced under the Twenty-fifth Amendment by Gerald R. Ford, who became president when Richard M. Nixon resigned less than a year later.

The vice-presidency was generally held by men of mature years, with most of them in their fifties or sixties when they took office. The youngest, John C. Breckinridge of Kentucky, was thirty-six at the beginning of his term. At seventy-two, Alben Barkley, another Kentuckian, was the oldest when his term began.

Because I recognize the importance of the vice-presidency and the pivotal role it plays in American politics, I believe that tribute, respect, honor, and protection should be afforded to the person, and the family, that has obtained this position. I am proud to support this legislation.

Specifically, Title 18 U.S.C. provides former Presidents and their spouses protection by the United States Secret Service after leaving office but provides no such protection for former Vice Presidents and their families. H.R. 5938, authorizes the United States Secret Service to protect the former Vice President of the United States, his/her spouse, and his/her children under the age of 17 for not more than six months after the Vice President leaves office. The bill would also allow protection to continue should circumstances warrant extension.

After the assassination of President William McKinley in 1901, Congress informally requested Secret Service presidential protection. A year later, the Secret Service assumed full-time responsibility for protection of the President. Today, the secret service, which is under the Department of Homeland Security, is tasked with protecting the President of the United States and spouse and children under 17 years old for up to ten years after serving in office. The Secret Service also provides protection for widow(er) of the President and it provides protection for foreign heads of state and accompanying spouse when they visit the United States.

To date, four presidents have been assassinated, and there have been approximately twelve other assassination attempts on U.S. presidents. Under current law, because of the prestige of the office of President, current and former Presidents are protected by the secret service. Former Vice Presidents have not received any protection from the secret service after the vice president's term in office had expired. This legislation would ensure that Vice Presidents get protection for as long as necessary. Thus, the legislation ensures the safety and well-being of the Vice-President, spouse, and children under 17 years of age. This bill recognizes the important role of the office of Vice President. It is a powerful role with important responsibilities. This bill makes an important statement regarding our appreciation, commitment, and respect to the second most powerful position in this, our great country.

I think this bill makes sense. It is reasonable in its scope and its terms. I am proud to support this bill and I urge my colleagues to do likewise.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge adoption of H.R. 5938 and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5938.

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.

CONGRESSIONAL REVIEW ACT IMPROVEMENT ACT

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5593) to amend title 5, United States Code, to make technical amendments to certain provisions of title 5, United States Code, enacted by the Congressional Review Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5593

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 "Congressional Review Act Improvement Act".

SEC. 2. TECHNICAL AMENDMENTS TO THE CONGRESSIONAL REVIEW ACT.

(a) GOVERNMENT PAPERWORK REDUCTION.—Section 801 of title 5, United States Code, is amended as follows:

(1) REPEAL OF REQUIREMENT FOR SUBMITTAL TO BOTH HOUSES OF CONGRESS OF RULES OTHERWISE PUBLISHED IN THE FEDERAL REGISTER.—Subsection (a)(1) is amended—

(A) by striking "each House of the Congress and to" in subparagraph (A);

(B) by striking "each House of", and inserting "on request" after "Congress", in subparagraph (B); and

(C) by striking subparagraph (C).

(2) LISTING IN CONGRESSIONAL RECORD OF EACH RULE RECEIVED BY THE COMPTROLLER GENERAL.—Subsection (e) is amended to read as follows:

"(e)(1) The Comptroller General shall submit to each House of Congress a weekly report containing a list of each rule received by the Comptroller General pursuant to subsection (a) since the last such report was submitted. The report shall include a notation for each such rule indicating whether or not the rule is a major rule.

"(2) The Speaker of the House of Representatives shall cause to be published in the Congressional Record, in that portion of the Record relating to the proceedings of the House of Representatives, each report received from the Comptroller General under paragraph (1) since the last such publication in the House portion of the Record and, for each rule listed in such report, a statement of referral by the Speaker to the committee or committees of the House with responsibility for review of that rule.

"(3) There shall be published in the Congressional Record, in that portion of the Record relating to the proceedings of the Senate, each report received from the Comptroller General under paragraph (1) since the last such publication in the Senate portion of the Record and, for each rule listed in such report, a statement of the referral, if any, to the committee or committees of the Senate with responsibility for review of that rule.".

(b) CONFORMING AMENDMENTS.—Chapter 8 of such title is further amended—

(1) in section 801(a)(3)(A)(i), by striking "Congress" and inserting "Comptroller General";

(2) in section 801(a)(4), by striking "Congress" and inserting "the Comptroller General";

(3) in section 801(d)(2)(B), by striking "Congress" and inserting "the Comptroller General";

(4) in section 802(a), by striking "Congress" the first place it appears and inserting "the Comptroller General"; and

(5) in section 802(b)(2)(A), by striking "Congress" and inserting "Comptroller General".

(c) EFFECTIVE DATE.—The amendments made by this Act shall take effect 60 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

H.R. 5593, the Congressional Review Act Improvement Act, would cut government waste by reducing duplicative paperwork and relieving some of the administrative burdens currently mandated by the Congressional Review Act, the congressional mechanism for reviewing agency rules.

The Congressional Review Act requires that all agencies promulgating a rule submit to both Houses of Congress and to the Comptroller General a report that contains a copy of the rule, a concise general statement describing the rule, and the proposed effective date of the rule. Thus, under current law, the same material is submitted to, housed in, and printed by four different governmental entities. This approach creates unnecessary burdens. For example, the House Parliamentarian has testified before the Subcommittee on Administration of the Judiciary Committee in three separate Congresses about the ever-increasing volume of executive branch communications under the Congressional Review Act and its overwhelming impact on the operations of the Parliamentarian's office.

This legislation would eliminate the requirement that agencies submit rules to each House of Congress if they are already printed in the Federal Register. Instead, the House and Senate would receive a weekly list of all rules from the Comptroller General. The House and Senate would then have that list printed in the CONGRESSIONAL RECORD with a statement of referral for each rule.

The bill would still require agencies to submit rules and reports to each House of Congress that were not printed in the Federal Register, and Congress could still employ the procedures in the Congressional Review Act to disapprove agency rules.

H.R. 5593 was introduced by Commercial and Administrative Law Subcommittee Chair LINDA SANCHEZ, along with Judiciary Committee Chairman JOHN CONYERS. They were joined by Ranking Member LAMAR SMITH and Subcommittee Ranking Member CHRIS CANNON as original cosponsors. This bill has bipartisan support, and makes a lot of sense. I would urge my colleagues to support it.

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

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

Mr. Speaker, the Congressional Review Act provides Congress with a vital tool to oversee how agencies exercise their legislative authority Congress delegates to them.

The act has a great deal of promise, but unfortunately is used too little. Republicans on the Judiciary Committee have worked long, hard, and in a bipartisan fashion to help identify ways in which we can prompt its better use. Today, we begin the process of improving the act with one of those measures. H.R. 5593 streamlines the act's processing requirements, lightening the burden on the House Parliamentarian's office.

This is a measure first proposed in the 106th Congress by our much loved, revered, and respected former chairman, the late Henry Hyde. It had bipartisan support then as it does today, Mr. Speaker.

I applaud the House's consideration of this bill, and I hope that its swift enactment is but the first of key improvements we can make so that the act is both more efficient and more effective.

I urge its adoption.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5593, the "Congressional Review Improvement Act." I am proud to join my colleagues in cosponsoring this timely legislation. I would like to thank my colleague, Congresswoman LINDA SÁNCHEZ, for introducing this bill, and for providing leadership on this important issue.

I support this bill. It eliminates waste by minimizing the production of paper that is required to be provided to Congress. It should reduce duplicative paperwork and eliminate waste. These reduction and minimization of waste standards provided by this bill should result in a substantial cost savings to the Federal Government. In times like we are in now, it is important that the Government cut costs. I support this bill. It is a first step in cutting needless and excessive costs.

The congressional review mechanism of agency rules, known as the Congressional Review Act, CRA, requires that all agencies promulgating a rule must submit a report to both Houses of Congress and to the GAO. According to the CRA, the report must contain a copy of the rule, a concise general statement describing the rule, and the proposed effective date of the rule. A rule cannot take effect if the report is not submitted. Each House must then send a copy of the report to the chairman and the ranking member of each jurisdictional committee. The promulgating agency must then submit to the GAO: (1) a complete copy of the cost-benefit analysis; (2) a description of the agency's actions; and (3) other relevant information required under any other act or executive order. This information must also be made available to each House.

H.R. 5593 amends the current law, to reduce paperwork. The primary purpose of the legislation is to ensure that the same material is not submitted, housed, and printed at four different Government entities. H.R. 5593 eliminates the requirement that agencies submit paper copies of their rules that are printed in the Federal Register to each House while continuing a referral of all rules printed in the Federal Register and the periodic indication of those referrals in the CONGRESSIONAL RECORD. Instead, both the House and Senate would receive a weekly list of rules from the GAO and then the House and Senate would put that list in the CONGRESSIONAL RECORD.

This bill eliminates the excessive duplication and printing of rules. No longer are the rules housed at four Government agencies. Under this bill, the House would receive a weekly list of rules that would then be added to the CONGRESSIONAL RECORD. This bill adds a commonsense approach to rulemaking, the printing, publication and dissemination of those rules. It is simple and the reforms that it brings should yield a substantial cost savings to the U.S. Treasury.

I am proud to support this bill because it eliminates duplicative and needless paperwork and should provide a cost savings. I urge my colleagues to support this bill.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, once again, I urge adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5593, as amended.

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

A motion to reconsider was laid on the table.

SALUTING THE LIFE AND MUSIC OF THE LATE BO DIDDLEY

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1251) saluting the life and music of the late Otha Ellas ''Bo Diddley'' Bates, guitar virtuoso and rock and roll pioneer, whose music continues to influence generations of musicians.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1251

Whereas Bo Diddley, a founder of the rock and roll genre, helped to reshape the sound of popular music worldwide by melding blues, Southern gospel, rhythm and blues, and African American culture into a new genre that continues to influence popular music to this day;

Whereas Bo Diddley was born as Otha Ellas Bates on December 30, 1928, in McComb, Mississippi, grew up on the South Side of Chicago, studied classical violin from the age of 7 through the age of 15, and, strongly influenced by the music of John Lee Hooker, started playing the guitar at the age of 12;

Whereas Otha Ellas Bates adopted ''Bo Diddley'' as his stage name while performing on the South Side of Chicago;

Whereas Bo Diddley reshaped the sound of popular music, recording such tracks as ''Bo Diddley'' and ''I'm A Man'', both becoming number 1 hits;

Whereas Bo Diddley's career spanned several decades, spawning hits such as ''Who Do You Love'', ''Mona'', ''Crackin' Up'', ''Say, Man'', and ''Road Runner'';

Whereas Bo Diddley and his famous ''Bo Diddley beat'' has influenced, and continues

to influence, generations of musicians, from Buddy Holly and Elvis Presley to The Rolling Stones, The Clash, Bruce Springsteen, The Smiths, U2, and The Beatles;

Whereas Bo Diddley was a loving father to his 4 children and is survived by 15 grandchildren, 15 great-grandchildren, and 3 great-great grandchildren;

Whereas Bo Diddley, in his later years, toured with Joe Strummer and The Clash, as well as playing at the inaugurations of Presidents George H.W. Bush and Bill Clinton;

Whereas Bo Diddley was inducted into the Rock and Roll Hall of Fame in 1987, won a Lifetime Achievement Grammy in 1998, and was inducted into the National Academy of Recording Arts and Sciences Hall of Fame as a musician of lasting historical importance; and

Whereas, with the death of Bo Diddley on June 2, 2008, at his home in Archer, Florida, the Nation has lost one of its most influential rock and roll and blues guitarists: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the life and contributions of Bo Diddley;

(2) recognizes and honors Bo Diddley for his invaluable contributions to American culture;

(3) recommits itself to ensuring that musical artists such as Bo Diddley receive fair protection under the copyright laws for their contributions to American culture; and

(4) extends condolences to his family on the death of this remarkable and talented man.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

□ 1600

GENERAL LEAVE

Ms. ZOE LOFGREN of California. 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 gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we honor the life and musical legacy of Bo Diddley, a founding father of rock and roll, a guitarist who has influenced generations of musicians, who no doubt will continue to do so for generations to come.

This resolution was introduced by the chairman of the full Judiciary Committee, Mr. CONYERS, who was unable to be here in time to present it himself.

I am honored to note that Bo Diddley was born Otha Ellas Bates in the small town of McComb, Mississippi. He moved as a young boy to Chicago, where he initially studied classical violin. But at age 12, he heard John Lee Hooker play ''Boogie Chillen'' and found his true calling, the electric guitar.

He got the nickname, by which he will ever be known, as a teenager from a girl in his neighborhood. He said she meant it as a compliment to his boxing skill.

After years playing music with friends on the South Side of Chicago, first on street corners, later at the 708 Club, Bo Diddley and his band made their first record in 1955.

Vee-Jay Records had turned them down, who said the music was just too strange. But they walked across the street to Chess, who signed them up on the spot. The song, titled ''Bo Diddley,'' became an instant hit, reaching number 2 on the charts.

Later that year, he was invited to perform on TV on the Ed Sullivan Show. For some reason, Ed Sullivan chose to have him play a Tennessee Ernie Ford song, ''16 Tons.'' Bo Diddley didn't know that song. So the show's crew spent 2 hours playing him the record and rehearsing it with him and made cue cards with the lyrics for him.

But what the audience got to hear that night was ''Bo Diddley.'' And when the show's producer asked him what went wrong, he said, ''Man, maybe that was '16 Tons' on those cards, but all I saw was 'Bo Diddley.' ''

Although Ed Sullivan didn't plan for it to be, that was the first rock and roll performance on TV, a year before Elvis Presley made his appearance on the show.

Bo Diddley had several other songs reach the top of the charts. He became as well known as any recording artist in America. But he contributed so much more than that, and it would be hard to overstate his importance to the music world.

He quite literally played to his own beat, actually called the ''Bo Diddley beat.'' And to this day, that beat is a rock and roll staple. You hear it in the music of Buddy Holly, the Rolling Stones, Bruce Springsteen, and countless others.

But Bo Diddley was no mere one-beat wonder. He introduced a rich complexity of driving rhythms and cross-rhythms, building on African American traditions from the Cuban clave, to the hambone of the Chicago street, to the shout of the church.

He not only laid the cornerstone for rock and roll, he also laid the groundwork for rap music and, by mixing in elements of classical violin technique, also for funk. He was also a pioneer in the use of reverb, tremolo, sustain, distortion and feedback, all essential ingredients in heavy metal and psychedelic rock.

To help round out the Bo Diddley beat with what he called ''that freight train sound,'' he persuaded Jerome Green to set aside the tuba and take up the maracas and added Billy Boy Arnold on the harmonica.

His band may also have been the first to feature a woman on guitar, first Peggy Jones, then known on stage as ''Lady Bo,'' in the late 1950s, and then when she left, Norma Jean Wofford, a.k.a. ''the Duchess.'' He also invented two well-known guitar designs, the square guitar, and the Flying V. And he may have been the first to build his own home recording studio, right here in Washington, DC.

As the preeminent rock historian Robert Palmer observed a few years ago, and I quote, ''If the musical copyright laws of the United States more accurately reflected the way American vernacular music is created and disseminated, Bo Diddley would be a wealthy man today.''

But Bo Diddley never did become a wealthy man. Despite all his hard work and his invaluable cultural contributions, he had to stay on the road right up until the time a stroke forced him to retire last year at age 78. The fact that he reaped so little from all that he had sowed helped spur him in later years to become a tireless advocate for educating musicians on their rights. As he explained in a 2005 interview in Rolling Stone magazine, ''I tell musicians 'Don't trust nobody but your mama.' '' Good advice for many of us.

Mick Jagger spoke for many when he said last week that Bo Diddley was ''a wonderful, original musician who was very generous to the Rolling Stones in our early years.'' Although Bo Diddley himself is now gone, he has left an indelible mark on American music. And this resolution is before us today to honor that uniquely American contribution to music, rock and roll.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of this resolution honoring Bo Diddley, the great guitar player and rock and roll musician.

He was born Ellas Otha Bates, but he came to be known by the nickname Bo Diddley. It came to be an ironic nickname indeed, and refers to ''nothing at all,'' as in, ''he ain't bo diddly,'' or in my neighborhood, ''you don't know bo diddly.''

Well, far from becoming nothing at all, Bo Diddley started playing in Chicago's South Side and rose to become one of the greatest rock and roll musicians of all time. His song ''Bo Diddley'' became a number one rhythm and blues hit as far back as 1955. Through songs such as ''Who Do You Love,'' he established the now famous Bo Diddley beat, a rumba like sound that mimics the sounds made by street musicians who would pat beats to songs by slapping their arms, legs, chest and cheeks.

Bo Diddley headlined above the Rolling Stones. He appeared with the Clash and the Grateful Dead and wrote many crossover hits that appealed to music lovers everywhere. And he was one of the first major male musicians to include a woman in his band.

He was inducted in the Rock and Roll Hall of Fame in 1987. In 1996, he received a Lifetime Achievement Award from the Rhythm and Blues Foundation, and in 1998 from the Grammy

Awards. Rolling Stone magazine listed him at Number 20 on their list of the Greatest Artists of All Time.

When Bo Diddley passed away on June 2 at the age of 79, he was surrounded by his friends and family, who sang the gospel song ''Walk Around Heaven.''

Mr. Speaker, I never knew Bo Diddley, but I know he touched my life and that of all of us. Walk around heaven, indeed, Bo Diddley.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong supoprt of H. Res. ____ ''A resolution regarding the passing of Bo Diddley.'' I am proud to join my colleagues in cosponsoring this timely legislation. I would like to thank my colleague, Chairman CONYERS of the Judiciary Committee, for introducing this bill, and for providing leadership on this important issue.

Bo Diddley was a musician par excellence. He was a singer, guitarist, songwriter, music pioneer, and actor.

He was born December 30, 1928, and recently passed on June 2, 2008. He was an American rock and roll singer. In fact, he was the progenitor of the genre. He was a guitarist, songwriter, and more. He was the key figure that transitioned from blues to rock and roll. Bo Diddley gave America hard rhythms, hard guitar, and his characteristic rectangular guitar.

He was born in McComb, Mississippi, as Ellas Otha Bates. He was adopted and raised by his mother's cousin, Gussie McDaniel, whose surname he assumed, becoming Ellas McDaniel.

His family moved to Chicago when he was the tender age of seven. There, he took violin lessons, but was inspired to become a guitarist after seeing John Lee Hooker.

He worked as a carpenter, mechanic, and began his musical career with his friends in the 40s and 50s. In 1955, he released his #1 R&B hit, called ''Bo Diddley.''

He appeared on The Ed Sullivan Show on November 20, 1955. During that appearance, he sang his hit ''Bo Diddley.'' He continued to have hits through the late 1950s and the 1960s. In 1963, he starred in a U.K. concert tour with the Everly Brothers and Little Richard. The Rolling Stones, still unknown at that time, appeared much lower on the same bill. He would play with the Rolling Stones years later in 1979. He would play with the Grateful Dead, The Clash. His music was covered by countless American musicians ranging from Elvis Presley, Bruce Springsteen, U2, The Who, The Police, David Bowie, George Michael, and the Animals, to name a few. His music is timeless.

Diddley's song ''Who Do You Love'' can be heard in the intro credits to the movie La Bamba. He appeared on a 2003 episode of the sitcom According to Jim entitled ''Bo Diddley,'' had a small role in the film Trading Places, starring Eddie Murphy and Dan Aykroyd, and appeared in George Thorogood's ''Bad to the Bone'' video. The song ''Bad to the Bone'' is a rework of Diddley's ''I'm A Man.'' Eric Clapton's 1992 ''Unplugged'' included a cover of Diddley's ''Before you accuse me.''

On his music Bo Diddley once said ''I don't like to copy anybody. Everybody tries to do what I do, update it,'' he is quoted as telling the Associated Press. ''I don't have any idols I copied after.''

''They copied everything I did, upgraded it, messed it up. It seems to me that nobody can come up with their own thing, they have to put a little bit of Bo Diddley there,'' he said.

He has left an indelible mark on American music. The founder of rock and roll. He was a tremendous musician and he had over a half-century of experience in the music business. He was a mastermind, a genius, he was Bo Diddley. We honor him and his tremendous contribution to American music. Heaven is a sweeter place now that Bo Diddley is there. And, the angels are surely singing.

Mr. KING of Iowa. I urge adoption, and I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge adoption of H. Res. 1251 and yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIRES). The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and agree to the resolution, H. Res. 1251.

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.

NATIONAL SAFETY MONTH

Mr. YARMUTH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1225) expressing support for designation of June 2008 as ''National Safety Month''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1225

Whereas, after years of decline, the rate of unintentional injuries and deaths in the United States has risen to new and unacceptable levels;

Whereas deaths from motor vehicle collisions, poisonings from unintentional overdoses, and falls remain as the three leading causes of preventable death in the United States;

Whereas the cost of unintentional injuries to Americans exceeds $650,000,000,000 each year and causes great suffering among individuals and their families;

Whereas the cost of unintentional injuries to workers and their employers is $164,700,000,000 each year, including the value of 120,000,000 days of lost productivity;

Whereas preventing unintentional injury and death requires the cooperation of all levels of government, the Nation's employers, and the general public;

Whereas the National Safety Council, founded in 1913, was congressionally chartered in 1953 to lead this Nation in injury prevention through safety and health education, training, and advocacy in the United States;

Whereas the National Safety Council educates the workforce about policies, practices, and procedures leading to increased safety, protection, and health in business and industry, as well as in schools and colleges, on roads and highways, and in homes and communities;

Whereas since the summer season is a time of increased rates of preventable injuries and death, it is an appropriate time to focus the attention of our workforce and community leaders on injury risks and preventions by celebrating June 2008 as ''National Safety Month''; and

Whereas the National Safety Council in 2008 as part of its public education about safety and health will provide this Nation a monthlong campaign in June with the theme ''Make a Difference'': Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) supports the designation of ''National Safety Month'';

(2) recognizes the contributions of the National Safety Council and its ongoing commitment to raising awareness about the need for the implementation of safe practices in our schools and jobs; and

(3) encourages citizens to observe the ''National Safety Month'' with appropriate ceremonies and educate themselves about the importance of implementing safe practices in our schools and on our jobs to prevent unintentional injury and death.

The SPEAKER pro tempore. Pursuant to the rule, gentleman from Kentucky (Mr. YARMUTH) and the gentleman from New York (Mr. KUHL) each will control 20 minutes. The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1225 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 1225, which recognizes the month of June as National Safety Month and commends the National Safety Council for their ongoing mission to educate and influence the public on the prevention of accidental injury and death.

In 1912 the National Safety Council was established by a small group of midwestern industrial leaders concerned about safety in the workplace. Since then, the council has broadened its scope to include the home, transportation and the community. Its membership has grown to over 18,000 companies spanning more than 33,000 locations. Altogether, the council represents 8.3 million employees across the Nation.

In 1953, a congressional charter was granted to the National Safety Council to lead the country in injury prevention through safety education and training. The council has had a great impact on the local level by providing a variety of community-based programs and services, including workshops, training, conferences, and by providing a local voice for safety and health education.

Through the efforts of the National Safety Council, more than 8.5 million rescuers have been trained and more than 60 million people have taken one of the NSC's defensive driving courses. It is obvious that the National Safety Council's programs have had a profound effect on our Nation, and they

deserve to be recognized for their continuing efforts.

The National Safety Council will commemorate this 2008 National Safety Month with their ''Make a Difference'' campaign. The campaign will work to educate the public on emergency preparedness, safe driving, poisoning and fall prevention.

Each year, accidental injuries cost Americans more than $650 billion. In the workplace alone, 16 workers die every day on the job. Far too many lives are lost and too many suffer because of preventable accidents.

Protecting the citizens of this Nation from these accidents requires the cooperation of Federal, State and local institutions, as well as help from the citizenry itself. Together, we can protect ourselves from accidental injury and death. This June we must encourage all Americans to take time to learn how they can help make this country safer.

Mr. Speaker, once again I express my support for the designation of June as National Safety Month.

I urge my colleagues to support this resolution.

I reserve the balance of my time.

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

I am pleased to stand in support of this resolution, which will help us commemorate June 2008 as National Safety Month.

The summer season brings with it great fun and excitement, as we all know. From family vacations to time spent at pools and water parks, millions of Americans look forward to enjoying the season. However, with many of these summer activities comes a greater risk of preventable injuries.

Preventable injuries and death can also take place in the home, on the job, while driving, or really almost anywhere as we all know. That is why it is so important that we take the time to support efforts to promote safety in all aspects of life.

The National Safety Council is just such an organization with a vision of making our world safer. The mission of the National Safety Council is to educate and influence people to prevent accidental injury and death.

The council was founded in 1913 and chartered by Congress in 1953. It is the only organization promoting safety in the workplace, in the transportation arena, and in homes and in communities. Members of the council include 18,600 companies of all sizes from a broad spectrum of industries representing 33,300 locations and about 8.5 million employees around the world.

I appreciate the work of the National Safety Council along with that of employers, schools and community leaders, and all Americans who are working to make safe environments.

Later today, in just a couple of minutes, we will consider another bill under suspension that promotes safety, the Josh Miller HEARTS Act, which will help to place automated external defibrillators in schools around this country.

I am proud to stand in support of these and other efforts to promote safety, prevent injury and to protect the lives and the well-being of Americans. However, Mr. Speaker, I'm a little disappointed that we are not taking this opportunity today to promote another type of well-being for our citizens, their economic well-being. Over the weekend, our Nation reached a dubious milestone. The average price of a gallon of regular gasoline has now topped $4. This once-unthinkable figure has become the new norm unfortunately, wreaking havoc on the lives and livelihoods of millions of Americans.

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From filling the tank, to filling the shopping cart, Americans are being crushed by the high price of energy and its ripple effect on our economy. Our constituents are crying out for help. But to date, this Congress has refused to embrace the comprehensive energy solutions needed to wean our Nation from its dependence on foreign oil.

Republicans have proposed an energy plan that incorporates all the critical elements of energy independence and freedom. We are supporting the production of American-made energy, which will create jobs here at home, while being conscious of our environmental impact. We are promoting the development of new sources of fuel and we are promoting conservation. Taken together, the Republican energy plan will help finally ease the pain at the pump.

So while I urge the support of H. Res. 1225, I also urge action on the much-needed energy reforms.

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

Mr. YARMUTH. Mr. Speaker, if the gentleman has additional speakers, I will reserve the balance of my time.

Mr. KUHL of New York. Mr. Speaker, I yield such time as he may consume to gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I want to thank my friend Mr. KUHL for yielding me time.

Mr. Speaker, National Safety Month is an important month. We all strive for safety, so it is important that we name a month, a week, a day, an hour for our safety. But right now, it is a shame that we can't have National Independence from Foreign Oil Hour, right now that the price of gasoline and price of crude oil is affecting every hardworking man and woman in this country. So I would hope that the majority, while recognizing these important days and weeks and months, would just have an hour where we could come into this House and discuss our energy policies.

In January of 2007, the majority passed an energy bill. At the time gas was probably $2.25 a gallon. It is now up to over $4 a gallon. So while we are going to pass 20 suspensions on this floor today, where most of them, the majority of them, won't even require a roll call vote, we don't have any time that we can discuss our energy policy, at a time where we are so dependent on foreign oil.

On May 13, Senator SCHUMER in the Senate asked the President, who was heading at the time to Saudi Arabia, to ask for an increase in their oil production, knowing that an increase in their oil production would probably cause a decrease in the price of crude oil. Yet with over 97 percent of our Outer Continental Shelf not being drilled on and about 94 percent of the Federal lands inside this country be not being drilled on, surely he and the rest of the Democratic Party, and especially this House leadership, would understand that drilling domestically would bring down the price of crude oil, which in turn would bring down the price of gasoline.

As I have said before on this floor, if we could have a 1-hour debate, and I would like for it to be longer than that, we could all debate and talk about all the different ways that we could help curb the price of our gas, whether it be converting coal to oil, whether it be exploring for natural gas, talking about nuclear energy, or the many other things that we could do right now ourselves. We can control our own destiny as far as what crude oil prices are and what the price of gasoline is by not being willing to do our own exploration, our own drilling in our own country, where we have many, many, many natural resources we could use for fuel.

So while he is combating or at least trying to combat the President on going to OPEC asking them to do more oil production, they must think it kind of comical that we are not willing to do our own drilling, our own exploration, and depend on our own natural resources to lower our price of gas, while China is fixing to drill 45 miles off the coast of this country for oil exploration, because China is a country that understands the importance of not being dependent on foreign oil. As they have gone across this globe dealing with other countries as far as using their natural resources to provide for their energy needs, we are sitting here on trillions of barrels of oil and coal that we are refusing to use ourselves.

So while I think that this very important designation of National Safety Month is important, I would hope that the majority here and the leadership in this body would devote at least an hour of our time in this House in front of the American people, Mr. Speaker, to let the American people see what effect this ''commonsense plan'' that has been touted by the Democratic majority is having to bring down the skyrocketing price of gas, and that was back in April of 2006 when this was being promoted.

I am sure that the American people, Mr. Speaker, would enjoy just a 1-hour conversation on that so we could unveil this plan, because certainly the

plan that was passed in January of 2007, of this year, was either not the real plan or it is a failed plan and we need to be talking about a new plan.

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

Mr. YARMUTH. Mr. Speaker, I would just like to thank the gentleman from Georgia for his compelling and expansive support of this resolution, and I urge its support.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in support of House Resolution 1225, designating June as National Safety Month. After years of decline, the numbers of unintentional injuries and deaths in the United States have risen to unacceptable new heights. Deaths from motor vehicle collisions, poisoning from unintentional overdoses, and falls remain the three leading causes of preventable death in the United States. For example, in 2005, the Illinois Department of Public Health reported that accidents, both motor vehicle and other types of accidents, were the leading cause of death for persons ages 1 to 44 in Illinois. According to the 2008 edition of the National Safety Council's Injury Facts publication, the annual cost of unintentional injuries to Americans and their employers now exceeds $650 billion.

To reduce the prevalence and severity of these injuries, Congress annually designates June as National Safety Month. By providing a public service campaign around the theme "Make A Difference," the National Safety Council promotes public awareness by highlighting the most significant causes for unintentional injuries and deaths in the workplace, on the road, and in the home and community. Equally important, the public campaign also stresses what Americans can do to prevent much of the needless suffering and expense associated with these accidents.

Each week of the month-long observance will focus on a unique safety issue. During the first week of June, the campaign focused on Emergency Preparedness. As a country we can make a difference by knowing how to perform CPR and acquiring Automated External Defibrillator training, both of which, if applied within minutes of a cardiac arrest, double the chances of survival. This week the campaign highlights the perils of distracted driving. According to a recent report by the National Highway Traffic Safety Administration, nearly 80 percent of crashes and 65 percent of near-crashes involved some form of driver inattention within three seconds before the event. Next week, the campaign spotlights the escalating co-relation between the rise in the consumption of prescription medication and rise in overdose fatalities. During the last week of June, the campaign centers on the importance of fall prevention, highlighting tips for preventing falls in the workplace, as well as fall prevention tips for aging adults. The campaign will conclude on Monday, June 30th, with tips for Independence Day and summer safety. Summer is a time of increased rates of preventable injuries and death. As a country, we can make a difference by becoming more aware about safe practices. We must recognize our responsibility to implement interventions that make our world a safer place to live. I urge you to join me in supporting H. Res. 1225, designating June as National Safety Month and focusing individuals' and business leaders' attention on injury risks and preventions.

Mr. YARMUTH. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. YARMUTH) that the House suspend the rules and agree to the resolution, H. Res. 1225.

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. YARMUTH. 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.

RECONNECTING HOMELESS YOUTH ACT OF 2008

Mr. YARMUTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5524) to amend the Runaway and Homeless Youth Act to authorize appropriations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5524

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 ''Reconnecting Homeless Youth Act of 2008''.

SEC. 2. FINDINGS.

Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively, and

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

''(3) services to such young people should be developed and provided using a positive youth development approach that ensures the young person a sense of—

''(A) safety and structure;

''(B) belonging and membership;

''(C) self-worth and social contribution;

''(D) independence and control over one's life; and

''(E) closeness in interpersonal relationships;''.

SEC. 3. GRANTS FOR CENTERS AND SERVICES.

Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) in subsection (a)(2)(B)(i) by inserting before the semicolon the following:

''provided for a continuous period not to exceed 15 days, except that such shelter may be provided for a continuous period not to exceed 21 days if the State where the center is located has an applicable State or local law or regulation that permits a length of stay in excess of such 15 days in compliance with licensure requirements for child and youth serving facilities'',

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by striking ''The'' and inserting ''(A) Except as provided in subparagraph (B) and to the extent that sufficient funds are available, the'',

(ii) by striking ''$100,000'' and inserting ''$150,000'',

(iii) by striking ''$45,000'' and inserting ''$70,000'', and

(iv) by adding at the end the following:

''(B) For fiscal years 2009 and 2010, the amount allotted under paragraph (1) with respect to a State for a fiscal year shall be not less than the amount alotted with respect to such State for fiscal year 2008.'',

(B) by redesignating paragraph (3) as paragraph (4), and

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

''(3) Whenever the Secretary determines that any part of the amount allotted under paragraph (1) with respect to a State will not be obligated before the end of the fiscal year, the Secretary shall reallot such part under paragraph (1) with respect to the remaining States for obligation for such fiscal year.''.

SEC. 4. BASIC CENTER GRANT PROGRAM ELIGIBILITY.

Section 312(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5712(b)) is amended—

(1) in paragraph (11) by striking ''and'' at the end,

(2) in paragraph (12) by striking the period at the end and inserting ''; and'', and

(3) by adding at the end the following:

''(13) shall develop an adequate emergency preparedness and management plan.''.

SEC. 5. TRANSITIONAL LIVING GRANT PROGRAM ELIGIBILITY.

Section 322(a) of the Runaway and Homeless Youth Act (42 U.S.C. 2714-2(a)) is amended—

(1) in paragraph (1)—

(A) by striking ''indirectly'' the 1st place it appears and inserting ''by contract'', and

(B) by striking ''and services'' and inserting '', and to provide, directly or indirectly, services'',

(2) in paragraph (2)—

(A) by striking ''except that a youth'' and inserting the following:

''except that in the case of—

''(i) a youth'',

(B) by inserting ''such youth may'' after ''program,'', and

(C) by striking ''period;'' and inserting the following:

''period; and

''(ii) a program that is located in a State that has an applicable State or local law or regulation that permits a length of stay in excess of such 540-day period in compliance with licensure requirements for child and youth serving facilities, a youth may remain in such program throughout a continuous period not to exceed 635 days;'',

(3) in paragraph (14) by striking ''and'' at the end,

(4) in paragraph (15) by striking the period at the end and inserting ''; and'', and

(5) by adding at the end the following:

''(16) to develop an adequate emergency preparedness and management plan.''.

SEC. 6. RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.

Section 343 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-23)) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''special consideration'' and inserting ''priority'', and

(ii) by striking ''relating to'' and inserting ''focused on'',

(B) in paragraph (8)—

(i) by inserting ''quality'' after ''access to'',

(ii) by striking ''mental'' and inserting ''behavioral'', and

(iii) by striking ''and'' at the end,

(C) in paragraph (9) by striking the period at the end and inserting the following:

'', including educational and workforce programs with outcomes such as decreasing the secondary school drop-out rate, increasing diploma or equivalent attainment rates, or

increasing placement and retention in post-secondary education or advanced workforce training; or'', and

(D) by adding at the end the following:

''(10) programs, including innovative programs, that assist youth in obtaining and maintaining safe and stable housing, and may include programs with supportive services that continue after program completion.'', and

(2) by amending subsection (c) to read as follows:

''(c) In selecting among applicants for grants under subsection (a), the Secretary shall—

''(1) give priority to applicants who have experience working with runaway youth or homeless youth; and

''(2) ensure that the applicants selected—

''(A) are geographically representative of different regions of the United States; and

''(B) carry out projects that serve diverse populations of runaway or homeless youth.''.

SEC. 7. ESTIMATE OF INCIDENCE AND PREVALENCE OF YOUTH HOMELESSNESS.

Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5714-21–5714-24) is amended by adding at the end the following:

''SEC. 345. PERIODIC ESTIMATE OF INCIDENCE AND PREVALENCE OF YOUTH HOMELESSNESS.

''(a) PERIODIC ESTIMATE.—Not later than 2 years after the effective date of this section, and at 5-year intervals thereafter, the Secretary, in coordination with the United States Interagency Council on Homelessness, shall prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on Judiciary of the Senate, and make public, a report—

''(1) by using the best quantitative and qualitative social science research method available, containing an estimate of the incidence and prevalence of runaway and homeless individuals who are less than 26 years of age and not less than 13 years of age; and

''(2) that includes with such estimate an assessment of the characteristics of such individuals.

''(b) CONTENT.—The report required by subsection (a) shall include—

''(1) the results of conducting a survey of, and direct interviews with, a representative sample of runaway and homeless individuals who are less than 26 years of age and not less than 13 years of age, to determine past and current—

''(A) socioeconomic characteristics of such individuals;

''(B) barriers to such individuals obtaining—

''(i) safe, quality, and affordable housing;

''(ii) comprehensive and affordable health insurance and health services; and

''(iii) incomes, public benefits, supportive services, and connections to caring adults; and

''(C) such other information that the Secretary determines, in consultation with States, units of local government, and national nongovernmental organizations concerned with homelessness, may be useful.

''(c) IMPLEMENTATION.—If the Secretary enters into any contract with a non-Federal entity for purposes of carrying out subsection (a), such entity shall be a nongovernmental organization, or an individual, determined by the Secretary to have appropriate expertise in quantitative and qualitative social science research.''.

SEC. 8. SEXUAL ABUSE PREVENTION PROGRAM.

Section 351(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–41(b)) is amended by inserting ''public and'' after ''priority to''.

SEC. 9. NATIONAL HOMELESS YOUTH AWARENESS CAMPAIGN.

The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(1) by redesignating part F as part G, and

(2) by inserting after part E the following:

''PART F—NATIONAL HOMELESS YOUTH AWARENESS CAMPAIGN

''SEC. 361. NATIONAL HOMELESS YOUTH AWARENESS CAMPAIGN.

''(a) IN GENERAL.—The Secretary shall, directly or through grants or contracts, conduct a national homeless youth awareness campaign (referred to in this section as the 'national awareness campaign') in accordance with this section for purposes of—

''(1) increasing awareness of individuals of all ages, socioeconomic backgrounds, and geographic locations, of the issues facing runway and homeless youth, the resources available for these youth, and the tools available for the prevention of youth runaway and homeless situations; and

''(2) encouraging parents, guardians, educators, health care professionals, social service professionals, law enforcement officials, and other community members to seek to prevent runaway youth and youth homelessness by assisting youth in averting or resolving runaway and homeless situations.

''(b) USE OF FUNDS.—Funds made available to carry out this section for the national awareness campaign may be used only for the following:

''(1) The dissemination of educational information and materials through various media, including television, radio, the Internet and related technologies, and emerging technologies.

''(2) Partnerships, including outreach activities, with national organizations concerned with youth homelessness, community-based youth service organizations (including faith-based organizations), and government organizations related to the national awareness campaign.

''(3) In accordance with applicable laws and regulations, the development and placement of public service announcements in telecommunications media, including the Internet and related technologies and emerging technologies, that educate the public on the issues facing runaway and homeless youth (or youth considering running away) and on the opportunities that adults have to assist such youth.

''(4) Evaluation of the effectiveness of the national awareness campaign.

''(c) PROHIBITIONS.—None of the funds made available under subsection (b) may be obligated or expended for any of the following:

''(1) To supplant pro bono public service time donated by national or local broadcasting networks, advertising agencies, production companies, or other pro bono work for the national awareness campaign.

''(2) For partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

''(3) To fund advertising that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal employees employed in positions in schedule C of part 213 of title 5 of the Code of Federal Regulations (January 1, 2008), as amended from time to time.

''(4) To fund advertising that does not contain a primary message intended to educate the public on the issues facing runaway and homeless youth (or youth considering running away) or on the opportunities for adults to help such youth.

''(5) To fund advertising that solicits contributions to support the national awareness campaign.

''(d) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—The Secretary shall perform—

''(1) audits and reviews of costs of the national awareness campaign pursuant to section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d); and

''(2) an audit to determine whether the costs of the national awareness campaign are allowable under section 306 of such Act (41 U.S.C. 256).

''(e) REPORT.—The Secretary shall include in each report submitted under section 382 a summary of the national awareness campaign that describes—

''(1) the activities undertaken by the national awareness campaign;

''(2) steps taken to ensure that the national awareness campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national awareness campaign; and

''(3) each grant made to, or contract entered into with, a particular corporation, partnership, or individual working on the national awareness campaign.''.

SEC. 10. DEFINITIONS.

Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a) is amended—

(1) in paragraph (3)(A)—

(A) in clause (i)—

(i) by striking ''not more than'' each place it appears and inserting ''less than'', and

(ii) by inserting after ''age'' the last place it appears the following:

'', or until attaining a higher maximum age if the State where the center is located has an applicable State or local law or regulation that permits such higher maximum age in compliance with licensure requirements for child and youth serving facilities'', and

(B) in clause (ii) by striking ''age;'' and inserting the following:

''age and either—

''(I) less than 22 years of age; or

''(II) an age exceeding 22 years of age as of the expiration of the maximum period of stay permitted under section 322(a)(2)(ii) if such individual commences such stay before attaining 22 years of age;'', and

(2) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

Section 388(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)) is amended—

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

''(1) AUTHORIZATION.—There are authorized to be appropriated to carry out this title (other than parts E and F, and section 345) $150,000,000 for fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013.'',

(2) by amending paragraph (4) to read as follows:

''(4) PART E.—There are authorized to be appropriated to carry out part E $30,000,000 for fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013.'', and

(3) by adding at the end the following:

''(5) PART F.—There is authorized to be appropriated to carry out part F $3,000,000 for each of the fiscal years 2009, 2010, 2011, 2012, and 2013.

''(6) SECTION 345.—There are authorized to be appropriated to carry out section 345 such sums as may be necessary for fiscal years 2009, 2010, 2011, 2012, and 2013.''.

SEC. 12. PERFORMANCE STANDARDS.

The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by adding at the end the following:

''SEC. 390. PERFORMANCE STANDARDS.

''(a) ESTABLISHMENT OF PERFORMANCE STANDARDS.—Not later than 1 year after the effective date of this section, the Secretary

shall establish by rule performance standards applicable to public and nonprofit private entities and agencies that receive grants under sections 311, 321, and 351.

''(b) IMPLEMENTATION OF PERFORMANCE STANDARDS.—The Secretary shall integrate performance standards established under subsection (a) into the Secretary's processes for grant-making, monitoring, and evaluation for programs under sections 311, 321, and 351.

''(c) CONSULTATION.—The Secretary shall consult with representatives of public and private entities and agencies that receive grants under this title, statewide and regional nonprofit organizations (and combinations of such organizations) that receive grants under this title, and national nonprofit organizations concerned with youth homelessness in developing the performance standards required by subsection (a).

''(d) PUBLIC COMMENT.—The Secretary shall provide an opportunity for public comment concerning the establishment of the performance standards required by subsection (a) before issuing rules to establish such standards, and shall maintain an official record of such public comment.''.

SEC. 13. GAO STUDY AND REPORT.

(a) STUDY.—The Comptroller General shall conduct a study of, and make findings and recommendations relating to, the process for making grants under parts A, B, and E of the Runaway and Homeless Youth Act, with respect to—

(1) the written responses made by the Secretary of Health and Human Services to (and any other methods for communicating with) grant applicants who are do not receive a grant under part A, B, or E of such Act, to determine if the information provided in such responses to such applicants is conveyed clearly,

(2) the structure of the grant application and associated documents (including announcements that grants are available under such parts), to determine if such application is structured so that the applicant has a clear understanding of what is required in each provision to successfully complete the application, including a clear explanation of terminology required to be used by the applicant throughout the document,

(3) the peer review process (if any) used to review grant applications (including the selection of peer reviewers) and the oversight of the peer review process by employees of the Department of Health and Human Services, as well as the extent to which such employees make funding determinations based on the comments and scores of the individuals who perform peer reviews,

(4) the typical time frame and the process used by such employees, including employee responsibilities, for responding to applicants and the efforts taken to communicate with applicants when there is a delay of decisions on applications or when funds to carry out this title are not appropriated before the beginning of the then current fiscal year, and

(5) the plans for and implementation of, where practicable, the new training and technical assistance programs and their effect on the grant application process.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Judiciary of the Senate, containing a summary of the results of the study conducted under subsection (a), together with the findings and recommendations made by the Comptroller General based on such results.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. YARMUTH) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 5524 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in support of the Reconnecting Homeless Youth Act, which I introduced earlier this year. This legislation will reauthorize the sole source of Federal funding for at least 1 million young people who find themselves homeless or unaccompanied each year. Some of those children are born homeless, but most run away to escape mental, emotional or physical abuse. More than a third of them are victims of sexual abuse in the home.

Although they escape terrible conditions at home, for most, what is waiting for them on the street is no better. These youths are raped or assaulted at rates two to three times the national average, they are seven more times likely to contract HIV, and a third of them attempt suicide. For these young people, hope is a distant concept and the future is little more than a dead end.

The situation is bleak, but the solutions are within our grasp. My hometown of Louisville, thanks to organizations like Safe Place and Boys Haven, has set the standard for helping homeless youth find a home, get an education and rediscover their futures.

I invited Rusty Booker to testify before the Education and Labor Committee last year. Rusty, a fellow Louisvillian, ran away from an abusive home at the age of 12 and went through five different foster homes before finding his path at Safe Place. Rusty showed us that we have the answers, we have the tools to eliminate childhood homelessness and disconnection, but only if we choose to use them.

That is the opportunity we have before us today, because despite the tremendous work of our service organizations, the funds and personnel to accommodate the basic needs of our Nation's runaway and homeless youth are far short of meeting the demand and the required infrastructure is simply not in place. We need to do more than just contain these children while we have them. We must set them on a path to adulthood, prepared for the workplace and ready for the world, without dragging the dead weight of a history of neglect.

The Reconnecting Homeless Youth Act will refocus our resources and give America a real shot at eradicating youth homelessness forever. Thanks to the groundwork laid in Louisville, the Reconnecting Homeless Youth Act won't simply extend the Runaway and Homeless Youth Act until 2013. It will provide significant improvements and much-needed expansions.

Addressing the critical funding shortfall, this legislation will dramatically increase the reauthorization for Runaway and Homeless Youth Act funding to $150 million per year, ensuring that the resources are in place for community-serving organizations to reach every child in need.

The bill will also increase the basic center program allotments for small States, make public entities eligible for street outreach program funds, establish grantee performance standards, and finally create a process for developing a national runaway and homeless youth research and evaluation agenda.

The progress that we have made in the past year is significant. In fiscal year 2007, 740,000 young people were helped by our HYA programs. But more significant will be the advances down the road. As we work to restore faith in this Nation's future, we must build an America where every child has a chance to learn, succeed, and at the very least have a place to call home.

I urge my colleagues to join me in supporting this legislation, which will offer a chance and a childhood to millions of our most vulnerable citizens.

I reserve the balance of my time.

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

Mr. Speaker, I rise today as the lead Republican sponsor of H.R. 5524, the Reconnecting Homeless Youth Act of 2008. I am pleased to be here with my good friend the gentleman from Kentucky, Congressman JOHN YARMUTH, as we consider this important bill reauthorizing and strengthening the Runaway and Homeless Youth Program, set to expire this year.

Mr. Speaker, each year, between 1 and 3 million children in the United States find themselves on their own and on the street. Throughout our Nation, local shelters, like NCO Youth & Family Services and Aunt Martha's in my district rely on Federal support to keep these children safe and off the streets.

Congress first enacted the Runaway and Homeless Youth Act in 1974 and has regularly reauthorized it to ensure a basic level of support for unaccompanied youth. To meet the needs of these children, the Runaway and Homeless Youth Act authorizes three major programs: The Basic Center Program, the Transitional Living Program and the Street Outreach Program.

The Basic Center Program, or BCP, provides youth with emergency short-term shelter, food, clothing, counseling and referrals for health care. The BCP seeks to reunite young people with their families whenever possible or to locate appropriate alternative placements. In 2006, BCP grantees served more than 48,000 youth.

The Transitional Living Program, or TLP, assists older homeless youth in

developing skills and resources to promote their independence and prevent future dependency on social services. In 2006, TLP grantees provided services to more than 3,600 youth.

The Street Outreach Program provides emergency shelter and related services to young people who have been or are at the risk of being sexually abused or exploited. The goal of these efforts is to inform young people about services that can help them find suitable housing and address the problems that lead them to be on the street.

□ 1630

In 2006, the Street Outreach Program served over 619,000 youth. The bill before us today reauthorizes the Runaway and Homeless Youth Act through fiscal year 2013. Under the bill, the Department of Health and Human Services would establish grantee performance standards and provide a periodic estimate of the incidence of youth homelessness.

H.R. 5524 also creates a National Homeless Youth Awareness Campaign that will focus on increasing awareness about the issues facing runaway and homeless youth and the tools available for preventing runaway and homeless youth situations.

While the prevalence of homelessness is difficult to measure, it is estimated that about 5 to nearly 8 percent of youth experience homelessness each year. More can and must be done. The Reconnecting Homeless Youth Act will strengthen Federal efforts to keep our children safe and off the street.

I would like to take a moment to share the story of one of these kids, Dennis, a constituent of mine, whose life changed as a result of one of these programs strengthened in this bill, the Transitional Living Program. As a senior in high school, Dennis began to isolate himself from family and friends. He was diagnosed with a bipolar disorder, and even though he was prescribed medicine, he didn't take it. According to Dennis, he felt ''walled off to a point where it just crushes in on you, it was like someone turned off the switch. It was very, very difficult to see joy.''

After months of bitterly fighting with his parents, Dennis packed up his car and ran away. He stayed on the couch of friends and family for the remainder of his senior year in high school and continued to deteriorate.

Fortunately, that year, Dennis learned of the NCO Youth and Family Services Transitional Living Program, and he decided to use it for housing. He needed a place to stay. But the program was not just housing, it taught him to manage his disorder, as well as training and managing, budget, cooking and cleaning, monitoring his credit, applying for a job, securing transportation and locating an apartment.

The program helped Dennis secure a job, giving him the hope and determination to make something of himself. After successful completion of the Transitional Living Program, where is he now? Well, Dennis is an Army private serving honorably in Kuwait.

According to Dennis, without the program, he would be half dead now. He says, ''If I hadn't come to NCO, I think I wouldn't have made it.''

Because of the stories like this and the success that we have seen, I am really proud to join Mr. YARMUTH, my fellow sponsor, in support of this bill. This bill is about helping homeless children, and I strongly support it and urge its passage.

We need to start thinking about how to help families facing the prospect of homelessness because they are being squeezed by high energy prices, rising prices for gasoline needed to get to and from a job, for the food needed to feed their families and even for natural gas to keep their homes warm in the winter and for electricity needed to keep them cool in the summer, we are putting enormous pressure on the American families that can least afford it.

In addition to helping homeless kids, this Congress must take action to increase the supply of oil, reduce the price of gasoline and support the development of advanced energy technologies and alternatives to oil and gas.

Just this past weekend, the national average price of gasoline hit $4 a gallon for the first time. Well, I can assure you that for my constituents in the Chicago area, $4 for gas would be moving in the right direction. We have been paying well over $4 a gallon for weeks.

While I urge my colleagues to support this bill today, I also urge this House to take action to address the high price of energy generally and gasoline in particular, which, if left unchecked, will certainly increase the ranks of homelessness in the U.S.

With that, I thank my colleague, Mr. YARMUTH, for working with me to produce the bipartisan bill we are considering today.

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

Mr. YARMUTH. Mr. Speaker, I have the great honor of yielding as much time as he may consume to my colleague on the Education and Labor Committee, Mr. HINOJOSA, from Texas.

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of H.R. 5524, the Reconnecting Homeless Youth Act.

I would like to thank my two good friends, Representative JOHN YARMUTH from Kentucky and Representative JUDY BIGGERT from Illinois, for their strong leadership on this important legislation to my district in south Texas and to the whole Nation.

An estimated 2.8 million youth under the age of 17 experience a homeless situation each year. Many more young adults under the age of 24 find themselves without a place to call home.

Our Nation's homeless youth are exposed to some of the harshest elements imaginable. They are exposed to the harsh elements of hot and cold weather. These homeless youth are exposed to the harsh elements of crime, of abuse and exploitation on the street. They are vulnerable to illness and physical trauma.

These homeless youth are deprived of the protective and nurturing elements that come with a home and a strong supportive family. They are robbed of the supports necessary for a productive adulthood. The Reconnecting Homeless Youth Act will reauthorize the Runaway and Homeless Youth Act, which provides support to youth through basic centers and shelters, transitional living programs and street outreach. This is the only Federal law targeted solely to unaccompanied youth.

I am very proud to be an original cosponsor of this legislation and would like to thank the authors for including many of the provisions to improve the Runaway and Homeless Youth Act from legislation I introduced last summer. H.R. 3409, the Place to Call Home Act, is included in this bill.

Homelessness among our Nation's youth will persist until all sectors of society, including the Congress, declare that a safe place to live and a connection to permanent and loving families and communities are basic needs we will ensure for all young people. This legislation is one significant step in that direction.

I strongly urge all of my colleagues to vote ''yes'' on H.R. 5524, the Reconnecting Homeless Youth Act.

Mrs. BIGGERT. Mr. Speaker, does the gentleman from Kentucky have any further speakers?

Mr. YARMUTH. We are prepared to close if you are prepared to close.

Mrs. BIGGERT. Mr. Speaker, in closing, let me just thank, again, the gentleman from Kentucky and the gentleman from Texas for their work on this bill and also the staffs on both side of the aisle from the Education and Labor Committee for all of their work.

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

Mr. YARMUTH. Mr. Speaker, with that, I strongly urge my colleagues to pass this important legislation that for more than 1 million young people each year could mean the difference between continuing to live on the streets without hope and finding a path to independent adulthood that begins with a place to call home.

I want to thank Chairman MILLER, Chairwoman MCCARTHY, and especially Representative BIGGERT for her hard work and dedication to this issue.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in full support of H.R. 5524, The Reconnecting Homeless Youth Act.

This bill reauthorizes the Runaway and Homeless Youth Act, which is under the jurisdiction of the subcommittee which I chair, the Healthy Families and Communities Subcommittee of the Committee on Education and Labor. Mr. YARMUTH, the bill's sponsor, is on my subcommittee and it was a pleasure to work with him on this reauthorization. Each

member of my subcommittee is both passionate and committed to improving the lives of our Nation's children. In this case, Mr. YARMUTH is seeking to assist some of our Nation's most vulnerable youth, those who run away from home or who have no home.

It is a travesty that this situation exists in our Nation—that children find themselves in situations where they need to leave their home for any number of reasons—they are thrown out, have been abused, and face other challenges at home. Worse yet, too many of our Nation's foster care youth find themselves released from the system at or around age 18 and are left to fend for themselves without guidance or little to no assistance, and they become part of the over one million runaway or homeless youth in our Nation. These resilient youth seek caring adults, stability, and the ability to see their future as different from their present situation.

This reauthorization improves the basic central programs, street outreach programs, and the transitional living program. As we heard in a hearing in my subcommittee, it is just too easy to look away and dismiss the problem or accept that it is inevitable that there will be homeless youth. We see it, acknowledge it, and do nothing about it. However, if we dismiss or tolerate the problem of runaway and homeless youth, I think that we can easily expect that we will see these youth in other social systems where they may stay for the rest of their lives. Helping these youth in the here and now is both intervention and prevention. We must maintain a long-term vision for our Nation's youth. Investing in all children at an early age is clearly necessary, but we also must attend to our older youth who face challenges that neither you nor I have experienced as teenagers and young people.

Mr. Speaker, Mr. YARMUTH has worked very hard with the community that works with runaway and homeless youth to create a strong reauthorization of these programs. He has included the development and implementation of performance standards to be used in the grant making process, to better allow the Family and Youth Services Bureau of the Department of Health and Human Services to evaluate each program and fund the best of the best. You see, these programs are good, and the competition is strong for any funding that is available.

I urge my colleagues to vote yes on H.R. 5524, the Reconnecting Homeless Youth Act today. It is an investment in our Nation's most vulnerable youth and in all of America's young people. They seek caring adults and opportunities to improve their lives at home and their futures. If we help these youth now, we prevent them from entering into child welfare and juvenile justice systems, each path fraught with challenges. I think that we can all come together to change the lives of children for the better.

Mr. YARMUTH. 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 Kentucky (Mr. YARMUTH) that the House suspend the rules and pass the bill, H.R. 5524, as amended.

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

A motion to reconsider was laid on the table.

JOSH MILLER HEARTS ACT

Mr. YARMUTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4926) to amend the Elementary and Secondary Education Act of 1965 to establish a grant program for automated external defibrillators in schools, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4926

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 ''Josh Miller Helping Everyone Access Responsive Treatment in Schools Act of 2008'' or the ''Josh Miller HEARTS Act''.

SEC. 2. GRANT PROGRAM FOR AUTOMATED EXTERNAL DEFIBRILLATORS.

(a) PROGRAM REQUIRED.—The Secretary of Education shall carry out a program under which the Secretary makes grants to local educational agencies, to be used by the local educational agencies for one or both of the following:

(1) To purchase automated external defibrillators for use in elementary and secondary schools served by the local educational agency.

(2) To provide training to enable elementary and secondary schools served by the local educational agency to meet the requirements of subsection (d)(1), but only if automated external defibrillators are already in use at such schools or are acquired through this program.

(b) ELIGIBILITY.—

(1) LOCAL EDUCATIONAL AGENCIES.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

(2) ELEMENTARY AND SECONDARY SCHOOLS.—To be eligible to receive an automated external defibrillator through a grant under this section, a school may be any public or private school served by the local educational agency, except that an Internet- or computer-based community school is not eligible.

(c) MATCHING FUNDS REQUIRED.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, the local educational agency must provide matching funds from non-Federal sources equal to not less than 25 percent of the amount of the grant.

(2) WAIVER.—The Secretary shall waive the requirement of paragraph (1) for a local educational agency if the number of children counted under section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6333(c)(1)(A)) is 20 percent or more of the total number of children aged 5 to 17, inclusive, served by the local educational agency.

(d) TRAINING AND COORDINATION REQUIRED.—A local educational agency that receives a grant under this section shall demonstrate that, for each elementary and secondary school at which the automated external defibrillators are to be used—

(1) there are at least 5 individuals at the school who—

(A) are employees or volunteers at the school;

(B) are at least 18 years of age; and

(C) have successfully completed training, with the expectation that the certification shall be maintained, in the use of automated external defibrillators and in cardio pulmonary resuscitation, conducted by the American Heart Association, the American Red Cross, the National Safety Council, or another nationally recognized organization offering training programs of similar caliber;

(2) local paramedics and other emergency services personnel are notified where on school grounds the automated external defibrillators are to be located; and

(3) the automated external defibrillator will be integrated into the school's emergency response plan or procedures.

(e) PRIORITY.—In making grants under this section, the Secretary shall give priority to schools—

(1) that do not already have an automated external defibrillator on school grounds;

(2) at which a significant number of students, staff, and visitors are present on school grounds during a typical day;

(3) with respect to which the average time required for emergency medical services (as defined in section 330J of the Public Health Service Act (42 U.S.C. 254c-15(f))) to reach the school is greater than the average time for emergency medical services to reach other public facilities in the community; and

(4) that have not received funds under the Rural Access to Emergency Devices Act (42 U.S.C. 254c note).

(f) ESEA DEFINITIONS.—The terms used in this section shall have the meanings given to such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2008 through 2013.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. YARMUTH) and the gentleman from New York (Mr. KUHL) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 4926 into the RECORD.

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

There was no objection.

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

I rise today in strong support of H.R. 4926, the Josh Miller HEARTS Act. This is a bill that will save countless lives at a relatively low cost to taxpayers.

According to the American Heart Association, more than 200,000 Americans die of sudden cardiac arrest each year. Even more disturbing is the fact that 50,000 of these deaths could have been prevented with the use of an automated external defibrillator, or AED.

AEDs are portable devices used to restart the heart after sudden cardiac arrest. Studies have shown that these devices, which are required in Federal buildings and on airplanes, can be safely used by anyone, including children. Defibrillators talk the user through the lifesaving process and do not deliver a shock unless the heartbeat analyzed through the machine is in need of it.

Prompt response to a person experiencing cardiac arrest is imperative, and waiting for an EMS to arrive can be fatal. Utilizing CPR techniques and administering an AED can more than double the victim's chance of survival. A defibrillator shock is the most effective treatment for sudden cardiac arrest. Heart experts at Johns Hopkins University believe that over 500 lives can be saved annually with the widespread placement of AEDs.

The legislation put forward today will go a long way towards saving lives in our Nation's schools. This bill establishes a grant program to place lifesaving defibrillators in every elementary and secondary school that chooses to participate in the program. Additionally, the law would require recipients of these grants to train school staff in AED and CPR practices, coordinate with local paramedics, and integrate AEDs into existing medical emergency response plan. These provisions will save the lives of students, teachers, parents, staff and community members in U.S. schools.

On any given day, as much as 20 percent of a community's population passes through its schools, and it is our duty to ensure that these are safe places for kids to learn and community members to interact. Since schools are natural meeting places for the public, this bill can save the lives of countless children, teachers, parents and others.

Similar legislation has already passed and is making an important difference in States such as Ohio and New York. As a response to the tragic death of 15 year-old Josh Miller, Ohioans instituted a program to place AEDs in schools. Since the inception of the program in 2005, 13 lives have been saved by defibrillators. Similarly, the New York program, in honor of 14 year-old Louis Acompora, has saved 38 lives since 2002.

I want to thank families like the Millers and the Acomporas, whose hard work has brought national attention to this issue. They have worked through their grief, and fueled by the tragic loss of a child, have toiled tirelessly to keep other parents from experiencing similar losses. With passage of this bill, Congress has the opportunity to join with these families and prevent future tragedies.

Encouraging results and the many lives saved already demonstrate why we must pass this legislation. By putting in place preventive measures like these offered in this bill, we can save more lives.

Once again, I express my support for H.R. 4926, and I urge my colleagues to pass this bill.

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

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

Mr. Speaker, I rise in strong support of H.R. 4926, the Josh Miller Helping Everyone Access Responsive Treatment in Schools Act of 2008. Also, fortunately, we refer to it as the Josh Miller HEARTS Act.

This legislation would authorize the United States Secretary of Education to make grants to public and private elementary and secondary public schools to purchase automated external defibrillators, also known as AEDs, for school grounds and to train employees and volunteers on how to use these devices, which have saved thousands of lives all over the country.

An AED is a portable, computerized medical device that can check a person's heart rhythm to determine whether he or she is in cardiac arrest and having a heart attack. It can recognize a rhythm that requires an electronic shock and advise a rescuer when a shock is needed.

□ 1645

The AED uses voice prompts, lights, and text messages to tell the rescuer the precise steps he or she needs to take to operate the device.

Just as hundreds of students have found out, it is an extremely accurate and easy device to use. As such, the device is widely credited for saving hundreds of lives a year.

I firmly believe that expanding the availability of AEDs in schools will save the lives of thousands of students and teachers, and so I want to thank the gentlewoman from Ohio (Ms. SUTTON) for taking a leadership role on this vital issue and for introducing this important bill.

This effort is a deeply personal one to me, as I have been involved in the effort to install AEDs in public and private elementary and secondary schools since before I came to Congress.

When I was in the New York State Senate, I heard about a young man who Mr. YARMUTH mentioned earlier by the name of Louis Acompora from Northport, Long Island. Louis was playing lacrosse at Northport High School. Like many high school students across the country, he played sports every day. He did exactly what he was trained to do, he blocked a shot on goal with his chest. Unfortunately, it was the wrong time, and after receiving the blunt impact to the chest, Louis went into cardiac arrest and died from that particular blow, a syndrome that affects healthy young athletes as a result of low energy, non-penetrating blows to the chest.

If an AED had been available on the field at the time, perhaps Louis's mother and father would not have watched him die on the field.

In response to this tragic event, I worked with my colleague, then State Assemblyman Harvey Weisenberg, to introduce legislation that required all public schools in New York State to have at least one AED on the school grounds. Fortunately, the State legislature adopted this law, and as a result, I am proud to say that 38 lives in New York schools have been saved since its passage back in 2002.

As I said on the floor last week in support of the first annual CPR and AED Awareness Week, communities with comprehensive AED programs have achieved survival rates of over 40 percent where the normal survival rate is roughly 5 percent.

With this in mind, I believe schools are the logical place to put defibrillators since as many as 20 percent of the community population passes through its school's doors on a daily basis.

This bill would require that local educational agencies that receive a grant under the program to provide at least 25 percent match from non-Federal sources. It ensures that local paramedics and other emergency services personnel are notified regarding where the actual AED is located on the school grounds in case they ever have to respond to a situation on the school campus.

H.R. 4926 is an important piece of legislation that will help save lives all across the country. I compliment Ms. SUTTON again on her leadership role on this issue, and I strongly urge my colleagues to support the bill.

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

Mr. YARMUTH. Mr. Speaker, it gives me great pleasure to introduce the sponsor of this bill and my good friend and a member of the wonderful majority maker's class of 2006, the gentlewoman from Ohio (Ms. SUTTON) and yield as much time as she may consume.

Ms. SUTTON. I thank the gentleman from Kentucky.

Mr. Speaker, I rise today as the proud sponsor of H.R. 4926, the Josh Miller Helping Everyone Access Responsive Treatment in Schools Act, or the Josh Miller HEARTS Act.

This legislation establishes a grant program to ensure that every elementary and secondary school across the country can obtain automated external defibrillators, or AEDs.

I introduced the Josh Miller HEARTS Act last December in memory of a young man from my hometown of Barberton, Ohio.

Josh was the sort of kid who could light up a room, someone who you knew would go on to achieve great things. He was a sophomore at Barberton High School with a 4.0 grade point average, a linebacker who dreamed of playing football some day for Ohio State. But one day, without warning, those dreams were cut short.

During the final game of the 2000 football season, Josh collapsed after leaving the field. By the time his heart was shocked with the defibrillator, it was too late to save him. Josh suffered a sudden cardiac arrest, which according to the American Heart Association, claims the lives of about 330,000 Americans every year. The vast majority of these individuals, like Josh, will never have displayed any signs of heart trouble beforehand.

Yet there is an easy-to-use, relatively inexpensive piece of medical equipment that can more than double

the odds of survival for someone experiencing a sudden cardiac arrest.

An automated external defibrillator, or AED, is the single most effective treatment for starting the heart after a sudden cardiac arrest. And because the chances of survival decrease up to 10 percent for every minute that passes, every second is critical.

Schools, as you've heard, are central gathering places in our communities that make them the ideal locations for AEDs. Placed in our schools, AEDs can save not only students but also staff and parents and many other visitors who come through our schools every day.

The Josh Miller HEARTS Act establishes a grant program to ensure that AEDs will be available to every elementary and secondary school, public and private across the country.

AED/CPR training is also an important part of raising awareness in using AEDs correctly. H.R. 4926 makes funds for training available to schools that already have AEDs, as well as to schools that will receive AEDs through this program.

Finally, this legislation also requires coordination with local emergency medical services and integration into the school's emergency response plan, to ensure their effective use within each community.

I would like to take a moment to thank Chairman MILLER and Ranking Member MCKEON for making this legislation a priority and for moving it forward. And I want to thank Representative KUHL and representatives on both sides of the aisle for their support of this very important initiative. I thank Representative YARMUTH for his leadership, and I also would like to recognize Dr. Terry Gordon, a cardiologist who was instrumental in pushing a similar effort successfully in my home State of Ohio and who has put his whole heart into making this life-saving device available across this Nation his vocation.

Finally, I would like to close by thanking the Miller family, especially Josh's parents, Ken and Jerri Miller, for their courage and for transforming their life into this life-saving mission. Losing a young life like Josh's can make us feel helpless, but through these tragedies, many families like the Millers and the Acomporas have found the strength to act. They have found the courage to speak out so that their other children can have the chance that their children never did, and so that other families will not have to feel their pain.

Although H.R. 4926 bears Josh Miller's name, it is truly in memory of all those who might have been saved, and in celebration of those who because of this program will have the opportunity to live their lives to their fullest potential. Let's give these children that chance.

Mr. YARMUTH. We reserve the balance of our time.

Mr. KUHL of New York. Mr. Speaker, in closing let me say that this bill is a bill that makes a difference between life and death. It is one that all of our colleagues should be supporting, and I recommend its support.

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

Mr. YARMUTH. I thank the gentleman from New York, and I thank Congresswoman SUTTON for her wonderful work on this piece of legislation.

I want to also echo my thanks to Dr. Terry Gordon who happens to be a childhood friend of mine and a native of Louisville, Kentucky. He deserves a great deal of credit for beginning the movement that has resulted hopefully in the passage of this bill today.

I urge my colleagues to support this marvelous piece of legislation.

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 Kentucky (Mr. YARMUTH) that the House suspend the rules and pass the bill, H.R. 4926, as amended.

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

The title was amended so as to read: ''A bill to establish a grant program for automated external defibrillators in elementary and secondary schools.''.

A motion to reconsider was laid on the table.

FATHER'S DAY RESOLUTION

Mr. YARMUTH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1243) recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1243

Whereas fathers factor significantly in the lives of children;

Whereas fathers play an important role in teaching their children life lessons and preparing them to succeed in school and in life;

Whereas children with involved fathers are more likely to do well in school, have a better sense of well-being, and have fewer behavioral problems;

Whereas supportive fathers promote the positive physical, social, emotional, and mental development of children;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas when fathers are actively involved in the upbringing of children, the children demonstrate greater self-control and a greater ability to take initiative;

Whereas responsible fatherhood can help reduce child poverty;

Whereas responsible fatherhood strengthens families and communities; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the millions of fathers who serve as wonderful, caring parents for their children;

(2) calls on fathers across the United States to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children;

(3) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the moral, academic, and spiritual development of children; and

(4) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. YARMUTH) and the gentleman from New York (Mr. KUHL) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1243 into the RECORD.

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

There was no objection.

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

I rise today in support of H. Res. 1243 which recognizes the contributions of millions of fathers in the lives of their children. This coming Sunday, June 15, is Father's Day, so this is an appropriate time to stop and commend the millions of fathers who serve as wonderful, caring parents for their children.

Fathers can play a special role in the rearing and development of their children, and I commend the millions of fathers across our country for devoting their time, energy, and resources to improving the well-being of their children.

But, Mr. Speaker, I would also like to mention that this is not just a day for children to honor their fathers, or for adults to honor their fathers, it is also a day, I believe, for fathers to recognize the blessing that they have been given to mean so much in the lives of their children.

When I was a columnist years ago, I began writing columns about my son and being my son's father. What was interesting about them is each year that I did that, they were always the most popular columns that I wrote because they were human subjects that many people could relate to.

The first one I wrote, which was June of 1994, I wrote this: ''When I was growing up, I figured Father's Day was the day when I was supposed to acknowledge my gratitude for everything my dad did for me. Now that I'm a dad, I know it is really something much different. It's a reminder of how wonderful it is to be an important part of someone else's life, to shoulder responsibility, to love without conditions or expectations.''

So I want to make a personal comment that Father's Day is about being a father as much as paying honor to your father.

With that, Mr. Speaker, once again I want to express my support for H. Res. 1243 that acknowledges the importance of fathers in the United States.

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

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

Mr. Speaker, I rise today in support of H. Res. 1243, recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

Pope John Paul XXIII once stated: ''It is easier for a father to have children than for children to have a real father.'' The truism of those words is exceedingly relevant today.

The presence of two committed, involved parents contributes directly to better academic importance, reduced substance abuse, less crime and delinquency, fewer emotional and other behavioral problems, less risk of abuse or neglect, and lower risk of teen suicide.

The research is clear, fathers factor significantly in the lives of their children. There is simply no substitute for the love, involvement, and for the commitment of a responsible father.

Fathers today have a responsibility to set aside quality time with their children, such as attending their children's school events, games and activities. They also involve their children in their lives and the adult world by taking them to work, or taking them along when the car needs to be repaired, or involving them in decisions that affect the family.

As advisors and role models, fathers help their children to understand the difference between right and wrong and to recognize how the decisions they make today can affect the rest of their lives.

□ 1700

Fathers instill important values and prepare their children for challenges and opportunities ahead by demonstrating true leadership. Their love and their devotion inspire the future generation of Americans to achieve their dreams, and demonstrate their true spirit of our country.

A father is one of the most important influences in a child's life. And on Father's Day, and every day, we honor our fathers who celebrate this special bond between a father and a child.

And so as fathers and children all across the country prepare this Sunday to mark that special day in which fathers are honored for all they do, I urge my colleagues to join me in support of this resolution.

Father's Day celebrations are a time of great happiness and family bonding. Many families will try to escape for a day, perhaps taking a trip to a favorite landmark or to the ball park, building precious memories for dad and children alike.

Unfortunately, for many families, these joyous celebrations will not be an option this year. With the price of gasoline reaching $4.02 per gallon just recently, for the first time in history, Americans are struggling to put fuel in their cars. They're struggling to make everyday purchases. And they're sacrificing the types of celebrations that would normally mark the occasion of Father's Day.

Although the majority has thus far refused to unveil its long-promised plan to bring down the price of gasoline, Republicans are not willing to stand by while our families suffer. That's why we've offered a plan of our own to increase production here at home, thereby creating American jobs, while also encouraging the development of energy alternatives and promoting conservation.

We owe it to the American families, including the fathers, who just want to be able to spend quality time with their children, to finally deliver solutions to the current energy crisis. We need to bring down the price of energy sources that fuel our lives.

I would like to reserve the balance of my time at this point, Mr. Speaker.

Mr. YARMUTH. Mr. Speaker, I have the great honor of introducing and yielding as much time as he may consume to the sponsor of the bill, the distinguished gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, first of all I want to thank the gentleman from Kentucky (Mr. YARMUTH) for yielding, and also for the tremendous addition that he has been to the United States House of Representatives, and how much I enjoy serving with him on the Education Committee.

I also want to commend the sponsors of this resolution because I don't think that there is any other day that perhaps should be more important than the concept of Father's Day.

We all recount and remember our own childhood, growing up. I remember my father always trying to encourage us to do things like go to bed early, get up early, study hard, work hard, go to church. My father had all these little pithy sayings that he used to say to us, and he'd say things like, ''Early to bed and early to rise makes a man healthy, wealthy and wise.''

Then I remember when my brothers and I got to be teenagers, and he would tell us that; and we'd say, Dad, we really thank you for your wisdom. Of course the fellows have a different saying now. They say, ''Early to bed, early to rise and the girls go out with the other guys.''

Nevertheless, the things that he taught continued to be the things that I value. Self-sufficiency, always being able to look out not only for yourself, but for others.

Unfortunately, we have seen a tremendous rise in single-parent families, where we experience much too often the absence of fathers. And there are things that we know about the absence of fathers. We know that children who grow up without the presence of a father are more likely to drop out of school, more likely to experience teen pregnancy, more likely to experience juvenile delinquency, more likely to be incarcerated.

And so I simply want to take this moment to thank the Illinois Council on Responsible Fatherhood, and a group that I work with called Fathers Who Care. On Saturday of this past week, as we do every year before Father's Day, we had a full day of activity at the Malcolm X Community College for 400 men who came and talked about fatherhood. And we encouraged those who had been away from their children to know that they can have father relationships even if they aren't employed, that even if they've been incarcerated and away from their families, they can still come back; that nothing takes the place of the positive interaction between father and child. And not only just your individual child.

I had so many fathers growing up until I just can't name them all. I had father uncles, I had father cousins, I had father neighbors, I had friends of the family, all of whom practiced the art of fatherhood. And I don't believe that I would be standing here today as a Member of Congress had I not had the influence of those men in my life.

Again I commend the sponsors of this resolution, urge its passage.

Mr. KUHL of New York. Mr. Speaker, I yield to the gentleman from Oklahoma (Mr. SULLIVAN) as much time as he may consume.

Mr. SULLIVAN. Mr. Speaker, as I look forward to celebrating Father's Day this weekend, I was proud to introduce House Resolution 1243, which honors fathers across the country by recognizing the important role that fathers play in shaping the lives of our Nation's young people, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children.

Being a father is one of the greatest blessings of my life. I love my job, but I look forward to the end of the week when I can head back home to Tulsa to be with my family.

My children, Tommy, Meredith, Sydney and Daniel are my number one priority, and I strive every day to show them they are important. I would like to take this opportunity to remind all fathers to spend extra quality time with their children on Father's Day, and to continue to do so throughout the year.

I introduced this legislation not only to honor fathers but to call attention to the importance of the job. The role that fathers play in the development of our youth cannot be overstated.

The absence of fathers contributes to many social problems that we, as legislators, fight to prevent daily. According to findings by the National Fatherhood Initiative, the closer adolescents feel to their fathers, regardless of the type of family structure in which they live, the less likely it is that they will engage in the use of drugs or delinquent behavior. Involved and proactive fathers help to shape confident and productive future citizens.

So as we honor fathers on Father's Day, we should also encourage men to evaluate their own participation in their children's lives, because you never can be too involved.

As a co-chair of the Congressional Task Force on Responsible Fatherhood, as a father and a concerned citizen, I ask my colleagues to join me in spreading the message of responsible fatherhood to all levels of society, and encouraging more fathers to reconnect with their children by supporting House Resolution 1243.

Mr. KUHL of New York. In closing, Mr. Speaker, I would just thank and compliment the gentleman from Oklahoma for bringing this resolution to the floor, and for bringing awareness to the people who are fathers, and reminding them of the tremendous role that they have in America and the youth development of our children, and to thank them for their participation in that role.

Mr. MCINTYRE. Mr. Speaker, I rise in strong support of H. Res. 1243, a resolution that recognizes the immeasurable contributions of fathers in the healthy development of children, supports responsible fatherhood, and encourages greater involvement of fathers in the lives of their children, especially on Father's Day. As cochairman of the Congressional Task Force on Responsible Fatherhood, I thank my colleague, Mr. SULLIVAN, for his work on this important matter.

Six days from now, our Nation will celebrate the special place that fathers have in our country.

From helping with homework to playing ball to reading a book to offering advice, prayers and support, and to just listening, each and every day fathers of all ages contribute to the mental, moral, and spiritual development of children, teenagers, and adults.

According to the National Fatherhood Initiative, children with involved, loving fathers are significantly more likely to do well in school, have a healthy self-esteem, exhibit empathy and good behavior, and avoid high-risk activity such as drug use and criminal activity.

H. Res. 1243 recognizes the commitment of fathers, and the wonderful work that both parents do on behalf of their kids, and I encourage my colleagues to join with us as we all recommit ourselves to being the best father we can to children everywhere.

And in conclusion, I would like to publicly thank my father, Dr. Douglas McIntyre, for the great example he has been to me and for the dedication and support he has shown in my every endeavor. And I am most grateful to God both for my dad and for the absolutely wonderful opportunity I have to be the father of two amazing, accomplished sons, Joshua and Stephen.

Happy Father's Day to fathers everywhere.

Mr. KUHL of New York. I yield back the balance of my time.

Mr. YARMUTH. Mr. Speaker, I think that all of us agree that this is something that transcends party, transcends geography and transcends economics. We all treasure our fathers, and I urge that this resolution be adopted by the House.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. YARMUTH) that the House suspend the rules and agree to the resolution, H. Res. 1243.

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. YARMUTH. 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.

50TH ANNIVERSARY OF ALASKA AS THE 49TH STATE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 127) recognizing and celebrating the 50th anniversary of the entry of Alaska in the Union as the 49th State.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 127

Whereas July 7, 2008, marks the 50th anniversary of the enactment of the Alaska Statehood Act as approved by the United States Congress and signed by President Dwight D. Eisenhower;

Whereas the Alaska Statehood Act authorized the entry of Alaska into the Union on January 3, 1959;

Whereas the land once known as ''Seward's Folly'' is now regarded as critical to the strategic defense of the United States and important to our national and economic security;

Whereas the people of Alaska remain committed to the preservation and protection of the Union, with among the highest rates of veterans and residents in active military service of any State in the Nation;

Whereas Alaska is the northernmost, westernmost, and easternmost State of the Union, encompassing an area one-fifth the size of the United States;

Whereas the State of Alaska has an abundance of natural resources vital to the Nation;

Whereas Alaska currently provides over 16 percent of the daily crude oil production in the United States and has 44 percent of the undiscovered oil resources and 36 percent of undiscovered conventional gas in the United States;

Whereas Alaska's 34,000 miles of shoreline form a gateway to one of the world's greatest fisheries, providing over 60 percent of the country's commercial seafood harvest;

Whereas over 230 million acres of Alaska are set aside in national parks, wildlife refuges, national forests, and other conservation units for the benefit of the entire country;

Whereas over 58 million acres are designated wilderness in Alaska, representing 55 percent of the wilderness areas in the United States;

Whereas Alaska Natives, the State's first people, are an integral part of Alaska's history, and preserving the culture and heritage of Alaska's Native people is of primary importance;

Whereas the passage of the Alaska Native Claims Settlement Act in 1971 signaled a new era of economic opportunity for Alaska Natives;

Whereas Alaska's Native people have made major contributions to the vitality and success of Alaska as a State;

Whereas the people of Alaska represent the pioneering spirit that built this great Nation and contribute to our cultural and ethnic diversity; and

Whereas the golden anniversary, on January 3, 2009, provides an occasion to honor Alaska's entry into the Union: Now, therefore, be it

Resolved, That the House of Representatives recognizes and celebrates the 50th anniversary of the entry of Alaska into the Union as the 49th State.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleagues in the consideration of H. Res. 127 which recognizes the 50th anniversary of the State of Alaska, and highlights its contributions to America's economy and heritage.

H. Res. 127 was introduced by our colleague, Congressman DON YOUNG of Alaska, on February 5, 2007. On April 16, 2008, H. Res. 127 was considered by and reported from the Oversight Committee by voice vote. This measure has the support and cosponsorship of over 50 Members of Congress, including all of the delegation from the State of Alaska.

On October 18, 1867, the Alaskan peninsula was purchased from Russia and, in 1912, after major development during the Gold Rush era, Alaska was granted territorial status.

Enshrined as the 49th State of the Union on January 3, 1959, Alaska is commonly referred to as the last frontier. And the word Alaska, which is derived from the indigenous Aleut language, means mainland or, literally, the object towards which the action of the sea is directed.

Today, Alaska's economy is strong, with the third highest gross state production out of any State of the Union. And since the issue of gas was such a major point last week for my colleagues, I should also mention that Alaska currently provides over 16 percent of the daily crude oil production in the United States.

And so, Mr. Speaker, I thank the gentleman from Alaska (Mr. YOUNG) for sponsoring this measure. And given the 50th anniversary of Alaska statehood, and the enormous contributions Alaska has given to our Nation, and to the world, I urge passage of this legislation.

I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Speaker, I am very happy to yield such time as he may consume to the sponsor of the bill, my good friend, the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. I do thank the ranking member, and I do thank my chairman for cosponsoring this legislation and being supportive of it.

On July 7, that marks the 50th anniversary of the enactment of the Alaska Statehood Act, as approved by the United States Congress and signed by President Dwight D. Eisenhower.

□ 1715

Alaska would officially be admitted as a State January 3, 1959.

I introduce H.R. 127 which commemorates this occasion to recognize all of the people of Alaska who represent the pioneering spirit which built this great Nation and contributes to our culture and ethnic diversity.

Alaska is the most northern, most western, and most eastern State in the Union and composing an area one-fifth the size of the United States. And for all those trivia buffs out there, Alaska is roughly 2½ times the size of Texas.

Purchased from Russia in 1867 for $7.2 million, or 2 cents an acre, after Congress had concluded its resources would be vitally important to the Nation's future growth. At the time, the purchase was nicknamed ''Seward's folly'' because it was believed foolhardy to spend so much money on a remote region. Secretary of State William Seward would have the last laugh, though.

Alaska is the source of 16 percent of the daily crude oil in the United States, has 44 percent of the country's undiscovered resources. Alaska's 34,000 miles of shoreline form a gateway to one of the greatest fisheries in the world, providing for 60 percent of the country's commercial seafood harvest.

Alaska has 230 million acres set aside in national parks, wildlife refuges, and national forests which are visited each year by more than a million tourists. To give you some idea, Mr. Speaker, the State of California has 103 million acres. We put aside 230 million acres for parks and national wildlife refuges. Forests add to Alaska's beauty and provide a renewable economic resource with 28 million acres of commercial forests.

Alaska contains half of the Nation's coal reserves and its largest silver and zinc mines. Glittering gold in Alaska's streams and mountains still lures miners to work private claims. About 50 million acres of soil in Alaska are suitable for farming. About 1 million acres currently are in production.

I know that the people of Alaska will continue their commitment to the preservation and protection of this great State, but they also want to develop the resources. Alaskans are proud, strong, and independent Americans who are not afraid to stand up for what they believe in, and I'm honored and humbled to stand here today on their behalf as we again recognize this great important date in U.S. history.

Mr. Speaker, may I suggest, right above you there is a plaque, placed there in 1949; it says, Let us develop the resources of our land, call forth its powers and build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy of being remembered. Daniel Webster. Let us develop our resources.

Alaska has the key to the solution of many problems of this great Nation, especially the energy crisis, and I ask this body as you recognize the 50th anniversary of the great State of Alaska, recognize what we can and what we have contributed to the Nation as a whole. As the 50th State, we are proud and we are extremely excited with the possibility to contribute more in the future. And I do urge my colleagues to pass this resolution

I thank the gentleman, the chairman, and the ranking member.

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

Mr. BURTON of Indiana. I yield myself such time as I may consume.

Mr. Speaker, in 1860, at the Wigwam Convention Center in Chicago, Illinois, a man named William Seward marched around with his crowd of supporters, and he got to the convention center too late because the gallery was stacked with supporters for a guy named Abraham Lincoln. As a result of his getting there a little bit too late on the third ballot, Abraham Lincoln was nominated for President of the United States, and Mr. Seward lost, and he was the favorite. He was the odds-on favorite to be the Republican nominee for President and to be the next President of the United States. Well, he lost, and it was a crushing blow for him.

Yet, later on, Abraham Lincoln saw the qualities of William Seward, and he appointed him his Secretary of State, and Secretary of State Seward did an outstanding job in that capacity. The thing he did best, in my opinion, was in making sure that the United States purchased Alaska. He purchased Alaska for $7.2 million, and it was the best buy, by far, of anything that this country has ever done. The resources that are up there are just unbelievable.

A couple of years ago, I had the pleasure to go up to Alaska with Representative DON YOUNG, and I had a chance to see the vastness of it and to realize the resources that are available to us up there. You just couldn't believe it. We had a chance to see ANWR. We had a chance to look at the Alaska Pipeline, and we could see what great potential there is out of Alaska if we would just use our heads and go after those resources.

One of the things that I don't understand and that, I think, the American people don't understand is why the Democrats and the Republicans in this body can't get together to start using our resources to reduce the cost of fuel, gasoline and energy in this country. As the gentleman from Alaska just said a few minutes ago, they have the resources up there. We could get up to 2 million barrels of oil a day out of the ANWR, and there may be more up there, and we could do it in an environmentally safe way. It's two to three times the size of Texas. If there were a spill up there—and of course I don't think that would happen—it still wouldn't hurt the ecology as much as we are suffering now under the energy pressure that the American people are feeling at $4-plus a gallon of gas. We should drill in Alaska. We should drill in the ANWR.

The Alaskan Senators and Congressmen want that done. They want those resources brought to the surface. Yet, the opposition party—my good friends over there like DANNY DAVIS—won't let us drill in the ANWR. I do not understand it. I just simply do not understand it. We are drilling in Texas. We are drilling in Oklahoma. We are drilling in the Gulf of Mexico. Yet, way up north in the ANWR we cannot drill. I just do not understand it.

I wish my colleagues on the other side of the aisle who are influenced so much by the environmental lobby would go out on the street tomorrow morning at the gas stations and say, ''Hey, you're paying $4.10 a gallon for gasoline. Would you mind if we drilled in the ANWR?''

The first thing they'd say is probably, ''Where is the ANWR?'' Secondly, they'd say, ''Drill any place in the United States to get my gas prices down.''

Now, the Democrats took over this place 2 years ago, and I have an awful lot of friends on the other side of the aisle, and I love all you guys, but since you took power, the price of gasoline has gone up $1.50 per gallon. Now, why don't we do something about that. Why don't we get together, the Democrats and Republicans, and say, ''Okay. We are going to drill in the ANWR in an environmentally safe way. We are going to drill offshore on the Outer Continental Shelf in an environmentally safe way. We are going to bring 4 million barrels of oil a day into this country to reduce our dependency on Saudi Arabia and on Venezuela and on Mexico and on other parts of the

world so we can do what we should have done 30 years ago, become energy-independent.''

Not only do we have the oil resources at our fingertips, but we have about a 400- or 500-year supply of natural gas, and we're not exploring that either. I will submit to you that there is probably a lot of natural gas up in Alaska as well.

So I would just like to say to my colleagues that I'm here to support Representative YOUNG's resolution to congratulate Alaska on its 50th anniversary of its being a State. It's a great acquisition for the United States. It has a great Congressman and two great Senators.

As I close, I would just say to my colleagues: Let's get on with it. The American people are tired of $4.50 and $4.10 a gallon for gasoline. We have it in our country with coal shale, with oil and with natural gas to become energy-independent. Yet, we're blocked every day, every month, every year. I do not understand it.

So I'd like to say to my Democrat colleagues, who are good friends of mine, since you took power, gasoline has gone up $1.50 per gallon. Let's end that. Let's become energy-independent. We can look at the other sources of energy while we're doing that. Other sources are very important, too, and new technologies, but right now, we need oil and we need gas. You guys need to help us.

Mr. Speaker, this resolution seeks to commemorate the 50th anniversary of Alaska becoming a State. Our Nation's relationship with this beautiful and resource rich land began on March 30th 1867.

On that date, Secretary of State, William Seward, entered into a purchase agreement with the Russian Minister to the United States, for $7.2 million dollars. In August of 1868, Secretary Seward said he did not doubt ''that the political society to be constituted here, first as a Territory, and ultimately as a State or many States, will prove a worthy constituency of the Republic.''

These words could not have been more true. Alaska has indeed contributed and more than proved its worth as part of our Nation; first as a territory in 1912 and ultimately as our Nation's 49th state when the official proclamation was signed by President Eisenhower on January 3rd 1959.

However, the road to statehood for Alaska was not one without challenges.

Originally, a bill for statehood passed the House early in 1950, however the bill died in the Senate. It wasn't until January of 1958, that a statehood bill ultimately passed both chambers and was signed by President Eisenhower.

It is well known that Alaska is home to some of our country's most beautiful landmarks and landscapes including Mount McKinley and almost 34,000 miles of shoreline.

From the beginning, it was a land rich in many commodities useful at those times—including minerals, timber, fur, and fish. Alaska was home to the Klondike Gold Rush of 1897–98. Today, oil and natural gas serve as the major exports of Alaska. The fishery is the second leading source of export, and also serves as a significant source of livelihood for Alaskans.

Today, another source of income that continues to grow is Alaska's tourist industry. Any number of large cruise liners can be seen off the coast of Alaska. And the Klondike Highway outside Skagway has beautiful descents for avid mountain bikers. Visitors are drawn to the beautiful views, wilderness, and the exciting adventures Alaska has to offer.

Of course, we couldn't talk about Alaska without mentioning one of the most unique sporting events in the world—the annual Iditarod race. Each year, individuals with a team of sled dogs cover a grueling 1,161 miles over a week to two week period from Willow to Nome, Alaska.

So to conclude, the State of Alaska is one that is rich in nature, resources and most importantly in people and heritage.

For this reason, I ask my colleagues to support H. Res. 127 recognizing the State of Alaska's 50th Anniversary.

I yield back the balance of my time.

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

Mr. BURTON of Indiana. If the gentleman is not yielding back, I will reserve the balance of my time as well, Mr. Speaker.

Let me yield, then, to my colleague once again, my good buddy from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

Mr. Speaker, I want to stress the importance of understanding the supply side of energy. And we may not be able to lower the price, ladies and gentleman, at the gas pump, but we can at least stabilize it because if you think this is going to go down if we don't have a supply side, you're badly mistaken.

We just saw something last week which shocked many people. We had a jump of $11 a barrel in one night because of some action in the Middle East. And that could affect us down the road where it's $137 a barrel, $137 a barrel today. We predict it's going to go $200 a barrel if we don't get the supply side moving.

I will tell you if we have one action on the floor of the House to take and address the supply side, the price of a barrel of oil will drop automatically $10 to $15 a barrel. It might go back up later on. But it eliminates the speculation. It would show those that say we're not doing anything as we have not done for 35 years after the pipeline itself was built.

The Saudis, the Middle East, the OPEC countries will not increase production when they can get $137 a barrel. Why would they? Ask yourselves if you own something, why would you produce more to lower the price?

The only way we can do this is to increase our domestic supply, not only just oil, but all forms of fossil fuel and alternate forms of energy. And as the gentleman from Indiana mentioned, if we do not do that, we are not serving our constituents as we should.

It is the future of this Nation to allow the productions. Remember the quote I had right above the seat of the Speaker: Let's develop our resources.

As we celebrate this day, the 50th anniversary of the Alaska Statehood by an action of Congress, that's all we ask. Let us develop our resources. That's all I ask you now. Let us develop our resources for the good of this Nation. That is our responsibility. This is not politics. This is reality.

Again, for Mr. and Mrs. American, the price of oil and gasoline may not drop dramatically, but it will drop and it will stabilize if we address the supply side. If we do not, it will rise more, more, and more. Not good for the nation. Not good for the future generations.

Mr. DAVIS of Illinois. Mr. Speaker, let me ask, did the gentleman from Indiana yield back all of his time?

Mr. BURTON of Indiana. Mr. Speaker, I have no more speakers, and if you would like, I would be happy to yield back.

Mr. DAVIS of Illinois. Mr. Speaker, in closing, let me thank both the gentleman from Alaska and the gentleman from Indiana not only for their support of the resolution to honor the State of Alaska, but I was also pleased to hear them talk about the tremendous gas crisis that we have in the country. I was pleased to note that the State of Illinois played a role in the purchase of Alaska.

In terms of Secretary of State Seward, after he did not get the Presidency, did in fact become Secretary of State and did in fact make sure that we purchased Alaska. And, of course, that's a lesson for all of us to know that you don't necessarily have to win the nomination for President in order to do significant things afterwards. There is certainly much work to be done.

But let me just mention that recently, Congress overwhelmingly passed bipartisan legislation to temporarily suspend the oil purchases for the Strategic Petroleum Reserve. As a result, the President was forced to suspend shipments and sign the deal which he previously opposed. Continuing to fill the SPR would take 70,000 barrels of oil off the market each day even though the reserve is 97 percent full with enough to meet our national security needs. We passed the farm bill that contains in it biofuels, new methods of creating energy, new sources from which energy can come.

And so there is movement, and I'm confident. Yes, we did become the majority in both the House and the Senate in the last 2 years, and when we get the other office, I have no doubt in my mind that we're going to see great relief from the oil crisis.

I urge passage of this resolution.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 127.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1730

GOVERNMENT ACCOUNTABILITY OFFICE ACT OF 2008

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5683) to make certain reforms with respect to the Government Accountability Office, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5683

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

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Accountability Office Act of 2008''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 31, United States Code.

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

Sec. 1. Short title; references; table of contents.
Sec. 2. Provisions relating to future annual pay adjustments.
Sec. 3. Pay adjustment relating to certain previous years.
Sec. 4. Lump-sum payment for certain performance-based compensation.
Sec. 5. Inspector General.
Sec. 6. Reimbursement of audit costs.
Sec. 7. Financial disclosure requirements.
Sec. 8. Highest basic pay rate.
Sec. 9. Additional authorities.

SEC. 2. PROVISIONS RELATING TO FUTURE ANNUAL PAY ADJUSTMENTS.

(a) IN GENERAL.—Section 732 is amended by adding at the end the following:

''(j)(1) For purposes of this subsection—

''(A) the term 'pay increase', as used with respect to an officer or employee in connection with a year, means the total increase in the rate of basic pay (expressed as a percentage) of such officer or employee, taking effect under section 731(b) and subsection (c)(3) in such year;

''(B) the term 'required minimum percentage', as used with respect to an officer or employee in connection with a year, means the percentage equal to the total increase in rates of basic pay (expressed as a percentage) taking effect under sections 5303 and 5304–5304a of title 5 in such year with respect to General Schedule positions within the pay locality (as defined by section 5302(5) of title 5) in which the position of such officer or employee is located;

''(C) the term 'covered officer or employee', as used with respect to a pay increase, means any individual—

''(i) who is an officer or employee of the Government Accountability Office, other than an officer or employee described in subparagraph (A), (B), or (C) of section 4(c)(1) of the Government Accountability Office Act of 2008, determined as of the effective date of such pay increase; and

''(ii) whose performance is at least at a satisfactory level, as determined by the Comptroller General under the provisions of subsection (c)(3) for purposes of the adjustment taking effect under such provisions in such year; and

''(D) the term 'nonpermanent merit pay' means any amount payable under section 731(b) which does not constitute basic pay.

''(2)(A) Notwithstanding any other provision of this chapter, if (disregarding this subsection) the pay increase that would otherwise take effect with respect to a covered officer or employee in a year would be less than the required minimum percentage for such officer or employee in such year, the Comptroller General shall provide for a further increase in the rate of basic pay of such officer or employee.

''(B) The further increase under this subsection—

''(i) shall be equal to the amount necessary to make up for the shortfall described in subparagraph (A); and

''(ii) shall take effect as of the same date as the pay increase otherwise taking effect in such year.

''(C) Nothing in this paragraph shall be considered to permit or require that a rate of basic pay be increased to an amount inconsistent with the limitation set forth in subsection (c)(2).

''(D) If (disregarding this subsection) the covered officer or employee would also have received any nonpermanent merit pay in such year, such nonpermanent merit pay shall be decreased by an amount equal to the portion of such officer's or employee's basic pay for such year which is attributable to the further increase described in subparagraph (A) (as determined by the Comptroller General), but to not less than zero.

''(3) Notwithstanding any other provision of this chapter, the effective date of any pay increase (within the meaning of paragraph (1)(A)) taking effect with respect to a covered officer or employee in any year shall be the same as the effective date of any adjustment taking effect under section 5303 of title 5 with respect to statutory pay systems (as defined by section 5302(1) of title 5) in such year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to any pay increase (as defined by such amendment) taking effect on or after the date of the enactment of this Act.

SEC. 3. PAY ADJUSTMENT RELATING TO CERTAIN PREVIOUS YEARS.

(a) APPLICABILITY.—This section applies in the case of any individual who, as of the date of the enactment of this Act, is an officer or employee of the Government Accountability Office, excluding—

(1) an officer or employee described in subparagraph (A), (B), or (C) of section 4(c)(1); and

(2) an officer or employee who received both a 2.6 percent pay increase in January 2006 and a 2.4 percent pay increase in February 2007.

(b) PAY INCREASE DEFINED.—For purposes of this section, the term ''pay increase'', as used with respect to an officer or employee in connection with a year, means the total increase in the rate of basic pay (expressed as a percentage) of such officer or employee, taking effect under sections 731(b) and 732(c)(3) of title 31, United States Code, in such year.

(c) PROSPECTIVE EFFECT.—Effective with respect to pay for service performed in any pay period beginning after the end of the 6-month period beginning on the date of the enactment of this Act (or such earlier date as the Comptroller General may specify), the rate of basic pay for each individual to whom this section applies shall be determined as if such individual had received both a 2.6 percent pay increase for 2006 and a 2.4 percent pay increase for 2007, subject to subsection (e).

(d) LUMP-SUM PAYMENT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General shall, subject to the availability of appropriations, pay to each individual to whom this section applies a lump-sum payment. Subject to subsection (e), such lump-sum payment shall be equal to—

(1) the total amount of basic pay that would have been paid to the individual, for service performed during the period beginning on the effective date of the pay increase for 2006 and ending on the day before the effective date of the pay adjustment under subsection (c) (or, if earlier, the date on which the individual retires or otherwise ceases to be employed by the Government Accountability Office), if such individual had received both a 2.6 percent pay increase for 2006 and a 2.4 percent pay increase for 2007, minus

(2) the total amount of basic pay that was in fact paid to the individual for service performed during the period described in paragraph (1).

Eligibility for a lump-sum payment under this subsection shall be determined solely on the basis of whether an individual satisfies the requirements of subsection (a) (to be considered an individual to whom this section applies), and without regard to such individual's employment status as of any date following the date of the enactment of this Act or any other factor.

(e) CONDITIONS.—Nothing in subsection (c) or (d) shall be considered to permit or require—

(1) the payment of any rate (or lump-sum amount based on a rate) for any pay period, to the extent that such rate would be (or would have been) inconsistent with the limitation that applies (or that applied) with respect to such pay period under section 732(c)(2) of title 31, United States Code; or

(2) the payment of any rate or amount based on the pay increase for 2006 or 2007 (as the case may be), if—

(A) the performance of the officer or employee involved was not at a satisfactory level, as determined by the Comptroller General under paragraph (3) of section 732(c) of such title 31 for purposes of the adjustment under such paragraph for that year; or

(B) the individual involved was not an officer or employee of the Government Accountability Office on the date as of which that increase took effect.

As used in paragraph (2)(A), the term ''satisfactory'' includes a rating of ''meets expectations'' (within the meaning of the performance appraisal system used for purposes of the adjustment under section 732(c)(3) of such title 31 for the year involved).

(f) RETIREMENT.—

(1) IN GENERAL.—The lump-sum payment paid under subsection (d) to an officer or employee shall, for purposes of any determination of the average pay (as defined by section 8331 or 8401 of title 5, United States Code) which is used to compute an annuity under subchapter III of chapter 83 or chapter 84 of such title—

(A) be treated as basic pay (as defined by section 8331 or 8401 of such title); and

(B) be allocated to the biweekly pay periods covered by subsection (d).

(2) CONTRIBUTIONS.—Notwithstanding section 8334, 8422, 8423, or any other provision of

title 5, United States Code, no employee or agency contribution shall be required for purposes of this subsection.

(g) EXCLUSIVE REMEDY.—This section constitutes the exclusive remedy that any individuals to whom this section applies (as described in subsection (a)) have for any claim that they are owed any monies denied to them in the form of a pay increase for 2006 or 2007 under section 732(c)(3) of title 31, United States Code, or any other law. Notwithstanding any other provision of law, no court or administrative body, including the Government Accountability Office Personnel Appeals Board, shall have jurisdiction to entertain any civil action or other civil proceeding based on the claim of such individuals that they were due money in the form of a pay increase for 2006 or 2007 pursuant to such section 732(c)(3) or any other law.

SEC. 4. LUMP-SUM PAYMENT FOR CERTAIN PERFORMANCE-BASED COMPENSATION.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General shall, subject to the availability of appropriations, pay to each qualified individual a lump-sum payment equal to the amount of performance-based compensation such individual was denied for 2006, as determined under subsection (b).

(b) AMOUNT.—The amount payable to a qualified individual under this section shall be equal to—

(1) the total amount of performance-based compensation such individual would have earned for 2006 (determined by applying the Government Accountability Office's performance-based compensation system under GAO Orders 2540.3 and 2540.4, as in effect in 2006) if such individual had not had a salary equal to or greater than the maximum for such individual's band (as further described in subsection (c)(2)), less

(2) the total amount of performance-based compensation such individual was in fact granted, in January 2006, for that year.

(c) QUALIFIED INDIVIDUAL.—For purposes of this section, the term ''qualified individual'' means an individual who—

(1) as of the date of the enactment of this Act, is an officer or employee of the Government Accountability Office, excluding—

(A) an individual holding a position subject to section 732a or 733 of title 31, United States Code (disregarding section 732a(b) and 733(c) of such title);

(B) a Federal Wage System employee; and

(C) an individual participating in a development program under which such individual receives performance appraisals, and is eligible to receive permanent merit pay increases, more than once a year; and

(2) as of January 22, 2006, was a Band I staff member with a salary above the Band I cap, a Band IIA staff member with a salary above the Band IIA cap, or an administrative professional or support staff member with a salary above the cap for that individual's pay band (determined in accordance with the orders cited in subsection (b)(1)).

(d) EXCLUSIVE REMEDY.—This section constitutes the exclusive remedy that any officers and employees (as described in subsection (c)) have for any claim that they are owed any monies denied to them in the form of merit pay for 2006 under section 731(b) of title 31, United States Code, or any other law. Notwithstanding any other provision of law, no court or administrative body in the United States, including the Government Accountability Office Personnel Appeals Board, shall have jurisdiction to entertain any civil action or other civil proceeding based on the claim of such officers or employees that they were due money in the form of merit pay for 2006 pursuant to such section 731(b) or any other law.

(e) DEFINITIONS.—For purposes of this section—

(1) the term ''performance-based compensation'' has the meaning given such term under the Government Accountability Office's performance-based compensation system under GAO Orders 2540.3 and 2540.4, as in effect in 2006; and

(2) the term ''permanent merit pay increase'' means an increase under section 731(b) of title 31, United States Code, in a rate of basic pay.

SEC. 5. INSPECTOR GENERAL.

(a) IN GENERAL.—Subchapter I of chapter 7 is amended by adding at the end the following:

''§ 705. Inspector General for the Government Accountability Office

''(a) ESTABLISHMENT OF OFFICE.—There is established an Office of the Inspector General in the Government Accountability Office, to—

''(1) conduct and supervise audits consistent with generally accepted government auditing standards and investigations relating to the Government Accountability Office;

''(2) provide leadership and coordination and recommend policies, to promote economy, efficiency, and effectiveness in the Government Accountability Office; and

''(3) keep the Comptroller General and Congress fully and currently informed concerning fraud and other serious problems, abuses, and deficiencies relating to the administration of programs and operations of the Government Accountability Office.

''(b) APPOINTMENT, SUPERVISION, AND REMOVAL.—

''(1) The Office of the Inspector General shall be headed by an Inspector General, who shall be appointed by the Comptroller General without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. The Inspector General shall report to, and be under the general supervision of, the Comptroller General.

''(2) The Inspector General may be removed from office by the Comptroller General. The Comptroller General shall, promptly upon such removal, communicate in writing the reasons for any such removal to each House of Congress.

''(3) The Inspector General shall be paid at an annual rate of pay equal to $5,000 less than the annual rate of pay of the Comptroller General, and may not receive any cash award or bonus, including any award under chapter 45 of title 5.

''(c) AUTHORITY OF INSPECTOR GENERAL.—In addition to the authority otherwise provided by this section, the Inspector General, in carrying out the provisions of this section, may—

''(1) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material that relate to programs and operations of the Government Accountability Office;

''(2) make such investigations and reports relating to the administration of the programs and operations of the Government Accountability Office as are, in the judgment of the Inspector General, necessary or desirable;

''(3) request such documents and information as may be necessary for carrying out the duties and responsibilities provided by this section from any Federal agency;

''(4) in the performance of the functions assigned by this section, obtain all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence from a person not in the United States Government or from a Federal agency, to the same extent and in the same manner as the Comptroller General under the authority and procedures available to the Comptroller General in section 716 of this title;

''(5) administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the functions assigned by this section, which oath, affirmation, or affidavit when administered or taken by or before an employee of the Office of Inspector General designated by the Inspector General shall have the same force and effect as if administered or taken by or before an officer having a seal;

''(6) have direct and prompt access to the Comptroller General when necessary for any purpose pertaining to the performance of functions and responsibilities under this section;

''(7) report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law; and

''(8) provide copies of all reports to the Audit Advisory Committee of the Government Accountability Office and provide such additional information in connection with such reports as is requested by the Committee.

''(d) COMPLAINTS BY EMPLOYEES.—

''(1) The Inspector General—

''(A) subject to subparagraph (B), may receive, review, and investigate, as the Inspector General considers appropriate, complaints or information from an employee of the Government Accountability Office concerning the possible existence of an activity constituting a violation of any law, rule, or regulation, mismanagement, or a gross waste of funds; and

''(B) shall refer complaints or information concerning violations of personnel law, rules, or regulations to established investigative and adjudicative entities of the Government Accountability Office.

''(2) The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.

''(3) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

''(e) SEMIANNUAL REPORTS.—(1) The Inspector General shall submit semiannual reports summarizing the activities of the Office of the Inspector General to the Comptroller General. Such reports shall include, but need not be limited to—

''(A) a summary of each significant report made during the reporting period, including a description of significant problems, abuses, and deficiencies disclosed by such report;

''(B) a description of the recommendations for corrective action made with respect to significant problems, abuses, or deficiencies described pursuant to subparagraph (A);

''(C) a summary of the progress made in implementing such corrective action described pursuant to subparagraph (B); and

''(D) information concerning any disagreement the Comptroller General has with a recommendation of the Inspector General.

''(2) The Comptroller General shall transmit the semiannual reports of the Inspector General, together with any comments the Comptroller General considers appropriate,

to Congress within 30 days after receipt of such reports.

''(f) INDEPENDENCE IN CARRYING OUT DUTIES AND RESPONSIBILITIES.—The Comptroller General may not prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities of the Inspector General under this section.

''(g) AUTHORITY FOR STAFF.—

''(1) IN GENERAL.—The Inspector General shall select, appoint, and employ such personnel as may be necessary to carry out this section consistent with the provisions of this title governing selections, appointments, and employment in the Government Accountability Office. Such personnel shall be appointed, promoted, and assigned only on the basis of merit and fitness, but without regard to those provisions of title 5 governing appointments and other personnel actions in the competitive service, except that no personnel of the Office may be paid at an annual rate greater than $1,000 less than the annual rate of pay of the Inspector General.

''(2) EXPERTS AND CONSULTANTS.—The Inspector General may procure temporary and intermittent services under section 3109 of title 5 at rates not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5315 of such title.

''(3) INDEPENDENCE IN APPOINTING STAFF.—No individual may carry out any of the duties or responsibilities of the Office of the Inspector General unless the individual is appointed by the Inspector General, or provides services obtained by the Inspector General, pursuant to this paragraph.

''(4) LIMITATION ON PROGRAM RESPONSIBILITIES.—The Inspector General and any individual carrying out any of the duties or responsibilities of the Office of the Inspector General are prohibited from performing any program responsibilities.

''(h) OFFICE SPACE.—The Comptroller General shall provide the Office of the Inspector General—

''(1) appropriate and adequate office space;

''(2) such equipment, office supplies, and communications facilities and services as may be necessary for the operation of the Office of the Inspector General;

''(3) necessary maintenance services for such office space, equipment, office supplies, and communications facilities; and

''(4) equipment and facilities located in such office space.

''(i) DEFINITION.—As used in this section, the term 'Federal agency' means a department, agency, instrumentality, or unit thereof, of the Federal Government.''.

(b) INCUMBENT.—The individual who serves in the position of Inspector General of the Government Accountability Office on the date of the enactment of this Act shall continue to serve in such position subject to removal in accordance with the amendments made by this section.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 7 is amended by inserting after the item relating to section 704 the following:

''705. Inspector General for the Government Accountability Office.''.

SEC. 6. REIMBURSEMENT OF AUDIT COSTS.

(a) IN GENERAL.—Section 3521 is amended by adding at the end the following:

''(i)(1) If the Government Accountability Office audits any financial statement or related schedule which is prepared under section 3515 by an executive agency (or component thereof) for a fiscal year beginning on or after October 1, 2009, such executive agency (or component) shall reimburse the Government Accountability Office for the cost of such audit if—

''(A) the statement or schedule audited is that of an executive agency (or component) which submitted a financial statement or related schedule under section 3515 for fiscal year 2007 which was audited by the Government Accountability Office; or

''(B) the reason for the audit (described in the matter before subparagraph (A)) is because of the Comptroller General's determination of materiality to the statements required under section 331(e).

''(2) Any executive agency (or component thereof) that prepares a financial statement under section 3515 for a fiscal year beginning on or after October 1, 2009, and that requests the Government Accountability Office to audit such statement or any related schedule may reimburse the Government Accountability Office for the cost of such audit.

''(3) Any reimbursement under paragraph (1) or (2) shall be deposited to a special account in the Treasury and shall be available to the Government Accountability Office for such purposes and in such amounts as are specified in annual appropriations Acts.''.

(b) CONFORMING AMENDMENT.—Section 1401 of title I of Public Law 108–83 (31 U.S.C. 3523 note) is repealed, effective October 1, 2010.

SEC. 7. FINANCIAL DISCLOSURE REQUIREMENTS.

Section 109(13)(B) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in clause (i), by inserting ''(except any officer or employee of the Government Accountability Office)'' after ''legislative branch'', and by striking ''and'' at the end;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following:

''(ii) each officer or employee of the Government Accountability Office who, for at least 60 consecutive days, occupies a position for which the rate of basic pay, minus the amount of locality pay that would have been authorized under section 5304 of title 5, United States Code (had the officer or employee been paid under the General Schedule) for the locality within which the position of such officer or employee is located (as determined by the Comptroller General), is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule; and''.

SEC. 8. HIGHEST BASIC PAY RATE.

Section 732(c)(2) is amended by striking ''highest basic rate for GS–15;'' and inserting ''rate for level III of the Executive Level, except that the total amount of cash compensation in any year shall be subject to the limitations provided under section 5307(a)(1) of title 5;''.

SEC. 9. ADDITIONAL AUTHORITIES.

(a) IN GENERAL.—Section 731 is amended—

(1) by repealing subsection (d);

(2) in subsection (e)—

(A) in the matter before paragraph (1), by striking ''maximum daily rate for GS–18 under section 5332 of such title'' and inserting ''daily rate for level IV of the Executive Schedule''; and

(B) by striking ''more than—'' and all that follows and inserting the following: ''more than 20 experts and consultants may be procured for terms of not more than 3 years, but which shall be renewable.''; and

(3) by adding at the end the following:

''(j) Funds appropriated to the Government Accountability Office for salaries and expenses are available for meals and other related reasonable expenses incurred in connection with recruitment.''.

(b) CONFORMING AMENDMENTS.—(1) Section 732a(b) is amended by striking ''section 731(d), (e)(1), or (e)(2)'' and inserting ''paragraph (1) or (2) of section 731(e)''.

(2) Section 733(c) is amended by striking ''(d),''.

(3) Section 735(a) is amended by striking ''731(c)–(e),'' and inserting ''731(c) and (e),''.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today is a triumphant day for the employees of the Government Accountability Office, known as GAO. When enacted, the Government Accountability Office Act of 2008 will allow GAO to regain its footing as an agency that not only touts that its employees are the best and the brightest but treats them as if they are the best and the brightest.

On April 2, after a 2-year investigation and several subcommittee hearings, I introduced H.R. 5683, which would restore the 2006 and 2007 annual across-the-board increase to GAO employees who met expectations but did not receive the adjustment.

The legislation would also set a floor guarantee that would preserve GAO's performance-based compensation system, while ensuring that GAO employees receive an annual increase in their permanent pay, provided they meet expectations, that is at least equal to the congressionally approved across-the-board increase. The floor guarantee will be comprised of the annual adjustment to the GAO pay schedule, plus the permanent merit pay increase received by an employee under GAO's merit pay system.

Other provisions in the bill include creating a statutory Inspector General for GAO, providing GAO with enhanced recruiting tools, and eliminating the statutorily imposed GS–15 pay cap to allow the Comptroller General the authority to pay employees up to the rate for Executive Level III.

At a hearing the subcommittee held on March 23, 2008, on this legislation and GAO's personnel reforms, the subcommittee learned from the Ivy Planning Group, a consulting firm hired by GAO to conduct an African American Performance Assessment Study at GAO, that there are significant differences between the ratings for African American analysts and Caucasian analysts. Therefore, the personnel reform at GAO had a significant negative impact on African American staffers.

Furthermore, a survey that was administered to GAO employees at my request found that 81 percent of respondents thought morale in general at GAO is worse or much worse than before the reforms, and a majority of the respondents felt that not having an across-the-

board increase for all staff is very or somewhat unreasonable. While the subcommittee recognizes that more work needs to be done at GAO, H.R. 5683 would help improve the morale and remedy the inequities that resulted from the denial of the 2006 and 2007 across-the-board pay adjustments.

The bill before us, H.R. 5683 as amended, makes some technical changes to the bill as reported by the committee. Unfortunately, it also deletes a provision included at the request of Ranking Member TOM DAVIS due to concerns about the cost as reported by the Congressional Budget Office. The provision would have allowed GAO to include bonuses when calculating an employee's annuity, a position I support in principle and which we will hopefully be able to address as this bill moves forward in the legislative process.

The bill, as amended, also deletes provisions which would have given GAO the ability to administer oaths, and guaranteed GAO's access to certain Medicare and FDA information. In addition, it modifies a provision which would allow GAO to recover the costs of financial statement audits it conducts for other agencies.

And so, Mr. Speaker, I hope that my colleagues will join the Government Accountability Office and the International Federation of Professional and Technical Engineers and support this legislation.

I reserve the balance of my time.

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

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. I think, Mr. Speaker, DANNY DAVIS did a great job in explaining this piece of legislation; so I won't be redundant in going over the same details he just covered.

I will say, last week this bill was scheduled for consideration, but it was pulled because of opposition to a number of contentious provisions added to the legislation such as the explicit authority for GAO to access Medicare part D pricing and rebate information and pharmaceutical trade secret information. Those provisions are not included in the bill today, and so there is no real problem with it.

I congratulate DANNY DAVIS on his presentation.

Mr. Speaker, I rise today to speak on H.R. 5683, the Government Accountability Office Act of 2008.

Last July, the Government Accountability Office submitted to Congress a legislative proposal to make a number of largely non-controversial changes to GAO's authorizing statutes.

That proposal and the bill we are taking up today, for example, would make statutory GAO's inspector general, and it would authorize GAO to be reimbursed for conducting financial statement audits of Federal agencies.

In addition, H.R. 5683 attempts to resolve a longstanding pay dispute between GAO and some of its employees. Hopefully, this bill will allow stakeholders to put the dispute to rest and move forward.

Mr. Speaker, H.R. 5683 was originally scheduled for floor consideration last week but was pulled from the schedule because of opposition to a number of contentious provisions added to the legislation such as the explicit authority for GAO to access Medicare Part D pricing and rebate information and pharmaceutical trade secret information. These provisions are not included in the bill we are taking up today.

In addition, there were a number of objections to the bill raised by the White House. It is my understanding these objections have been addressed in the version of H.R. 5683 before us today.

I appreciate the majority's willingness to remove the contentious provisions so we can move forward with this bill, and I urge my colleagues' support.

I yield back the balance of our time.

Mr. DAVIS of Illinois. Mr. Speaker, to close, let me, first of all, thank the gentleman from Indiana, and also I'm pleased to note the level of sensitivity that exists within our committee, and when the other side came up with some issues and concerns, the committee was able to respond to those, and of course, the bill has, in fact, been altered. We're very pleased to know that we have their support.

We also want to take this opportunity, Mr. Speaker, to express appreciation to staffs on both sides of the aisle who worked extremely hard on this legislation and helped us shape it to the point where we think it is going to do an effective job for the employees of the Government Accountability Office.

Especially do I want to thank my staff director in the Subcommittee on the Federal Workforce and not only do we want to thank her, but we know that she's going to be leaving us for a little bit. And at the end of the week, she is going to spend a little bit of time at home and perhaps in the hospital, not very much, but delivering a new voter for the United States of America. And she tells me that in all likelihood it will be a Democrat, and so we congratulate her and her husband and wish them well, and thank her again for her tremendous work.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5683, the Government Accountability Office Act of 2008, introduced by my distinguished colleague from Illinois, Representative DANNY K. DAVIS. This important legislation will improve the oversight, administration, and pay adjustment mechanisms at the Government Accountability Office.

As highlighted by Mr. DAVIS, the former Comptroller General emphasized that Federal agencies should have "modern, effective, credible, and, as appropriate, validated performance management systems in place with adequate safeguards, including reasonable transparency and appropriate accountability mechanisms, to ensure fairness and prevent politicalization and abuse." I have been an outspoken advocate for improved inner governmental mechanisms that would allow for more fluid movement of information, equity, and the adherence to clear fair processes. H.R. 5683 is imperative to ensure that we as lawmakers are working responsibly to meet the needs of our constituents.

Some of the safeguards recommended by the Government Accountability Office, GAO, include a performance management system that makes meaningful distinctions in individual employee performance; involves employees and stakeholders in designing the system; and achieves consistency, equity and nondiscrimination. Over the last 2 years, the Committee on Oversight and Government Reform has conducted oversight, and has also investigated the implementation of GAO's new personnel system to determine if it meets the aforesaid criteria. This investigation revealed that it did not meet the criteria. In addition, based on its investigation the committee concluded that, contrary to legislative intent, GAO employees who met and exceeded expectations in 2006 and 2007, sadly, did not receive the annual across-the-board increase that other GAO employees received. This important legislation would restore the 2006 and 2007 annual across-the-board increase to GAO employees who met expectations but did not receive the adjustment. It would also put into place a "floor guarantee" that would preserve GAO's performance-based compensation system, while ensuring that GAO employees receive an annual increase in their permanent pay, provided they "meet expectations," that is at least equal to the congressionally approved across-the-board increase.

The floor guarantee will be comprised of the annual adjustment to the GAO pay schedule plus the permanent merit pay increase received by an employee under GAO's merit pay system. This bill also establishes an Office of the Inspector General in GAO, who shall report semiannually to the Comptroller General to ensure that GAO is operating on one accord and is putting forth its best effort in implementing H.R. 5683. While I recognize that there are additional improvements that need to be made, this legislation will help improve the morale at GAO and remedy the inequities that resulted from the denial of the 2006 increase and the across-the-board adjustments.

This legislation is imperative to change certain pay practices, compensate employees for certain past practices, and increase salary payments to some GAO employees. It would also increase the cap on employees pay. This bill will expand the types of pay that are included in retirement benefit calculations. H.R. 5683 contains no inter-governmental or private sector mandated mandates as defined in the Unfunded Mandates Reform Act, UMRA, and would not affect the budgets of States, local or tribunal governments.

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

Mr. DAVIS of Illinois. We yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5683, as amended.

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

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY INDEPENDENCE PRESERVATION ACT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5778) to preserve the independence of the District of Columbia Water and Sewer Authority, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5778

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 ''District of Columbia Water and Sewer Authority Independence Preservation Act''.

SEC. 2. ENSURING INDEPENDENCE OF CHIEF FINANCIAL OFFICER OF DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY.

(a) CLARIFICATION OF INAPPLICABILITY OF 2005 OMNIBUS AUTHORIZATION PROVISION.—The District of Columbia Home Rule Act is amended—

(1) by redesignating the section 424 added by section 202(a)(1) of the 2005 District of Columbia Omnibus Authorization Act (Public Law 109–356; 120 Stat. 2036) as section 424a; and

(2) in section 424a, as so redesignated, by adding at the end the following new subsection:

''(e) INAPPLICABILITY TO WATER AND SEWER AUTHORITY.—The authority of the Chief Financial Officer under this section does not apply to personnel of the District of Columbia Water and Sewer Authority established pursuant to the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the 2005 District of Columbia Omnibus Authorization Act.

SEC. 3. PRESERVING EXISTING INDEPENDENCE OF DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY.

(a) IN GENERAL.—Part F of title IV of the District of Columbia Home Rule Act (sec. 1–204.91 et seq., D.C. Official Code) is amended—

(1) by amending the heading of such part to read as follows: ''PART F—INDEPENDENT AGENCIES AND AUTHORITIES''; and

(2) by adding at the end the following new section:

''INDEPENDENT FINANCIAL MANAGEMENT, PERSONNEL, AND PROCUREMENT AUTHORITY OF DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

''SEC. 496. (a) FINANCIAL MANAGEMENT, PERSONNEL, AND PROCUREMENT AUTHORITY.—Notwithstanding any other provision of this Act or any District of Columbia law, the financial management, personnel, and procurement functions and responsibilities of the District of Columbia Water and Sewer Authority shall be established exclusively pursuant to rules and regulations adopted by its Board of Directors. Nothing in the previous sentence may be construed to affect the application to the District of Columbia Water and Sewer Authority of sections 445A, 451(d), 453(c), or 490(g).

''(b) CONSISTENCY WITH EXISTING AUTHORIZING LAW.—The rules and regulations adopted by the Board of Directors of the District of Columbia Water and Sewer Authority to establish the financial management, personnel, and procurement functions and responsibilities of the Authority shall be consistent with the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, as such Act is in effect as of January 1, 2008.''.

(b) CLERICAL AMENDMENTS.—(1) The table of contents of such Act is amended by amending the item relating to part F of title IV to read as follows:

''PART F—INDEPENDENT AGENCIES AND AUTHORITIES''.

(2) The table of contents of such Act is further amended by adding at the end of the items relating to part F of title IV the following:

''Sec. 496. Independent financial management, personnel, and procurement authority of District of Columbia Water and Sewer Authority.''.

SEC. 4. PRESERVING EQUAL ELIGIBILITY OF RESIDENTS OF JURISDICTIONS SERVED BY DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY TO SERVE AS EMPLOYEES OF AUTHORITY.

(a) IN GENERAL.—Section 213 of D.C. Act 17–172 is repealed, and each provision of law amended by such section is restored as if such section had not been enacted into law.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect as if included in the enactment of D.C. Act 17–172.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

As a member of the House Committee on Oversight and Government Reform, I'd like to present for consideration H.R. 5778, the District of Columbia Water and Sewer Authority Independence Preservation Act, which clarifies the original intent of previously enacted legislation establishing an independent water and wastewater utility agency for the national capital region.

H.R. 5778 was originally introduced by Representatives CHRIS VAN HOLLEN and TOM DAVIS April 10, 2008, and was discharged from the Oversight Committee on June 6, 2008. As chair of the House Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, I convened a hearing to discuss the merits of this legislation before us on April 15, 2008, where we learned that the bill had the support of the various regional localities that are served by the authority.

The District of Columbia Water and Sewer Authority, also known as D.C. WASA, was created in 1996 through congressional and local government action which was intended to establish an independent regional utility agency that would be responsible for providing drinking water and wastewater treatment services to the District of Columbia and wholesale wastewater treatment services to certain Maryland and Virginia suburban jurisdictions.

Before the enactment of a series of WASA-related statutes, the agency experienced a grave financial and serious operational difficulties. However, I am happy to report that ever since the agency was restructured back in the late 1990s, WASA has made significant progress in carrying out its statutory mandate of providing retail drinking water distribution, wastewater collection, and wastewater treatment services to over 2 million Washington metropolitan regional customers, of which the Federal Government is included.

H.R. 5778 clarifies the original intent of the applicable statutes concerning WASA's Board's responsibilities, including the financial management, personnel, procurement, and all other operations of the authority. A recent amendment to the bill will help to ensure that the residents and employees of the applicable jurisdictions are eligible for employment with WASA under the same terms and conditions.

And so, Mr. Speaker, as a regional partner, it is important that we continue to show our commitment to strengthening and assisting WASA in its efforts to upgrade and improve the agency's operations, equipment, and long-term functionality. H.R. 5778 is an important step in that direction. Therefore, I urge its adoption.

I reserve the balance of my time.

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

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, as my colleague just said, the District of Columbia Water and Sewer Authority Independence Preservation Act is very important.

H.R. 5778 would amend the D.C. Home Rule Act to clarify that the chief financial officer of the District of Columbia does not have authority over the District of Columbia Water and Sewer Authority, or WASA. WASA is a regional entity, funded by rate payers living in D.C., Maryland, and Virginia. Under current Federal law, however, WASA's finances are under the jurisdiction of the D.C. chief financial officer.

A memorandum of understanding has been in place between WASA and the District of Columbia CFO for many years stating that the CFO would not exercise its authority over WASA. However, it was recently determined that such a memorandum was not legally enforceable and that Federal law needed to be changed in order to make the previous agreement enforceable.

□ 1745

The purpose of H.R. 5778 is to codify in Federal statute the Water and Sewage Authority's financial independence from the District.

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

Mr. DAVIS of Illinois. Mr. Speaker, we have no further requests for time and no further speakers.

I want to thank the gentleman from Indiana for his support and thank the entire committee for its support. I urge passage of this resolution.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today in support of H.R. 5778, the District of Columbia Water and Sewer Authority Independence Preservation Act. Representative VAN HOLLEN and I introduced this legislation to reaffirm the independence of the District of Columbia Water and Sewer Authority.

H.R. 5778 would amend the D.C. Home Rule Act to clarify that the District of Columbia Water and Sewer Authority, or WASA, is an independent agency with financial authority independent from the District of Columbia. After all, WASA is a regional entity, funded by ratepayers living in D.C., Maryland and Virginia.

In October 2000, Congress approved the conference report for the FY2001 District of Columbia appropriations, which contained language regarding the functions and responsibilities of the District of Columbia Chief Financial Officer.

At that time, I engaged in a colloquy on the floor with then Chairman of the District of Columbia Appropriations Subcommittee Ernest Istook to clarify that the amendments to the CFO's responsibility's did not infringe upon the financial independence of the District of Columbia Water and Sewer Authority. Subsequently, a memorandum of understanding was signed between WASA and the District's CFO at the time Anthony Williams stating that the CFO would not exercise its authority over WASA.

However, it was recently determined that such a memorandum was not legally enforceable and that Federal law needed to be changed in order to make the previous agreement enforceable.

Therefore, the purpose of H.R. 5778 is to codify in Federal statute the Water and Sewer Authority's financial independence from the District.

Mr. Speaker, I urge my colleagues to support passage of this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5778, as amended.

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

A motion to reconsider was laid on the table.

REFORM OF MUTUAL AID AGREEMENTS FOR THE NATIONAL CAPITAL REGION

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1245) to reform mutual aid agreements for the National Capital Region.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1245

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

SECTION 1. REFORM OF MUTUAL AID AGREEMENTS FOR THE NATIONAL CAPITAL REGION.

Section 7302 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 5196 note) is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking '', including its agents or authorized volunteers,''; and

(B) in paragraph (5), by striking ''or town'' and all that follows and inserting ''town, or other governmental agency, governmental authority, or governmental institution with the power to sue or be sued in its own name, within the National Capital Region.'';

(2) in subsection (b)(1), in the matter preceding subparagraph (A), by striking '', the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Airports Authority, and any other governmental agency or authority''; and

(3) in subsection (d), by striking ''or employees'' each place that term appears and inserting '', employees, or agents''.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I join my colleagues in the consideration of S. 1245, which will make some minor but much needed changes to the mutual aid agreements authorized by the Intelligence Reform and Terrorism Prevention Act of 2004 for the governments of the National Capital Region.

S. 1249 was received by the House on December 13, 2007 after being passed under unanimous consent by the Senate. The measure is authored by Senator BEN CARDIN of Maryland and is supported by the members of the National Capital Region, which includes the District of Columbia and surrounding local jurisdictions in Maryland and Virginia that are also part of the Metropolitan Washington Council of Governments. The legislative changes enacted by this measure are also backed by the State of Maryland and the Commonwealth of Virginia.

S. 1249 addresses and authorizes changes to two aspects of the original legislation. For starters, the measure adds a special purpose governmental authority category to be included as part of the area's mutual aid agreement. This newly created category will permit such entities as the Metropolitan Washington Airport Authority, the Washington Metropolitan Area Transit Authority and the District of Columbia Water and Sewer Authority to participate in the mutual aid agreement during the event of an emergency.

Secondly, S. 1245 grants the regional members of the mutual aid agreement additional flexibility in developing an exhaustive list of employees and authorized volunteers who will be committed to respond to a disaster on behalf of the various independent authorities and State or local governments.

Instead of having to keep a running tally of each individual employee or person participating in the agreement, S. 1245 will allow each of the overarching authorities to keep track of their own participants. This bill authorizes the former inclusion of volunteer entities, such as incorporated volunteer fire companies, to be covered under the mutual aid agreement.

So Mr. Speaker, since it is vitally important that we in the National Capital Region are prepared and ready to respond in the event of a major emergency or disaster, it is incumbent upon us that we pass S. 1245.

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

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

Mr. BURTON of Indiana. Mr. Speaker, I rise today to speak on S. 1245, legislation to reform mutual aid agreements for the National Capital Region.

This legislation was introduced by Senators CARDIN, WARNER, MIKULSKI, and WEBB last July and passed by the Senate in December by unanimous consent.

Under current law, the Federal Government is authorized to enter into mutual aid agreements with State and local governments in the National Capital Region in order to allow the various jurisdictions to cooperate in the event of an emergency without risk of liability for the acts or omissions of their employees while rendering aid.

Senate bill 1245 would further state that entities such as the Metropolitan Washington Airport Authority, the Water and Sewer Authority and the Washington Metropolitan Area Transit Authority would be authorized to enter into these mutual aid agreements as well.

The goal here is to ensure that emergency response personnel in the National Capital Region are able to coordinate as closely as possible in the event of an emergency. Hopefully this legislation helps us to move closer in that direction.

And before I yield back my time, since I've covered that subject, I just

want to say to my colleagues on the other side, for whom I have the greatest respect, tomorrow morning, when you get up and you get out of bed and you go to the office here on Capitol Hill, stop by one of the gas stations on the way in and watch some people pumping gas at $4 plus per gallon. And just walk up to them—and you don't need to tell them you're a Congressman or a Senator or anything else, just walk up to them and say, what do you think about the gas prices? And they're going to say, they're horrible; Congress has to do something about it. And then say, would you object if we drilled in the ANWR to get oil to reduce your gasoline prices? Would you object if we drilled off the Continental Shelf to get another couple million barrels of oil a day to reduce your gas prices and your energy costs? Would you object if we drilled in some of the forests that we have, national forests where we could get 400 or 500 years of natural gas out? Would you object to that? Would you object if we considered more nuclear reactors to produce electricity for this country so we can lower the price of energy and, in effect, end up lowering the price of gasoline and other fuel products as well? You know what they're going to say? They're going to say what the national polls have already shown; 80 percent plus are for drilling and getting oil out of our country and our resources out of the ground. That's what the American people want.

I want to point out one more thing, because I respect all my colleagues on the other side of the aisle. When you first took over the Congress 2 years ago, one of the things that was said by you and Speaker PELOSI was that we were going to do something about the energy crisis and we were going to stem the tide to the growth in the cost of fuel, gasoline, and other energy products. Now it's gone up over 50 percent. It's now $4 plus. And it was $2.50 lower than that just 2 years ago.

It's time that we as Republicans and Democrats work together. The American people want that. It's time that we work together to lower the price of gasoline and other energy products. And we can do that by drilling in the ANWR, drilling off the Continental Shelf, drilling in our national forests where we can get natural gas, which is a clean burning fuel. And if we just start doing that, and at the same time look at other energy sources, new sources that are nonpollutants, we would be in great shape. Incidentally, we also have about two trillion barrels of oil in oil shale.

Let me just say to my colleagues that I hope that you will take heed to what I've said today. The American people want lower gas prices. We have it within our power to start drilling where we can get gas out of this country, natural gas, oil, and other things. Just tell the American people what you think and ask them what they think. And they're going to say ''Drill in America.'' You can do it in an environmentally safe way.

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

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank my colleague from Indiana for the opportunity to spend as much time with him as we have spent this afternoon. I also want to commend him for his advocacy, especially the effort to get down the price of gasoline.

I have no lack of confidence in our ability to make that happen, especially when I think of the efforts that have been put forth to produce more energy-efficient automobiles, to make sure that we're not polluting our environment as much. And I think those people that I would come into contact with would say to me, you know, if we start drilling right now all over the place, the prices are going to be the same next week, they're going to be the same next month.

They want some relief that is as immediate—and I don't really have to come to Washington because they stop me in Chicago, where we pay more than anybody else in the country. And so I want to thank the gentleman for his comments and urge passage of this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 1245.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 56 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. HIRONO) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6003, PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–703) on the resolution (H. Res. 1253) providing for consideration of the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 1225, by the yeas and nays;

H. Res. 1243, by the yeas and nays;

H. Res. 127, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL SAFETY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1225, 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 Kentucky (Mr. YARMUTH) that the House suspend the rules and agree to the resolution, H. Res. 1225.

The vote was taken by electronic device, and there were—yeas 379, nays 0, not voting 54, as follows:

[Roll No. 388]

YEAS—379

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardoza
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hall (TX)
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Higgins
Hill

Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Honda
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—54

Barrett (SC)
Bishop (GA)
Bishop (UT)
Buyer
Capuano
Carnahan
Costello
Cubin
Davis (AL)
Ehlers
Filner
Fossella
Gilchrest
Gillibrand
Grijalva
Hare
Harman
Hastings (WA)
Herseth Sandlin
Holden
Holt
Hooley
Hulshof
Jefferson
Kaptur
Kennedy
Latham
Lewis (KY)
Lipinski
Lucas
Maloney (NY)
Marchant
McDermott
Meek (FL)
Miller, George
Mollohan
Myrick
Ortiz
Pascrell
Pearce
Regula
Rohrabacher
Rush
Souder
Space
Tancredo
Tanner
Taylor
Terry
Udall (NM)
Waters
Weiner
Weller
Wilson (SC)

□ 1856

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.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 388, I was unable to vote because I away from the Capitol region in my capacity as Chairman of the Veterans Affairs Committee. Had I been present, I would have voted "yea."

FATHER'S DAY RESOLUTION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1243, 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 Kentucky (Mr. YARMUTH) that the House suspend the rules and agree to the resolution, H. Res. 1243.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 0, not voting 60, as follows:

[Roll No. 389]

YEAS—373

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
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
Cardoza
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Hall (TX)
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Honda
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—60

Alexander
Barrett (SC)
Berman
Bishop (GA)
Bishop (UT)
Brady (TX)
Buyer
Capuano
Carnahan
Costello
Cubin
Davis (AL)
Ehlers
Filner
Fossella
Gilchrest
Gillibrand
Grijalva
Hare
Harman
Hastings (WA)
Herseth Sandlin
Holden
Holt
Hooley
Hulshof
Jefferson
Johnson, E. B.
Kaptur
Kennedy
Latham
Lewis (KY)
Lipinski
Lucas
Maloney (NY)
Marchant
McDermott
McKeon
Meek (FL)
Mollohan
Murtha
Myrick
Ortiz
Pascrell
Pearce
Regula
Reyes
Rohrabacher
Rush
Souder
Space
Tancredo
Tanner
Taylor
Terry
Udall (NM)
Waters
Weiner
Weller
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left on this vote.

□ 1903

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.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 389, I was unable to vote because I was away from the Capitol region in my capacity as Chairman of the Veterans Affairs Committee. Had I been present, I would have voted "yea."

50TH ANNIVERSARY OF ALASKA AS THE 49TH STATE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 127, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 127.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 0, not voting 58, as follows:

[Roll No. 390]

YEAS—375

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

NOT VOTING—58

Alexander
Barrett (SC)
Bishop (GA)
Bishop (UT)
Buyer
Capuano
Carnahan
Costello
Cubin
Davis (AL)
Ehlers
Filner
Fossella
Gilchrest
Gillibrand
Grijalva
Hare
Harman
Hastings (WA)
Herseth Sandlin
Holden
Holt
Hooley
Hulshof
Jefferson
Kaptur
Kennedy
Latham
Lewis (KY)
Lipinski
Lucas
Maloney (NY)
Marchant
McDermott
Meek (FL)
Mollohan
Murtha
Myrick
Ortiz
Pascrell
Pearce
Regula
Rohrabacher
Rush
Souder
Space
Speier
Tancredo
Tanner
Taylor
Terry
Tiahrt
Udall (NM)
Waters
Weiner
Weldon (FL)
Weller
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1911

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.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 390, I was unable to vote because I was away from the Capitol region in my capacity as Chairman of the Veterans Affairs Committee. Had I been present, I would have voted "yea."

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Madam Speaker, pursuant to clause 2 of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Resolved, That President George W. Bush be impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has committed the following abuses of power.

ARTICLE I.—CREATING A SECRET PROPAGANDA CAMPAIGN TO MANUFACTURE A FALSE CASE FOR WAR AGAINST IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, illegally spent public dollars on a secret propaganda program to manufacture a false cause for war against Iraq.

The Department of Defense (DOD) has engaged in a years-long secret domestic propaganda campaign to promote the invasion and occupation of Iraq. This secret program was defended by the White House Press Secretary following its exposure. This program follows

the pattern of crimes detailed in Article I, II, IV and VIII.. The mission of this program placed it within the field controlled by the White House Iraq Group (WHIG), a White House task-force formed in August 2002 to market an invasion of Iraq to the American people. The group included Karl Rove, I. Lewis Libby, Condoleezza Rice, Karen Hughes, Mary Matalin, Stephen Hadley, Nicholas E. Calio, and James R. Wilkinson.

The WHIG produced white papers detailing so-called intelligence of Iraq's nuclear threat that later proved to be false. This supposed intelligence included the claim that Iraq had sought uranium from Niger as well as the claim that the high strength aluminum tubes Iraq purchased from China were to be used for the sole purpose of building centrifuges to enrich uranium. Unlike the National Intelligence Estimate of 2002, the WHIG's white papers provided ''gripping images and stories'' and used ''literary license'' with intelligence. The WHIG's white papers were written at the same time and by the same people as speeches and talking points prepared for President Bush and some of his top officials.

The WHIG also organized a media blitz in which, between September 7–8, 2002, President Bush and his top advisers appeared on numerous interviews and all provided similarly gripping images about the possibility of nuclear attack by Iraq. The timing was no coincidence, as Andrew Card explained in an interview regarding waiting until after Labor Day to try to sell the American people on military action against Iraq, ''From a marketing point of view, you don't introduce new products in August.''

September 7–8, 2002:

NBC's ''Meet the Press: Vice President Cheney accused Saddam of moving aggressively to develop nuclear weapons over the past 14 months to add to his stockpile of chemical and biological arms.

CNN: Then-National Security Adviser Rice said, regarding the likelihood of Iraq obtaining a nuclear weapon, ''We don't want the smoking gun to be a mushroom cloud.''

CBS: President Bush declared that Saddam was ''six months away from developing a weapon,'' and cited satellite photos of construction in Iraq where weapons inspectors once visited as evidence that Saddam was trying to develop nuclear arms.

The Pentagon military analyst propaganda program was revealed in an April 20, 2002, New York Times article. The program illegally involved ''covert attempts to mold opinion through the undisclosed use of third parties.'' Secretary of Defense Donald Rumsfeld recruited 75 retired military officers and gave them talking points to deliver on Fox, CNN, ABC, NBC, CBS, and MSNBC, and according to the New York Times report, which has not been disputed by the Pentagon or the White House, ''Participants were instructed not to quote their briefers directly or otherwise describe their contacts with the Pentagon.''

According to the Pentagon's own internal documents, the military analysts were considered ''message force multipliers'' or ''surrogates'' who would deliver administration ''themes and messages'' to millions of Americans ''in the form of their own opinions.'' In fact, they did deliver the themes and the messages but did not reveal that the Pentagon had provided them with their talking points. Robert S. Bevelacqua, a retired Green Beret and Fox News military analyst described this as follows: ''It was them saying, 'We need to stick our hands up your back and move your mouth for you.'''

Congress has restricted annual appropriations bills since 1951 with this language: ''No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.''

A March 21, 2005, report by the Congressional Research Service states that ''publicity or propaganda'' is defined by the U.S. Government Accountability Office (GAO) to mean either (1) self-aggrandizement by public officials, (2) purely partisan activity, or (3) ''covert propaganda.''

These concerns about ''covert propaganda'' were also the basis for the GAO's standard for determining when government-funded video news releases are illegal:

''The failure of an agency to identify itself as the source of a prepackaged news story misleads the viewing public by encouraging the viewing audience to believe that the broadcasting news organization developed the information. The prepackaged news stories are purposefully designed to be indistinguishable from news segments broadcast to the public. When the television viewing public does not know that the stories they watched on television news programs about the government were in fact prepared by the government, the stories are, in this sense, no longer purely factual—the essential fact of attribution is missing.''

The White House's own Office of Legal Council stated in a memorandum written in 2005 following the controversy over the Armstrong Williams scandal:

''Over the years, GAO has interpreted 'publicity or propaganda' restrictions to preclude use of appropriated funds for, among other things, so-called 'covert propaganda.' . . . Consistent with that view, the OLC determined in 1988 that a statutory prohibition on using appropriated funds for 'publicity or propaganda' precluded undisclosed agency funding of advocacy by third-party groups. We stated that 'covert attempts to mold opinion through the undisclosed use of third parties' would run afoul of restrictions on using appropriated funds for 'propaganda.'''

Asked about the Pentagon's propaganda program at White House press briefing in April 2008, White House Press Secretary Dana Perino defended it, not by arguing that it was legal but by suggesting that it ''should'' be: ''Look, I didn't know look, I think that you guys should take a step back and look at this look, DOD has made a decision, they've decided to stop this program. But I would say that one of the things that we try to do in the administration is get information out to a variety of people so that everybody else can call them and ask their opinion about something. And I don't think that that should be against the law. And I think that it's absolutely appropriate to provide information to people who are seeking it and are going to be providing their opinions on it. It doesn't necessarily mean that all of those military analysts ever agreed with the administration. I think you can go back and look and think that a lot of their analysis was pretty tough on the administration. That doesn't mean that we shouldn't talk to people.''

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE II.—FALSELY, SYSTEMATICALLY, AND WITH CRIMINAL INTENT CONFLATING THE ATTACKS OF SEPTEMBER 11, 2001 WITH MISREPRESENTATION OF IRAQ AS AN IMMINENT SECURITY THREAT AS PART OF A FRAUDULENT JUSTIFICATION FOR A WAR OF AGGRESSION.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, executed a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that there was and is a connection between Iraq and Saddam Hussein on the one hand, and the attacks of September 11, 2001 and al Qaeda, on the other hand, so as to falsely justify the use of the United States Armed Forces against the nation of Iraq in a manner that is damaging to the national security interests of the United States, as well as to fraudulently obtain and maintain congressional authorization and funding for the use of such military force against Iraq, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be, first, allowing, authorizing and sanctioning the manipulation of intelligence analysis by those under his direction and control, including the Vice President and the Vice President's agents, and second, personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding an alleged connection between Saddam Hussein and Iraq, on the one hand, and the September 11th attacks and al Qaeda, on the other hand, that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(A) On or about September 12, 2001, former terrorism advisor Richard Clarke personally informed the President that neither Saddam Hussein nor Iraq was responsible for the September 11th attacks. On September 18, Clarke submitted to the President's National Security Adviser Condoleezza Rice a memo he had written in response to George W. Bush's specific request that stated: (1) the case for linking Hussein to the September 11th attacks was weak; (2) only anecdotal evidence linked Hussein to al Qaeda; (3) Osama Bin Laden resented the secularism of Saddam Hussein; and (4) there was no confirmed reporting of Saddam Hussein cooperating with Bin Laden on unconventional weapons.

(B) Ten days after the September 11th attacks the President received a President's Daily Briefing which indicated that the U.S. intelligence community had no evidence linking Saddam Hussein to the September 11th attacks and that there was ''scant credible evidence that Iraq had any significant collaborative ties with Al Qaeda.''

(C) In Defense Intelligence Terrorism Summary No. 044–02, issued in February 2002, the United States Defense Intelligence Agency cast significant doubt on the possibility of a Saddam Hussein-Al Qaeda conspiracy: ''Saddam's regime is intensely secular and is wary of Islamic revolutionary movements. Moreover, Baghdad is unlikely to provide assistance to a group it cannot control.''

(D) The October 2002 National Intelligence Estimate gave a ''Low Confidence'' rating to

the notion of whether ''in desperation Saddam would share chemical or biological weapons with Al Qaeda.'' The CIA never informed the President that there was an operational relationship between Al Qaeda and Saddam Hussein; on the contrary, its most ''aggressive'' analysis contained in Iraq and al-Qaeda-Interpreting a ''Murky Relationship'' dated June 21, 2002 was that Iraq had had ''sporadic, wary contacts with al Qaeda since the mid-1990s rather than a relationship with al Qaeda that has developed over time.''

(E) Notwithstanding his knowledge that neither Saddam Hussein nor Iraq was in any way connected to the September 11th attacks, the President allowed and authorized those acting under his direction and control, including Vice President Richard B. Cheney and Lewis Libby, who reported directly to both the President and the Vice President, and Secretary of Defense Donald Rumsfeld, among others, to pressure intelligence analysts to alter their assessments and to create special units outside of, and unknown to, the intelligence community in order to secretly obtain unreliable information, to manufacture intelligence or reinterpret raw data in ways that would further the Bush administration's goal of fraudulently establishing a relationship not only between Iraq and al Qaeda, but between Iraq and the attacks of September 11th.

(F) Further, despite his full awareness that Iraq and Saddam Hussein had no relationship to the September 11th attacks, the President, and those acting under his direction and control have, since at least 2002 and continuing to the present, repeatedly issued public statements deliberately worded to mislead, words calculated in their implication to bring unrelated actors and circumstances into an artificially contrived reality thereby facilitating the systematic deception of Congress and the American people. Thus the public and some members of Congress, came to believe, falsely, that there was a connection between Iraq and the attacks of 9/11. This was accomplished through well-publicized statements by the Bush Administration which contrived to continually tie Iraq and 9/11 in the same statements of grave concern without making an explicit charge:

(1) '' [If] Iraq regimes [sic] continues to defy us, and the world, we will move deliberately, yet decisively, to hold Iraq to account . . . It's a new world we're in. We used to think two oceans could separate us from an enemy. On that tragic day, September the 11th, 2001, we found out that's not the case. We found out this great land of liberty and of freedom and of justice is vulnerable. And therefore we must do everything we can—everything we can—to secure the homeland, to make us safe.'' Speech of President Bush in Iowa on September 16, 2002.

(2) ''With every step the Iraqi regime takes toward gaining and deploying the most terrible weapons, our own options to confront that regime will narrow. And if an emboldened regime were to supply these weapons to terrorist allies, then the attacks of September 11th would be a prelude to far greater horrors.'' March 6, 2003, Statement of President Bush in National Press Conference.

(3) ''The battle of Iraq is one victory in a war on terror that began on September the 11, 2001—and still goes on. That terrible morning, 19 evil men—the shock troops of a hateful ideology—gave America and the civilized world a glimpse of their ambitions. They imagined, in the words of one terrorist, that September the 11th would be the 'beginning of the end of America.' By seeking to turn our cities into killing fields, terrorists and their allies believed that they could destroy this nation's resolve, and force our retreat from the world. They have failed.'' May 1, 2003, Speech of President Bush on U.S.S. Abraham Lincoln.

(4) ''Now we're in a new and unprecedented war against violent Islamic extremists. This is an ideological conflict we face against murderers and killers who try to impose their will. These are the people that attacked us on September the 11th and killed nearly 3,000 people. The stakes are high, and once again, we have had to change our strategic thinking. The major battleground in this war is Iraq.'' June 28, 2007, Speech of President Bush at the Naval War College in Newport, Rhode Island.

(G) Notwithstanding his knowledge that there was no credible evidence of a working relationship between Saddam Hussein and Al Qaeda and that the intelligence community had specifically assessed that there was no such operational relationship, the President, both personally and through his subordinates and agents, has repeatedly falsely represented, both explicitly and implicitly, and through the misleading use of selectively-chosen facts, to the citizens of the United States and to the Congress that there was and is such an ongoing operational relationship, to wit:

(1) ''We know that Iraq and al Qaeda have had high-level contacts that go back a decade. Some al Qaeda leaders who fled Afghanistan went to Iraq. These include one very senior al Qaeda leader who received medical treatment in Baghdad this year, and who has been associated with planning for chemical and biological attacks. We've learned that Iraq has trained al Qaeda members in bomb-making and poisons and deadly gases.'' September 28, 2002, Weekly Radio Address of President Bush to the Nation.

(2) ''[W]e we need to think about Saddam Hussein using al Qaeda to do his dirty work, to not leave fingerprints behind.'' October 14, 2002, Remarks by President Bush in Michigan.

(3) ''We know he's got ties with al Qaeda.'' November 1, 2002, Speech of President Bush in New Hampshire.

(4) ''Evidence from intelligence sources, secret communications, and statements by people now in custody reveal that Saddam Hussein aids and protects terrorists, including members of al Qaeda. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own.'' January 28, 2003, President Bush's State of the Union Address.

(5) ''[W]hat I want to bring to your attention today is the potentially much more sinister nexus between Iraq and the al Qaeda terrorist network, a nexus that combines classic terrorist organizations and modern methods of murder. Iraq today harbors a deadly terrorist network. . .'' February 5, 2003, Speech of Former Secretary of State Colin Powell to the United Nations.

(6) ''The battle of Iraq is one victory in a war on terror that began on September the 11, 2001—and still goes on. . . . [T]he liberation of Iraq . . . removed an ally of al Qaeda.'' May 1, 2003, Speech of President Bush on U.S.S. *Abraham Lincoln*.

(H) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information, which was released on June 5, 2008, concluded that:

(1) ''Statements and implications by the President and Secretary of State suggesting that Iraq and al-Qaeda had a partnership, or that Iraq had provided al-Qaeda with weapons training, were not substantiated by the intelligence.''

(2) ''The Intelligence Community did not confirm that Muhammad Atta met an Iraqi intelligence officer in Prague in 2001 as the Vice President repeatedly claimed.''

Through his participation and instance in the breathtaking scope of this deception, the President has used the highest office of trust to wage of campaign of deception of such sophistication as to deliberately subvert the national security interests of the United States. His dishonesty set the stage for the loss of more than 4000 United States service members; injuries to tens of thousands of soldiers, the loss of more than 1,000,000 innocent Iraqi citizens since the United States invasion; the loss of approximately $527 billion in war costs which has increased our Federal debt and the ultimate expenditure of three to five trillion dollars for all costs covering the war; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE III.—MISLEADING THE AMERICAN PEOPLE AND MEMBERS OF CONGRESS TO BELIEVE IRAQ POSSESSED WEAPONS OF MASS DESTRUCTION, SO AS TO MANUFACTURE A FALSE CASE FOR WAR

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, executed instead a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that the nation of Iraq possessed weapons of mass destruction in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding Iraq's alleged possession of biological, chemical and nuclear weapons that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(A) Long before the March 19, 2003 invasion of Iraq, a wealth of intelligence informed the President and those under his direction and control that Iraq's stockpiles of chemical and biological weapons had been destroyed well before 1998 and that there was little, if

any, credible intelligence that showed otherwise. As reported in the Washington Post in March of 2003, in 1995, Saddam Hussein's son-in-law Hussein Kamel had informed U.S. and British intelligence officers that ''all weapons—biological, chemical, missile, nuclear were destroyed.'' In September 2002, the Defense Intelligence Agency issued a report that concluded: ''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and UNSCOM actions . . . [T]here is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has-or will-establish its chemical warfare agent production facilities.'' Notwithstanding the absence of evidence proving that such stockpiles existed and in direct contradiction to substantial evidence that showed they did not exist, the President and his subordinates and agents made numerous false representations claiming with certainty that Iraq possessed chemical and biological weapons that it was developing to use to attack the United States, to wit:

(1) ''[T]he notion of a Saddam Hussein with his great oil wealth, with his inventory that he already has of biological and chemical weapons . . . is, I think, a frightening proposition for anybody who thinks about it.'' Statement of Vice President Cheney on CBS's Face the Nation, March 24, 2002.

(2) ''In defiance of the United Nations, Iraq has stockpiled biological and chemical weapons, and is rebuilding the facilities used to make more of those weapons.'' Speech of President Bush, October 5, 2002.

(3) ''All the world has now seen the footage of an Iraqi Mirage aircraft with a fuel tank modified to spray biological agents over wide areas. Iraq has developed spray devices that could be used on unmanned aerial vehicles with ranges far beyond what is permitted by the Security Council. A UAV launched from a vessel off the American coast could reach hundreds of miles inland.'' Statement by President Bush from the White House, February 6, 2003.

(B) Despite overwhelming intelligence in the form of statements and reports filed by and on behalf of the CIA, the State Department and the IAEA, among others, which indicated that the claim was untrue, the President, and those under his direction and control, made numerous representations claiming and implying through misleading language that Iraq was attempting to purchase uranium from Niger in order to falsely buttress its argument that Iraq was reconstituting its nuclear weapons program, including:

(1) ''The regime has the scientists and facilities to build nuclear weapons, and is seeking the materials needed to do so.'' Statement of President Bush from White House, October 2, 2002.

(2) ''The [Iraqi] report also failed to deal with issues which have arisen since 1998, including: . . . attempts to acquire uranium and the means to enrich it.'' Letter from President Bush to Vice President Cheney and the Senate, January 20, 2003.

(3) ''The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.'' President Bush Delivers State of the Union Address, January 28, 2003.

(C) Despite overwhelming evidence in the form of reports by nuclear weapons experts from the Energy, the Defense and State Departments, as well from outside and international agencies which assessed that aluminum tubes the Iraqis were purchasing were not suitable for nuclear centrifuge use and were, on the contrary, identical to ones used in rockets already being manufactured by the Iraqis, the President, and those under his direction and control, persisted in making numerous false and fraudulent representations implying and stating explicitly that the Iraqis were purchasing the tubes for use in a nuclear weapons program, to wit:

(1) ''We do know that there have been shipments going . . . into Iraq . . . of aluminum tubes that really are only suited to—high-quality aluminum tools [sic] that are only really suited for nuclear weapons programs, centrifuge programs.'' Statement of then National Security Advisor Condoleezza Rice on CNN's Late Edition with Wolf Blitzer, September 8, 2002.

(2) ''Our intelligence sources tell us that he has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production.'' President Bush's State of the Union Address, January 28, 2003.

(3) ''[H]e has made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed. . . . By now, just about everyone has heard of these tubes and we all know that there are differences of opinion. There is controversy about what these tubes are for. Most US experts think they are intended to serve as rotors in centrifuges used to enrich uranium.'' Speech of Former Secretary of State Colin Powell to the United Nations, February 5, 2003.

(D) The President, both personally and acting through those under his direction and control, suppressed material information, selectively declassified information for the improper purposes of retaliating against a whistleblower and presenting a misleading picture of the alleged threat from Iraq, facilitated the exposure of the identity of a covert CIA operative and thereafter not only failed to investigate the improper leaks of classified information from within his administration, but also failed to cooperate with an investigation into possible federal violations resulting from this activity and, finally, entirely undermined the prosecution by commuting the sentence of Lewis Libby citing false and insubstantial grounds, all in an effort to prevent Congress and the citizens of the United States from discovering the fraudulent nature of the President's claimed justifications for the invasion of Iraq.

(E) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information, which was released on June 5, 2008, concluded that:

(1) ''Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing.''

(2) ''The Secretary of Defense's statement that the Iraqi government operated underground WMD facilities that were not vulnerable to conventional airstrikes because they were underground and deeply buried was not substantiated by available intelligence information.''

(3) Chairman of the Senate Intelligence Committee Jay Rockefeller concluded: ''In making the case for war, the Administration repeatedly presented intelligence as fact when in reality it was unsubstantiated, contradicted, or even non-existent. As a result, the American people were led to believe that the threat from Iraq was much greater than actually existed.''

The President has subverted the national security interests of the United States by setting the stage for the loss of more than 4000 United States service members and the injury to tens of thousands of US soldiers; the loss of more than 1,000,000 innocent Iraqi citizens since the United States invasion; the loss of approximately $500 billion in war costs which has increased our Federal debt with a long term financial cost of between three and five trillion dollars; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE IV.—MISLEADING THE AMERICAN PEOPLE AND MEMBERS OF CONGRESS TO BELIEVE IRAQ POSED AN IMMINENT THREAT TO THE UNITED STATES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, executed a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that the nation of Iraq posed an imminent threat to the United States in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be, first, allowing, authorizing and sanctioning the manipulation of intelligence analysis by those under his direction and control, including the Vice President and the Vice President's agents, and second, personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding an alleged urgent threat posed by Iraq, statements that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(A) Notwithstanding the complete absence of intelligence analysis to support a claim that Iraq posed an imminent or urgent threat to the United States and the intelligence community's assessment that Iraq was in fact not likely to attack the United States unless it was itself attacked, President Bush, both personally and through his agents and subordinates, made, allowed and caused to be made repeated false representations to the citizens and Congress of the United States implying and explicitly stating that such a dire threat existed, including the following:

(1) ''States such as these [Iraq, Iran and North Korea] and their terrorist allies constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases, the price of indifference would be catastrophic.'' President Bush's State of the Union Address, January 29, 2002.

(2) ''Simply stated, there is no doubt that Saddam Hussein has weapons of mass destruction. He is amassing them to use against our friends our enemies and against us.'' Speech of Vice President Cheney at VFW 103rd National Convention, August 26, 2002.

(3) ''The history, the logic, and the facts lead to one conclusion: Saddam Hussein's regime is a grave and gathering danger. To suggest otherwise is to hope against the evidence. To assume this regime's good faith is to bet the lives of millions and the peace of the world in a reckless gamble. And this is a risk we must not take.'' Address of President Bush to the United Nations General Assembly, September 12, 2002.

(4) ''[N]o terrorist state poses a greater or more immediate threat to the security of our people than the regime of Saddam Hussein and Iraq.'' Statement of Former Defense Secretary Donald Rumsfeld to Congress, September 19, 2002.

(5) ''On its present course, the Iraqi regime is a threat of unique urgency . . . it has developed weapons of mass death.'' Statement of President Bush at White House, October 2, 2002.

(6) ''But the President also believes that this problem has to be dealt with, and if the United Nations won't deal with it, then the United States, with other likeminded nations, may have to deal with it. We would prefer not to go that route, but the danger is so great, with respect to Saddam Hussein having weapons of mass destruction, and perhaps even terrorists getting hold of such weapons, that it is time for the international community to act, and if it doesn't act, the President is prepared to act with likeminded nations.'' Statement of Former Secretary of State Colin Powell in interview with Ellen Ratner of Talk Radio News, October 30, 2002.

(7) ''Today the world is also uniting to answer the unique and urgent threat posed by Iraq. A dictator who has used weapons of mass destruction on his own people must not be allowed to produce or possess those weapons. We will not permit Saddam Hussein to blackmail and/or terrorize nations which love freedom.'' Speech by President Bush to Prague Atlantic Student Summit, November 20, 2002.

(8) ''But the risk of doing nothing, the risk of the security of this country being jeopardized at the hands of a madman with weapons of mass destruction far exceeds the risk of any action we may be forced to take.'' President Bush Meets with National Economic Council at White House, February 25, 2003.

(B) In furtherance of his fraudulent effort to deceive Congress and the citizens of the United States into believing that Iraq and Saddam Hussein posed an imminent threat to the United States, the President allowed and authorized those acting under his direction and control, including Vice President Richard B. Cheney, former Secretary of Defense Donald Rumsfeld, and Lewis Libby, who reported directly to both the President and the Vice President, among others, to pressure intelligence analysts to tailor their assessments and to create special units outside of, and unknown to, the intelligence community in order to secretly obtain unreliable information, to manufacture intelligence, or to reinterpret raw data in ways that would support the Bush administration's plan to invade Iraq based on a false claim of urgency despite the lack of justification for such a preemptive action.

(C) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information, which was released on June 5, 2008, concluded that:

(1) ''Statements by the President and the Vice President indicating that Saddam Hussein was prepared to give weapons of mass destruction to terrorist groups for attacks against the United States were contradicted by available intelligence information.''

Thus the President willfully and falsely misrepresented Iraq as an urgent threat requiring immediate action thereby subverting the national security interests of the United States by setting the stage for the loss of more than 4,000 United States service members; the injuries to tens of thousands of U.S. soldiers; the deaths of more than 1,000,000 Iraqi citizens since the United States invasion; the loss of approximately $527 billion in war costs which has increased our Federal debt and the ultimate costs of the war between three trillion and five trillion dollars; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE V.—ILLEGALLY MISSPENDING FUNDS TO SECRETLY BEGIN A WAR OF AGGRESSION

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, illegally misspent funds to begin a war in secret prior to any Congressional authorization.

The president used over $2 billion in the summer of 2002 to prepare for the invasion of Iraq. First reported in Bob Woodward's book, Plan of Attack, and later confirmed by the Congressional Research Service, Bush took money appropriated by Congress for Afghanistan and other programs and—with no Congressional notification—used it to build airfields in Qatar and to make other preparations for the invasion of Iraq. This constituted a violation of Article I, Section 9 of the U.S. Constitution, as well as a violation of the War Powers Act of 1973.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE VI.—INVADING IRAQ IN VIOLATION OF THE REQUIREMENTS OF H.J. RES. 114.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', exceeded his Constitutional authority to wage war by invading Iraq in 2003 without meeting the requirements of H.J. Res. 114, the ''Authorization for Use of Military Force Against Iraq Resolution of 2002'' to wit:

(1) H.J. Res. 114 contains several Whereas clauses consistent with statements being made by the White House at the time regarding the threat from Iraq as evidenced by the following:

(A) H.J. Res. 114 states ''Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;''; and

(B) H.J. Res. 114 states ''Whereas members of Al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;''.

(2) H.J. Res. 114 states that the President must provide a determination, the truthfulness of which is implied, that military force is necessary in order to use the authorization, as evidenced by the following:

(A) Section 3 of H.J. Res. 114 states:

''(b) PRESIDENTIAL DETERMINATION.—In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and

(2) acting pursuant to this joint resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorist and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001.''

(3) On March 18, 2003, President George Bush sent a letter to Congress stating that he had made that determination as evidenced by the following:

(A) March 18th, 2003 Letter to Congress stating:

Consistent with section 3(b) of the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243), and based on information available to me, including that in the enclosed document, I determine that:

(1) reliance by the United States on further diplomatic and other peaceful means alone will neither (A) adequately protect the national security of the United States against

the continuing threat posed by Iraq nor (B) likely lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and

(2) acting pursuant to the Constitution and Public Law 107–243 is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.

(4) President George Bush knew that these statements were false as evidenced by:

(A) INFORMATION PROVIDED WITH ARTICLE I, II, III, IV AND V.

(B) A statement by President George Bush in an interview with Tony Blair on January 31st 2003: [WH]

Reporter: ''One question for you both. Do you believe that there is a link between Saddam Hussein, a direct link, and the men who attacked on September the 11th?''

President Bush: ''I can't make that claim''

(C) An article on February 19th by Terrorism expert Rohan Gunaratna states ''I could find no evidence of links between Iraq and Al Qaeda. The documentation and interviews indicated that Al Qaeda regarded Saddam, a secular leader, as an infidel.'' [InternationalHeraldTribune]

(D) According to a February 2nd, 2003 article in the New York Times: [NYT]

At the Federal Bureau of Investigation, some investigators said they were baffled by the Bush administration's insistence on a solid link between Iraq and Osama bin Laden's network. ''We've been looking at this hard for more than a year and you know what, we just don't think it's there,'' a government official said.

(5) Section 3C of HJRes 114 states that ''Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.''

(6) The War Powers Resolution Section 9(d)(1) states:

(d) Nothing in this joint resolution—

(1) is intended to alter the constitutional authority of the Congress or of the President, or the provision of existing treaties; or

(7) The United Nations Charter was an existing treaty and, as shown in Article VIII, the invasion of Iraq violated that treaty.

(8) President George Bush knowingly failed to meet the requirements of HJRes 114 and violated the requirement of the War Powers Resolution and, thereby, invaded Iraq without the authority of Congress.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE VII.—INVADING IRAQ ABSENT A DECLARATION OF WAR

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has launched a war against Iraq absent any congressional declaration of war or equivalent action.

Article I, Section 8, Clause 11 (the War Powers Clause) makes clear that the United States Congress holds the exclusive power to decide whether or not to send the nation into war. ''The Congress,'' the War Powers Clause states, ''shall have power . . . To declare war . . .''

The October 2002 congressional resolution on Iraq did not constitute a declaration of war or equivalent action. The resolution stated: ''The President is authorized to use the Armed Forces of the United States as he deems necessary and appropriate in order to 1) defend the national security of the United States against the continuing threat posed by Iraq; and 2) enforce all relevant United Nations Security Council resolutions regarding Iraq.'' The resolution unlawfully sought to delegate to the President the decision of whether or not to initiate a war against Iraq, based on whether he deemed it ''necessary and appropriate.'' The Constitution does not allow Congress to delegate this exclusive power to the President, nor does it allow the President to seize this power.

In March 2003, the President launched a war against Iraq without any constitutional authority.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE VIII.—INVADING IRAQ, A SOVEREIGN NATION, IN VIOLATION OF THE UN CHARTER AND INTERNATIONAL CRIMINAL LAW

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', violated United States law by invading the sovereign country of Iraq in violation of the United Nations Charter to wit:

(1) International Laws ratified by Congress are part of United States Law and must be followed as evidenced by the following:

(A) Article VI of the United States Constitution, which states ''This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land;''

(2) The UN Charter, which entered into force following ratification by the United States in 1945, requires Security Council approval for the use of force except for self-defense against an armed attack as evidenced by the following:

(A) Chapter 1, Article 2 of the United Nations Charter states:

''3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

''4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.''

(B) Chapter 7, Article 51 of the United Nations Charter states:

''51. Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.''

(3) There was no armed attack upon the United States by Iraq.

(4) The Security Council did not vote to approve the use of force against Iraq as evidenced by:

(A) A United Nation Press release which states that the United States had failed to convince the Security Council to approve the use of military force against Iraq. [UN]

(5) President Bush directed the United States military to invade Iraq on March 19th, 2003 in violation of the UN Charter and, therefore, in violation of United States Law as evidenced by the following:

(A) A letter from President Bush to Congress dated March 21st, 2003 stating ''I directed U.S. Armed Forces, operating with other coalition forces, to commence combat operations on March 19, 2003, against Iraq.'' [WH]

(B) On September 16, 2004 Kofi Annan, the Secretary General of the United Nations, speaking on the invasion, said, ''I have indicated it was not in conformity with the UN charter. From our point of view, from the charter point of view, it was illegal.'' [BBC]

(C) The consequence of the instant and direction of President George W. Bush, in ordering an attack upon Iraq, a sovereign nation is in direct violation of United States Code, Title 18, Part 1, Chapter 118, Section 2441, governing the offense of war crimes.

(6) In the course of invading and occupying Iraq, the President, as Commander in Chief, has taken responsibility for the targeting of civilians, journalists, hospitals, and ambulances, use of antipersonnel weapons including cluster bombs in densely settled urban areas, the use of white phosphorous as a weapon, depleted uranium weapons, and the use of a new version of napalm found in Mark 77 firebombs. Under the direction of President George Bush the United States has engaged in collective punishment of Iraqi civilian populations, including but not limited to blocking roads, cutting electricity and water, destroying fuel stations, planting bombs in farm fields, demolishing houses, and plowing over orchards.

(A) Under the principle of ''command responsibility'', i.e., that a de jure command can be civilian as well as military, and can apply to the policy command of heads of state, said command brings President George Bush within the reach of international criminal law under the Additional Protocol I of June 8, 1977 to the Geneva Conventions of August 12, 1949, and Relating to the Protection of Victims of International Armed Conflicts, Article 86(2). The United States is a state signatory to Additional Protocol I, on December 12, 1977.

(B) Furthermore, Article 85(3) of said Protocol I defines as a grave breach making a civilian population or individual civilians the object of attacks. This offense, together with the principle of command responsibility, places President George Bush's conduct under the reach of the same law and principles described as the basis for war crimes prosecution at Nuremburg, under Article 6 of the Charter of the Nuremberg Tribunals: including crimes against peace, violations of the laws and customs of war and crimes against humanity, similarly codified in the Rome Statute of the International Criminal Court, Articles 5 through 8.

(C) The Lancet Report has established massive civilian casualties in Iraq as a result of the United States' invasion and occupation of that country.

(D) International laws governing wars of aggression are completely prohibited under the legal principle of jus cogens, whether or not a nation has signed or ratified a particular international agreement.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office

ARTICLE IX.—FAILING TO PROVIDE TROOPS WITH BODY ARMOR AND VEHICLE ARMOR

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, together with the Vice President, has been responsible for the deaths of members of the U.S. military and serious injury and trauma to other soldiers, by failing to provide available body armor and vehicle armor.

While engaging in an invasion and occupation of choice, not fought in self-defense, and not launched in accordance with any timetable other than the President's choosing, President Bush sent U.S. troops into danger without providing them with armor. This shortcoming has been known for years, during which time, the President has chosen to allow soldiers and marines to continue to face unnecessary risk to life and limb rather then providing them with armor.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE X.—FALSIFYING ACCOUNTS OF U.S. TROOP DEATHS AND INJURIES FOR POLITICAL PURPOSES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, together with the Vice President, promoted false propaganda stories about members of the United States military, including individuals both dead and injured.

The White House and the Department of Defense (DOD) in 2004 promoted a false account of the death of Specialist Pat Tillman, reporting that he had died in a hostile exchange, delaying release of the information that he had died from friendly fire, shot in the forehead three times in a manner that led investigating doctors to believe he had been shot at close range.

A 2005 report by Brig. Gen. Gary M. Jones reported that in the days immediately following Specialist Tillman's death, U.S. Army investigators were aware that Specialist Tillman was killed by friendly fire, shot three times to the head, and that senior Army commanders, including Gen. John Abizaid, knew of this fact within days of the shooting but nevertheless approved the awarding of the Silver Star, Purple Heart, and a posthumous promotion.

On April 24, 2007, Spc. Bryan O'Neal, the last soldier to see Specialist Pat Tillman alive, testified before the House Oversight and Government Reform Committee that he was warned by superiors not to divulge information that a fellow soldier killed Specialist Tillman, especially to the Tillman family. The White House refused to provide requested documents to the committee, citing ''executive branch confidentiality interests.''

The White House and DOD in 2003 promoted a false account of the injury of Jessica Dawn Lynch, reporting that she had been captured in a hostile exchange and had been dramatically rescued. On April 2, 2003, the DOD released a video of the rescue and claimed that Lynch had stab and bullet wounds, and that she had been slapped about on her hospital bed and interrogated. Iraqi doctors and nurses later interviewed, including Dr. Harith Al-Houssona, a doctor in the Nasirya hospital, described Lynch's injuries as ''a broken arm, a broken thigh, and a dislocated ankle.'' According to Al-Houssona, there was no sign of gunshot or stab wounds, and Lynch's injuries were consistent with those that would be suffered in a car accident. Al-Houssona's claims were later confirmed in a U.S. Army report leaked on July 10, 2003.

Lynch denied that she fought or was wounded fighting, telling Diane Sawyer that the Pentagon ''used me to symbolize all this stuff. It's wrong. I don't know why they filmed [my rescue] or why they say these things. . . . I did not shoot, not a round, nothing. I went down praying to my knees. And that's the last I remember.'' She reported excellent treatment in Iraq, and that one person in the hospital even sang to her to help her feel at home.

On April 24, 2007 Lynch testified before the House Committee on Oversight and Government Reform:

''[Right after my capture], tales of great heroism were being told. My parent's home in Wirt County was under siege of the media all repeating the story of the little girl Rambo from the hills who went down fighting. It was not true. . . . I am still confused as to why they chose to lie.''

The White House had heavily promoted the false story of Lynch's rescue, including in a speech by President Bush on April 28, 2003. After the fiction was exposed, the President awarded Lynch the Bronze Star.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XI.—ESTABLISHMENT OF PERMANENT U.S. MILITARY BASES IN IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has violated an act of Congress that he himself signed into law by using public funds to construct permanent U.S. military bases in Iraq.

On January 28, 2008, President George W. Bush signed into law the National Defense Authorization Act for fiscal year 2008 (H.R. 4986). Noting that the Act ''authorizes funding for the defense of the United States and its interests abroad, for military construction, and for national security-related energy programs,'' the president added the following ''signing statement'':

''Provisions of the Act, including sections 841, 846, 1079, and 1222, purport to impose requirements that could inhibit the President's ability to carry out his constitutional obligations to take care that the laws be faithfully executed, to protect national security, to supervise the executive branch, and to execute his authority as Commander in Chief. The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President.''

Section 1222 clearly prohibits the expenditure of money for the purpose of establishing permanent U.S. military bases in Iraq. The construction of over $1 billion in U.S. military bases in Iraq, including runways for aircraft, continues despite congressional intent, as the Administration intends to force upon the Iraqi government such terms which will assure the bases remain in Iraq.

Iraqi officials have informed Members of Congress in May 2008 of the strong opposition within the Iraqi parliament and throughout Iraq to the agreement that the administration is trying to negotiate with Iraqi Prime Minister Nouri al-Maliki. The agreement seeks to assure a long-term U.S. presence in Iraq of which military bases are the most obvious, sufficient and necessary construct, thus clearly defying Congressional intent as to the matter and meaning of ''permanency.''

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XII.—INITIATING A WAR AGAINST IRAQ FOR CONTROL OF THAT NATION'S NATURAL RESOURCES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, together with the Vice President, invaded and occupied a foreign nation for the purpose, among other purposes, of seizing control of that nation's oil.

The White House and its representatives in Iraq have, since the occupation of Baghdad began, attempted to gain control of Iraqi oil. This effort has included pressuring the new Iraqi government to pass a hydrocarbon law. Within weeks of the fall of Saddam Hussein in 2003, the U.S. Agency for International Development (USAid) awarded a $240 million contract to Bearing Point, a private U.S. company. A Bearing Point employee, based in the U.S. embassy in Baghdad, was hired to advise the Iraqi Ministry of Oil on drawing up the new hydrocarbon law. The draft law places executives of foreign oil companies on a council with the task of approving their own contracts with Iraq; it denies the Iraqi National Oil Company exclusive rights for the exploration, development, production, transportation, and marketing of Iraqi oil, and allows foreign companies to control Iraqi oil fields containing 80 percent of Iraqi

oil for up to 35 years through contracts that can remain secret for up to 2 months. The draft law itself contains secret appendices.

President Bush provided unrelated reasons for the invasion of Iraq to the public and Congress, but those reasons have been established to have been categorically fraudulent, as evidenced by the herein mentioned Articles of Impeachment I, II, III, IV, VI, and VII.

Parallel to the development of plans for war against Iraq, the U.S. State Department's Future of Iraq project, begun as early as April 2002, involved meetings in Washington and London of 17 working groups, each composed of 10 to 20 Iraqi exiles and international experts selected by the State Department. The Oil and Energy working group met four times between December 2002 and April 2003. Ibrahim Bahr al-Uloum, later the Iraqi Oil Minister, was a member of the group, which concluded that Iraq ''should be opened to international oil companies as quickly as possible after the war,'' and that, ''the country should establish a conducive business environment to attract investment of oil and gas resources.'' The same group recommended production-sharing agreements with foreign oil companies, the same approach found in the draft hydrocarbon law, and control over Iraq's oil resources remains a prime objective of the Bush Administration.

Prior to his election as Vice President, Dick Cheney, then-CEO of Halliburton, in a speech at the Institute of Petroleum in 1999 demonstrated a keen awareness of the sensitive economic and geopolitical role of Middle East oil resources saying: ''By 2010, we will need on the order of an additional 50 million barrels a day. So where is the oil going to come from? Governments and national oil companies are obviously controlling about 90 percent of the assets. Oil remains fundamentally a government business. While many regions of the world offer great oil opportunities, the Middle East, with two-thirds of the world's oil and lowest cost, is still where the prize ultimately lies. Even though companies are anxious for greater access there, progress continues to be slow.''

The Vice President led the work of a secret energy task force, as described in Article XXXII below, a task force that focused on, among other things, the acquisition of Iraqi oil through developing a controlling private corporate interest in said oil.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XIII.—CREATING A SECRET TASK FORCE TO DEVELOP ENERGY AND MILITARY POLICIES WITH RESPECT TO IRAQ AND OTHER COUNTRIES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has both personally and acting through his agents and subordinates, together with the Vice President, created a secret task force to guide our nation's energy policy and military policy, and undermined Congress' ability to legislate by thwarting attempts to investigate the nature of that policy.

A Government Accountability Office (GAO) Report on the Cheney Energy Task Force, in August 2003, described the creation of this task force as follows:

''In a January 29, 2001, memorandum, the President established NEPDG [the National Energy Policy Development Group]—comprised of the Vice President, nine cabinet-level officials, and four other senior administration officials—to gather information, deliberate, and make recommendations to the President by the end of fiscal year 2001. The President called on the Vice President to chair the group, direct its work and, as necessary, establish subordinate working groups to assist NEPDG.''

The four ''other senior administration officials were the Director of the Office of Management and Budget, the Assistant to the President and Deputy Chief of Staff for Policy, the Assistant to the President for Economic Policy, and the Deputy Assistant to the President for Intergovernmental Affairs.

The GAO report found that: ''In developing the National Energy Policy report, the NEPDG Principals, Support Group, and participating agency officials and staff met with, solicited input from, or received information and advice from nonfederal energy stakeholders, principally petroleum, coal, nuclear, natural gas, and electricity industry representatives and lobbyists. The extent to which submissions from any of these stakeholders were solicited, influenced policy deliberations, or were incorporated into the final report cannot be determined based on the limited information made available to GAO. NEPDG met and conducted its work in two distinct phases: the first phase culminated in a March 19, 2001, briefing to the President on challenges relating to energy supply and the resulting economic impact; the second phase ended with the May 16, 2001, presentation of the final report to the President. The Office of the Vice President's (OVP) unwillingness to provide the NEPDG records or other related information precluded GAO from fully achieving its objectives and substantially limited GAO's ability to comprehensively analyze the NEPDG process. associated with that process.

''None of the key federal entities involved in the NEPDG effort provided GAO with a complete accounting of the costs that they incurred during the development of the National Energy Policy report. The two federal entities responsible for funding the NEPDG effort—OVP and the Department of Energy (DOE)—did not provide the comprehensive cost information that GAO requested. OVP provided GAO with 77 pages of information, two-thirds of which contained no cost information while the remaining one-third contained some miscellaneous information of little to no usefulness. OVP stated that it would not provide any additional information. DOE, the Department of the Interior, and the Environmental Protection Agency (EPA) provided GAO with estimates of certain costs and salaries associated with the NEPDG effort, but these estimates, all calculated in different ways, were not comprehensive.''

In 2003, the Commerce Department disclosed a partial collection of materials from the NEPDG, including documents, maps, and charts, dated March 2001, of Iraq's, Saudi Arabia's and the United Arab Emirates' oil fields, pipelines, refineries, tanker terminals, and development projects.

On November 16, 2005, the Washington Post reported on a White House document showing that oil company executives had met with the NEPDG, something that some of those same executives had just that week denied in Congressional testimony. The Bush Administration had not corrected the inaccurate testimony.

On July 18, 2007, the Washington Post reported the full list of names of those who had met with the NEPDG.

In 1998 Kenneth Derr, then chief executive of Chevron, told a San Francisco audience, ''Iraq possesses huge reserves of oil and gas, reserves I'd love Chevron to have access to.'' According to the GAO report, Chevron provided detailed advice to the NEPDG.

In March, 2001, the NEPDG recommended that the United States Government support initiatives by Middle Eastern countries ''to open up areas of their energy sectors to foreign investment.'' Following the invasion of Iraq, the United States has pressured the new Iraqi parliament to pass a hydrocarbon law that would do exactly that. The draft law, if passed, would take the majority of Iraq's oil out of the exclusive hands of the Iraqi Government and open it to international oil companies for a generation or more. The Bush administration hired Bearing Point, a U.S. company, to help write the law in 2004. It was submitted to the Iraqi Council of Representatives in May 2007.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XIV.—MISPRISION OF A FELONY, MISUSE AND EXPOSURE OF CLASSIFIED INFORMATION AND OBSTRUCTION OF JUSTICE IN THE MATTER OF VALERIE PLAME WILSON, CLANDESTINE AGENT OF THE CENTRAL INTELLIGENCE AGENCY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President,

(1) suppressed material information;

(2) selectively declassified information for the improper purposes of retaliating against a whistleblower and presenting a misleading picture of the alleged threat from Iraq;

(3) facilitated the exposure of the identity of Valerie Plame Wilson who had theretofore been employed as a covert CIA operative;

(4) failed to investigate the improper leaks of classified information from within his administration;

(5) failed to cooperate with an investigation into possible federal violations resulting from this activity; and

(6) finally, entirely undermined the prosecution by commuting the sentence of Lewis Libby citing false and insubstantial grounds, all in an effort to prevent Congress and the citizens of the United States from discovering the deceitful nature of the President's claimed justifications for the invasion of Iraq.

In facilitating this exposure of classified information and the subsequent cover-up, in all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XV.—PROVIDING IMMUNITY FROM PROSECUTION FOR CRIMINAL CONTRACTORS IN IRAQ

In his conduct while President of the United States, George W. Bush, in violation

of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, established policies granting United States government contractors and their employees in Iraq immunity from Iraqi law, U.S. law, and international law.

Lewis Paul Bremer III, then-Director of Reconstruction and Humanitarian Assistance for post-war Iraq, on June 27, 2004, issued Coalition Provisional Authority Order Number 17, which granted members of the U.S. military, U.S. mercenaries, and other U.S. contractor employees immunity from Iraqi law.

The Bush Administration has chosen not to apply the Uniform Code of Military Justice or United States law to mercenaries and other contractors employed by the United States government in Iraq.

Operating free of Iraqi or U.S. law, mercenaries have killed many Iraqi civilians in a manner that observers have described as aggression and not as self-defense. Many U.S. contractors have also alleged that they have been the victims of aggression (in several cases of rape) by their fellow contract employees in Iraq. These charges have not been brought to trial, and in several cases the contracting companies and the U.S. State Department have worked together in attempting to cover them up.

Under the Fourth Geneva Convention, to which the United States is party, and which under Article VI of the U.S. Constitution is therefore the supreme law of the United States, it is the responsibility of an occupying force to ensure the protection and human rights of the civilian population. The efforts of President Bush and his subordinates to attempt to establish a lawless zone in Iraq are in violation of the law.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XVI.—RECKLESS MISSPENDING AND WASTE OF US TAX DOLLARS IN CONNECTION WITH IRAQ CONTRACTORS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, recklessly wasted public funds on contracts awarded to close associates, including companies guilty of defrauding the government in the past, contracts awarded without competitive bidding, ''cost-plus'' contracts designed to encourage cost overruns, and contracts not requiring satisfactory completion of the work. These failures have been the rule, not the exception, in the awarding of contracts for work in the United States and abroad over the past seven years. Repeated exposure of fraud and waste has not been met by the president with correction of systemic problems, but rather with retribution against whistleblowers.

The House Committee on Oversight and Government Reform reported on Iraq reconstruction contracting:

''From the beginning, the Administration adopted a flawed contracting approach in Iraq. Instead of maximizing competition, the Administration opted to award no-bid, cost-plus contracts to politically connected contractors. Halliburton's secret $7 billion contract to restore Iraq's oil infrastructure is the prime example. Under this no-bid, cost-plus contract, Halliburton was reimbursed for its costs and then received an additional fee, which was a percentage of its costs. This created an incentive for Halliburton to run up its costs in order to increase its potential profit.

''Even after the Administration claimed it was awarding Iraq contracts competitively in early 2004, real price competition was missing. Iraq was divided geographically and by economic sector into a handful of fiefdoms. Individual contractors were then awarded monopoly contracts for all of the work within given fiefdoms. Because these monopoly contracts were awarded before specific projects were identified, there was no actual price competition for more than 2,000 projects.

''In the absence of price competition, rigorous government oversight becomes essential for accountability. Yet the Administration turned much of the contract oversight work over to private companies with blatant conflicts of interest. Oversight contractors oversaw their business partners and, in some cases, were placed in a position to assist their own construction work under separate monopoly construction contracts. . . .

''Under Halliburton's two largest Iraq contracts, Pentagon auditors found $1 billion in 'questioned' costs and over $400 million in 'unsupported' costs. Former Halliburton employees testified that the company charged $45 for cases of soda, billed $100 to clean 15-pound bags of laundry, and insisted on housing its staff at the five-star Kempinski hotel in Kuwait. Halliburton truck drivers testified that the company 'torched' brand new $85,000 trucks rather than perform relatively minor repairs and regular maintenance. Halliburton procurement officials described the company's informal motto in Iraq as 'Don't worry about price. It's cost-plus.' A Halliburton manager was indicted for 'major fraud against the United States' for allegedly billing more than $5.5 billion for work that should have cost only $685,000 in exchange for a $1 million kickback from a Kuwaiti subcontractor. . . .

''The Air Force found that another U.S. government contractor, Custer Battles, set up shell subcontractors to inflate prices. Those overcharges were passed along to the U.S. government under the company's cost-plus contract to provide security for Baghdad International Airport. In one case, the company allegedly took Iraqi-owned forklifts, re-painted them, and leased them to the U.S. government.

''Despite the spending of billions of taxpayer dollars, U.S. reconstruction efforts in keys sectors of the Iraqi economy are failing. Over two years after the U.S.-led invasion of Iraq, oil and electricity production has fallen below pre-war levels. The Administration has failed to even measure how many Iraqis lack access to drinkable water.''

''Constitution in Crisis,'' a book by Congressman John Conyers, details the Bush Administration's response when contract abuse is made public:

''Bunnatine Greenhouse was the chief contracting officer at the Army Corps of Engineers, the agency that has managed much of the reconstruction work in Iraq. In October 2004, Ms. Greenhouse came forward and revealed that top Pentagon officials showed improper favoritism to Halliburton when awarding military contracts to Halliburton subsidiary Kellogg Brown & Root (KBR). Greenhouse stated that when the Pentagon awarded Halliburton a five-year $7 billion contract, it pressured her to withdraw her objections, actions which she claimed were unprecedented in her experience.

''On June 27, 2005, Ms. Greenhouse testified before Congress, detailing that the contract award process was compromised by improper influence by political appointees, participation by Halliburton officials in meetings where bidding requirements were discussed, and a lack of competition. She stated that the Halliburton contracts represented ''the most blatant and improper contract abuse I have witnessed during the course of my professional career.'' Days before the hearing, the acting general counsel of the Army Corps of Engineers paid Ms. Greenhouse a visit and reportedly let it be known that it would not be in her best interest to appear voluntarily.

''On August 27, 2005, the Army demoted Ms. Greenhouse, removing her from the elite Senior Executive Service and transferring her to a lesser job in the corps' civil works division. As Frank Rich of The New York Times described the situation, '[H]er crime was not obstructing justice but pursuing it by vehemently questioning irregularities in the awarding of some $7 billion worth of no-bid contracts in Iraq to the Halliburton subsidiary Kellogg Brown Root.' The demotion was in apparent retaliation for her speaking out against the abuses, even though she previously had stellar reviews and over 20 years of experience in military procurement.''

The House Committee on Oversight and Government Reform reports on domestic contracting:

''The Administration's domestic contracting record is no better than its record on Iraq. Waste, fraud, and abuse appear to be the rule rather than the exception. . . .

''A Transportation Security Administration (TSA) cost-plus contract with NCS Pearson, Inc., to hire federal airport screeners was plagued by poor management and egregious waste. Pentagon auditors challenged $303 million (over 40%) of the $741 million spent by Pearson under the contract. The auditors detailed numerous concerns with the charges of Pearson and its subcontractors, such as '$20-an-hour temporary workers billed to the government at $48 per hour, subcontractors who signed out $5,000 in cash at a time with no supporting documents, $377,273.75 in unsubstantiated long distance phone calls, $514,201 to rent tents that flooded in a rainstorm, [and] $4.4 million in ''no show'' fees for job candidates who did not appear for tests.' A Pearson employee who supervised Pearson's hiring efforts at 43 sites in the U.S. described the contract as 'a waste a taxpayer's money.' The CEO of one Pearson subcontractor paid herself $5.4 million for nine months work and provided herself with a $270,000 pension. . . .

''The Administration is spending $239 million on the Integrated Surveillance and Intelligence System, a no-bid contract to provide thousands of cameras and sensors to monitor activity on the Mexican and Canadian borders. Auditors found that the contractor, International Microwave Corp., billed for work it never did and charged for equipment it never provided, 'creat[ing] a potential for overpayments of almost $13 million.' Moreover, the border monitoring system reportedly does not work. . . .

''After spending more than $4.5 billion on screening equipment for the nation's entry points, the Department of Homeland Security is now 'moving to replace or alter much of' it because 'it is ineffective, unreliable or

too expensive to operate.' For example, radiation monitors at ports and borders reportedly could not 'differentiate between radiation emitted by a nuclear bomb and naturally occurring radiation from everyday material like cat litter or ceramic tile.' . . .

''The TSA awarded Boeing a cost-plus contract to install over 1,000 explosive detection systems for airline passenger luggage. After installation, the machines 'began to register false alarms' and '[s]creeners were forced to open and hand-check bags.' To reduce the number of false alarms, the sensitivity of the machines was lowered, which reduced the effectiveness of the detectors. Despite these serious problems, Boeing received an $82 million profit that the Inspector General determined to be 'excessive.' . . .

''The FBI spent $170 million on a 'Virtual Case File' system that does not operate as required. After three years of work under a cost-plus contract failed to produce a functional system, the FBI scrapped the program and began work on the new 'Sentinel' Case File System. . . .

''The Department of Homeland Security Inspector General found that taxpayer dollars were being lavished on perks for agency officials. One IG report found that TSA spent over $400,000 on its first leader's executive office suite. Another found that TSA spent $350,000 on a gold-plated gym. . . .

''According to news reports, Pentagon auditors . . . examined a contract between the Transportation Security Administration (TSA) and Unisys, a technology and consulting company, for the upgrade of airport computer networks. Among other irregularities, government auditors found that Unisys may have overbilled for as much as 171,000 hours of labor and overtime by charging for employees at up to twice their actual rate of compensation. While the cost ceiling for the contract was set at $1 billion, Unisys has reportedly billed the government $940 million with more than half of the seven-year contract remaining and more than half of the TSA-monitored airports still lacking upgraded networks.''

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XVII.—ILLEGAL DETENTION: DETAINING INDEFINITELY AND WITHOUT CHARGE PERSONS BOTH U.S. CITIZENS AND FOREIGN CAPTIVES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the US Constitution by illegally detaining indefinitely and without charge persons both US citizens and foreign captives.

In a statement on Feb. 7, 2002, President Bush declared that in the US fight against Al Qaeda, ''none of the provisions of Geneva apply,'' thus rejecting the Geneva Conventions that protect captives in wars and other conflicts. By that time, the administration was already transporting captives from the war in Afghanistan, both alleged Al Qaeda members and supporters, and also Afghans accused of being fighters in the army of the Taliban government, to US-run prisons in Afghanistan and to the detention facility at Guantanamo Bay, Cuba. The round-up and detention without charge of Muslim noncitizens inside the US began almost immediately after the September 11, 2001 attacks on the World Trade Center and the Pentagon, with some being held as long as nine months. The US, on orders of the president, began capturing and detaining without charge alleged terror suspects in other countries and detaining them abroad and at the US Naval base in Guantanamo.

Many of these detainees have been subjected to systematic abuse, including beatings, which have been subsequently documented by news reports, photographic evidence, testimony in Congress, lawsuits, and in the case of detainees in the US, by an investigation conducted by the Justice Department's Office of the Inspector General.

In violation of US law and the Geneva Conventions, the Bush Administration instructed the Department of Justice and the US Department of Defense to refuse to provide the identities or locations of these detainees, despite requests from Congress and from attorneys for the detainees. The president even declared the right to detain US citizens indefinitely, without charge and without providing them access to counsel or the courts, thus depriving them of their constitutional and basic human rights. Several of those US citizens were held in military brigs in solitary confinement for as long as three years before being either released or transferred to civilian detention.

Detainees in US custody in Iraq and Guantanamo have, in violation of the Geneva Conventions, been hidden from and denied visits by the International Red Cross organization, while thousands of others in Iraq, Guantanamo, Afghanistan, ships in foreign off-shore sites, and an unknown number of so-called ''black sites'' around the world have been denied any opportunity to challenge their detentions. The president, acting on his own claimed authority, has declared the hundreds of detainees at Guantanamo Bay to be ''enemy combatants'' not subject to US law and not even subject to military law, but nonetheless potentially liable to the death penalty.

The detention of individuals without due process violates the 5th Amendment. While the Bush administration has been rebuked in several court cases, most recently that of Ali al-Marri, it continues to attempt to exceed constitutional limits.

In all of these actions violating US and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XVIII.—TORTURE: SECRETLY AUTHORIZING, AND ENCOURAGING THE USE OF TORTURE AGAINST CAPTIVES IN AFGHANISTAN, IRAQ, AND OTHER PLACES, AS A MATTER OF OFFICIAL POLICY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the US Constitution by secretly authorizing and encouraging the use of torture against captives in Afghanistan, Iraq in connection with the so-called ''war'' on terror.

In violation of the Constitution, US law, the Geneva Conventions (to which the US is a signatory), and in violation of basic human rights, torture has been authorized by the President and his administration as official policy. Water-boarding, beatings, faked executions, confinement in extreme cold or extreme heat, prolonged enforcement of painful stress positions, sleep deprivation, sexual humiliation, and the defiling of religious articles have been practiced and exposed as routine at Guantanamo, at Abu Ghraib Prison and other US detention sites in Iraq, and at Bagram Air Base in Afghanistan. The president, besides bearing responsibility for authorizing the use of torture, also as Commander in Chief, bears ultimate responsibility for the failure to halt these practices and to punish those responsible once they were exposed.

The administration has sought to claim the abuse of captives is not torture, by redefining torture. An August 1, 2002 memorandum from the Administration's Office of Legal Counsel Jay S. Bybee addressed to White House Counsel Alberto R. Gonzales concluded that to constitute torture, any pain inflicted must be akin to that accompanying ''serious physical injury, such as organ failure, impairment of bodily function, or even death.'' The memorandum went on to state that even should an act constitute torture under that minimal definition, it might still be permissible if applied to ''interrogations undertaken pursuant to the President's Commander-in-Chief powers.'' The memorandum further asserted that ''necessity or self-defense could provide justifications that would eliminate any criminal liability.''

This effort to redefine torture by calling certain practices simply ''enhanced interrogation techniques'' flies in the face of the Third Geneva Convention Relating to the Treatment of Prisoners of War, which states that ''No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind.''

Torture is further prohibited by the Universal Declaration of Human Rights, the paramount international human rights statement adopted unanimously by the United Nations General Assembly, including the United States, in 1948. Torture and other cruel, inhuman or degrading treatment or punishment is also prohibited by international treaties ratified by the United States: the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT).

When the Congress, in the Defense Authorization Act of 2006, overwhelmingly passed a measure banning torture and sent it to the President's desk for signature, the President, who together with his vice president, had fought hard to block passage of the amendment, signed it, but then quietly appended a signing statement in which he pointedly asserted that as Commander-in-Chief, he was not bound to obey its strictures.

The administration's encouragement of and failure to prevent torture of American captives in the wars in Iraq and Afghanistan, and in the battle against terrorism, has undermined the rule of law in the US and in the

US military, and has seriously damaged both the effort to combat global terrorism, and more broadly, America's image abroad. In his effort to hide torture by US military forces and the CIA, the president has defied Congress and has lied to the American people, repeatedly claiming that the US ''does not torture.''

In all of these actions and decisions in violation of US and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XIX.—RENDITION: KIDNAPPING PEOPLE AND TAKING THEM AGAINST THEIR WILL TO ''BLACK SITES'' LOCATED IN OTHER NATIONS, INCLUDING NATIONS KNOWN TO PRACTICE TORTURE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the US Constitution by kidnapping people and renditioning them to ''black sites'' located in other nations, including nations known to practice torture.

The president has publicly admitted that since the 9–11 attacks in 2001, the US has been kidnapping and transporting against the will of the subject (renditioning) in its so-called ''war'' on terror—even people captured by US personnel in friendly nations like Sweden, Germany, Macedonia and Italy—and ferrying them to places like Bagram Airbase in Afghanistan, and to prisons operated in Eastern European countries, African Countries and Middle Eastern countries where security forces are known to practice torture.

These people are captured and held indefinitely, without any charges being filed, and are held without being identified to the Red Cross, or to their families. Many are clearly innocent, and several cases, including one in Canada and one in Germany, have demonstrably been shown subsequently to have been in error, because of a similarity of names or because of misinformation provided to US authorities.

Such a policy is in clear violation of US and International Law, and has placed the United States in the position of a pariah state. The CIA has no law enforcement authority, and cannot legally arrest or detain anyone. The program of ''extraordinary rendition'' authorized by the president is the substantial equivalent of the policies of ''disappearing'' people, practices widely practiced and universally condemned in the military dictatorships of Latin America during the late 20th Century.

The administration has claimed that prior administrations have practiced extraordinary rendition, but, while this is technically true, earlier renditions were used only to capture people with outstanding arrest warrants or convictions who were outside in order to deliver them to stand trial or serve their sentences in the US. The president has refused to divulge how many people have been subject to extraordinary rendition since September, 2001. It is possible that some have died in captivity. As one US official has stated off the record, regarding the program, Some of those who were renditioned were later delivered to Guantanamo, while others were sent there directly. An example of this is the case of six Algerian Bosnians who, immediately after being cleared by the Supreme Court of Bosnia Herzegovina in January 2002 of allegedly plotting to attack the US and UK embassies, were captured, bound and gagged by US special forces and renditioned to Guantanamo.

In perhaps the most egregious proven case of rendition, Maher Arar, a Canadian citizen born in Syria, was picked up in September 2002 while transiting through New York's JFK airport on his way home to Canada. Immigration and FBI officials detained and interrogated him for nearly two weeks, illegally denying him his rights to access counsel, the Canadian consulate, and the courts. Executive branch officials asked him if he would volunteer to go to Syria, where he hadn't been in 15 years, and Maher refused

Maher was put on a private jet plane operated by the CIA and sent to Jordan, where he was beaten for 8 hours, and then delivered to Syria, where he was beaten and interrogated for 18 hours a day for a couple of weeks. He was whipped on his back and hands with a 2 inch thick electric cable and asked questions similar to those he had been asked in the United States. For over ten months Maher was held in an underground grave-like cell—$3 \times 6 \times 7$ feet—which was damp and cold, and in which the only light came in through a hole in the ceiling. After a year of this, Maher was released without any charges. He is now back home in Canada with his family. Upon his release, the Syrian Government announced he had no links to Al Qaeda, and the Canadian Government has also said they've found no links to Al Qaeda. The Canadian Government launched a Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, to investigate the role of Canadian officials, but the Bush Administration has refused to cooperate with the Inquiry.

Hundreds of flights of CIA-chartered planes have been documented as having passed through European countries on extraordinary rendition missions like that involving Maher Arar, but the administration refuses to state how many people have been subjects of this illegal program.

The same U.S. laws prohibiting aiding and abetting torture also prohibit sending someone to a country where there is a substantial likelihood they may be tortured. Article 3 of CAT prohibits forced return where there is a ''substantial likelihood'' that an individual ''may be in danger of'' torture, and has been implemented by federal statute. Article 7 of the ICCPR prohibits return to country of origin where individuals may be ''at risk'' of either torture or cruel, inhuman or degrading treatment.

Under international Human Rights law, transferring a POW to any nation where he or she is likely to be tortured or inhumanely treated violates Article 12 of the Third Geneva Convention, and transferring any civilian who is a protected person under the Fourth Geneva Convention is a grave breach and a criminal act.

In situations of armed conflict, both international human rights law and humanitarian law apply. A person captured in the zone of military hostilities ''must have some status under international law; he is either a prisoner of war and, as such, covered by the Third Convention, [or] a civilian covered by the Fourth Convention. . . . There is no intermediate status; nobody in enemy hands can be outside the law.'' Although the state is obligated to repatriate Prisoners of War as soon as hostilities cease, the ICRC's commentary on the 1949 Conventions states that prisoners should not be repatriated where there are serious reasons for fearing that repatriating the individual would be contrary to general principles of established international law for the protection of human beings Thus, all of the Guantanamo detainees as well as renditioned captives are protected by international human rights protections and humanitarian law.

By his actions as outlined above, the President has abused his power, broken the law, deceived the American people, and placed American military personnel, and indeed all Americans—especially those who may travel or live abroad—at risk of similar treatment. Furthermore, in the eyes of the rest of the world, the President has made the US, once a model of respect for Human Rights and respect for the rule of law, into a state where international law is neither respected nor upheld.

In all of these actions and decisions in violation of United States and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XX.—IMPRISONING CHILDREN

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, authorized or permitted the arrest and detention of at least 2500 children under the age of 18 as ''enemy combatants'' in Iraq, Afghanistan, and at Guantanamo Bay Naval Station in violation of the Fourth Geneva Convention relating to the treatment of ''protected persons'' and the Optional Protocol to the Geneva Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, signed by the US in 2002 . To wit:

In May 2008, the US government reported to the United Nations that it has been holding upwards of 2,500 children under the age of 18 as ''enemy combatants'' at detention centers in Iraq, Afghanistan and at Guantanamo Bay (where there was a special center, Camp Iguana, established just for holding children). The length of these detentions has frequently exceeded a year, and in some cases has stretched to five years. Some of these detainees have reached adulthood in detention and are now not being reported as child detainees because they are no longer children.

In addition to detaining children as ''enemy combatants,'' it has been widely reported in media reports that the US military in Iraq has, based upon Pentagon rules of engagement, been treating boys as young as 14 years of age as ''potential combatants,'' subject to arrest and even to being killed. In Fallujah, in the days ahead of the November 2004 all-out assault, Marines ringing the city were reported to be turning back into the city men and boys ''of combat age'' who were trying to flee the impending scene of battle—an act which in itself is a violation of the Geneva Conventions, which require combatants to permit anyone, combatants as well as civilians, to surrender, and to leave the scene of battle.

Under the Fourth Geneva Convention, to which the United States has been a signatory since 1949, children under the age of 15 captured in conflicts, even if they have been fighting, are to be considered victims, not prisoners. In 2002, the United States signed the Optional Protocol to the Geneva Convention on the Rights of the Child on the Involvement of children in Armed Conflict, which raised this age for this category of ''protected person'' to under 18.

The continued detention of such children, some as young as 10, by the US military is a violation of both convention and protocol, and as such constitutes a war crime for which the president, as commander in chief, bears full responsibility.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXI.—MISLEADING CONGRESS AND THE AMERICAN PEOPLE ABOUT THREATS FROM IRAN, AND SUPPORTING TERRORIST ORGANIZATIONS WITHIN IRAN, WITH THE GOAL OF OVERTHROWING THE IRANIAN GOVERNMENT

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has both personally and acting through his agents and subordinates misled the Congress and the citizens of the United States about a threat of nuclear attack from the nation of Iran.

The National Intelligence Estimate released to Congress and the public on December 4, 2007, which confirmed that the government of the nation of Iran had ceased any efforts to develop nuclear weapons, was completed in 2006. Yet, the president and his aides continued to suggest during 2007 that such a nuclear threat was developing and might already exist. National Security Adviser Stephen Hadley stated at the time the National Intelligence Estimate regarding Iran was released that the president had been briefed on its findings ''in the last few months.'' Hadley's statement establishes a timeline that shows the president knowingly sought to deceive Congress and the American people about a nuclear threat that did not exist.

Hadley has stated that the president ''was basically told: stand down'' and, yet, the president and his aides continued to make false claims about the prospect that Iran was trying to ''build a nuclear weapon'' that could lead to ''World War III.''

This evidence establishes that the president actively engaged in and had full knowledge of a campaign by his administration to make a false ''case'' for an attack on Iran, thus warping the national security debate at a critical juncture and creating the prospect of an illegal and unnecessary attack on a sovereign nation.

Even after the National Intelligence Estimate was released to Congress and the American people, the president stated that he did not believe anything had changed and suggested that he and members of his administration would continue to argue that Iran should be seen as posing a threat to the United States. He did this despite the fact that United States intelligence agencies had clearly and officially stated that this was not the case.

Evidence suggests that the Bush Administration's attempts to portray Iran as a threat are part of a broader U.S. policy toward Iran. On September 30, 2001, then-Secretary of Defense Donald Rumsfeld established an official military objective of overturning the regime in Iran, as well as those in Iraq, Syria, and four other countries in the Middle East, according to a document quoted in then-Undersecretary of Defense for Policy Douglas Feith's book, ''War and Decision.''

General Wesley Clark, reports in his book ''Winning Modern Wars'' being told by a friend in the Pentagon in November 2001 that the list of governments that Rumsfeld and Deputy Secretary of Defense Paul Wolfowitz planned to overthrow included Iraq, Iran, Syria, Libya, Sudan, and Somalia. Clark writes that the list also included Lebanon.

Journalist Gareth Porter reported in May 2008 asking Feith at a public event which of the six regimes on the Clark list were included in the Rumsfeld paper, to which Feith replied ''All of them.''

Rumsfeld's aides also drafted a second version of the paper, as instructions to all military commanders in the development of ''campaign plans against terrorism''. The paper called for military commanders to assist other government agencies ''as directed'' to ''encourage populations dominated by terrorist organizations or their supporters to overthrow that domination.''

In January 2005, Seymour Hersh reported in the New Yorker Magazine that the Bush Administration had been conducting secret reconnaissance missions inside Iran at least since the summer of 2004.

In June 2005 former United Nations weapons inspector Scott Ritter reported that United States security forces had been sending members of the Mujahedeen-e Khalq (MEK) into Iranian territory. The MEK has been designated a terrorist organization by the United States, the European Union, Canada, Iraq, and Iran. Ritter reported that the United States Central Intelligence Agency (CIA) had used the MEK to carry out remote bombings in Iran.

In April 2006, Hersh reported in the New Yorker Magazine that U.S. combat troops had entered and were operating in Iran, where they were working with minority groups including the Azeris, Baluchis, and Kurds.

Also in April 2006, Larisa Alexandrovna reported on Raw Story that the U.S. Department of Defense (DOD) was working with and training the MEK, or former members of the MEK, sending them to commit acts of violence in southern Iran in areas where recent attacks had left many dead. Raw Story reported that the Pentagon had adopted the policy of supporting MEK shortly after the 2003 invasion of Iraq, and in response to the influence of Vice President Richard B. Cheney's office. Raw Story subsequently reported that no Presidential finding, and no Congressional oversight, existed on MEK operations.

In March 2007, Hersh reported in the New Yorker Magazine that the Bush administration was attempting to stem the growth of Shiite influence in the Middle East (specifically the Iranian government and Hezbollah in Lebanon) by funding violent Sunni organizations, without any Congressional authorization or oversight. Hersh said funds had been given to ''three Sunni jihadist groups . . . connected to al Qaeda'' that ''want to take on Hezbollah.''

In April 2008, the Los Angeles Times reported that conflicts with insurgent groups along Iran's borders were understood by the Iranian government as a proxy war with the United States and were leading Iran to support its allies against the United States' occupation force in Iraq. Among the groups the U.S. DOD is supporting, according to this report, is the Party for Free Life in Kurdistan, known by its Kurdish acronym, PEJAK. The United States has provided ''foodstuffs, economic assistance, medical supplies and Russian military equipment, some of it funneled through nonprofit groups.''

In May 2008, Andrew Cockburn reported on Counter Punch that President Bush, six weeks earlier had signed a secret finding authorizing a covert offensive against the Iranian regime. President Bush's secret directive covers actions across an area stretching from Lebanon to Afghanistan, and purports to sanction actions up to and including the funding of organizations like the MEK and the assassination of public officials.

All of these actions by the president and his agents and subordinates exhibit a disregard for the truth and a recklessness with regard to national security, nuclear proliferation and the global role of the United States military that is not merely unacceptable but dangerous in a commander-in-chief.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXII—CREATING SECRET LAWS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, established a body of secret laws through the issuance of legal opinions by the Department of Justice's Office of Legal Counsel (OLC).

The OLC's March 14, 2003, interrogation memorandum (''Yoo Memorandum'') was declassified years after it served as law for the executive branch. On April 29, 2008, House Judiciary Committee Chairman John Conyers and Subcommittee on the Constitution, Civil Rights and Civil Liberties Chairman Jerrold Nadler wrote in a letter to Attorney General Michael Mukasey:

''It appears to us that there was never any legitimate basis for the purely legal analysis contained in this document to be classified in the first place. The Yoo Memorandum does not describe sources and methods of intelligence gathering, or any specific facts regarding any interrogation activities. Instead, it consists almost entirely of the Department's legal views, which are not properly kept secret from Congress and the American people. J. William Leonard, the Director of the National Archive's Office of Information Security Oversight Office, and a top expert in this field concurs, commenting that '[t]he document in question is purely a legal analysis' that contains 'nothing which would justify classification.' In addition, the Yoo Memorandum suggests an extraordinary breadth and aggressiveness of OLC's secret legal opinion-making. Much attention has rightly been given to the statement in footnote 10 in the March 14, 2003, memorandum that, in an October 23, 2001, opinion, OLC concluded 'that the Fourth Amendment had no application to domestic military operations.' As you know, we have requested a

copy of that memorandum on no less than four prior occasions and we continue to demand access to this important document.

''In addition to this opinion, however, the Yoo Memorandum references at least 10 other OLC opinions on weighty matters of great interest to the American people that also do not appear to have been released. These appear to cover matters such as the power of Congress to regulate the conduct of military commissions, legal constraints on the 'military detention of United States citizens,' legal rules applicable to the boarding and searching foreign ships, the President's authority to render U.S. detainees to the custody of foreign governments, and the President's authority to breach or suspend U.S. treaty obligations. Furthermore, it has been more than five years since the Yoo Memorandum was authored, raising the question how many other such memoranda and letters have been secretly authored and utilized by the Administration.

''Indeed, a recent court filing by the Department in FOIA litigation involving the Central Intelligence Agency identifies 8 additional secret OLC opinions, dating from August 6, 2004, to February 18, 2007. Given that these reflect only OLC memoranda identified in the files of the CIA, and based on the sampling procedures under which that listing was generated, it appears that these represent only a small portion of the secret OLC memoranda generated during this time, with the true number almost certainly much higher.''

Senator Russ Feingold, in a statement during an April 30, 2008, senate hearing stated:

''It is a basic tenet of democracy that the people have a right to know the law. In keeping with this principle, the laws passed by Congress and the case law of our courts have historically been matters of public record. And when it became apparent in the middle of the 20th century that federal agencies were increasingly creating a body of nonpublic administrative law, Congress passed several statutes requiring this law to be made public, for the express purpose of preventing a regime of 'secret law.' That purpose today is being thwarted. Congressional enactments and agency regulations are for the most part still public. But the law that applies in this country is determined not only by statutes and regulations, but also by the controlling interpretations of courts and, in some cases, the executive branch. More and more, this body of executive and judicial law is being kept secret from the public, and too often from Congress as well. . . .

''A legal interpretation by the Justice Department's Office of Legal Counsel . . . binds the entire executive branch, just like a regulation or the ruling of a court. In the words of former OLC head Jack Goldsmith, 'These executive branch precedents are ''law'' for the executive branch.' The Yoo memorandum was, for a nine-month period in 2003 until it was withdrawn by Mr. Goldsmith, the law that this Administration followed when it came to matters of torture. And of course, that law was essentially a declaration that few if any laws applied . . .

''Another body of secret law is the controlling interpretations of the Fo reign Intelligence Surveillance Act that are issued by the Foreign Intelligence Surveillance Court. FISA, of course, is the law that governs the government's ability in intelligence investigations to conduct wiretaps and search the homes of people in the United States. Under that statute, the FISA Court is directed to evaluate wiretap and search warrant applications and decide whether the standard for issuing a warrant has been met—a largely factual evaluation that is properly done behind closed doors. But with the evolution of technology and with this Administration's efforts to get the Court's blessing for its illegal wiretapping activities, we now know that the Court's role is broader, and that it is very much engaged in substantive interpretations of the governing statute. These interpretations are as much a part of this country's surveillance law as the statute itself. Without access to them, it is impossible for Congress or the public to have an informed debate on matters that deeply affect the privacy and civil liberties of all Americans . . .

''The Administration's shroud of secrecy extends to agency rules and executive pronouncements, such as Executive Orders, that carry the force of law. Through the diligent efforts of my colleague Senator Whitehouse, we have learned that OLC has taken the position that a President can 'waive' or 'modify' a published Executive Order without any notice to the public or Congress simply by not following it.''

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXIII—VIOLATION OF THE POSSE COMITATUS ACT

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, repeatedly and illegally established programs to appropriate the power of the military for use in law enforcement. Specifically, he has contravened U.S.C. Title 18, Section 1385, originally enacted in 1878, subsequently amended as ''Use of Army and Air Force as Posse Comitatus'' and commonly known as the Posse Comitatus Act.

The Act states:

''Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both.''

The Posse Comitatus Act is designed to prevent the military from becoming a national police force.

The Declaration of Independence states as a specific grievance against the British that the King had ''kept among us, in times of peace, Standing Armies without the consent of our legislatures,'' had ''affected to render the Military independent of and superior to the civil power,'' and had ''quarter[ed] large bodies of armed troops among us . . . protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States''

Despite the Posse Comitatus Act's intent, and in contravention of the law, President Bush:

(a) has used military forces for law enforcement purposes on U.S. border patrol;

(b) has established a program to use military personnel for surveillance and information on criminal activities;

(c) is using military espionage equipment to collect intelligence information for law enforcement use on civilians within the United States; and

(d) employs active duty military personnel in surveillance agencies, including the Central Intelligence Agency (CIA).

In June 2006, President Bush ordered National Guard troops deployed to the border shared by Mexico with Arizona, Texas, and California. This deployment, which by 2007 reached a maximum of 6,000 troops, had orders to ''conduct surveillance and operate detection equipment, work with border entry identification teams, analyze information, assist with communications and give administrative support to the Border Patrol'' and concerned ''. . . providing intelligence, inspecting cargo, and conducting surveillance.''

The Air Force's ''Eagle Eyes'' program encourages Air Force military staff to gather evidence on American citizens. Eagle Eyes instructs Air Force personnel to engage in surveillance and then advises them to ''alert local authorities,'' asking military staff to surveil and gather evidence on public citizens. This contravenes DoD Directive 5525.5 ''SUBJECT: DoD Cooperation with Civilian Law Enforcement'' which limits such activities.

President Bush has implemented a program to use imagery from military satellites for domestic law enforcement through the National Applications Office.

President Bush has assigned numerous active duty military personnel to civilian institutions such as the CIA and the Department of Homeland Security, both of which have responsibilities for law enforcement and intelligence.

In addition, on May 9, 2007, President Bush released ''National Security Presidential Directive/NSPD 51,'' which effectively gives the president unchecked power to control the entire government and to define that government in time of an emergency, as well as the power to determine whether there is an emergency. The document also contains ''classified Continuity Annexes.'' In July 2007 and again in August 2007 Rep. Peter DeFazio, a senior member of the House Homeland Security Committee, sought access to the classified annexes. DeFazio and other leaders of the Homeland Security Committee, including Chairman Bennie Thompson, have been denied a review of the Continuity of Government classified annexes.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXIV.—SPYING ON AMERICAN CITIZENS, WITHOUT A COURT-ORDERED WARRANT, IN VIOLATION OF THE LAW AND THE FOURTH AMENDMENT

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and

subordinates, knowingly violated the fourth Amendment to the Constitution and the Foreign Intelligence Service Act of 1978 (FISA) by authorizing warrantless electronic surveillance of American citizens to wit:

(1) The President was aware of the FISA Law requiring a court order for any wiretap as evidenced by the following:

(A) ''Now, by the way, any time you hear the United States government talking about wiretap, it requires—a wiretap requires a court order. Nothing has changed, by the way. When we're talking about chasing down terrorists, we're talking about getting a court order before we do so.'' White House Press conference on April 20, 2004. [White House Transcript]

(B) ''Law enforcement officers need a federal judge's permission to wiretap a foreign terrorist's phone, or to track his calls, or to search his property. Officers must meet strict standards to use any of the tools we're talking about.'' President Bush's speech in Baltimore Maryland on July 20th 2005. [White House Transcript]

(2) The President repeatedly ordered the NSA to place wiretaps on American citizens without requesting a warrant from FISA as evidenced by the following:

(A) ''Months after the Sept. 11 attacks, President Bush secretly authorized the National Security Agency to eavesdrop on Americans and others inside the United States to search for evidence of terrorist activity without the court-approved warrants ordinarily required for domestic spying, according to government officials.'' New York Times article by James Risen and Eric Lichtblau on December 12, 2005. [NYTimes]

(B) The President admits to authorizing the program by stating ''I have reauthorized this program more than 30 times since the September the 11th attacks, and I intend to do so for as long as our nation faces a continuing threat from al Qaeda and related groups. The NSA's activities under this authorization are thoroughly reviewed by the Justice Department and NSA's top legal officials, including NSA's general counsel and inspector general. Leaders in Congress have been briefed more than a dozen times on this authorization and the activities conducted under it.'' Radio Address from the White House on December 17, 2005. [White House Transcript]

(C) In a December 19th 2005 press conference the President publicly admitted to using a combination of surveillance techniques including some with permission from the FISA courts and some without permission from FISA.

Reporter: It was, why did you skip the basic safeguards of asking courts for permission for the intercepts?

The President: . . . We use FISA still—you're referring to the FISA court in your question—of course, we use FISAs. But FISA is for long-term monitoring. What is needed in order to protect the American people is the ability to move quickly to detect. Now, having suggested this idea, I then, obviously, went to the question, is it legal to do so? I am—I swore to uphold the laws. Do I have the legal authority to do this? And the answer is, absolutely. As I mentioned in my remarks, the legal authority is derived from the Constitution, as well as the authorization of force by the United States Congress.'' [White House Transcript]

(D) Mike McConnel, the Director of National Intelligence, in a letter to to Senator Arlen Specter, acknowledged that Bush's Executive Order in 2001 authorized a series of secret surveillance activities and included undisclosed activities beyond the warrantless surveillance of e-mails and phone calls that Bush confirmed in December 2005. ''NSA Spying Part of Broader Effort'' by Dan Eggen, Washington Post, 8/1/07.

(3) The President ordered the surveillance to be conducted in a way that would spy upon private communications between American citizens located within the United States borders as evidenced by the following:

(A) Mark Klein, a retired AT&T communications technician, submitted an affidavit in support of the Electronic Frontier Foundation's FF's lawsuit against AT&T. He testified that in 2003 he connected a ''splitter'' that sent a copy of Internet traffic and phone calls to a secure room that was operated by the NSA in the San Francisco office of AT&T. He heard from a co-worker that similar rooms were being constructed in other cities, including Seattle, San Jose, Los Angeles and San Diego. From ''Whistle-Blower Outs NSA Spy Room,'' Wired News, 4/7/06 [Wired] [EFF Case]

(4) The President asserted an inherent authority to conduct electronic surveillance based on the Constitution and the ''Authorization to use Military Force in Iraq'' (AUMF) that was not legally valid as evidenced by the following:

(A) In a December 19th, 2005 Press Briefing General Alberto Gonzales admitted that the surveillance authorized by the President was not only done without FISA warrants, but that the nature of the surveillance was so far removed from what FISA can approve that FISA could not even be amended to allow it. Gonzales stated ''We have had discussions with Congress in the past—certain members of Congress—as to whether or not FISA could be amended to allow us to adequately deal with this kind of threat, and we were advised that that would be difficult, if not impossible.''.

(B) The fourth amendment to the United States Constitution states ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

(C) ''The Foreign Intelligence Surveillance Act of 1978 unambiguously limits warrantless domestic electronic surveillance, even in a congressionally declared war, to the first 15 days of that war; criminalizes any such electronic surveillance not authorized by statute; and expressly establishes FISA and two chapters of the federal criminal code, governing wiretaps for intelligence purposes and for criminal investigation, respectively, as the ''exclusive means by which electronic surveillance . . . and the interception of domestic wire, oral, and electronic communications may be conducted.'' 50 U.S.C. 1811, 1809, 18 U.S.C. 2511(2)(f).'' Letter from Harvard Law Professor Lawrence Tribe to John Conyers on 1/6/06.

(D) In a December 19th, 2005 Press Briefing Attorney General Alberto Gonzales stated ''Our position is, is that the authorization to use force, which was passed by the Congress in the days following September 11th, constitutes that other authorization, that other statute by Congress, to engage in this kind of signals intelligence.''

(E) The ''Authorization to use Military Force in Iraq'' does not give any explicit authorization related to electronic surveillance. [HJRes114]

(F) ''From the foregoing analysis, it appears unlikely that a court would hold that Congress has expressly or impliedly authorized the NSA electronic surveillance operations here under discussion, and it would likewise appear that, to the extent that those surveillances fall within the definition of ''electronic surveillance'' within the meaning of FISA or any activity regulated under Title III, Congress intended to cover the entire field with these statutes.'' From the ''Presidential Authority to Conduct Warrantless Electronic Surveillance to Gather Foreign Intelligence Information'' by the Congressional Research Service on January 5, 2006.

(G) ''The inescapable conclusion is that the AUMF did not implicitly authorize what the FISA expressly prohibited. It follows that the presidential program of surveillance at issue here is a violation of the separation of powers—as grave an abuse of executive authority as I can recall ever having studied.'' Letter from Harvard Law Professor Lawrence Tribe to John Conyers on 1/6/06.

(H) On August 17, 2006 Judge Anna Diggs Taylor of the United States District Court in Detroit, in ACLU v. NSA, ruled that the ''NSA program to wiretap the international communications of some Americans without a court warrant violated the Constitution. . . . Judge Taylor ruled that the program violated both the Fourth Amendment and a 1978 law that requires warrants from a secret court for intelligence wiretaps involving people in the United States. She rejected the administration's repeated assertions that a 2001 Congressional authorization and the president's constitutional authority allowed the program.'' From a New York Times article ''Judge Finds Wiretap Actions Violate the Law'' 8/18/06 and the Memorandum Opinion.

(I) In July 2007, the Sixth Circuit Court of Appeals dismissed the case, ruling the plaintiffs had no standing to sue because, given the secretive nature of the surveillance, they could not state with certainty that they have been wiretapped by the NSA. This ruling did not address the legality of the surveillance so Judge Taylor's decision is the only ruling on that issue. [ACLU Legal Documents]

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXV.—DIRECTING TELECOMMUNICATIONS COMPANIES TO CREATE AN ILLEGAL AND UNCONSTITUTIONAL DATABASE OF THE PRIVATE TELEPHONE NUMBERS AND EMAILS OF AMERICAN CITIZENS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, violated the Stored Communications Act of 1986 and the Telecommunications Act of 1996 by creating of a very large database containing information related to the private telephone calls and emails of American citizens, to wit:

The President requested that telecommunication companies release customer phone records to the government illegally as evidenced by the following:

''The Stored Communications Act of 1986 (SCA) prohibits the knowing disclosure of customer telephone records to the government unless pursuant to subpoena, warrant or a National Security Letter (or other Administrative subpoena); with the customers lawful consent; or there is a business necessity; or an emergency involving the danger

of death or serious physical injury. None of these exceptions apply to the circumstance described in the USA Today story.'' From page 169, ''George W Bush versus the US Constitution.'' Compiled at the direction of Representative John Conyers.

According to a May 11, 2006 article in USA Today by Lesley Cauley ''The National Security Agency has been secretly collecting the phone call records of tens of millions of Americans, using data provided by AT&T, Verizon and BellSouth.'' An unidentified source said 'The agency's goal is to create a database of every call ever made within the nation's borders.''

In early 2001, Qwest CEO Joseph Nacchio rejected a request from the NSA to turn over customers records of phone calls, emails and other Internet activity. Nacchio believed that complying with the request would violate the Telecommunications Act of 1996. From National Journal, November 2, 2007.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXVI.—ANNOUNCING THE INTENT TO VIOLATE LAWS WITH SIGNING STATEMENTS, AND VIOLATING THOSE LAWS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has used signing statements to claim the right to violate acts of Congress even as he signs them into law.

In June 2007, the Government Accountability Office reported that in a sample of Bush signing statements the office had studied, for 30 percent of them the Bush administration had already proceeded to violate the laws the statements claimed the right to violate.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXVII.—FAILING TO COMPLY WITH CONGRESSIONAL SUBPOENAS AND INSTRUCTING FORMER EMPLOYEES NOT TO COMPLY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, refused to comply with Congressional subpoenas, and instructed former employees not to comply with subpoenas.

Subpoenas not complied with include:

A House Judiciary Committee subpoena for Justice Department papers and Emails, issued April 10, 2007;

A House Oversight and Government Reform Committee subpoena for the testimony of the Secretary of State, issued April 25, 2007;

A House Judiciary Committee subpoena for the testimony of former White House Counsel Harriet Miers and documents, issued June 13, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Chief of Staff Joshua Bolten, issued June 13, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Political Director Sara Taylor, issued June 13, 2007 (Taylor appeared but refused to answer questions);

A Senate Judiciary Committee subpoena for documents and testimony of White House Deputy Chief of Staff Karl Rove, issued June 26, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Deputy Political Director J. Scott Jennings, issued June 26, 2007 (Jennings appeared but refused to answer questions);

A Senate Judiciary Committee subpoena for legal analysis and other documents concerning the NSA warrantless wiretapping program from the White House, Vice President Richard Cheney, The Department of Justice, and the National Security Council. If the documents are not produced, the subpoena requires the testimony of White House chief of staff Josh Bolten, Attorney General Alberto Gonzales, Cheney chief of staff David Addington, National Security Council executive director V. Philip Lago, issued June 27, 2007;

A House Oversight and Government Reform Committee subpoena for Lt. General Kensinger.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXVIII.—TAMPERING WITH FREE AND FAIR ELECTIONS, CORRUPTION OF THE ADMINISTRATION OF JUSTICE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, conspired to undermine and tamper with the conduct of free and fair elections, and to corrupt the administration of justice by United States Attorneys and other employees of the Department of Justice, through abuse of the appointment power.

Toward this end, the President and Vice President, both personally and through their agents, did:

Engage in a program of manufacturing false allegations of voting fraud in targeted jurisdictions where the Democratic Party enjoyed an advantage in electoral performance or otherwise was problematic for the President's Republican Party, in order that public confidence in election results favorable to the Democratic Party be undermined;

Direct United States Attorneys to launch and announce investigations of certain leaders, candidates and elected officials affiliated with the Democratic Party at times calculated to cause the most political damage and confusion, most often in the weeks immediately preceding an election, in order that public confidence in the suitability for office of Democratic Party leaders, candidates and elected officials be undermined;

Direct United States Attorneys to terminate or scale back existing investigations of certain Republican Party leaders, candidates and elected officials allied with the George W. Bush administration, and to refuse to pursue new or proposed investigations of certain Republican Party leaders, candidates and elected officials allied with the George W. Bush administration, in order that public confidence in the suitability of such Republican Party leaders, candidates and elected officials be bolstered or restored;

Threaten to terminate the employment of the following United States Attorneys who refused to comply with such directives and purposes;

David C. Iglesias as U.S. Attorney for the District of New Mexico;

Kevin V. Ryan as U.S. Attorney for the Northern District of California;

John L. McKay as U.S. Attorney for the Western District of Washington;

Paul K. Charlton as U.S. Attorney for the District of Arizona;

Carol C. Lam as U.S. Attorney for the Southern District of California;

Daniel G. Bogden as U.S. Attorney for the District of Nevada;

Margaret M. Chiara as U.S. Attorney for the Western District of Michigan;

Todd Graves as U.S. Attorney for the Western District of Missouri;

Harry E. ''Bud'' Cummins, III as U.S. Attorney for the Eastern District of Arkansas;

Thomas M. DiBiagio as U.S. Attorney for the District of Maryland, and;

Kasey Warner as U.S. Attorney for the Southern District of West Virginia.

Further, George W. Bush has both personally and acting through his agents and subordinates, together with the Vice President conspired to obstruct the lawful Congressional investigation of these dismissals of United States Attorneys and the related scheme to undermine and tamper with the conduct of free and fair elections, and to corrupt the administration of justice.

Contrary to his oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, George W. Bush has without lawful cause or excuse directed not to appear before the Committee on the Judiciary of the House of Representatives certain witnesses summoned by duly authorized subpoenas issued by that Committee on June 13, 2007.

In refusing to permit the testimony of these witnesses George W. Bush, substituting his judgment as to what testimony was necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the checking and balancing power of oversight vested in the House of Representatives.

Further, the President has both personally and acting through his agents and subordinates, together with the Vice President directed the United States Attorney for the District of Columbia to decline to prosecute for contempt of Congress the aforementioned witnesses, Joshua B. Bolten and Harriet E. Miers, despite the obligation to do so as established by statute (2 USC §194) and pursuant to the direction of the United States House of Representatives as embodied in its resolution (H. Res. 982) of February 14, 2008.

In all of these actions and decisions, President George W. Bush has acted in a manner

contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXIX.—CONSPIRACY TO VIOLATE THE VOTING RIGHTS ACT OF 1965

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed,'' has both personally and acting through his agents and subordinates, has willfully corrupted and manipulated the electoral process of the United States for his personal gain and the personal gain of his co-conspirators and allies; has violated the United States Constitution and law by failing to protect the civil rights of African-American voters and others in the 2004 Election, and has impeded the right of the people to vote and have their vote properly and accurately counted, in that:

A. On November 5, 2002, and prior thereto, James Tobin, while serving as the regional director of the National Republican Senatorial Campaign Committee and as the New England Chairman of Bush-Cheney '04 Inc., did, at the direction of the White House under the administration of George W. Bush, along with other agents both known and unknown, commit unlawful acts by aiding and abetting a scheme to use computerized hang-up calls to jam phone lines set up by the New Hampshire Democratic Party and the Manchester firefighters' union on Election Day;

B. An investigation by the Democratic staff of the House Judiciary Committee into the voting procedures in Ohio during the 2004 election found ''widespread instances of intimidation and misinformation in violation of the Voting Rights Act, the Civil Rights Act of 1968, Equal Protection, Due Process and the Ohio right to vote;''

C. The 14th Amendment Equal Protection Clause guarantees that no minority group will suffer disparate treatment in a federal, state, or local election in stating that: ''No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'' However, during and at various times of the year 2004, John Kenneth Blackwell, then serving as the Secretary of State for the State of Ohio and also serving simultaneously as Co-Chairman of the Committee to Re-Elect George W. Bush in the State of Ohio, did, at the direction of the White House under the administration of George W. Bush, along with other agents both known and unknown, commit unlawful acts in violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution by failing to protect the voting rights of African-American citizens in Ohio and further, John Kenneth Blackwell did disenfranchise African-American voters under color of law, by

(i) Willfully denying certain neighborhoods in the cities of Cleveland, Ohio and Columbus, Ohio, along with other urban areas in the State of Ohio, an adequate number of electronic voting machines and provisional paper ballots, thereby unlawfully impeding duly registered voters from the act of voting and thus violating the civil rights of an unknown number of United States citizens.

a. In Franklin County, George W. Bush and his agent, Ohio Secretary of State John Kenneth Blackwell, Co-Chair of the Bush-Cheney Re-election Campaign, failed to protect the rights of African-American voters by not properly investigating the withholding of 125 electronic voting machines assigned to the city of Columbus.

b. Forty-two African-American precincts in Columbus were each missing one voting machine that had been present in the 2004 primary.

c. African-American voters in the city of Columbus were forced to wait three to seven hours to vote in the 2004 presidential election.

(ii) Willfully issuing unclear and conflicting rules regarding the methods and manner of becoming a legally registered voter in the State of Ohio, and willfully issuing unclear and unnecessary edicts regarding the weight of paper registration forms legally acceptable to the State of Ohio, thereby creating confusion for both voters and voting officials and thus impeding the right of an unknown number of United States citizens to register and vote.

a. Ohio Secretary of State John Kenneth Blackwell directed through Advisory 2004–31 that voter registration forms, which were greatest in urban minority areas, should not be accepted and should be returned unless submitted on 80 bond paper weight. Blackwell's own office was found to be using 60 bond paper weight.

(iii) Willfully permitted and encouraged election officials in Cleveland, Cincinnati and Toledo to conduct a massive partisan purge of registered voter rolls, eventually expunging more than 300,000 voters, many of whom were duly registered voters, and who were thus deprived of their constitutional right to vote;

a. Between the 2000 and 2004 Ohio presidential elections, 24.93% of the voters in the city of Cleveland, a city with a majority of African American citizens, were purged from the voting rolls.

b. In that same period, the Ohio county of Miami, with census data indicating a 98% Caucasian population, refused to purge any voters from its rolls. Miami County ''merged'' voters from other surrounding counties into its voting rolls and even allowed voters from other states to vote.

c. In Toledo, Ohio, an urban city with a high African-American concentration, 28,000 voters were purged from the voting rolls in August of 2004, just prior to the presidential election. This purge was conducted under the control and direction of George W. Bush's agent, Ohio Secretary of State John Kenneth Blackwell outside of the regularly established cycle of purging voters in odd-numbered years.

(iv) Willfully allowing Ohio Secretary of State John Kenneth Blackwell, acting under color of law and as an agent of George W. Bush, to issue a directive that no votes would be counted unless cast in the right precinct, reversing Ohio's long-standing practice of counting votes for president if cast in the right county.

(v) Willfully allowing his agent, Ohio Secretary of State John Kenneth Blackwell, the Co-Chair of the Bush-Cheney Re-election Campaign, to do nothing to assure the voting rights of 10,000 people in the city of Cleveland when a computer error by the private vendor Diebold Election Systems, Inc. incorrectly disenfranchised 10,000 voters

(vi) Willfully allowing his agent, Ohio Secretary of State John Kenneth Blackwell, the Co-Chair of the Bush-Cheney Re-election Campaign, to ensure that uncounted and provisional ballots in Ohio's 2004 presidential election would be disproportionately concentrated in urban African-American districts.

a. In Ohio's Lucas County, which includes Toledo, 3,122 or 41.13% of the provisional ballots went uncounted under the direction of George W. Bush's agent, the Secretary of State of Ohio, John Kenneth Blackwell, Co-Chair of the Committee to Re-Elect Bush/Cheney in Ohio.

b. In Ohio's Cuyahoga County, which includes Cleveland, 8,559 or 32.82% of the provisional ballots went uncounted.

c. In Ohio's Hamilton County, which includes Cincinnati, 3,529 or 24.23% of the provisional ballots went uncounted.

d. Statewide, the provisional ballot rejection rate was 9% as compared to the greater figures in the urban areas.

D. The Department of Justice, charged with enforcing the Voting Rights Act of 1965, the 14th Amendment's Equal Protection Clause, and other voting rights laws in the United States of America, under the direction and Administration of George W. Bush did willfully and purposely obstruct and stonewall legitimate criminal investigations into myriad cases of reported electoral fraud and suppression in the state of Ohio. Such activities, carried out by the department on behalf of George W. Bush in counties such as Franklin and Knox by persons such as John K. Tanner and others, were meant to confound and whitewash legitimate legal criminal investigations into the suppression of massive numbers of legally registered voters and the removal of their right to cast a ballot fairly and freely in the state of Ohio, which was crucial to the certified electoral victory of George W. Bush in 2004.

E. On or about November 1, 2006, members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, brought indictments for voter registration fraud within days of an election, in order to directly effect the outcome of that election for partisan purposes, and in doing so, thereby violated the Justice Department's own rules against filing election-related indictments close to an election;

F. Emails have been obtained showing that the Republican National Committee and members of Bush-Cheney '04 Inc., did, at the direction of the White House under the administration of George W. Bush, engage in voter suppression in five states by a method know as ''vote caging,'' an illegal voter suppression technique;

G. Agents of George W. Bush, including Mark F. ''Thor'' Hearne, the national general counsel of Bush/Cheney '04, Inc., did, at the behest of George W. Bush, as members of a criminal front group, distribute known false information and propaganda in the hopes of forwarding legislation and other actions that would result in the disenfranchisement of Democratic voters for partisan purposes. The scheme, run under the auspices of an organization known as ''The American Center for Voting Rights'' (ACVR), was funded by agents of George W. Bush in violation of laws governing tax exempt 501(c)3 organizations and in violation of federal laws forbidding the distribution of such propaganda by the federal government and agents working on its behalf.

H. Members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, did, for partisan reasons, illegally and with malice aforethought block career attorneys and other officials in the Department of Justice from filing three lawsuits charging local and county governments with violating the voting rights of African-Americans and other minorities, according to seven former senior United States Justice Department employees.

I. Members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, did illegally and with malice aforethought derail at least two investigations into possible voter discrimination, according to a letter sent to the Senate Rules and Administration Committee and written by former employees of the United States Department of Justice, Voting Rights Section.

J. Members of the United States Election Assistance Commission (EAC), under the control and direction of the Administration of George W. Bush, have purposefully and willfully misled the public, in violation of several laws, by;

(i) Withholding from the public and then altering a legally mandated report on the true measure and threat of Voter Fraud, as commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country, because the results of the statutorily required and tax-payer funded report did not conform with the illegal, partisan propaganda efforts and politicized agenda of the Bush Administration;

(ii) Withholding from the public a legally mandated report on the disenfranchising effect of Photo Identification laws at the polling place, shown to disproportionately disenfranchise voters not of George W. Bush's political party. The report was commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country

(iii) Withholding from the public a legally mandated report on the effectiveness of Provisional Voting as commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country, and keeping that report unreleased for more than a year until it was revealed by independent media outlets.

For directly harming the rights and manner of suffrage, for suffering to make them secret and unknowable, for overseeing and participating in the disenfranchisement of legal voters, for instituting debates and doubts about the true nature of elections, all against the will and consent of local voters affected, and forced through threats of litigation by agents and agencies overseen by George W. Bush, the actions of Mr. Bush to do the opposite of securing and guaranteeing the right of the people to alter or abolish their government via the electoral process, being a violation of an inalienable right, and an immediate threat to Liberty.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXX.—MISLEADING CONGRESS AND THE AMERICAN PEOPLE IN AN ATTEMPT TO DESTROY MEDICARE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, pursued policies which deliberately drained the fiscal resources of Medicare by forcing it to compete with subsidized private insurance plans which are allowed to arbitrarily select or not select those they will cover; failing to provide reasonable levels of reimbursements to Medicare providers, thereby discouraging providers from participating in the program, and designing a Medicare Part D benefit without cost controls which allowed pharmaceutical companies to gouge the American taxpayers for the price of prescription drugs.

The President created, manipulated, and disseminated information given to the citizens and Congress of the United States in support of his prescription drug plan for Medicare that enriched drug companies while failing to save beneficiaries sufficient money on their prescription drugs. He misled Congress and the American people into thinking the cost of the benefit was $400 billion. It was widely understood that if the cost exceeded that amount, the bill would not pass due to concerns about fiscal irresponsibility.

A Medicare Actuary who possessed information regarding the true cost of the plan, $539 billion, was instructed by the Medicare Administrator to deny Congressional requests for it. The Actuary was threatened with sanctions if the information was disclosed to Congress, which, unaware of the information, approved the bill. Despite the fact that official cost estimates far exceeded $400 billion, President Bush offered assurances to Congress that the cost was $400 billion, when his office had information to the contrary. In the House of Representatives, the bill passed by a single vote and the Conference Report passed by only 5 votes. The White House knew the actual cost of the drug benefit was high enough to prevent its passage. Yet the White House concealed the truth and impeded an investigation into its culpability.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXI.—KATRINA: FAILURE TO PLAN FOR THE PREDICTED DISASTER OF HURRICANE KATRINA, FAILURE TO RESPOND TO A CIVIL EMERGENCY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, failed to take sufficient action to protect life and property prior to and in the face of Hurricane Katrina in 2005, given decades of foreknowledge of the dangers of storms to New Orleans and specific forewarning in the days prior to the storm. The President failed to prepare for predictable and predicted disasters, failed to respond to an immediate need of which he was informed, and has subsequently failed to rebuild the section of our nation that was destroyed.

Hurricane Katrina killed at least 1,282 people, with 2 million more displaced. 302,000 housing units were destroyed or damaged by the hurricane, 71% of these were low-income units. More than 500 sewage plants were destroyed, more than 170 point-source leakages of gasoline, oil, or natural gas, more than 2000 gas stations submerged, several chemical plants, 8 oil refineries, and a superfund site was submerged. 8 million gallons of oil were spilled. Toxic materials seeped into floodwaters and spread through much of the city and surrounding areas.

The predictable increased strength of hurricanes such as Katrina has been identified by scientists for years, and yet the Bush Administration has denied this science and restricted such information from official reports, publications, and the National Oceanic and Atmospheric Agency's website. Donald Kennedy, editor-in-chief of Science, wrote in 2006 that ''hurricane intensity has increased with oceanic surface temperatures over the past 30 years. The physics of hurricane intensity growth . . . has clarified and explained the thermodynamic basis for these observations. [Kerry] Emanuel has tested this relationship and presented convincing evidence.''

FEMA's 2001 list of the top three most likely and most devastating disasters were a San Francisco earthquake, a terrorist attack on New York, and a Category 4 hurricane hitting New Orleans, with New Orleans being the number one item on that list. FEMA conducted a five-day hurricane simulation exercise in 2004, ''Hurricane Pam,'' mimicking a Katrina-like event. This exercise combined the National Weather Service, the U.S. Army Corps of Engineers, the LSU Hurricane Center and other state and federal agencies, resulting in the development of emergency response plans. The exercise demonstrated, among other things, that thousands of mainly indigent New Orleans residents would be unable to evacuate on their own. They would need substantial government assistance. These plans, however, were not implemented in part due to the President's slashing of funds for protection. In the year before Hurricane Katrina hit, the President continued to cut budgets and deny grants to the Gulf Coast. In June of 2004 the Army Corps of Engineers levee budget for New Orleans was cut, and it was cut again in June of 2005, this time by $71.2 million or a whopping 44% of the budget. As a result, ACE was forced to suspend any repair work on the levees. In 2004 FEMA denied a Louisiana disaster mitigation grant request.

The President was given multiple warnings that Hurricane Katrina had a high likelihood of causing serious damage to New Orleans and the Gulf Coast. At 10 AM on Sunday 28 August 2005, the day before the storm hit, the National Weather Service published an alert titled ''DEVASTATING DAMAGE EXPECTED.'' Printed in all capital letters, the alert stated that ''MOST OF THE AREA WILL BE UNINHABITABLE FOR WEEKS . . . PERHAPS LONGER. AT LEAST ONE HALF OF WELL CONSTRUCTED HOMES WILL HAVE ROOF AND WALL FAILURE. . . . POWER OUTAGES WILL LAST FOR WEEKS. . . . WATER SHORTAGES WILL MAKE HUMAN SUFFERING INCREDIBLE BY MODERN STANDARDS.''

The Homeland Security Department also briefed the President on the scenario, warning of levee breaches and severe flooding. According to the New York Times, ''a Homeland Security Department report submitted to the White House at 1:47 a.m. on Aug. 29, hours before the storm hit, said, 'Any storm rated Category 4 or greater will likely lead to severe flooding and/or levee breaching.' '' These warnings clearly contradict the statements made by President Bush immediately after the storm that such devastation could

not have been predicted. On 1 September 2005 the President said ''I don't think anyone anticipated the breach of the levees.''

The President's response to Katrina via FEMA and DHS was criminally delayed, indifferent, and inept. The only FEMA employee posted in New Orleans in the immediate aftermath of Hurricane Katrina, Marty Bahamonde, emailed head of FEMA Michael Brown from his Blackberry device on August 31, 2005 regarding the conditions. The email was urgent and detailed and indicated that ''The situation is past critical . . . Estimates are many will die within hours.'' Brown's reply was emblematic of the administration's entire response to the catastrophe: ''Thanks for the update. Anything specific I need to do or tweak?'' The Secretary of Homeland Security, Michael Chertoff, did not declare an emergency, did not mobilize the federal resources, and seemed to not even know what was happening on the ground until reporters told him.

On Friday August 26, 2005, Governor Kathleen Blanco declared a State of Emergency in Louisiana and Governor Haley Barbour of Mississippi followed suit the next day. Also on that Saturday, Governor Blanco asked the President to declare a Federal State of Emergency, and on 28 August 2005, the Sunday before the storm hit, Mayor Nagin declared a State of Emergency in New Orleans. This shows that the local authorities, responding to federal warnings, knew how bad the destruction was going to be and anticipated being overwhelmed. Failure to act under these circumstances demonstrates gross negligence.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXII.—MISLEADING CONGRESS AND THE AMERICAN PEOPLE, SYSTEMATICALLY UNDERMINING EFFORTS TO ADDRESS GLOBAL CLIMATE CHANGE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, ignored the peril to life and property posed by global climate change, manipulated scientific information and mishandled protective policy, constituting nonfeasance and malfeasance in office, abuse of power, dereliction of duty, and deception of Congress and the American people.

President Bush knew the expected effects of climate change and the role of human activities in driving climate change. This knowledge preceded his first Presidential term.

1. During his 2000 Presidential campaign, he promised to regulate carbon dioxide emissions.

2. In 2001, the Intergovernmental Panel on Climate Change, a global body of hundreds of the world's foremost experts on climate change, concluded that ''most of observed warming over last 50 years (is) likely due to increases in greenhouse gas concentrations due to human activities.'' The Third Assessment Report projected several effects of climate change such as continued ''widespread retreat'' of glaciers, an ''increase threats to human health, particularly in lower income populations, predominantly within tropical/subtropical countries,'' and ''water shortages.''

3. The grave danger to national security posed by global climate change was recognized by the Pentagon's Defense Advanced Planning Research Projects Agency in October of 2003. An agency-commissioned report ''explores how such an abrupt climate change scenario could potentially de-stabilize the geo-political environment, leading to skirmishes, battles, and even war due to resource constraints such as: 1) Food shortages due to decreases in net global agricultural production 2) Decreased availability and quality of fresh water in key regions due to shifted precipitation patters, causing more frequent floods and droughts 3) Disrupted access to energy supplies due to extensive sea ice and storminess.''

4. A December 2004 paper in Science reviewed 928 studies published in peer reviewed journals to determine the number providing evidence against the existence of a link between anthropogenic emissions of carbon dioxide and climate change. ''Remarkably, none of the papers disagreed with the consensus position.''

5. The November 2007 Inter-Governmental Panel on Climate Change (IPCC) Fourth Assessment Report showed that global anthropogenic emissions of greenhouse gasses have increased 70% between 1970 and 2004, and anthropogenic emissions are very likely the cause of global climate change. The report concluded that global climate change could cause the extinction of 20 to 30 percent of species in unique ecosystems such as the polar areas and biodiversity hotspots, increase extreme weather events especially in the developing world, and have adverse effects on food production and fresh water availability.

The President has done little to address this most serious of problems, thus constituting an abuse of power and criminal neglect. He has also actively endeavored to undermine efforts by the federal government, states, and other nations to take action on their own.

1. In March 2001, President Bush announced the U.S. would not be pursuing ratification of the Kyoto Protocol, an international effort to reduce greenhouse gasses. The United States is the only industrialized nation that has failed to ratify the accord.

2. In March of 2008, Representative Henry Waxman wrote to EPA Administrator Stephen Johnson: ''In August 2003, the Bush Administration denied a petition to regulate CO2 emissions from motor vehicles by deciding that CO2 was not a pollutant under the Clean Air Act. In April 2007, the U.S. Supreme Court overruled that determination in Massachusetts v. EPA. The Supreme Court wrote that 'If EPA makes a finding of endangerment, the Clean Air Act requires the agency to regulate emissions of the deleterious pollutant from new motor vehicles.' The EPA then conducted an extensive investigation involving 60–70 staff who concluded that 'CO2 emissions endanger both human health and welfare.' These findings were submitted to the White House, after which work on the findings and the required regulations was halted.''

3. A Memo to Members of the Committee on Oversight and Government Reform on May 19, 2008 stated ''The record before the Committee shows: (1) the career staff at EPA unanimously supported granting California's petition (to be allowed to regulate greenhouse gas emissions from cars and trucks, consistent with California state law); (2) Stephen Johnson, the Administrator of EPA, also supported granting California's petition at least in part; and (3) Administrator Johnson reversed his position after communications with officials in the White House.''

The President has suppressed the release of scientific information related to global climate change, an action which undermines Congress' ability to legislate and provide oversight, and which has thwarted efforts to prevent global climate change despite the serious threat that it poses.

1. In February, 2001, ExxonMobil wrote a memo to the White House outlining ways to influence the outcome of the Third Assessment report by the Intergovernmental Panel on Climate Change. The memo opposed the reelection of Dr. Robert Watson as the IPCC Chair. The White House then supported an opposition candidate, who was subsequently elected to replace Dr. Watson.

2. The New York Times on January 29, 2006, reported that James Hansen, NASA's senior climate scientist was warned of ''dire consequences'' if he continued to speak out about global climate change and the need for reducing emissions of associated gasses. The Times also reported that: ''At climate laboratories of the National Oceanic and Atmospheric Administration, for example, many scientists who routinely took calls from reporters five years ago can now do so only if the interview is approved by administration officials in Washington, and then only if a public affairs officer is present or on the phone.''

3. In December of 2007, the House Committee on Oversight and Government Reform issued a report based on 16 months of investigation and 27,000 pages of documentation. According to the summary: ''The evidence before the Committee leads to one inescapable conclusion: the Bush Administration has engaged in a systematic effort to manipulate climate change science and mislead policy makers and the public about the dangers of global warming.'' The report described how the White House appointed former petroleum industry lobbyist Phil Cooney as head of the Council on Environmental Quality. The report states ''There was a systematic White House effort to minimize the significance of climate change by editing climate change reports. CEQ Chief of Staff Phil Cooney and other CEQ officials made at least 294 edits to the Administration's Strategic Plan of the Climate Change Science Program to exaggerate or emphasize scientific uncertainties or to de-emphasize or diminish the importance of the human role in global warming.''

4. On April 23, 2008, Representative Henry Waxman wrote a letter to EPA Administrator Stephen L Johnson. In it he reported: ''Almost 1,600 EPA scientists completed the Union of Concerned Scientists survey questionnaire. Over 22 percent of these scientists reported that 'selective or incomplete use of data to justify a specific regulatory outcome' occurred 'frequently' or 'occasionally' at EPA. Ninety-four EPA scientists reported being frequently or occasionally directed to inappropriately exclude or alter technical information from an EPA scientific document. Nearly 200 EPA scientists said that they have frequently or occasionally been in situations in which scientists have actively objected to, resigned from or removed themselves from a project because of pressure to change scientific findings.''

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXIII.—REPEATEDLY IGNORED AND FAILED TO RESPOND TO HIGH LEVEL INTELLIGENCE WARNINGS OF PLANNED TERRORIST ATTACKS IN THE US, PRIOR TO 911

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, failed in his Constitutional duties to take proper steps to protect the nation prior to September 11, 2001.

The White House's top counter-terrorism adviser, Richard A. Clarke, has testified that from the beginning of George W. Bush's presidency until September 11, 2001, Clarke attempted unsuccessfully to persuade President Bush to take steps to protect the nation against terrorism. Clarke sent a memorandum to then-National Security Advisor Condoleezza Rice on January 24, 2001, ''urgently'' but unsuccessfully requesting ''a Cabinet-level meeting to deal with the impending al Qaeda attack.''

In April 2001, Clarke was finally granted a meeting, but only with second-in-command department representatives, including Deputy Secretary of Defense Paul Wolfowitz, who made light of Clarke's concerns.

Clarke confirms that in June, July, and August 2001, the Central Intelligence Agency (CIA) warned the president in daily briefings of unprecedented indications that a major al Qaeda attack was going to happen against the United States somewhere in the world in the weeks and months ahead. Yet, Clarke was still unable to convene a cabinet-level meeting to address the issue.

Condoleezza Rice has testified that George Tenet met with the president 40 times to warn him that a major al-Qaeda attack was going to take place, and that in response the president did not convene any meetings of top officials. At such meetings, the FBI could have shared information on possible terrorists enrolled at flight schools. Among the many preventive steps that could have been taken, the Federal Aviation Administration, airlines, and airports might have been put on full alert.

According to Condoleezza Rice, the first and only cabinet-level meeting prior to 9/11 to discuss the threat of terrorist attacks took place on September 4, 2001, one week before the attacks in New York and Washington.

On August 6, 2001, President Bush was presented a President's Daily Brief (PDB) article titled ''Bin Laden Determined to Strike in U.S.'' The lead sentence of that PDB article indicated that Bin Laden and his followers wanted to ''follow the example of World Trade Center bomber Ramzi Yousef and 'bring the fighting to America.' '' The article warned: ''Al-Qa'ida members—including some who are US citizens—have resided in or traveled to the US for years, and the group apparently maintains a support structure that could aid attacks.''

The article cited a ''more sensational threat reporting that Bin Laden wanted to hijack a US aircraft,'' but indicated that the CIA had not been able to corroborate such reporting. The PDB item included information from the FBI indicating ''patterns of suspicious activity in this country consistent with preparations for hijackings or other types of attacks, including recent surveillance of federal buildings in New York.'' The article also noted that the CIA and FBI were investigating ''a call to our embassy in the UAE in May saying that a group of Bin Laden supporters was in the US planning attacks with explosives.''

The president spent the rest of August 6, and almost all the rest of August 2001 on vacation. There is no evidence that he called any meetings of his advisers to discuss this alarming report. When the title and substance of this PDB article were later reported in the press, then-National Security Adviser Condoleezza Rice began a sustained campaign to play down its significance, until the actual text was eventually released by the White House.

New York Times writer Douglas Jehl, put it this way: ''In a single 17-sentence document, the intelligence briefing delivered to President Bush in August 2001 spells out the who, hints at the what and points towards the where of the terrorist attacks on New York and Washington that followed 36 days later.''

Eleanor Hill, Executive Director of the joint congressional committee investigating the performance of the US intelligence community before September 11, 2001, reported in mid-September 2002 that intelligence reports a year earlier ''reiterated a consistent and constant theme: Osama bin Laden's intent to launch terrorist attacks inside the United States.''

That joint inquiry revealed that just two months before September 11, an intelligence briefing for ''senior government officials'' predicted a terrorist attack with these words: ''The attack will be spectacular and designed to inflict mass casualties against U.S. facilities or interests. Attack preparations have been made. Attack will occur with little or no warning.''

Given the White House's insistence on secrecy with regard to what intelligence was given to President Bush, the joint-inquiry report does not divulge whether he took part in that briefing. Even if he did not, it strains credulity to suppose that those ''senior government officials'' would have kept its alarming substance from the president.

Again, there is no evidence that the president held any meetings or took any action to deal with the threats of such attacks.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXIV.—OBSTRUCTION OF INVESTIGATION INTO THE ATTACKS OF SEPTEMBER 11, 2001

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, obstructed investigations into the attacks on the World Trade Center and Pentagon on September 11, 2001.

Following September 11, 2001, President Bush and Vice President Cheney took strong steps to thwart any and all proposals that the circumstances of the attack be addressed. Then-Secretary of State Colin Powell was forced to renege on his public promise on September 23 that a ''White Paper'' would be issued to explain the circumstances. Less than two weeks after that promise, Powell apologized for his ''unfortunate choice of words,'' and explained that Americans would have to rely on ''information coming out in the press and in other ways.''

On Sept. 26, 2001, President Bush drove to Central Intelligence Agency (CIA) headquarters in Langley, Virginia, stood with Director of Central Intelligence George Tenet and said: ''My report to the nation is, we've got the best intelligence we can possibly have thanks to the men and women of the C.I.A.'' George Tenet subsequently and falsely claimed not to have visited the president personally between the start of Bush's long Crawford vacation and September 11, 2001.

Testifying before the 9/11 Commission on April 14, 2004, Tenet answered a question from Commission member Timothy Roemer by referring to the president's vacation (July 29–August 30) in Crawford and insisting that he did not see the president at all in August 2001. ''You never talked with him?'' Roemer asked. ''No,'' Tenet replied, explaining that for much of August he too was ''on leave.'' An Agency spokesman called reporters that same evening to say Tenet had misspoken, and that Tenet had briefed Bush on August 17 and 31. The spokesman explained that the second briefing took place after the president had returned to Washington, and played down the first one, in Crawford, as uneventful.

In his book, At the Center of the Storm, (2007) Tenet refers to what is almost certainly his August 17 visit to Crawford as a follow-up to the ''Bin Laden Determined to Strike in the US'' article in the CIA-prepared President's Daily Brief of August 6. That briefing was immortalized in a Time Magazine photo capturing Harriet Myers holding the PDB open for the president, as two CIA officers sit by. It is the same briefing to which the president reportedly reacted by telling the CIA briefer, ''All right, you've covered your ass now.'' (Ron Suskind, The One-Percent Doctrine, p. 2, 2006). In At the Center of the Storm, Tenet writes: ''A few weeks after the August 6 PDB was delivered, I followed it to Crawford to make sure that the president stayed current on events.''

A White House press release suggests Tenet was also there a week later, on August 24. According to the August 25, 2001, release, President Bush, addressing a group of visitors to Crawford on August 25, told them: ''George Tenet and I, yesterday, we piled in the new nominees for the Chairman of the Joint Chiefs, the Vice Chairman and their wives and went right up the canyon.''

In early February 2002, Vice President Dick Cheney warned then-Senate Majority Leader Tom Daschle that if Congress went ahead with an investigation, administration officials might not show up to testify. As pressure grew for an investigation, the president and vice president agreed to the establishment of a congressional joint committee to conduct a ''Joint Inquiry.'' Eleanor Hill, Executive Director of the Inquiry, opened the Joint Inquiry's final public hearing in mid-September 2002 with the following disclaimer: ''I need to report that, according to the White House and the Director of Central Intelligence, the president's knowledge of intelligence information relevant to this inquiry remains classified, even when the substance of the intelligence information has been declassified.''

The National Commission on Terrorist Attacks, also known as the 9/11 Commission, was created on November 27, 2002, following the passage of congressional legislation signed into law by President Bush. The President was asked to testify before the Commission. He refused to testify except for one hour in private with only two Commission members, with no oath administered,

with no recording or note taking, and with the Vice President at his side. Commission Co-Chair Lee Hamilton has written that he believes the commission was set up to fail, was underfunded, was rushed, and did not receive proper cooperation and access to information.

A December 2007 review of classified documents by former members of the Commission found that the commission had made repeated and detailed requests to the CIA in 2003 and 2004 for documents and other information about the interrogation of operatives of Al Qaeda, and had been told falsely by a top C.I.A. official that the agency had ''produced or made available for review'' everything that had been requested.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXV.—ENDANGERING THE HEALTH OF 9/11 FIRST RESPONDERS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution ''to take care that the laws be faithfully executed'', has both personally and acting through his agents and subordinates, together with the Vice President, recklessly endangered the health of first responders, residents, and workers at and near the former location of the World Trade Center in New York City.

The Inspector General of the Environmental Protection Agency (EPA) August 21, 2003, report numbered 2003–P–00012 and entitled ''EPA's Response to the World Trade Center Collapse: Challenges, Successes, and Areas for Improvement,'' includes the following findings:

''[W]hen EPA made a September 18 announcement that the air was 'safe' to breathe, it did not have sufficient data and analyses to make such a blanket statement. At that time, air monitoring data was lacking for several pollutants of concern, including particulate matter and polychlorinated biphenyls (PCBs). Furthermore, The White House Council on Environmental Quality (CEQ) influenced, through the collaboration process, the information that EPA communicated to the public through its early press releases when it convinced EPA to add reassuring statements and delete cautionary ones.

''As a result of the White House CEQ's influence, guidance for cleaning indoor spaces and information about the potential health effects from WTC debris were not included in EPA-issued press releases. In addition, based on CEQ's influence, reassuring information was added to at least one press release and cautionary information was deleted from EPA's draft version of that press release . . . The White House's role in EPA's public communications about WTC environmental conditions was described in a September 12, 2001, e-mail from the EPA Deputy Administrator's Chief of Staff to senior EPA officials:

''''All statements to the media should be cleared through the NSC [National Security Council] before they are released.'

''According to the EPA Chief of Staff, one particular CEQ official was designated to work with EPA to ensure that clearance was obtained through NSC. The Associate Administrator for the EPA Office of Communications, Education, and Media Relations (OCEMR) said that no press release could be issued for a 3- to 4-week period after September 11 without approval from the CEQ contact.''

Acting EPA Administrator Marianne Horinko, who sat in on EPA meetings with the White House, has said in an interview that the White House played a coordinating role. The National Security Council played the key role, filtering incoming data on ground zero air and water, Horinko said: ''I think that the thinking was, these are experts in WMD (weapons of mass destruction), so they should have the coordinating role.''

In the cleanup of the Pentagon following September 11, 2001, Occupational Safety and Health Administration laws were enforced, and no workers became ill. At the World Trade Center site, the same laws were not enforced.

In the years since the release of the EPA Inspector General's above-cited report, the Bush Administration has still not effected a clean-up of the indoor air in apartments and workspaces near the site.

Screenings conducted at the Mount Sinai Medical Center and released in the September 10, 2004, Morbidity and Mortality Weekly Report (MMWR) of the federal Centers For Disease Control and Prevention (CDC), produced the following results:

''Both upper and lower respiratory problems and mental health difficulties are widespread among rescue and recovery workers who dug through the ruins of the World Trade Center in the days following its destruction in the attack of September 11, 2001.

''An analysis of the screenings of 1,138 workers and volunteers who responded to the World Trade Center disaster found that nearly three-quarters of them experienced new or worsened upper respiratory problems at some point while working at Ground Zero. And half of those examined had upper and/or lower respiratory symptoms that persisted up to the time of their examinations, an average of eight months after their WTC efforts ended.''

A larger study released in 2006 found that roughly 70 percent of nearly 10,000 workers tested at Mount Sinai from 2002 to 2004 reported that they had new or substantially worsened respiratory problems while or after working at ground zero. This study showed that many of the respiratory ailments, including sinusitis and asthma, and gastrointestinal problems related to them, initially reported by ground zero workers persisted or grew worse over time. Most of the ground zero workers in the study who reported trouble breathing while working there were still having those problems two and a half years later, an indication of chronic illness unlikely to improve over time.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

The SPEAKER pro tempore (Mr. ELLISON). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Ohio will appear in the RECORD at this point.

The Chair will not, at this point, determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for the consideration of the resolution.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS 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. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the 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 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 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 Georgia (Mr. BROUN) is recognized for 5 minutes.

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. HARMAN (at the request of Mr. HOYER) for today on account of official business.

Mr. MCDERMOTT (at the request of Mr. HOYER) for today.

Mr. MEEK of Florida (at the request of Mr. HOYER) for today.

Mr. ORTIZ (at the request of Mr. HOYER) for today and the balance of the week on account of business in district.

Mr. LUCAS (at the request of Mr. BOEHNER) for today on account of weather conditions.

Mr. PEARCE (at the request of Mr. BOEHNER) for today on account of traveling on business.

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. KUCINICH) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2482. An act to repeal the provision of title 346, United States Code, requiring a license for employment in the business of salvaging on the coast of Florida; to the Committee on Transportation and Infrastructure.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 2420. An act to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on June 6, 2008 she presented to the President of the United States, for his approval, the following bill.

H.R. 6081. To amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes.

ADJOURNMENT

Mr. KUCINICH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 10, 2008, at 9 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6996. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's Annual Developing Countries Combined Exercise Program Report of Expenditures, pursuant to 10 U.S.C. 2010; to the Committee on Armed Services.

6997. 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. 08-06 concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Spain for defense articles and services; to the Committee on Armed Services.

6998. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of General Michael B. Hayden, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

6999. A letter from the 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.

7000. A letter from the Deputy Under Secretary for Acquisition and Technology, Department of Defense, transmitting a report pursuant to Section 813 of the National Defense Authorization Act for Fiscal Year 2006, Pub. L. 109-360; to the Committee on Armed Services.

7001. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's notification of its intention to close the Defense commissary stores at Idar-Oberstein and Dexheim, Germany; to the Committee on Armed Services.

7002. A letter from the Deputy Chief of Legislative Affairs, Department of the Navy, Department of Defense, transmitting the Department's Contract Awarded for Seaport Enhanced (Seaport-E) Acquisition Program for Services Procurements; to the Committee on Armed Services.

7003. A letter from the Secretary, Department of Commerce, transmitting a six-month report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001, and continued on August 14, 2002, August 7, 2003, August 6, 2004, August 2, 2005, August 6, 2006, and August 15, 2007 to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

7004. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 09-08 informing of an intent to sign a cooperative test and evaluation project arrangement between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

7005. A letter from the Secretary, Department of the Treasury, transmitting a six month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

7006. 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 Governments of the United Kingdom and Greece (Transmittal No. DDTC 116-07); to the Committee on Foreign Affairs.

7007. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles to the Government of Thailand (Transmittal No. DDTC 039-08); to the Committee on Foreign Affairs.

7008. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Republic of Korea (Transmittal No. DDTC 005-08); to the Committee on Foreign Affairs.

7009. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on United States contributions to the United Nations and United Nations affiliated agencies and related bodies for fiscal years 2006 and 2007, pursuant to Public Law 109-364, section 1225; to the Committee on Foreign Affairs.

7010. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting the Department's report on the Use of Generic Drugs in the President's Emergency Plan for AIDS Relief, pursuant to Public Law 110-197; to the Committee on Foreign Affairs.

7011. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting the Department's report on Food Security in the President's Emergency Plan for AIDS Relief, pursuant to Public Law 110-197; to the Committee on Foreign Affairs.

7012. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting the Department's report on Health Care Worker Training in the President's Emergency Plan for AIDS Relief, pursuant to Public Law 110-197; to the Committee on Foreign Affairs.

7013. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Letter Report: Results of Auditor's Review of Quality Assurance Practices Related to Certain Congregate Care Providers,'' pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

7014. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Auditor's Examination of Contract Cost and Administration for the Integrated Tax System,'' pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

7015. A letter from the Chairperson, Committee for Purchase From People Who Are

Blind or Severely Disabled, transmitting a copy of a proposed bill to amend the Javits-Wagner-O'Day Act; to the Committee on Oversight and Government Reform.

7016. A letter from the EEO and Diversity Programs, National Archives and Records Administration, transmitting the Administration's annual report pursuant to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 for Fiscal Year 2007; to the Committee on Oversight and Government Reform.

7017. A letter from the Director, Office of Personnel Management, transmitting the Office's Annual Privacy Activity Report to Congress for 2007, pursuant to Public Law 108-447, section 522; to the Committee on Oversight and Government Reform.

7018. A letter from the Director, Pension Benefit Guaranty Corporation, transmitting Pursuant to Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, the Corporation's Annual Report for FY 2007; to the Committee on Oversight and Government Reform.

7019. A letter from the Senior Vice President, Tennessee Valley Authority, transmitting the Authority's FY 2007 Annual Report required by Section 203 of the Notification and Federal Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

7020. A letter from the Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Marine Mammals; Incidental Take During Specified Activities [FWS-R7-FHC-2008-0040] [71490-1351-0000-L5] (RIN: 1018-AU41) received June 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7021. A letter from the Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — 2008-2009 Refuge-Specific Hunting and Sport Fishing Regulations (RIN: 1018-AU61) received May 30, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7022. A letter from the Chief, Branch of Listing, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Polar Bear (Ursus maritimus) Throughout Its Range [FWS-R7-ES-2008-0038] [111 FY07 MO-B2] (RIN: 1018-AV19) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7023. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Final Rule: Special Local Regulations Concerning Fireworks Displays in Norwich and Middletown, Connecticut [Docket No. USCG-2007-0111] (RIN: 1625-AA08) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7024. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Upper Mississippi River, Rock Island, IL, Quad Cities Heart Walk [USCG-2008-0036] received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7025. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Chelsea River, Chelsea and East Boston, MA [Docket No. USCG-2008-0001] received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7026. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Firework Events; Great Lake annual Firework Events. [Docket No. USCG-2008-0219] (RIN: 1625-AA00) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7027. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Arkansas Waterway, Little Rock, AR, Operation Change [Docket No. USCG-2007-0043] (RIN: 1625-AA09) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7028. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety zone; Colorado River, Parker, AZ [Docket No. USCG-2007-0145] (RIN: 1625-AA00) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7029. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Colorado River, Parker, AZ [Docket No. USCG-2007-0140] (RIN: 1625-AA00) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7030. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Implementation of Vessel Security Officer Training and Certification Requirements — International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended. [Docket No. USCG-2008-0028] (RIN: 1625-AB26) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7031. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Western Branch, Elizabeth River, Portsmouth, VA [Docket No. USCG-2008-0074] (RIN: 1625-AA08) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7032. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Recurring Marine Events in the Fifth Coast Guard District [Docket No. USCG-2007-0147] (RIN: 1625-AA08) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7033. A letter from the Senior Counsel, Office of Chief Counsel for Import Administration, Department of Commerce, transmitting the Department's final rule — Import Administration, Withdrawal of Regulations Governing the Treatment of Subcontractors (''Tolling'' Operations) [Docket No. 080225304-8463-01] (RIN: 0625-AA77) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7034. A letter from the Administrator, Office of Workforce Security, Department of Labor, transmitting the Department's final rule — Immediate Deposit and Withdrawal Standards — Intercept of Refunds of Erroneous Employer Contributions — received May 14, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7035. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — COORDINATED ISSUE PAPER ALL INDUSTRIES STATE AND LOCAL TAX INCENTIVES UIL: 118.01-02 [LMSB-04-0408-023] received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7036. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Treatment of Property Used to Acquire Parent Stock in Certain Triangular Reorganizations Involving Foreign Corporations [TD 9400] (RIN: 1545-BG97) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7037. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coordinated Issue Paper Blue Cross Blue Shield/Health Insurance; Life Insurance Conversion of Nonprofit Organizations UILs: 162.02-00, 162.05-03, 265,.00-00 [LMSB-04-0408-024] received June 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7038. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Research Credit Claims Audit Techniques Guide: Credit for Increasing Research Activities IRC 41 [LMSB-04-0508-030] received June 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7039. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 446.-General Rule for Methods of Accounting 26 CFR 1.446-1: General rule for methods of accounting. (Also 118) (Rev. Rul. 2008-30) received June 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7040. A letter from the Social Security Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Parent-to-Child Deeming From Stepparents [Docket No. SSA 2007-0070] (RIN: 0960-AF96) received May 30, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7041. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Hospice Conditions of Participation [CMS-3844-F] (RIN: 0938-AH27) received May 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(The following actions occurred on June 6, 2008)

Mr. RAHALL: Committee on Natural Resources. H.R. 1328. A bill to amend the Indian Health Care Improvement Act to revise and extend that Act; with an amendment (Rept. 110–564 Pt. 1). Referred to the Committee of the Whole House on the State of the Union. Ordered to be printed.

Mr. BERMAN: Committee on Foreign Affairs. H.R. 6028. A bill to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico

and the countries of Central America, and for other purposes; with an amendment (Rept. 110–673 Pt. 1). Referred to the Committee of the Whole House on the State of the Union. Ordered to be printed.

[Submitted on June 9, 2008]

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 6063. A bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; with an amendment (Rept. 110–702). Referred to the Committee of the Whole House on the State of the Union.

Ms. MATSUI: Committee on Rules. House Resolution 1253. Resolution providing for the consideration of the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes (Rept. 110–703). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[The following actions occurred on June 6, 2008]

Pursuant to clause 2 of rule XII the Committees on Energy and Commerce and Ways and Means discharged from further consideration. H.R. 1328 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 6028 referred to the Committee of the Whole House on the State of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. RAHALL: Committee on Natural Resources. H.R. 5618. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes, with an amendment; referred to the Committee on Science and Technology for a period ending not later than July 11, 2008, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(o), rule X (Rept. 110–701, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

(The following action occurred on June 6, 2008)

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than July 11, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MANZULLO (for himself and Mr. MICHAUD):

H.R. 6206. A bill to establish the Small Business Information Security Task Force, and for other purposes; to the Committee on Small Business.

By Mr. AKIN:

H.R. 6207. A bill to develop American energy independence, lower gas prices, and open reliable national sources of energy; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Rules, and Natural Resources, 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. AKIN:

H.R. 6208. A bill to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. ESHOO:

H.R. 6209. A bill to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany; to the Committee on Energy and Commerce.

By Mr. KIND (for himself, Mr. ENGLISH of Pennsylvania, Mr. BARROW, Mr. YOUNG of Florida, Mr. CARNAHAN, Mrs. EMERSON, Mr. ALLEN, Mr. GERLACH, Mr. ALTMIRE, Mr. SHAYS, Mr. COURTNEY, and Mr. RAMSTAD):

H.R. 6210. A bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self-employed that would offer a choice of private health plans and make health coverage more affordable, predictable, and accessible; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, Ways and Means, and Rules, 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. CANNON (for himself, Mr. CULBERSON, Mr. DREIER, Mr. HERGER, Mr. PETERSON of Pennsylvania, and Mr. BROWN of South Carolina):

H.R. 6211. A bill to allow Americans the opportunity to see their vast oil shale and tar sands resources on Federal lands developed by providing the President with the ability to determine the quickest and most responsible way to access oil shale resources; to the Committee on Natural Resources, and in addition to the Committee on Science and Technology, 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. JACKSON-LEE of Texas (for herself, Mr. TOWNS, Mr. DAVIS of Illinois, and Mr. RODRIGUEZ):

H.R. 6212. A bill to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY:

H.R. 6213. A bill to establish the Reinsurance International Solvency Standards Evaluation Board; to the Committee on Financial Services.

By Mr. MCHUGH (for himself, Mr. KUHL of New York, and Mr. SMITH of Nebraska):

H.R. 6214. A bill to amend the Internal Revenue Code of 1986 to provide a standard home office deduction; to the Committee on Ways and Means.

By Mr. PALLONE (for himself and Mr. RAMSTAD):

H.R. 6215. A bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES (for himself, Mr. FRANK of Massachusetts, and Mr. MEEK of Florida):

H.R. 6216. A bill to improve the Operating Fund for public housing of the Department of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. SIRES (for himself, Mr. PAYNE, and Mr. ROTHMAN):

H.R. 6217. A bill to amend title 39, United States Code, to modify the procedures governing the closure or consolidation of post offices; to the Committee on Oversight and Government Reform.

By Mr. WEINER:

H.R. 6218. A bill to provide for loan guarantees for retrofitting high-performance green buildings; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, 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. CONYERS (for himself, Mr. BERMAN, Mrs. BONO MACK, Mr. COBLE, Mr. COHEN, Mr. COOPER, Mr. COSTA, Mr. CROWLEY, Ms. LEE, Ms. MCCOLLUM of Minnesota, Mr. MEEKS of New York, Mr. NADLER, Ms. LINDA T. SÁNCHEZ of California, and Mr. SMITH of Texas):

H. Res. 1251. A resolution saluting the life and music of the late Otha Ellas ''Bo Diddley'' Bates, guitar virtuoso and rock and roll pioneer, whose music continues to influence generations of musicians; to the Committee on the Judiciary. Considered and agreed to.

By Mr. HENSARLING:

H. Res. 1252. A resolution providing for consideration of the bill (H.R. 5724) to implement the United States-Colombia Trade Promotion Agreement; to the Committee on Rules.

By Mr. ENGEL (for himself, Mr. BURTON of Indiana, Mr. PAYNE, Mr. BERMAN, Mr. KUHL of New York, Mr. ENGLISH of Pennsylvania, Mr. DAVIS of Illinois, Mr. LEWIS of Georgia, Mr. SIRES, Mr. HONDA, Mr. DELAHUNT, Mr. CROWLEY, and Mr. JEFFERSON):

H. Res. 1254. A resolution supporting the values and goals of the ''Joint Action Plan Between the Government of the Federative Republic of Brazil and the Government of the United States of America to Eliminate Racial and Ethnic Discrimination and Promote Equality'', signed by Secretary of State Condoleezza Rice and Brazilian Minister of Racial Integration Edson Santos on March 13, 2008; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Ms. HIRONO.

H.R. 42: Mr. CARSON.

H.R. 82: Mr. MARIO DIAZ-BALART of Florida and Mr. SCALISE.

H.R. 211: Mr. RODRIGUEZ.

H.R. 552: Mr. MORAN of Virginia, Ms. HARMAN, and Mr. REGULA.

H.R. 659: Mr. BRADY of Pennsylvania.
H.R. 661: Mr. CARSON.
H.R. 971: Mr. SMITH of New Jersey.
H.R. 983: Mr. CARSON.
H.R. 1032: Mr. WATT, Ms. DEGETTE, and Mr. WEXLER.
H.R. 1076: Mr. SESTAK and Mr. GONZALEZ.
H.R. 1108: Mr. FOSTER and Ms. GINNY BROWN-WAITE of Florida.
H.R. 1193: Mr. TIERNEY.
H.R. 1295: Mr. AKIN.
H.R. 1359: Mr. BURGESS.
H.R. 1390: Mr. BUTTERFIELD.
H.R. 1518: Mr. JEFFERSON.
H.R. 1553: Mr. SMITH of New Jersey.
H.R. 1606: Mr. FRANK of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. THOMPSON of Mississippi.
H.R. 1619: Ms. SCHAKOWSKY.
H.R. 1707: Mr. JOHNSON of Georgia.
H.R. 1932: Mr. WELCH of Vermont.
H.R. 2049: Mr. VISCLOSKY.
H.R. 2138: Mr. WITTMAN of Virginia.
H.R. 2188: Mrs. LOWEY and Mr. MANZULLO.
H.R. 2192: Mr. TIM MURPHY of Pennsylvania.
H.R. 2279: Mr. GALLEGLY, Mrs. MYRICK, and Mr. EVERETT.
H.R. 2343: Mr. RUSH, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. MCNULTY, Mr. EMANUEL, and Mr. BERRY.
H.R. 2370: Mr. WELCH of Vermont and Mr. REICHERT.
H.R. 2493: Mr. BUYER, Mr. BROUN of Georgia, Ms. PRYCE of Ohio, and Mr. EVERETT.
H.R. 2606: Mr. KUHL of New York.
H.R. 2676: Mrs. LOWEY and Mr. JEFFERSON.
H.R. 2694: Mr. CARSON.
H.R. 2712: Mr. WOLF.
H.R. 2851: Mr. VAN HOLLEN.
H.R. 2933: Mr. SHULER and Mr. UDALL of Colorado.
H.R. 2941: Ms. CORRINE BROWN of Florida.
H.R. 3051: Mr. CARSON.
H.R. 3089: Mrs. MYRICK, Mr. GALLEGLY, and Mr. EVERETT.
H.R. 3202: Mr. SHAYS.
H.R. 3257: Mr. WALSH of New York.
H.R. 3267: Ms. DEGETTE and Mr. MCDERMOTT.
H.R. 3281: Mr. CARSON.
H.R. 3289: Ms. LEE, Ms. HARMAN, Mr. ELLISON, and Mr. MARKEY.
H.R. 3453: Mr. WALSH of New York.
H.R. 3457: Mr. WEXLER and Mr. GERLACH.
H.R. 3559: Mr. STUPAK.
H.R. 3622: Mrs. MUSGRAVE and Mr. DENT.
H.R. 3834: Mr. RUSH.
H.R. 3882: Mr. CARSON.
H.R. 3961: Mr. TIM MURPHY of Pennsylvania.
H.R. 3979: Ms. JACKSON-LEE of Texas and Mr. CASTLE.
H.R. 4010: Mr. CHILDERS.
H.R. 4048: Ms. LEE.
H.R. 4099: Mr. JONES of North Carolina.
H.R. 4105: Mr. SAXTON, Mr. MANZULLO, Mr. SCOTT of Virginia, Mr. BERRY, Mr. LOBIONDO, and Mr. BISHOP of Georgia.
H.R. 4150: Ms. PRYCE of Ohio.
H.R. 4199: Ms. SUTTON and Mr. WILSON of Ohio.
H.R. 4900: Mr. STUPAK.
H.R. 4959: Mr. JOHNSON of Georgia.
H.R. 4990: Mr. TOWNS.
H.R. 5106: Mr. YOUNG of Florida.
H.R. 5110: Mr. MORAN of Virginia.
H.R. 5128: Mr. KUCINICH.
H.R. 5138: Mr. WEXLER.
H.R. 5155: Mr. MURPHY of Connecticut and Mr. CARSON.
H.R. 5267: Mr. HASTINGS of Florida.
H.R. 5293: Ms. BERKLEY.
H.R. 5454: Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. ANDREWS, and Ms. SPEIER.
H.R. 5573: Ms. ROS-LEHTINEN, Mr. BRALEY of Iowa, and Ms. SUTTON.
H.R. 5575: Ms. SCHAKOWSKY.
H.R. 5611: Mr. PENCE and Mr. MCHENRY.
H.R. 5646: Mr. STUPAK.
H.R. 5656: Ms. GRANGER and Mr. HERGER.
H.R. 5660: Mr. RUSH.
H.R. 5673: Mr. THORNBERRY.
H.R. 5674: Mr. LUCAS, Mr. ROTHMAN, and Mr. COLE of Oklahoma.
H.R. 5677: Mr. SMITH of New Jersey.
H.R. 5704: Mr. PRICE of North Carolina.
H.R. 5713: Mr. SALI.
H.R. 5737: Mr. EHLERS.
H.R. 5748: Mr. BRALEY of Iowa.
H.R. 5752: Mr. CALVERT.
H.R. 5760: Mr. MARIO DIAZ-BALART of Florida.
H.R. 5785: Ms. SUTTON.
H.R. 5788: Mr. HINOJOSA and Mr. HILL.
H.R. 5793: Mr. GUTIERREZ.
H.R. 5798: Ms. SUTTON.
H.R. 5814: Mr. BROUN of Georgia.
H.R. 5821: Mr. PICKERING.
H.R. 5825: Ms. ESHOO.
H.R. 5846: Mr. CARSON.
H.R. 5864: Mr. MCCOTTER.
H.R. 5868: Mr. WOLF, Mrs. MYRICK, and Mr. SOUDER.
H.R. 5874: Mr. SPRATT, Ms. SCHAKOWSKY, Mr. ALLEN, Mr. BOREN, Mr. TURNER, Mr. MARKEY, and Mr. WELCH of Vermont.
H.R. 5912: Ms. DEGETTE.
H.R. 5954: Ms. CORRINE BROWN of Florida, Ms. HERSETH SANDLIN, Mr. SPACE, Mr. ABERCROMBIE, Mr. BUTTERFIELD, Mrs. CAPPS, Ms. DEGETTE, Ms. ESHOO, Mr. INSLEE, Mr. MATHESON, Mr. MURTHA, Mr. TANNER, and Mr. WU.
H.R. 5960: Mr. ADERHOLT, Mr. WILSON of Ohio, and Ms. SLAUGHTER.
H.R. 5971: Mr. DAVID DAVIS of Tennessee, Mr. CALVERT, Mr. BURGESS, Mr. SALI, Mr. WALBERG, and Mrs. MUSGRAVE.
H.R. 5977: Mr. JONES of North Carolina and Mrs. BOYDA of Kansas.
H.R. 5979: Mr. WALBERG.
H.R. 5996: Mr. KIRK.
H.R. 6052: Mr. LIPINSKI, Mr. NADLER, Mr. SIRES, Ms. NORTON, Mr. CUMMINGS, Mrs. NAPOLITANO, Mrs. TAUSCHER, Mr. FILNER, Mr. RYAN of Ohio, Mr. BLUMENAUER, Mr. YOUNG of Alaska, Mr. WAXMAN, Ms. SCHAKOWSKY, Ms. MOORE of Wisconsin, Mr. DINGELL, and Mr. CARNAHAN.
H.R. 6063: Mr. MCCAUL of Texas, Mr. KLEIN of Florida, Mr. SMITH of Texas, Mr. PERLMUTTER, and Mr. MILLER of North Carolina.
H.R. 6064: Mr. SNYDER, Mr. LANGEVIN, Ms. DEGETTE, Mr. ORTIZ, Mr. TIERNEY, Mr. FARR, and Mr. ALTMIRE.
H.R. 6073: Mr. WELCH of Vermont and Mrs. DRAKE.
H.R. 6076: Mrs. CHRISTENSEN and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 6083: Mr. WALZ of Minnesota.
H.R. 6092: Mr. JONES of North Carolina.
H.R. 6093: Mr. GRIJALVA.
H.R. 6104: Mr. ANDREWS, Ms. HIRONO, Mr. REYES, Mr. BUTTERFIELD, and Mr. BRALEY of Iowa.
H.R. 6105: Mr. TIAHRT.
H.R. 6108: Mr. DREIER, Mr. HAYES, Mr. BONNER, Ms. FOXX, Mr. MCHENRY, and Mr. EVERETT.
H.R. 6146: Mrs. BLACKBURN and Mr. DAVIS of Alabama.
H.R. 6168: Mr. HULSHOF.
H.R. 6169: Mr. HULSHOF.
H.R. 6180: Mr. ROTHMAN, Ms. LEE, and Mr. STUPAK.
H.J. Res. 79: Mr. GEORGE MILLER of California.
H.J. Res. 89: Mr. ROSS, Mr. CONAWAY, Mrs. BLACKBURN, Mr. BARTON of Texas, Mr. FORBES, Mr. WHITFIELD of Kentucky, and Mr. SAM JOHNSON of Texas.
H.J. Res. 93: Ms. BORDALLO, Mr. COHEN, and Mr. FRANK of Massachusetts.
H. Con. Res. 244: Mr. ETHERIDGE and Mr. CHANDLER.
H. Con. Res. 296: Mr. FEENEY.
H. Con. Res. 299: Mr. MCCAUL of Texas, Mr. HARE, Mr. YOUNG of Florida, Mr. PRICE of Georgia, Mr. RAMSTAD, Ms. GRANGER, and Mr. GERLACH.
H. Con. Res. 336: Mr. HODES, Mr. WEXLER, Mr. MCINTYRE, Mr. FORTENBERRY, Ms. EDDIE BERNICE JOHNSON of Texas and Mr. SCALISE.
H. Con. Res. 338: Mr. RUSH and Mr. HINOJOSA.
H. Con. Res. 341: Mr. HAYES, Ms. ZOE LOFGREN of California, and Mr. MILLER of North Carolina.
H. Con. Res. 350: Mr. SERRANO, Mr. MORAN of Virginia, Mr. KIRK, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. ENGEL, Ms. BERKLEY, Mr. MAHONEY of Florida, Ms. SCHAKOWSKY, Ms. WOOLSEY, and Mr. MOORE of Kansas.
H. Con. Res. 358: Mr. LATTA, Mr. WALBERG, Mr. JORDAN, Mr. DAVID DAVIS of Tennessee, Ms. ROS-LEHTINEN, Mr. MCCARTHY of California, Mr. BISHOP of Utah, Mr. ROSKAM, Mr. MCKEON, Mr. COLE of Oklahoma, Mr. WITTMAN of Virginia, Mr. GINGREY, Mrs. BONO MACK, Mr. TOM DAVIS of Virginia, Ms. FOXX, Mr. BILIRAKIS, Mrs. DRAKE, and Mr. HAYES.
H. Con. Res. 364: Mr. CONYERS, Ms. NORTON, Mr. CROWLEY, and Mr. MEEK of Florida.
H. Res. 389: Ms. SLAUGHTER.
H. Res. 543: Ms. NORTON.
H. Res. 617: Mr. MCCOTTER.
H. Res. 672: Mr. SPRATT, Ms. KILPATRICK, and Mr. HINOJOSA.
H. Res. 977: Mr. DINGELL.
H. Res. 1010: Mr. SALI.
H. Res. 1051: Mr. CONAWAY, Mr. HAYES, Mrs. MUSGRAVE, Mr. ROGERS of Alabama, and Mr. RYAN of Ohio.
H. Res. 1143: Mr. GERLACH, Mr. CANTOR, Mr. GILCHREST, Mr. ALLEN, Mr. EHLERS, Mr. NEAL of Massachusetts, Mr. SKELTON, Mr. SALI, and Ms. KAPTUR.
H. Res. 1164: Mr. STUPAK.
H. Res. 1219: Mr. SKELTON, Mr. BURTON of Indiana, and Mr. JONES of North Carolina.
H. Res. 1227: Ms. JACKSON-LEE of Texas and Ms. WOOLSEY.
H. Res. 1230: Mr. DELAHUNT, Ms. WOOLSEY, Mr. ENGEL, and Mr. BERMAN.
H. Res. 1235: Mr. BOUSTANY, Mr. ALEXANDER, Mr. MCCRERY, Mr. BUYER, Mr. BROWN of South Carolina, Mr. BOOZMAN, Mr. BUCHANAN, Mr. LAMBORN, Mr. LATTA, Mr. SHIMKUS, Mr. BONNER, Mr. MILLER of Florida, Mr. MARCHANT, Mrs. DRAKE, and Mr. STEARNS.
H. Res. 1237: Mr. COOPER and Ms. WASSERMAN SCHULTZ.
H. Res. 1243: Mr. JONES of North Carolina, Mr. HALL of Texas, and Mr. MCCOTTER.
H. Res. 1245: Mr. CHABOT, Mr. FORTUÑO, and Mr. ELLISON.
H. Res. 1249: Mr. BERMAN, Mr. LEWIS of Georgia, Ms. CLARKE, Mr. MEEK of Florida, Mr. COHEN, and Ms. SCHWARTZ.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

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Senate

The Senate met at 3:15 p.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, whose steadfast love never ceases, your mercies are new every morning, and we wait quietly for Your salvation.

Give our Senators, this day, a godly excellence that seeks to serve with humility. Help them to be willing to go the extra mile and to be inconvenienced for the sake of others. May they seek ways to serve instead of waiting to be served, as they follow Your example of humble service. Let Your unconditional, unalterable, and unending love lead them to respect, honor, and unity. You are a great God to meet our needs. We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 9, 2008

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ASSISTANT MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

SCHEDULE

Mr. DURBIN. Mr. President, following my remarks and the remarks of Senator MCCONNELL, if he chooses to make any, the Senate will resume consideration of the motion to proceed to S. 3044, the Consumer-First Energy Act. As previously announced, there will be no rollcall votes today. Senators should be prepared to vote on the motion to invoke cloture on the motion to proceed to S. 3044 tomorrow prior to the caucus luncheons.

MEASURES PLACED ON CALENDAR—S. 3098 and S. 3101

Mr. DURBIN. Mr. President, I understand there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will state the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 3098) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

A bill (S. 3101) to amend Title XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

Mr. DURBIN. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

LAST FRIDAY

Mr. DURBIN. Mr. President, last Friday, five startling things happened to our economy.

The futures price for a barrel of crude oil rose above $139, an alltime record. It increased over $10 in 1 day, and the increase in price on Thursday and Friday was the largest 2-day increase in the 130-year history of the New York Mercantile Exchange.

That morning, a Morgan Stanley analyst had released a report predicting that the price of a barrel of oil could reach $150 by the Fourth of July.

Also that morning, the worst job report and worst unemployment report in 12 years was released. The national unemployment rate has now reached 5.5 percent.

By the end of the day, in reaction to this news, the Dow Jones Industrial Average was down 394 points.

The average price for a gallon of gasoline at the pump on Friday, nationally, hovered around the alltime record of $3.99 a gallon.

Are these five events related? Of course they are. There are many other economic events that took place last week that were also very important and related.

Here is the more difficult question: Did any of these events cause others to occur?

Most importantly, what led to that record increase in the price of oil, which will no doubt lead to crushing increases in the price of gasoline in the days to come?

The honest truth is nobody knows. Not the Commodity Futures Trading Commission, the regulator that is supposed to be monitoring the futures market. The CFTC Commissioners recently argued before the Appropriations Subcommittee that I chair that

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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all the increase in the price of oil can be explained solely by the fundamentals of supply and demand.

Was there an explosion on Friday in an oilfield that disrupted a huge portion of the world's oil supply that we all missed? No. I don't see how a $10 increase in 1 day can be explained solely by increases in demand relative to supply.

Not the Energy Information Administration, the official U.S. Government source for energy statistics. The EIA doesn't receive detailed information on who's trading what and why.

Was there a massive runup in gas on Friday by nervous motorists all across America? Since the EIA doesn't collect demand information from the gas pumps, I don't see how they could judge whether supply and demand explains the current futures prices.

Not the Federal Energy Regulatory Commission, the regulator responsible for the transmission of energy between States. FERC focuses mostly on the physical delivery side of the energy markets and doesn't analyze the futures markets.

Not the Federal Trade Commission, the regulator responsible for looking out for the interests of consumers and assaulting monopolies. The FTC can investigate the effects of consolidation in the oil industry and can help prevent price gouging at the pump, but they don't look at the nuances of futures market trading.

And I admit not this Senator either. I don't pretend to have all the answers as to why gas prices keep rising, but I certainly see a problem that needs to be addressed; it is a problem I see in Illinois and all across this country.

This issue is much too important to the American people to allow this to continue. Enough is enough. It is time for Washington and leaders across America to respond. We need to get to the bottom of this. There are far too many questions to which no one seems to have definitive answers—questions such as:

Are speculators driving up the price of oil far beyond what can be justified by supply and demand?

Are investors simply fleeing the stock markets because of the slowing economy and flooding the futures market with excess cash?

Are new investment vehicles, such as commodity index funds, driving up futures prices?

Are investment bank analysts issuing reports predicting huge increases in oil prices, in part, because those same banks will profit from that event?

Are large institutional investors taking huge positions in over-the-counter trades that are pushing market prices higher?

Are regulatory differences between the CFTC, which oversees American trading, and the Financial Services Authority, which oversees British trading, allowing traders to hide manipulative crude oil positions from the CFTC?

Are the big integrated oil companies using the rising price of oil futures to justify even larger increases in the price of gas at the pump?

If we had the answers to these and many other questions, we would have a better understanding of what is happening. We would better understand the policy steps to take next, and we would understand how to ensure that a crisis such as this doesn't continue or occur in the future.

It is time to give the CFTC the resources it needs to collect and analyze all the relevant data, so it can understand what is causing these huge price spikes.

It is time to give the CFTC—the regulatory agency involved—more workers, analysts, more cops on the beat to investigate every last detail of what is happening.

Look at this chart. By 2009, the CFTC will be asked to oversee around 980 million futures transactions of ever-increasing complexity. From the year 2000, where there were 145 million of these transactions, we now project that by the end of next year, that number will be 980. That is about six to seven times the number of transactions that occurred just a few years ago.

So at this Commission that regulates that industry and makes sure people aren't misusing it, how many cops on the beat have we had? In 2000, we had 546. Today, under the President's budget, it is 475. The number of transactions this agency is following to make sure they are not deceiving the public and that there is pure transparency increased by sevenfold, and the number of inspectors has gone down in that same period of time.

In Friday's Washington Post, the Chairman of CFTC, Walter Lukken, said:

> We can hire an extra 100 people and put them to work tomorrow given the inflow of trading volume. We are doing the best we can in difficult circumstances. . . . This is something that we are obviously concerned with—the potential for manipulation.

It is time to pay attention to Chairman Lukken's comments. More important, it is time to ensure that extra resources are applied.

It is time to require the Commodity Futures Trading Commission to receive data on all trades of all sizes by all participants in the oil futures market that impact deliveries in the United States.

The CFTC then should be required to analyze that entire bed of data and report to Congress on the fundamental reasons behind the oil-price spike.

The American economy is clearly struggling. The cost of a tank of gasoline is an onerous burden to families, businesses, truckers, and farmers. Yet that price continues to rise. Enough is enough. It is time for us to give the resources to this agency so they will have the cops on the beat to make sure they are honest, open transactions, which we can monitor to make certain wild speculation doesn't drive our economy down even further. We have the power within Congress to do it. If the President will not take the leadership on this issue, leadership must begin right here on the floor of the Senate.

As chairman of the subcommittee for the Commodity Futures Trading Commissions appropriation, I can assure you the resources that are needed for this agency will be the highest priority as we determine the appropriations bill that will be debated in the weeks to come.

It is time to figure out what is driving oil prices through the roof and bring them under control so our economy can continue to grow.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3044, which the clerk will report.

The legislative clerk read as follows:

> Motion to proceed to S. 3044, to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

FILLING THE TREE

Mr. SPECTER. Mr. President, I have sought recognition to comment about a practice that is being employed on a widespread basis, which I believe undercuts the fundamental institutional integrity of the Senate. I am referring now to a procedure known as filling the tree. That is an expression used inside the beltway—inside the Senate Chamber—for action taken by the majority leader to establish a procedural situation where no Senator can offer any other amendment.

The long tradition of the Senate has been it is an institution that encourages, harbors, fosters open debate, the presentation of issues, the discussion of matters, to bring not only in this limited Chamber, or beyond on C–SPAN2, if anybody is watching, but to the entire country.

That is what distinguished the Senate from the House of Representatives, for example. In the House, they have what is called a rule, and Members may offer amendments only in a very limited, circumscribed way and then in a limited period of time. But under Senate rules, any Senator may offer virtually any amendment virtually at almost any time on any subject and speak in an unlimited way, as long as he retains the floor.

Last week, the Senate took up legislation of great importance on global

warming. There are many complex issues involved in that subject. We started off with legislation which had been offered by Senator LIEBERMAN and Senator WARNER that had been modified by Senator BOXER, the chairperson of the Environment and Public Works Committee, and there were many other proposals in the wings waiting to be considered. One of those proposals was legislation prepared by Senator BINGAMAN and myself, the Bingaman-Specter bill.

In the consideration of global warming, there were many complex matters. I don't intend to go through all of them now, but illustrative of that is the issue of technology. Is the technology adequate to accommodate the goals and standards of Lieberman-Warner? What would be the economic impact on the provisions of global warming in terms of encouraging foreign countries to ship to the United States on exclusions where they might not have the same limitations?

For example, in the steel industry. On that particular subject, I testified before the Finance Committee last February 14 about the need for the United States to be a leader on global warming, but at the same time not to sacrifice our industry to foreign goods, and noted that the Chinese wanted a 30-year exemption. If they had gotten that, there would not be any steel industry. But there were many issues.

I came to the Senate floor a week ago today to speak on the subject on June 2. And then I returned to speak again on June 3. Then, by Wednesday, June 4, I found out that we were on our way to having the tree filled. Actually, I spoke on June 2, 3, and June 5 and found when there was no opportunity to offer amendments, I filed four amendments.

I bring up that matter because then there was a cloture motion on Friday. A cloture motion requires 60 votes. If we are going to do it on a Friday, it is extremely difficult to find enough Senators to have an adequate showing as to what it means.

In any event, the cloture motion vote was held, and the cloture motion fell far short. The majority leader took the bill down, and now we are no longer considering the question of global warming. That is a matter which, in my judgment, warrants very considerable time by the Senate. I don't know whether it is 2 weeks or 3 weeks or how many weeks it is, but I know it is a lot more than 4 days. And now it is gone.

Regrettably, it is not just global warming which is involved. Not long ago, we have had the issue of the so-called Ledbetter Fair Pay Act, S. 1843, legislation which would change the statute of limitations on enforcing employment rights for equal pay. This bill was introduced because the Supreme Court of the United States, in a 5-to-4 decision, enforced a 6-month statute of limitations on a woman who wanted to claim her Federal rights to equal pay.

It seemed to me the decision of the Supreme Court of the United States was wrong. The plaintiff was being foreclosed an opportunity to go to court to get equal pay when she didn't even know she had the cause of action or the right to do that.

This issue then was the subject of a cloture motion. The motion to proceed failed on cloture 56 to 42. The bill was given no process. There was no committee referral, no debate, no opportunity for amendments, just talking points for Democrats, an illustration where cloture was filed.

The tradition of the Senate has always been to have legislation offered, to have it debated. If there is objection, people oppose it. If people are very determined not to allow it to come to a vote without a supermajority—that is, getting 60 votes for cloture—then they filibuster. But in the course of that process, there is an awakening of the American people about what is going on.

A good illustration would be the historic civil rights debates which went on in this Chamber for very protracted periods of time. But the American people hardly have any idea about what is involved in equal pay for women when the matter is called to the Senate floor and in a virtual nanosecond is dispensed with.

Had the Ledbetter Fair Pay Act received extensive debate, had there been opposition, had there been discussion, had there been some idea by the American people about what was going on, there could have been some public opinion registered on that as a very important matter.

The great difficulty is this is not a machination of the current majority leader. This is a practice which has been building up for a considerable period of time and, as with the case of so many matters, it is a matter of equal blame on both sides of the aisle, both Republicans and Democrats.

In a survey by CRS, going back to 1985, it was used infrequently. Senator Dole used it five times in 1985 and 1986; Senator BYRD, three times in 1987 and 1988. Senator Mitchell did not use it at all in 1989 and 1990. Then in 1991 and 1992, Senator Mitchell used it one time. Then in 1993 and 1994, Senator Mitchell used it nine times. In 1995 and 1996, Senator Dole and Senator Lott used it five times. In 1997 and 1998, Senator Lott used it three times. In 1999 and 2000, Senator Lott used it nine times. Senator Daschle then used it once in the next 2 years. The following 2 years, 2003 and 2004, Senator Frist used it three times. Then in 2005 and 2006, Senator Frist used it nine times. And in the 110th Congress, so far, Senator REID has used it 12 times. Every time that it is used, it totally undercuts the ability of the Senate to function in its traditional way.

Senator REID had this to say about this practice when he was not the majority leader but when he was the leader of the minority, the leader of the Democrats back on February 28, 2006. He was speaking in defense of a fellow Democrat's ability to offer amendments to the PATRIOT Act reauthorization. Senator REID of Nevada said this:

> Of course, even a good bill can be improved. That is why we have an amendment process in the Senate. I am disappointed that he has been denied that opportunity by a procedural maneuver known as ''filling the amendment tree.''

Senator REID goes on:

> This is a very bad practice. It runs against the basic nature of the Senate. The hallmark of the Senate is free speech and open debate. Rule XXII establishes a process for cutting off debate and amendments, but rule XXII should rarely be invoked before any amendments have been offered . . . I will vote against cloture to register my objection to this flawed process.

Senator REID made similar comments a short time later on March 2, 2006, saying:

> Don't fill the tree . . . That is a bad way, in my opinion, to run this Senate.

Senator DURBIN, speaking on May 11, 2006, on the 2005 tax reconciliation conference report said:

> The Republican majority brings a bill to the Senate, fills the tree so no amendments can be offered, and then files cloture which stops debate. So we cannot have this conversation. We cannot offer other amendments.

I cite Senator REID and Senator DURBIN with particularity because they are the two leaders of the Democrats at the present time.

An eloquent statement on this subject was made by Senator DODD on May 11, 2006. Senator DODD had this to say when he was speaking about health care legislation:

> I want to point out to our colleagues why I am terribly disappointed with the procedures we have been confronted with this evening dealing with this legislation . . . This is the Senate. This Chamber historically is the place where debate occurs. To have a process here this evening . . . to basically lock out any amendments that might be offered to this proposal runs contrary to the very essence of this body . . . if you believe the Senate ought to be heard on a variety of issues relating to the subject matter—when the amendment tree has been entirely filled, then obviously we are dealing with a process that ought not to be . . . the Senate ought to be a place where we can offer amendments, have healthy debate over a reasonable time, and then come to closure on the subject matter.

I could go on at considerable length with other Senators making the same point. But here we have issues of gigantic importance which are not being considered. They are not being debated. They are not being explained. They are not being subject to questioning on the Senate floor, one Senator on another.

The educational process of telling America what the alternatives and prospects are for legislative change is not being explored. Not surprisingly, it is bipartisan. About the only thing that is bipartisan around this place is various mechanisms to gain political advantage.

We have had furious debates over the issue of confirmation of judges, a subject on which I have spoken repeatedly

and have noted that in the past 20 years, every time the Senate is controlled by a party opposite the President, there is a slowdown of the confirmation process. It happened during the last 2 years of President Reagan's administration in 1987 and 1988 when Democrats won control of the Senate in the 1986 election. It happened in the last 2 years of the administration of President George H.W. Bush, and during the administration of President Clinton where we Republicans controlled the Senate for the last 6 years, it was exacerbated. It was even worse in blocking President Clinton's nominations.

As I have said on this floor on occasion, I voted with the Democrats. I thought the Republican caucus was wrong and said so. But each time it has been exacerbated and become more intense.

Then this body saw a very sharp debate in 2005 where there was the consideration of the so-called nuclear or constitutional option, which would have changed the filibuster rule from 60 to 51. Now we are, again, in a period of gridlock. There is no doubt that the very low public opinion ratings of us are due to the public realization, the public disgust about all the bickering that goes on here. The public sees it on many items, the partisanship and the effort at a partisan advantage. But I do believe the public does not have an understanding of these arcane rules, like filling the tree. They can hardly have an understanding since most Members of this body don't understand exactly how it works.

Mr. President, this is not a matter that comes to me this afternoon or yesterday or the day before. I have been watching it for a considerable period of time, and 18 months ago, on February 15, 2007, I introduced S. Res. 83, a resolution to amend the Standing Rules of the Senate to prohibit filling the amendment tree. So far there has not been a hearing and not been any action on that, but I intend to press this issue. I intend to try to bring some understanding to the American people beyond the confines of this Chamber.

I don't think I am going to have a whole lot of effect on my colleagues this afternoon because there are none of my colleagues here this afternoon, except for the—no, no, I know the distinguished Senator from Maryland is here—except for the distinguished Presiding Officer. And I compliment my colleague, Senator BEN CARDIN, on his fast start in the Senate. Of course, he had a lot of advanced training having come from the House of Representatives and been a leader in the Maryland Legislature. I work with him on the Judiciary Committee, and he is a first-class Senator. That extract can be used—let's see, you ran in 2006—you can use it in 2012, 2018, 2024, and 2030, Senator CARDIN, but beyond 2030, I am reserving my judgment.

But Senators are busy, and I am not in any way critical of Senators not being here, but I intend to speak on the subject repetitively. I don't know that will do any good, but I intend to do that.

For years, Senator Proxmire used to stand at his seat on the aisle speaking about genocide. Every day he came to the Senate floor, and he was motivated because there was no television at the time he was speaking about genocide. I think television came while he was still speaking on the subject. Senator Proxmire was a remarkable Senator in many ways. My recollection is that he had 17,000 votes, which he didn't miss. I am not sure about the exact statistic, but I am sure he spoke extensively on genocide, and he had an impact. And now we know that genocide has been picked up as a crime against humanity and has been the subject of prosecutions under the War Crimes Tribunal.

So I intend to speak about this subject with some frequency, and I intend to press for a hearing on my resolution. I intend to press to see if we can get some action because if the American people knew what was going on, the American people would not like it. The American people live under the illusion that we have a United States Senate. The facts show that the Senate is realistically dysfunctional. It is on life support, perhaps even moribund. The only facet of Senate bipartisanship is the conspiracy of successive Republican and Democratic leaders to employ this procedural device known as filling the tree. It is known that way to insiders, and it is incomprehensible to outsiders.

Once known as a unique legislative institution, the Senate was referred to as the world's greatest deliberative body because any Senator could introduce almost any amendment on virtually any subject and get a vote on it. That was, as noted, the distinguishing feature from the House of Representatives, which is tightly controlled by the Rules Committee to restrict the parameters on what amendments are in order.

A principal reason, perhaps the main reason for the use of the procedural device of filling the tree, was to save the majority from taking tough votes. That backfired on Republicans in the last Congress, where the filling the tree rule was used in order to avoid bad votes. And, of course, we know the procedure backfired pretty hard for Republicans to lose control of the Senate. In the 2006 election we had to lose seven seats, a virtual impossibility, but we managed to do it.

But more important than the partisanship, more important than the increased use by both Democratic and Republican majority leaders is the impact it has on this institution. And more important than that is the impact it has on the legislative process and the working through legislation, which ought to be considered and, where warranted, enacted for the benefit of the American people.

Mr. President, in the absence of any Senator seeking recognition, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN ENERGY POLICY

Mr. SESSIONS. Mr. President, the American people are very frustrated with the failure of Congress to act on the great problems facing our country, a lot of problems, but I believe they are especially concerned about surging gasoline and energy prices. They are angry. They do not believe we have done enough in this Congress, and I think when they find out the leadership of this Congress, the Democratic leadership, is proposing legislation that will raise, not lower gas prices, they will not be happy.

Indeed, I received a note today from my staff that an experienced reporter at the Birmingham News, Mr. Tom Gordon, today wrote that my home county in Alabama, Wilcox County, again leads the Nation in the percentage of income that its citizens spend monthly on motor fuel, 16 percent, because the county has low incomes and people drive long distances to work.

It is a big deal. It is absolutely a real matter of importance. I think we need to do something about it. They want us to reduce our dependence on foreign oil, to produce more clean American energy, to show we are taking steps to contain and I think maybe even hopefully reduce the surging prices.

These prices are threatening the family budget. They are threatening American jobs and the American economy. Turn on any news program and read any news magazine. We are on track to spend $500 billion abroad this year to purchase 60 percent of the oil we consume; 60 percent-plus is being imported. This balance-of-trade deficit weakens our dollar, requiring even more dollars to purchase the same amount of oil. With the dollar getting weaker, you need more dollars to buy the same amount of oil. We are creating jobs and wealth in nations around the world with our money when this missing wealth in our country that we send abroad reduces our own jobs.

Families are routinely paying $50, $75, $100 more a month for the same or even less gasoline than they were a few years ago. When this added expense reduces the ability of hard-working middle-class Americans to purchase what they need to get by on, or to take care of their families, and when this reduction in spending on oil reduces spending on things other than oil that the American people need, is it any wonder the economy is struggling, I ask? Is it

any wonder millions of American are struggling to get by? Is it any wonder Americans from the suites in New York to the rural roads of Alabama are worried?

What is it our constituents are asking us to do? I think they want us to get busy doing what we know works. What works does not mean this $6.7 trillion cap-and-trade plan that has been introduced here that will burden the American economy by driving up the cost of gasoline by another 50 cents in the next number of years, 20 years; driving up the cost of electricity by 44 percent; driving up the price of gasoline three times that 50 cents in the years to come in the distant future; and drive business away from America.

It will make our manufacturing industry less competitive than the global marketplace at a time when we are already struggling to compete and stay up. As I have noted, it will drive up unemployment, and we unfortunately saw a very large surge in unemployment last week, to 5.5 percent.

First, it is not a horrible rate of unemployment, but a horrible increase in unemployment of five-tenths of 1 percent. As one economist said, I would not have been surprised to see 6 percent unemployment over the next 12 months. I did not expect to see half of that occur in 1 month.

People know we have a problem and they understand it. I guess the question is, is there anything we can do about it or are we hopeless? Is there something we can do to bring down the price of oil and make more sense in our economy to confront the danger that high energy prices, gasoline prices pose to America's well being?

Yes, there is. There is. Fundamentally we need to do what works, and we know a lot of things work. It is past time to get started in taking the long road back to a sound energy policy that can and will bring down or at least contain the price of crude oil and gasoline.

I propose that we work together on common ground, liberals, conservatives, Republicans, and Democrats. It is within our grasp and the people are ready for our leadership. We have an opportunity to address our Nation's crisis. The challenge is truly bipartisan in every way. After all, high energy prices affect Democrats, Republicans, and Independents all in the same way. While conservation and increasing the production of American oil and gas in an environmentally sound way can help contain the surge in prices, we need to do that. We must seek common ground further to develop and deploy technological breakthroughs necessary to solve our Nation's energy crisis.

We must commit ourselves as a nation to the production of clean and affordable energy sources. We must commit to policies that will move us beyond oil in a financially and prudent way. Only by championing national interests over any special interests will we be able to secure the common interests and lower energy prices and have a cleaner environment, both of which I believe are possible.

But we are far behind. Business-as-usual policies crafted to benefit favored constituents are no way to develop sound energy solutions to our Nation's needs. That is why I am proposing legislation to direct the Department of Energy, which I think can do more and should do more, to evaluate the host of national incentives we have now on the books to create alternative sources of energy, some of which have worked well, and to recommend changes based on what is in the national interest.

The national interest is to utilize those incentives to the maximum amount possible to create the most amount of clean American energy. Frankly, there is too much in some areas and not enough in other areas. We need to utilize incentives to jump-start industries that can help build a source of clean American energy. For example, we did succeed in creating an ethanol industry through a very sizable incentive. That has worked. We have drawn it down some now. The Agriculture bill that passed the Senate reduced some of those incentives. Perhaps they should have been reduced more since it has been such a healthy enterprise. That money could have been applied to other areas and other aspects of alternative energy that could jump-start those sources.

Congress also suffers too often from a short-term focus on the pressing issues of the day. Too often, we fail to adequately plan for the future needs of the country. That is why I propose that the Department of Energy develop a comprehensive, long-term energy strategy to anticipate unforeseen needs and to promote continued development of innovative energy sources. In order to achieve these goals, the Department would have to report its recommendations to Congress frequently.

I am not ashamed to say that I have a lot of issues on my plate. I am on the Armed Services Committee, the Judiciary Committee, and the Energy Committee. The Department of Energy has a huge staff, a large number of personnel. They spend all their time every day working on energy issues. We should have leadership from them. They should tell us what is working and what is not. They should help Congress set good policy. They could do more in that regard. They should not be timid about it. They should help us, step forward, make some proposals, and be more aggressive.

There are many things we can do now to lower the price of gasoline and promote clean American energy. Indeed, progress will be made by a thousand steps, large and small, but they must be smart steps. They don't need to be steps that cost far more than they will ever return in terms of energy per cost. They don't need to be political pork.

In 2005, Congress directed the Department of Interior to study the oil reserves in the Outer Continental Shelf. That is the deep waters off our coast, not right on the beaches. The study found that 8.5 billion barrels of oil are currently known to exist off our Nation's shores. In addition, the study estimated that approximately 86 billion barrels of oil exist in these waters. We spend maybe $5 billion a year on oil. That includes the 60 percent we import. The U.S. Geological Survey and private industry also estimate that approximately 25 billion barrels of oil exist on shore in the lower 48 States and Alaska. This totals approximately 119 billion barrels of oil alone and would be enough to power millions of automobiles for a century—not every automobile in the country for a century, but it would carry us a long way until we continue to work hard to have those breakthroughs that get us off oil maybe completely. The sooner the better for me.

These are not the only reserves known to exist from studies. These are reserves estimated from studies made 30 years ago. Further exploration and modern seismographic work will certainly locate far more reserves.

The question fundamentally is, to the American people and my colleagues, do we import more and more of our oil and gas from places that produce it in the North Sea and the Persian Gulf and the Caspian Sea off the coast of Africa and South America or do we produce it safely off our own shores, where the money stays at home, where we are not sending $500 billion of American citizens' money to people who build palaces in the desert with nothing more than basically money they have taxed us with? The price of oil today is set in large part because OPEC has reduced production, creating a shortage in the whole world. That is the fundamental problem. There are a lot of others, but that is the fundamental problem. We need to fight back. The way we fight back is to keep more of our money at home and send it less to these countries. How simple is that? But the policies we are having here go the opposite direction. They are not allowing us to produce more oil and gas in America, safely and cleanly.

We have and can move forward a lot of other sources of oil. One could be oil from oil shale. Some estimate those reserves to be approximately 1.8 trillion barrels of oil—a lifetime of oil in oil shale. There are a lot of things that have to happen to make that be produced. We have to be sure it is done in an environmental way. But we have major corporations that are willing to spend billions of dollars to see if they can produce it in that fashion. We blocked them from doing that last year. When I say ''we,'' I didn't agree to it, but the Congress slipped that in in conference committee and basically blocked that in the dead of night without any hearings to discuss the merits.

For example, Saudi Arabia, which has the largest amount of oil known in

the world, has only approximately 267 billion barrels of oil, whereas we have 1,800 billion barrels of oil in oil shale. It is primarily located in the West in governmental lands.

What about coal? We are the Saudi Arabia of coal. We have 25 percent of the world's coal reserves, which is enough to last approximately 250 years at the current rate. Surely long before then, we will have developed alternatives to carbon fuels. Converting this tremendous resource into liquid transportation fuel using proven technology can bring down the price of gasoline. It really can.

At this very moment, private companies are prepared to convert coal to liquid fuel and sell it to the Air Force for aircraft, sequestering the carbon so it is not emitted into the atmosphere, at approximately $85 a barrel. That is $40 less than the world market price of oil today, which is over $130 a barrel. They are prepared to do that. Somebody slipped in language to block that from occurring, so the Air Force now is in limbo as to whether they can enter into a long-term contract necessary to guarantee domestic sources of clean fuel made from American coal, all the money staying in the United States, helping enhance our national security. We need to repeal that provision. We need to let the Air Force go ahead with this. It would mean tremendous opportunity to affirm the Air Force's initiative and to verify as a practical matter whether this large amount of fuel can be converted from coal. The way they do it, they heat the coal, and off comes the gas, and then you can reconvert that back to a liquid. It comes out cleaner, just spotless clean. It cleans the engine instead of making it dirty. It is a fabulous fuel.

Diesel fuel—let me share this with you. These are some things we can do and get busy now, that we should already have done. Diesel fuel is more efficient than other fuels. According to Popular Mechanics magazine—recently they did a comparison; I can't guarantee everything they said because the numbers are pretty astounding, but in a sense it is good news—the next generation already in existence of clean diesel engines runs approximately 38 percent further on a gallon of fuel than a similar size automobile that is a hybrid automobile. The magazine found that a 2007 Volkswagen Polo Bluemotion diesel automobile travels 38 percent farther on a gallon of fuel than a 2007 Toyota Prius hybrid.

We know for a fact that diesel gets 30, 35, 40 percent better mileage than a gasoline engine. In fact, Europe has 50 percent of its automobiles diesel. Why? Because it gets better gas mileage. We have gone the exact opposite direction. We only have 3 percent of our fleet diesel. Why are we not creating policies that will help Americans move to more fuel-efficient diesel engines and do something about this odd circumstance when diesel fuel is now considerably more expensive? It is about 15 percent more expensive, but it gets at least 30 percent better mileage. It is still a buy, even at the prices at the pump today for diesel. In addition to being fuel efficient, diesel-powered vehicles release fewer CO_2 emissions than similar hybrids or gasoline engines; CO_2, the global warming gas, less of that from a diesel engine. It is so much cleaner today than people's memory of smoky diesels in the past. It is an entirely new engine, an entirely new procedure.

According to the Popular Mechanics field test, the Volkswagen model tested by the magazine emitted 5 percent fewer greenhouse gases per mile than a Toyota Prius. I was able to drive a Prius the week before last around Alabama. It was very impressive. Why are we not thinking about diesel as we seek to clean up our air and reduce our importing of foreign oil? Diesel engines today run on ultra-low sulfur diesel that is 97 percent cleaner than older diesel fuel. It is the cleanest fuel in the world. It is cleaner than the European fuel—the Europeans are environmentally conscious—and our own regulations require that.

New diesel technology, the Mercedes BlueTec engine—I visited their Alabama facility last week—reduces carbon monoxide, nitrogen oxide, and particulates.

According to the EPA, if 33 percent of American drivers switched to diesel vehicles, oil consumption would be reduced by approximately 1.5 million barrels of oil a day, which would cut our imports 10 percent. They say if you drill in ANWR in Alaska, an area the size of the State of South Carolina—and they would like to explore for oil and gas in an area the size of Dulles Airport—if it comes in and it is only a little over a million barrels a day, that is about 10 percent of our import amount. So if we had more diesel and production in Alaska, that would reduce our imports 20 percent.

Already Americans are conserving more. They have reduced consumption at least 5 percent this year. So now we are down 25 percent. That is the kind of thing we can do that will make a difference in the price of oil and help make this a stronger country.

Now, ethanol represents a viable alternative energy source, I am convinced. According to the Congressional Research Service, 6.5 billion gallons of ethanol were produced in the United States last year. This amounts to approximately $19.5 billion—let me be sure I get this correct because my mind is probably like some of my colleagues. That is 6.5 billion gallons as opposed to barrels I was talking about earlier. Mr. President, 6.5 billion gallons of ethanol were produced in the United States last year. It amounts to approximately $19.5 billion that stayed in our country to create American jobs and pay good wages here. It did not go to buy oil from some foreign country so that the wealth goes there.

It is estimated that we are on track to produce 9 billion gallons of ethanol this year. So we go from 6.5 billion to 9 billion gallons this year. We are soon reaching the maximum production, I think, for most ethanol that comes from corn, which most of this does. But that has been helpful to us, I submit to you. So this would result in approximately $36 billion that will be invested in America, paying wages to American citizens, who pay taxes to our cities and counties, for schools, and to the Federal Government. We want them to have good jobs with good wages.

According to Renewable Fuels Association, the price of gasoline would rise approximately 31 percent if ethanol was eliminated. Is that right? That is an advocacy group for renewable fuels, but this week Barron's Magazine had an analysis and quoted figures similar to that and noted that consumers were saving several hundred dollars a year as a result of ethanol. Whether it is a great benefit to us in net reduction of CO_2, we do not know. Originally, the environmentalists certainly believed so and advocated it. Some now question that. Regardless, as an economic matter and as a matter of national security, it has reduced our dependence on foreign oil, kept wealth at home, and helped protect our national security and create jobs.

But there are limits on ethanol, so that is why we need to seek technological breakthroughs that will allow us to produce cellulosic ethanol on a commercial scale. Cellulosic fuel can be produced from sources that do not place strains on other end users.

There is tremendous potential in our country to utilize waste wood from sawmills, paper companies, waste wood that is left in the forest from when the timber is cut and hurricane recovery. I talked to a FEMA hurricane emergency response official today about the potential of utilizing cellulose that is downed and thrown away in landfills after a hurricane, where thousands and millions of trees are blown down, to create energy. I think it is a realistic possibility. Every city and county in the country is constantly hauling out large amounts of wood and trees from their city. It cannot be utilized effectively for lumber or other uses. Instead of going to landfills, this could create energy. I think there is a great potential here.

Auburn University has spent a lot of time on switchgrass, another cellulosic form. They will be bringing up, June 19, to Washington their gasification unit that is portable. It is the size of a tractor-trailer rig. You put wood chips in one end, the wood is heated, a gas comes off, and that gas is converted to a liquid fuel. It is proven it can be done. This is not impossible. What we need to do is accelerate the science to prove whether it can be commercially feasible. I think it can be. I am proud of Auburn. They have won a national award for that. They are No. 1 in the country in that area of research, according to the U.S. Department of Agriculture.

The next is the plug-in hybrid technology, which holds exceedingly great potential. By utilizing and improving current battery technology, plug-in hybrids will be able to travel father using less gasoline—perhaps dramatically less gasoline—than conventional hybrids or any other kind of automobile. In addition to greatly displacing imported oil, plug-in hybrids can reduce the amount of pollutants and greenhouse gases in the air by relying on clean nuclear energy to recharge their batteries.

Let's just talk about this briefly. We will talk a little more about nuclear energy. But if you have a commute each day of 10 or 15 miles and you can create a battery that will run 30 miles without any hybrid engine having to be turned on to charge and recharge the battery, a person could commute back and forth to work every day if that car would only run 30 miles. When they come home at night, they can plug it in and recharge the battery from the power socket. And particularly charging it from 11 p.m. to 5 a.m., it will use base load power, often not even being fully utilized. If the power source is nuclear power, it emits no pollutants into the atmosphere whatsoever, and that will completely eliminate the need to utilize any oil or gasoline in the car. Now, that is close to being reality.

Certainly, we will produce more wind and solar power. We support those energy sources. The Congress has provided incentives for that. Few would dispute that large increases in clean American base load electricity in large amounts is essential, and we cannot get there by conservation only because a number of things happen. No. 1 is that our population is going up. By 2050, we will have a substantial increase in the American population. So even if every American used less, the Nation is projected, by every expert I am aware of, to utilize more energy. Another thing that happens: You may well develop new lightbulbs, which I hope every American will utilize and turn off lightbulbs when they are not using them, but we have other things that come up. For example, how many of our people want to give up plasma TVs? They use a lot more electricity than the old kind. And computers. When we projected the increase in the cost of the utilization of electricity in the 1970s and early 1980s, we did not expect the size of the computer revolution and the amount of energy that would add. So there is always something out there. That is all I am suggesting. It is just not smart for us to project in a way that is contrary to the experts that we are going to utilize less electricity.

So after much study—and I have spent a good bit of study on this—it is clear to me that nuclear-generated electricity is the serious solution for a clean energy future and an alternative to a future filled with ever-increasing regulations and more regulators and more lobbyists and more political fights such as this cap-and-trade bill—all of which produce no energy but drain our American economy. Nuclear power is American based. It is a proven technology. It helps enhance our national security. It is competitive costwise. It is not outrageously expensive like some of the ideas that are being floated. It emits no pollutants into the air, neither NO_X nor SOx nor mercury nor particulates. And it 100 percent meets our global warming goals, which is to reduce CO_2, carbon dioxide—zero, zilch.

Twenty percent of our electricity today is nuclear, and we have not built a plant in 30 years. France produces 80 percent of its power from nuclear power, and Japan is over 50 percent. They are heavily committed to nuclear power, and it is paying off for them. Britain just announced five new nuclear plants. So we are running behind.

But the good news is that after the Energy bill Senator DOMENICI worked so hard on and the legislation he offered, 30 new applications for nuclear powerplants have been submitted. That is 30—up from zero just a couple years ago. But we must strive to ensure this nuclear renaissance continues and completes.

There is this tremendous possibility that base load nuclear power, particularly in the night, offpeak time, could be utilized to charge automobile batteries so we could run our automobiles without any fossil fuel being burned. Nuclear power is the one energy source that could create large amounts of hydrogen, the hydrogen necessary if we are to develop effectively fuel cell hydrogen automobiles that also favor a clean concept. Both of these are postoil, postcarbon energy sources that can power our automobiles, which is where our crisis is today.

Renewable energy sources also have an important role to play. According to the Department of Energy, renewable energy provided approximately 9 percent of the total U.S. electricity generation in 2005. While this is not large, there is significant room for growth. Wind energy has led this growth, increasing from approximately 3,500 megawatts in 2001 to almost 17,000 megawatts today. Solar power has also increased, although cost and storage remain serious issues. Geothermal energy has not expanded as rapidly as wind has, but it has potential. According to MIT, the United States has approximately 100,000 megawatts of enhanced geothermal capacity which can be developed by 2050.

A few weeks ago, this Senate voted on a plan that would have taken the first steps to produce many of these untapped energy resources by allowing more energy exploration off our coasts and in Alaska. But we do need to move beyond petroleum-based transportation fuels. We need to do some other steps, such as enhancing the batteries for electric cars, as this bill would have done, which could have allowed us to move to plug-in hybrids. I think that is within our grasp right now, and it would help clean up our environment.

Mr. President, I see the majority leader on the floor. I will just conclude by noting that with prices at record highs, I think the American people can be excused for wondering what their Congress is doing. They expect us to get busy—to get busy now—to produce more clean American energy. That will be the only thing that is going to help reduce our dependence on foreign oil and our ability to be hijacked by prices driven up by OPEC nations that are restricting supply.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I extend my appreciation to my friend from Alabama for giving up the floor.

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. President, this is a consent request to have a vote on three district court judges tomorrow.

I ask unanimous consent that on Tuesday, June 10, after the cloture vote or votes with respect to S. 3044 and H.R. 6049, regardless of the outcome, and notwithstanding rule XXII, the Senate then proceed to executive session to consider concurrently Calendar Nos. 539, 540, and 541; that there be a total of 10 minutes equally divided and controlled between Senator LEAHY and Senator SPECTER; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of each nomination in the order listed above; that there be 2 minutes between each vote, and after the first vote, the vote time be limited to 10 minutes each; that upon confirmation, the motions to reconsider be laid upon the table en bloc, no further motions be in order, the President be immediately notified of the Senate's action, and the Senate resume legislative session, without further intervening action or debate, and the Senate then stand in recess until 2:15 p.m. for the respective party conference meetings.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST—S. 3036

Mr. REID. Mr. President, I now ask unanimous consent that S. 3036 be returned to the calendar.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SESSIONS. There is objection. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Connecticut.

Mr. DODD. Mr. President, may I inquire, has my colleague from Alabama completed his remarks? You have?

Mr. SESSIONS. Yes.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSING CRISIS

Mr. DODD. Mr. President, I rise this afternoon to take a few minutes to share with our colleagues the current condition of the housing situation and the steps being taken by the Senate Banking, Housing, and Urban Affairs Committee—the steps we have taken in recent days and what I hope we can continue to do in the coming days over the next week or so, depending upon the agenda the leadership will set for us: our hope is to bring forth one more proposal that will complete the circle of the steps we can take as public policy setters in the area of dealing with the heart of the economic crisis, which is the housing crisis. The heart of the housing crisis is, of course, the foreclosure crisis. So this report I share with my colleagues is both a positive one—which includes the steps we are taking together to address the problem—as well as, unfortunately, a rather negative one in terms of the actual statistics and numbers that people are living with every day.

When we talk about these numbers and statistics, they actually reflect what is going on in the lives of very real people in our country who are struggling economically to make ends meet. Home ownership and the value of homes is at the heart of not only the American family dream but also at the heart of their economic success in many ways. So as I have done regularly over the past several months, I wish to share with my colleagues some of the problems we are facing in our economy and some of the steps we are taking to address them.

Three weeks ago, with overwhelming bipartisan support, we were able to pass out of the Banking Committee the Hope for Homeowners Act and legislation to reform the Government-sponsored enterprises—the so-called GSEs. These measures will help reduce foreclosures, strengthening the housing market and ultimately helping to restore our economy to healthy growth. We also added as part of that legislation an affordable housing program which will exist in perpetuity; not a short-term, 4- or 5-year program but one that will be around for years to come to assist those who are in desperate need of adequate and decent shelter, including rental housing.

The committee work in these major areas follows the work that the Senate accomplished earlier this spring when we passed the Foreclosure Prevention Act. That legislation contains several very important provisions to help homeowners, neighborhoods, and communities throughout our Nation. The legislation included $4 billion for communities to use through the Community Development Block Grant Program to purchase and rehabilitate foreclosed properties in their communities. The act also included $150 million in additional foreclosure prevention counseling, on top of the dollars we had already appropriated earlier, to assist in that area. Counseling, I would add, is a proven and very effective program that has helped struggling homeowners avoid the devastating effects of losing their homes. Finally, the act includes legislation that would modernize the Federal Housing Administration so the FHA can play an enhanced role in allowing hard-working American families to pursue and achieve the dream of home ownership through a suitable and sustainable mortgage.

I am continuing to work with our colleagues and the ranking member, Senator SHELBY of Alabama, along with other members of the committee—both Democrats and Republicans—and the Senate to enact comprehensive legislation that includes these and other provisions. These Members include Senators BAUCUS and GRASSLEY, the chairman and ranking member respectively of the Senate Finance Committee, who have contributed very important tax provisions to the Foreclosure Prevention Act.

There is no question in my mind that the almost daily information we are receiving on the performance of our economy should continue to spur action on the part of this Congress. Our economy has been limping along for the last 6 months, with growth well under 1 percent. If you take away the growth in Government and the buildup of inventories that occurs when the economy enters a recession, our economy grew by three-tenths of 1 percent in the first quarter of this year. In other words, our economy is at best stagnant, and in the view of many economists and others, we are actually in a recession.

Last week we learned that the unemployment rate in April rose by one-half of a percentage point in 1 month. That is the largest monthly increase at that rate in 22 years. We have lost thousands of jobs each and every month this year so far, according to the Bureau of Labor Statistics. This year, our economy has lost just under 400,000 private sector jobs, and most economists expect they will continue to lose jobs as the economy struggles. That is why I think it is critically important that we ought to provide for extended unemployment insurance benefits for those who have lost their jobs through no fault of their own as part of our response to the economic challenges we are facing. Certainly if we weren't able to do this, it would be the first time in my experience in this body for a quarter of a century that we didn't extend unemployment insurance benefits to people who have lost their jobs during periods of economic hardship. That has never happened before in my tenure here, and it is my serious hope that we will provide those extended benefits to those who deserve them.

The data we are looking at, as sad as it is, also confirms that the housing market continues to be mired in a deep recession as well. Residential construction fell by over 30 percent in the first quarter of this year. Sales of existing homes fell by 13 percent over last year. Now, let me quickly add some new data today for April that indicates sales may have finally picked up slightly, and we welcome that news. Most analysts, however, believe this uptick, if you will, in homes sales occurred only because home prices have continued to fall over the last several months. Regardless of that uptick, the number of new homes that remains unsold continues to rise, reaching the highest number in over a quarter of a century. Joining this growing number of new homes sitting vacant on the market unsold are homes where the previous owner has been foreclosed.

Foreclosures have hit a new all-time record. According to the Mortgage Bankers Association—the MBA—this data shows that almost 1 in every 11 homes with a mortgage in our country is in default or in foreclosure as of March of this year. That is the highest level since the MBA began tracking foreclosures in 1979. Foreclosure rates have been growing at record levels for some time, and last year alone 1.5 million of our fellow families in this country had their homes enter into a foreclosure.

Each and every day, over more than 8,100 families enter foreclosure. Every single day, 8,100 families on average enter foreclosure. The projections are that foreclosure rates will remain at historic highs for the foreseeable future. The investment bank Credit Suisse just released a report in which they predict that 6.5 million homes will fall into foreclosure over the next 5 years. They state:

> The coming flood of new foreclosures could put 8.4 percent of total homeowners, or 12.7 percent of homeowners with mortgages, out of their homes.

The scenario they are describing is one in which one out of eight American families with a mortgage could lose their homes. That is a chilling prediction.

Robert Schiller, the widely respected economist from Yale University who helped invent the so-called Case-Schiller Index that is used throughout the country and the markets to measure the change in home values, gave a speech recently in New Haven, CT where he said there is a good chance that housing prices will fall further, perhaps by as much as 30 percent since their peak in the late part of 2006. If that were to happen, it would mean the decline in home prices would be greater now than it was during the Great Depression back in the 1920s and 1930s of the previous century.

These are indeed historic times with historic challenges. Already we have seen home prices decline nationally for the first time since the Great Depression. For the first time since the Federal Reserve began keeping track of home equity in the 1940s, Americans today own less than half the value in their homes.

The effect this is having on our economy cannot be overstated. Martin Feldstein, who served as President

Reagan's chief economist, recently wrote in the Wall Street Journal:

> The 10 percent decline in home prices has cut household wealth by more than $2 trillion, reducing consumer spending and increasing the risk of a deep recession.

That means American families have lost more than $2 trillion of wealth. Losses of that magnitude are staggering. That is almost 20 percent of our Nation's GDP. Put another way, a national loss of wealth of $2 trillion means a typical family of four would have lost over $25,000 of wealth due to the current housing market crisis. This sharp loss in wealth for the average American homeowner comes at a time when they face record high prices for essentials of American life: Food, gasoline prices—as we have heard about today the cost of gas has been increasing every day—health care, and the cost of higher education. So the so-called foreclosure crisis is affecting far more than only those facing foreclosure. It is affecting nearly all of us in every imaginable way. As one home falls into foreclosure, the value of countless other homes in those neighborhoods is falling as well. If Dr. Schiller's predictions come to bear and home prices fall by 30 percent nationally, then the loss to American families will exceed $6 trillion. That is more than half of our Nation's annual GDP. It would mean the typical family of four would have lost approximately $80,000 of wealth. That is more than most American families earn in an entire year.

The nationwide implications of this crisis help explain why consumer sentiment is at historic lows. Americans' expectations for future economic growth are at the lowest level in 35 years since the deep recession of the early 1970s.

These negative views about our economic prospects are based on the real experiences of most Americans. The Pew Center conducted a recent survey of Americans' views not only on the economy as a whole but on their personal well-being. The Washington Post characterized the Pew Center's finding as:

> Offering the gloomiest assessment of economic well-being in close to half a century, a new survey has found that most Americans say they have not made progress over the past 5 years as their incomes have stagnated and they have increasingly borrowed money to finance their lifestyles.

By almost any measure, Americans are struggling more and more than they have at any time in recent memory. Real median family income has fallen this decade as the cost of gasoline, health care, and college tuition, have risen at levels far outstripping any increases in paychecks. To keep pace with these rising costs, Americans have turned to borrowing from credit cards and their homes. But now, as the crisis in our capital markets begins to threaten sources of liquidity for people, such as mortgages, student loans, and other types of lending, the American economy is in a precarious place, to put it mildly. That is why we need new policies and new action to prevent this recession from becoming more severe, and to lay the foundation for our recovery.

The Federal Reserve is engaged in a series of interest rate cuts as they continue to aggressively use monetary policy to try and deal with the recession we are facing. But the Fed is running out of pages in its playbook to address the growing crisis of credit and confidence that has taken hold of our financial markets and threatens to undermine our Nation's economy. Until we more thoroughly address the core issue behind this recession—namely, the problems in the housing market and the foreclosure crisis—we are unlikely, in my opinion, to put our economy back on the right track. Fed Chairman Ben Bernanke understands the seriousness of this problem. In a recent speech on the subject of foreclosures, he said:

> High rates of delinquency in foreclosure can have substantial spillover effects on the housing market, the financial markets and the broader economy. Therefore, doing what we can to avoid preventable foreclosures is not just in the interest of lenders and borrowers. It's in everybody's interest.

I pledge to continue to work every day—as I know my colleagues on the Senate Banking Committee will, as well as those in the House Financial Services Committee under the leadership of Congressman BARNEY FRANK and as I am confident all of us in this Chamber will—to do everything we can to address these issues from the perspective of what we can do as part of the national legislature. That is why I am pleased to say that through these efforts, what we have brought to the floor of the Senate over the last several weeks has enjoyed broad-based bipartisan support. We will now be coming back again in the coming days. The leader of our Chamber, Senator REID, has committed that we will get to this as soon as we possibly can, given the crowded agenda he has to deal with. But we cannot, in my view, allow this Congress to continue to move forward in the coming days without addressing the remainder of these issues.

I cannot promise absolutely that everything we have offered is going to change the world dramatically. But there is one thing I hope it does do and that is restore confidence in the American families, whom the Members of this Congress serve, both Democrats and Republicans, are doing everything in their power to try and prevent foreclosures, restore confidence in the marketplace, and make it possible for the American dream of home ownership not to become the nightmare it has for far too many fellow citizens. It is at the core of everything else we are grappling with. We have seen the problem spill over into credit cards, financial services, commercial lending, student loans, and at the heart of all of this is the foreclosure problem.

That is what every single responsible economist, regardless of political ideology, has concluded. They have said there are steps we can take to make a difference—those steps we have created in a legislative manner to bring to this body. Our hope is we will enjoy the kind of broad-based support we have had in our committee. Anybody who has watched this body knows that when you get a 19-to-2 vote in committee on a matter such of this, you get some indication of the willingness of members to work together to make a difference. Senator SHELBY and I and the other members of the committee will continue to do that. We hope to put on the President's desk by July 4 this comprehensive financial services Banking Committee proposal, dealing with FHA, dealing with the government-sponsored enterprises, dealing with affordable housing, dealing with counseling, dealing with the community development block grant program, as well as tax ideas that we think could help, and the Hope for Homeowners Act, which is critical to try to put the brakes on this foreclosure problem.

I wished to take some time this afternoon to share with my colleagues that this problem grows more serious. It is growing more troublesome, spreading beyond our national borders, in terms of what the subprime market and the purchase of those mortgage-backed securities has done to the markets, not only in this country, but abroad as well.

This is our major responsibility, in my view and I think we have a commitment to address it. Senator SHELBY and I have worked very well together over the past number of weeks to try to fashion this legislative proposal.

I commend BARNEY FRANK, my friend from Massachusetts, who is chairman of the Financial Services Committee in the other body, and other Members for the job they are doing together as well. I hope that in the remaining days, before the July break—hopefully sooner than that—we will be able to present to our colleagues a final proposal bringing together these ideas for their consideration and support as we do our part to try to make a difference in getting this economy and the confidence of the American people back on track.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. CANTWELL). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mrs. MURRAY. Madam President, I rise this evening amid new and very pressing concerns about the future of our economy. Today, millions of Americans are struggling to keep their homes. The price of just about everything, from gas, college, health care,

you name it, is on the rise, and families from coast to coast are wondering how they are going to make ends meet.

Just last week, we saw new and shocking statistics illustrating this crisis. With the price of the American Dream going up, working families seem to be facing new challenges every day. Last week, it was a new report from the Department of Labor. They told us the overall unemployment rate rose from 5 percent to 5.5 percent in May, up from 4.5 percent just 1 year ago. That is 861,000 new unemployed people in 1 month, bringing the total to 8½ million people unemployed in America today in May. Today, there is even more bad news. Gas has, for the first time, hit an average of $4 a gallon.

Madam President, the American people are hurting. While job creation and wage levels are dropping, prices are going up. Everything costs more, but families don't have enough money to spend. The bottom line is the American Dream is slipping through the fingers of too many Americans, and we have to do something about it.

Now, this evening I want to talk specifically about oil and gas prices because this week the Senate is going to have an opportunity to take a step in the right direction and put consumers first. Tomorrow morning, we are going to vote on a Democratic bill that seeks to address the root causes of these high gas prices because we are committed to putting consumers first and to fixing the root causes of high gas prices so these solutions have a real lasting effect.

We want to force big oil to pay its fair share and invest in clean and affordable alternative energy sources. We want to protect consumers from price gougers who rip off Americans and greedy oil traders who manipulate this market. We want to stand up to OPEC and countries colluding to set high oil prices. These basic, commonsense steps will attack the root causes of high gas prices, but they are only the beginning.

Step 2 has to include a long-term strategy to decrease our dependence on oil and promote clean renewable energy. That is why later this week we are going to propose billions of dollars in tax breaks to promote those new energy sources. Our plan seeks to address the high price of gas at the pump now, but it will also help to ensure that energy is affordable for years to come.

With gas prices on the rise, there has been a lot of finger-pointing in recent weeks, but you don't have to look very hard to see who is to blame and who is benefiting from these skyrocketing prices. While our working families have been scrimping, the economic downturn hasn't even registered for big oil. The major oil companies reported record increases in profits last quarter. ConocoPhillips recorded first quarter profits of $4.1 billion, beating their previous record by $600 million, with Shell and BP also reporting huge gains.

The reason is that over the last 7½ years, Republicans have backed an energy policy that does little but give oil companies tax breaks and special favors while our middle-class families pay the price. In the first month of the Bush administration, oil prices averaged $29.50 a barrel. Now, almost 8 years later, the price has more than quadrupled. It is over $130 a barrel this week and pushing toward $140 a barrel. When President Bush first took office, Americans were paying $1.46 a gallon to fill their tanks, and this week gas prices are averaging a whopping $4 a gallon. We have gone from $1.46 to over $4 a gallon in this Bush administration.

What is most disturbing to me and to American families all across the country is how fast these gas prices are rising. Six weeks ago, I came on the floor of the Senate and spoke on the same subject, saying a lot of the same things, and at the same time I was saying how shocking it was to see the national average at $3.60 a gallon. But in just a few weeks prices have gone up another 40 cents a gallon. I am a little scared to do the math and see what increase that is going to translate into by the Fourth of July, just a few weeks away or, even worse, Labor Day. Instead, I think it is time we come together for action in the Senate.

I mentioned the national averages already, but in my home State of Washington and the home State of the Presiding Officer, drivers are paying even more. The average cost of a gallon of gas in Washington State is now $4.22. Yesterday, in my State, I paid $4.29 a gallon. Right now, AAA is saying that gas costs $4.22 in my State. That is the average. That is 44 cents higher than just a month ago, 95 cents higher than a year ago, and 20 cents higher than the national average. And our truckers are being hit really hard. AAA found the average price of a gallon of diesel is $4.89 a gallon in my home State. That is 40 cents higher than a month ago and $1.84 higher than just a year ago.

When I travel around Washington State, gas prices are the first thing people talk to me about, and they have written me countless letters asking for help. Everyone asks what we are going to do about this matter. While they are cutting back their budgets in my home State, they do not see any action in Washington, DC. And I have told them time and again that Democrats want to act, but we need help to do that from our Republican colleagues. They will have a chance to help us do that tomorrow.

But I am concerned that Republicans are more interested, from what I am hearing, in just blocking our progress and whatever we want to do here than actually taking any meaningful action for the people who are hurting so badly at home today. In fact, for the past several days, we have already seen, from what I have heard, a parade of Republican Senators out on the floor complaining about high gas prices, and in many cases blaming Democrats for failing to address this crisis over the past 16 months. They are bringing out their charts and showing the price of gas when Democrats took over Congress and what the price is now, and they ask us all to simply forget the real reason for this crisis—the misguided energy policy that this administration has pursued for years.

But I don't think the American people are going to forget that. They are not going to forget it was this administration that asked oil and gas companies to write their energy plan. The American people aren't going to forget the only real idea coming from the other side is to drill our way out of the problem. And they are not going to forget that this is an administration closer to the oil and gas industry than any in our history. We are not going to forget either, and that is why we are fighting for change. We have already won higher fuel economy standards and new investments in renewable energy sources, but we know we need to do more because Americans know that we cannot rely—we cannot rely—on big oil to solve our energy problems.

Madam President, the energy policy isn't the only area where Republicans have put special interests ahead of our American families. For 7½ years, President Bush and the Republicans in Congress have chosen to stand by while our highways are crumbling, hundreds of thousands of our veterans go homeless every night, and millions of our families struggle to keep a roof over their heads. In the last year, our new Democratic majority has had to fight Republicans and the administration for resources to address everything from veterans health care to the foreclosure crisis our families are facing. I think the legacy of this administration is going to be nothing but red ink and broken promises.

People in my home State of Washington are very worried about the future. They want to be sure their children will have economic security. They want a solution to our energy problems that are going to keep us safe and protect our environment for the long run. And the same is true, I know, across the country. Americans are hurting because of these high gas prices. It doesn't matter whether they are Republican or Democrat, they want help.

I know Republicans and oil companies are not going to give up on the status quo easily here. But Democrats on our side have been fighting for policies that will help us cut those prices, create jobs, and keep our air and water clean and, most importantly, our Nation secure.

We are committed to taking strong action that will stop rewarding these oil companies and start looking out for our American families. We are going to keep up that fight. If my Republican colleagues want their constituents to have help, if they want to take action that will stop this pain at the pump, the solution is very simple: Vote yes with us tomorrow morning so we can move to a bill that will begin to solve this problem.

(Mr. SANDERS assumes the Chair.)

RUNNING IT OUT

Mr. SPECTER. Mr. President, a unique event occurred in a Philadelphia Phillies baseball game last week. The Philadelphia Phillies' shortstop, named Jimmy Rollins, who was the most valuable player in the league last year, hit a looping ball into left field—which was an easy ball to catch—and instead of running it out, he ran at a very leisurely pace down the first baseline. The left fielder on the defensive team moved in and, in a very unusual play, dropped the ball. Instead of Rollins getting to second base, he was left at first base.

The Phillies' manager, Charles Manuel, then immediately benched Jimmy Rollins, the most valuable player in the league. He put him right on the bench because he did not run it out. That took a lot of guts, and manager Charles Manuel has been complimented on that, and I renew the compliment here today. But it is a great lesson, in my opinion, about the way baseball players ought to act and Senators ought to act and everybody ought to act. We all ought to so-called run it out, with that kind of intensity.

I am an avid squash player, and one of the maxims I have developed over the years is that I am never too far ahead to lose and never too far behind to win. The game is always in play, if you run it out. I think it has some applicability to all facets of life in things that all people do, in terms of the intensity of their activity. And I think we need a lot more of that attitude in the Senate and a sense of urgency to deal with the people's business.

This relates directly to the presentation I made a few moments ago on going back to the rules of the Senate on open debate, open amendment offering, and not filling the tree. But it is a great lesson to have that rule stamped indelibly of ''running it out.'' So I congratulate Charlie Manuel. He took out a key player, whose absence could have been decisive even in that game because of Rollins' hitting and fielding ability.

But I think it is a great message and a great symbol for all of us to ''run it out.''

HONORING OUR ARMED FORCES

CORPORAL CHRISTIAN SCOTT COTNER

Mr. DODD. Mr. President, it is with a heavy heart that I rise today to honor the memory of Marine Cpl Christian Scott Cotner of Waterbury, CT, who died last week while serving our Nation in Iraq. He was 20 years old.

On May 30, 2008, Corporal Cotner's life was tragically cut short as he served his first tour of duty with the Marines in Al-Anbar Province, Iraq. His heroic service is remembered today by a grateful nation.

Friends and loved ones remember Corporal Cotner for his positive attitude, his great sense of humor and his pride in serving the country he loved. It was while in high school, where he volunteered to serve in the honor guards and the ROTC, that Corporal Cotner decided to serve his country, and shortly after graduating he joined the Marines.

All of us in the State of Connecticut and across the United States owe a deep and solemn debt of gratitude to Christian Cotner and to his family and friends for his tremendous service to our country. On behalf of the Senate, I offer my deepest condolences to Christian's parents Graham and Karen and to everyone who knew and loved him.

ADDITIONAL STATEMENTS

HONORING HARP COTE

• Mr. BAUCUS. Mr. President, I have had the privilege of calling Mr. John ''Harp'' Cote of Butte, MT, my friend for nearly 40 years.

In 1973 when I was running for my first congressional seat, not a whole lot of folks knew me from Adam and the only people I was sure would vote for me were my parents. But everywhere I went I heard the same thing: ''Go see Harp.'' So I went.

Harp took his time sizing me up during that first meeting, and I remember vividly the moment when he said those magic words, ''I'm with you.'' I know his support made all the difference. I owe my first political break to Harp Cote, and I don't know if anything I've accomplished since then would have happened if he hadn't been in my corner from the start.

Harp is a pillar in Montana politics and a great American. He's a model citizen and a model father and grandfather. He and his wife, Esther raised 8 children and have 14 grandchildren. From his many successful business ventures to his leadership roles in just about every charitable organization in town—Butte, and indeed Montana, is a better place because of Harp Cote.

Mark Twain once said ''I have found out that there ain't no surer way to find out whether you like people or hate them than to travel with them.'' Well, a couple of years ago, I lead a delegation of Montanans, including Harp, to China and India to see what we could do to create more good-paying jobs and open doors for Montana businesses. After 10 days I can tell you, there is no one I like more than Harp. His familiar smile and easy personality made the trip a great success. And I'm proud of the doors we opened while we were there.

In April, I asked Harp to join me in Washington, DC, to hear Irish Prime Minister Bertie Ahern address a Joint Meeting of Congress. Each Member of Congress was allowed to bring one guest, and I invited Harp because of his unwavering dedication to Montana.

As a Butte native and proud Irish American, Harp's attendance has allowed him to further the Mining city's deep seeded Irish connections and heritage.

Like most folks in Butte, Harp has Irish blood in his veins, but he is a Montanan through and through. He is dedicated, hard working and one heck of a sportsman. His optimism, resilience and pure grit define Montanans and embody the western spirit.

I am lucky to have him by my side as we work to do what is right for Montana, making sure Big Sky country remains the Last Best Place to live, work and raise a family.

In 2006, Harp was on hand to welcome Irish President Mary McAleese to Butte. McAleese was the first Irish leader to visit the Mining city since 1919. During the visit, McAleese told a crowd: ''You can be assured that Butte matters to us as much as Ireland matters to Butte.''

I would like to echo President McAleese's sentiment.

Harp Cote can be assured that he means as much to Butte, and to Montana, as Montana and Butte mean to him.

As for myself, I know when it's all said and done and I look back on my career and my friends, one thing will be certain—one of the greatest honors of my life is the privilege of calling Harp Cote my friend.•

TRIBUTE TO ARTHUR J. SCHUT

• Mr. GRASSLEY. Mr. President, I am pleased to recognize the service that Arthur (Art) J. Schut has provided to so many in my home State of Iowa. Art is an Iowan that has dedicated over 30 years of himself to the disenfranchised of our communities. He has worked tirelessly on a local, State, and national level to provide care, counseling, and education for families, the public, and lawmakers to minimize the negative stigma and to secure funding and resources for those with addiction and mental health issues.

Art began his distinguished career nearly 40 years ago as a program director for the Des Moines Metropolitan YMCA working with youth gangs. Since that time, Art has served in a variety of roles working on behalf of those who suffer from the scourge of addiction and other mental illness. Art has served as a member of the University of Iowa faculty and as a clinical and treatment director. During this period in Art's life, he supervised several drug treatment and education programs throughout southeast Iowa, and he provided vital education for future substance abuse professionals through his position with the University of Iowa.

Art will soon be leaving the position that he has dutifully served in for 25 years as President and CEO of the Mid-Eastern Council on Chemical Abuse, MECCA. Throughout his service as the President of MECCA, Art has overseen the administration of operations and programs in three regions throughout

Iowa. These operations include outpatient offices in 16 counties, a prevention unit, employee assistance program for regional businesses and industries, a residential treatment program, and a detoxification unit.

Sadly, Art will soon be leaving the great State of Iowa, but he will be continuing the good fight against addiction and abuse. Barbara and I want to extend our gratitude for all the years of service and for the positive impact on all the lives Art has had throughout his remarkable career. We wish Art all the best in his future endeavors.●

125TH ANNIVERSARY OF THE FOUNDING OF TULARE, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I pay tribute to the 125th anniversary of the founding of the community of Tulare, SD. After 125 years, this progressive community will have a chance to reflect on its past and future, and I congratulate the people of Tulare for all they have accomplished.

Tulare is located in northeast South Dakota, within Spink County on Highway 281. Originally plotted by Charles Prior in 1883, the town quickly grew as an important railroad supply station. There is some disagreement about the naming of Tulare, which tends to follow three different stories. The first story tells that when riding the train to Tulare, Mr. Prior encountered two men entertaining the passengers with tall tales. He was so amused by the time he reached his destination, he decided to call the town site ''Tulare'' after the ''two liars.'' The second story claims the town was named after the ''Tulle'' weed that grows in the swamps, and the third story names the city after a Native America chief.

Today, Tulare has come a long way from its days as a railroad supply center. The town now boasts a variety of businesses, including those in both the service and manufacturing sectors. Coupling with those parts of the economy are the rich natural resources including the plentiful pheasant population which further aids in the prosperity of this community. The town also continues their long tradition of high standards in education that began here with the first 4-year high school and continues to thrive as the Hitchcock-Tulare School District.

Tulare has become a credit to Spink County and the State of South Dakota. The people of Tulare will celebrate their achievements June 20–22, 2008, with a basketball tournament, parade, car and quilt show, and street dance. I am proud to join with the community members of Tulare in celebrating the last 125 years and look forward to a promising future.●

125TH ANNIVERSARY OF CANOVA, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I recognize the community of Canova, SD, on reaching the 125th anniversary of its founding. Canova is a rural community located in Miner County, and will be celebrating its quasquicentennial the weekend of July 4–6.

The combination of the Homestead Act of 1862, the opening of Government lands, and the influx of railroads through the State all added greatly to the development of Canova in the 19th century. L.W. Aldrich and H.W. Eddy, both from Watertown, NY, bought the land around Canova, while F.D. Woodbury registered Canova as a town in 1883.

The town of Canova was built on the pillars of farming, faith, and baseball, boasting 8 State titles and 11 runner-up finishes. These activities serve to bring this close-knit community even closer together. While the school has since closed, it did bring about the birth of the Canova Alumni and the promotion of community health with the CARE Center.

Most South Dakotans call small towns like Canova home. South Dakota's small communities are the bedrock of our economy and vital to the future of our State. It is especially because of our small communities, and the feelings of loyalty and familiarity that they engender, that I am proud to call South Dakota home. Towns like Canova and its citizens are no different and truly know what it means to be South Dakotan. Even 125 years after its founding, Canova continues to be a vibrant addition to our wonderful State, and I once again congratulate them on this achievement.●

125TH ANNIVERSARY OF THE FOUNDING OF WILLOW LAKE, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I pay tribute to the 125th anniversary of the founding of the community of Willow Lake, SD. After 125 years, this progressive community will have a chance to reflect on its past and future, and I congratulate the people of Willow Lake for all they have accomplished.

Willow Lake, located in Clark County, was originally plotted on the northeast corner of the lake in 1883. When the Manitoba Railroad was surveyed to come about 2 miles south of the city, the decision was made to move the town to its present location. Willow Lake grew with the evolution of the Manitoba Railroad to the Great Northern in 1890. A tornado and several fires swept through the town during the turn of the 20th century, destroying most of the primarily wooden structures. Shortly thereafter, the town fathers mandated that all Main Street buildings were to be made of brick to withstand the elements of eastern South Dakota.

Today, Willow Lake has come a long way from the days of railroad commerce. The town now boasts a variety of businesses in both the service and manufacturing sectors, including a grain elevator, multiple construction companies, and a K–12 public school. The people of Willow Lake will celebrate their achievements July 4–6, 2008, with a rodeo, car show, fireworks display, and parade as well as an all school reunion which, as reported by Paul Harvey, is held each and every year.

Willow Lake is a credit to Clark County and to the State of South Dakota. I am proud to join with the community members of Willow Lake in celebrating the last 125 years, and looking forward to a promising future.●

CONGRATULATING THE SNACKS 4 EDUCATION TEAM

● Mr. LUGAR. Mr. President, I am pleased to join the friends and families of four remarkable young Hoosiers in congratulating their team's success in the eCybermission science, math, and technology competition for sixth through ninth graders sponsored by the U.S. Army.

Having won the ninth grade Northwest Regional Competition, the Fort Wayne-based ''Snacks 4 Education'' team of Allie Dembar, Andrew Reichle, Amelia Roebuck, and Darcy Whitney will now face three other teams in the National Competition to be held in Washington, DC, on June 24. These four students have shown considerable insight and leadership in the execution of their project promoting proper schooltime nutrition. The team is led by adviser, Larry Lesh.

Each member should be proud of their accomplishments. I am especially grateful for their advocacy and the effort these young leaders have put forth to demonstrate the benefits of proper nutrition and healthy snacks on classroom education.

I hope you will join me in offering congratulations to all the participants in this year's eCybermission competition and best wishes to the many finalists.

I ask to have the following statement further detailing the ''Snacks 4 Education'' project printed in the RECORD.

The material follows.

(By the members of Snacks 4 Education)

In American schools today, many students arrive ill-prepared to learn at their full potential. There are a multitude of reasons for this, including not getting enough rest, not eating a nourishing breakfast, and not coming from a home that values education. As a result, these students in particular, and probably all students, have a time during the school day when they experience a low energy point. Our team of four students, after noticing the same problem in our own schools, hypothesized that having a healthy snack at or near this low energy time would help students to be more alert, more energetic, and better able to concentrate.

For our project, the team experimented in eleven classrooms in four schools, covering each grade from one through six. The experiments were run during three separate time periods. The team first had to determine the low energy time of the class. This was accomplished by asking the students through a questionnaire, or by allowing the teacher to make the decision, or by a combination of these two methods. In two of the experiments, snacks approved by the Fort Wayne

Community Schools' Nutrition Services were given each day at the low energy time. Then for two weeks, snacks were not given. In one case, the experiment ran for eight weeks, having two weeks with snacks, then two weeks without, then two with, and finishing with two weeks without.

In each experimental snack week, dry snacks were given on Monday, Wednesday, and Friday. Fruit snacks were given on Tuesday and Thursday. The dry snacks were packages of teddy grahams, pretzels, and animal crackers. Fruit snacks varied and included small packages of sliced apples, grapes, or oranges. The dry snack servings all contained around 125 calories and were determined to be of healthy content by a registered dietitian.

Questionnaires were given to the students on each Friday of the experimental weeks. On the final week evaluation, two extra questions were asked. The first question asked whether the students did better in their schoolwork during the weeks they had a snack each day. The second question asked how they felt after having a daily snack. In grade 1, 84 percent thought they did better on their schoolwork, and 70 percent said they felt better after having a snack. In grade 2, the results were 60 percent and 70 percent. In grade 3, 84 percent and 70 percent. In grade 4, 88 percent and 78 percent. In grade 5, 84 percent and 86 percent. In grade 6, 86 percent and 91 percent.

For overall results from all eleven classrooms in all six grades, the actual number of answers were used instead of averaging percents, as not the same number of students participated in each grade. Overall, 81 percent of the students said that while they were having snacks they thought they did better on their schoolwork and 82% said they felt better after having a snack.

Following our research, we were involved in discussions with the Indiana Parent Teacher Association, which passed a resolution urging its members to support the concept of healthy snacks in schools. That resolution will be considered at the national PTA convention next year.●

TRIBUTE TO BRYAN JOHNSTON

● Mr. SMITH. Mr. President, former Oregon Governor Tom McCall once said, ''Heroes are not giant statues framed against a red sky. They are individuals who say, 'This is my community, and it is my responsibility to make it better.'''

Today I pay tribute to Bryan Johnston, a true Oregon hero, who devoted much of his life and career to making Oregon and our State capital city of Salem a better place in which to live, work, and raise a family.

Like countless others in Oregon, I was shocked and saddened to learn that Bryan passed away last week at the far too early age of 59 years. Bryan's passing deprives my State of one of her most respected, admired and effective public servants; it deprives St. Martin's University in Lacey, WA, of a gifted leader, as Bryan was scheduled to begin his service of president of that university on July 1; it deprives many in Oregon, including myself, of a trusted friend and advisor; and it deprives his wife Anne and their four children of a loving and dedicated husband and father.

During his years in Salem, Bryan served in a remarkable number of roles, including: lawyer; professional mediator; Law professor; director of the Center for Dispute Resolution at Willamette University College of Law; dean of the Willamette University Atkinson Graduate School of Management; interim president of Willamette University; Oregon State Representative; and interim director of the Oregon Department of Human Services Children, Adults and Families Division. As the Salem Statesman-Journal so aptly put it, ''Bryan Johnston was Mr. Fix—it for colleges, for state government, and for the Salem-area community.''

The tributes that have been pouring in since Bryan's passing speak volumes of the impact this gentle and gifted visionary made in so many ways.

Salem business and community leader Dick Withnell said: ''He was so wise. He could grasp a tough situation and see what should be done and then be collaborative with people to accomplish it. That's a real gift.''

State Senate President Peter Courtney said: ''Bryan was a great mediator and facilitator. He was a very, very versatile individual in the area of education and public service. Those are maybe two of the highest callings you can aspire to, if you're chosen; and he was chosen time and again.''

Department of Human Services Director Bruce Goldberg stated: ''Bryan was a trusted advisor and friend, who brought wisdom, humor, and kindness into all of our lives.''

Perhaps the best tribute to Bryan was paid by my friend John Watt, who served with Bryan in the Oregon State House of Representatives. Said John: ''One of the things that has always stuck with me about Bryan is that he truly was doing the work for Oregon. I mean, he wasn't somebody who was after kudos for himself. He didn't necessarily walk lockstep with his caucus. He was always willing to talk and work with people.''

Bryan Johnston talked and worked with people, and because of that, he leaves behind a remarkable legacy of accomplishment and service. Indeed, I am reminded of the words of Mother Teresa, who said: ''God does not call us to be successful. God calls us to be faithful.''

By any account, Bryan Johnston led a successful life. But I know that more important to him was the fact that he led a faithful life. He was a faithful educator, legislator and public official. He was a faithful husband, and friend. He was a faithful servant of God. May God bless Bryan Johnston.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS, AS RECEIVED DURING ADJOURNMENT OF THE SENATE ON JUNE 6, 2008—PM 51

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus are to continue in effect beyond June 16, 2008.

The actions and policies of certain members of the Government of Belarus and other persons pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. These actions include undermining democratic processes or institutions; committing human rights abuses related to political repression, including detentions and disappearances; and engaging in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority. For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus.

GEORGE W. BUSH.

THE WHITE HOUSE, *June 6, 2008*.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 3:17 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2420. An act to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

Pursuant to the order of June 4, 2008, the enrolled bill was subsequently signed by the Acting President pro tempore (Mr. REID).

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3098. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

S. 3101. A bill to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself and Mr. KERRY):

S. 3102. A bill to establish the Small Business Information Security Task Force, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. BIDEN (for himself and Mr. LUGAR) (by request):

S. 3103. A bill to amend the Iran, North Korea, and Syria nonproliferation Act to allow certain extraordinary payments in connection with the International Space Station; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH (for himself and Mr. DURBIN):

S. Con. Res. 87. A concurrent resolution congratulating the Republic of Latvia on the 90th anniversary of its declaration of independence; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 186

At the request of Mr. SPECTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 186, a bill to provide appropriate protection to attorney-client privileged communications and attorney work product.

S. 411

At the request of Mr. SMITH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to provide credit rate parity for all renewable resources under the electricity production credit.

S. 507

At the request of Mr. CONRAD, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 507, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 712

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 712, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 881

At the request of Mrs. LINCOLN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 911

At the request of Mr. REED, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 1465

At the request of Mr. CONRAD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1465, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of certain medical mobility devices approved as class III medical devices.

S. 2337

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2337, a bill to amend the Internal Revenue Code of 1986 to allow long-term care insurance to be offered under cafeteria plans and flexible spending arrangements and to provide additional consumer protections for long-term care insurance.

S. 2401

At the request of Ms. CANTWELL, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2401, a bill to amend the Internal Revenue Code of 1986 to allow a refund of motor fuel excise taxes for the actual off-highway use of certain mobile machinery vehicles.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2704

At the request of Mrs. LINCOLN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2704, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of services of qualified respiratory therapists performed under the general supervision of a physician.

S. 2760

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2760, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 2858

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2858, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 2862

At the request of Mrs. CLINTON, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2862, a bill to provide for National Science Foundation and National Aeronautics and Space Administration utilization of the Arecibo Observatory.

S. 2920

At the request of Mr. KERRY, the names of the Senator from Missouri (Mr. BOND), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Washington (Ms. CANTWELL), the Senator from Minnesota (Mr. COLEMAN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. 2955

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2955, a bill to authorize funds to the Local Initiatives Support Corporation to carry out its Community Safety Initiative.

S. 3073

At the request of Mr. CORNYN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 3073, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of absentee ballots of absent overseas uniformed services voters, and for other purposes.

S. 3092

At the request of Mr. MENENDEZ, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. 3092, a bill to amend the Public Health Service Act to ensure sufficient resources and increase efforts for research at the National Institutes of Health relating to Alzheimer's disease, to authorize an education and outreach program to promote public awareness and risk reduction with respect to Alzheimer's disease (with particular emphasis on education and outreach in Hispanic populations), and for other purposes.

S. 3098

At the request of Mr. MCCONNELL, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Florida (Mr. MARTINEZ), the Senator from Idaho (Mr. CRAPO), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Mississippi (Mr. WICKER) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 3098, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

S. CON. RES. 86

At the request of Mr. KERRY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Con. Res. 86, a concurrent resolution expressing the sense of Congress that the United States, through the International Whaling Commission, should use all appropriate measures to end commercial whaling in all of its forms and seek to strengthen measures to conserve whale species.

S. RES. 575

At the request of Mr. STEVENS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 575, a resolution expressing the support of the Senate for veteran entrepreneurs.

S. RES. 580

At the request of Mr. BAYH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Mr. KERRY):

S. 3102. A bill to establish the Small Business Information Security Task Force, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today, with Senator JOHN KERRY, to introduce the Small Business Information Security Act of 2008. Not only is this a bipartisan bill in the United States Senate, but it is also a bicameral bill. Congressmen MANZULLO and MICHAUD are also introducing companion legislation in the U.S. House of Representatives. This bill would establish within the Small Business Administration, SBA, a Small Business Information Security Task Force to advise the SBA and help small businesses both understand the unique information security challenges they face, and identify resources to help meet those challenges.

As ranking member of the Senate Committee on Small Business and Entrepreneurship, one of my goals is to ensure small businesses are protected from the mounting information security threats they face every day. This legislation will create a clearinghouse of information, resources, and tools—compiled by a task force consisting of public and private sector experts in the field—that will ease the complexity, confusion, and cost often associated with enhancing information security measures within a small business. The task force will continually update information and resources as new technologies and threats arise.

Currently, small business owners turn to the SBA for resources regarding a number of aspects, but information security resources remain largely unavailable within the agency. This legislation will present an opportunity for the SBA to develop and create a repository of data to help small business owners meet their information security needs. This legislation will enable industry experts to come together and immediately provide meaningful strategies to enable small businesses to safeguard their customer's personal information.

Computer networks are increasingly susceptible to hackers, intruders, and other cyber criminals. In fact, in my home state of Maine, the retail supermarket chain, Hannaford Bros., was recently affected by an intrusion into their computer system which led to the exposure of 4.2 million credit and debit card numbers. What many people do not realize is that a breach like Hannaford's impacts not only the millions of customers whose personal data was compromised, but it also has serious downstream impact on our Nation's small businesses. For example, throughout Maine there are many small banks; these banks are responsible for protecting and alerting their depositors upon fraudulent activity. Following the Hannaford breach, many small banks had to replace their customers' credit and debit cards, clearly a costly enterprise that diverts resources from more productive activities, such as small business lending. The bill we are introducing today will help ameliorate this problem.

Unfortunately, these attacks are becoming more frequent and more severe, and the perpetrators are becoming harder to identify and bring to justice. According to a survey by the Small Business Technology Institute, more than half of all small businesses in the U.S. experienced a security breach in the last year. Furthermore, the study concludes that nearly one-fifth of small businesses do not use virus-scanning for e-mail, over 60 percent do not protect their wireless networks with encryption, and two-thirds of small businesses do not have an information security plan.

As these statistics illustrate, small businesses are increasingly at risk of data breaches and other forms of malicious attacks on their information technology infrastructure. Cyber attacks launched by a small group of people can devastate America financially, it is conceivable that a few individuals working together could disable millions of computers at a cost of hundreds of millions to the U.S. economy. Cyber-criminals can hold hostage not just a few individuals, but millions of small businesses. This legislation provides best practices to help small business owners decrease the risk cyber attacks pose to their customers.

The information security threat posed to our Nation's small businesses is serious, and our efforts to prevent and reduce this risk carry a tremendous sense of urgency. We must continue to focus on ways we can protect small businesses, and their customers, from the serious consequences of cyber crimes. In order to take an important first step, I encourage all of my colleagues to support this critical legislation, and I hope we can see this commonsense legislation enacted into law as expeditiously as possible.

Mr. President. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3102

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 ''Small Business Information Security Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''small business concern'' has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632); and

(3) the term ''task force'' means the task force established under section 3(a).

SEC. 3. INFORMATION SECURITY TASK FORCE.

(a) ESTABLISHMENT.—The Administrator shall establish a task force, to be known as the Small Business Information Security Task Force, to address the information technology security needs of small business concerns.

(b) DUTIES.—The task force shall—

(1) identify—

(A) the information technology security needs of small business concerns; and

(B) the programs and services provided by the Federal Government, State Governments, and nongovernment organizations that serve those needs;

(2) assess the extent to which the programs and services identified under paragraph (1)(B) serve the needs identified under paragraph (1)(A);

(3) make recommendations to the Administrator on how to more effectively serve the needs identified under paragraph (1)(A) through—

(A) programs and services identified under paragraph (1)(B); and

(B) new programs and services promoted by the task force;

(4) make recommendations on how the Administrator may promote—

(A) new programs and services that the task force recommends under paragraph (3)(B); and

(B) programs and services identified under paragraph (1)(B);

(5) make recommendations on how the Administrator may inform and educate with respect to—

(A) the needs identified under paragraph (1)(A);

(B) new programs and services that the task force recommends under paragraph (3)(B); and

(C) programs and services identified under paragraph (1)(B);

(6) make recommendations on how the Administrator may more effectively work with public and private interests to address the information technology security needs of small business concerns; and

(7) make recommendations on the creation of a permanent advisory board that would make recommendations to the Administrator on how to address the information technology security needs of small business concerns.

(c) INTERNET WEBSITE RECOMMENDATIONS.—The task force shall make recommendations to the Administrator relating to the establishment of an Internet website to be used by the Administration to receive and dispense information and resources with respect to the needs identified under subsection (b)(1)(A) and the programs and services identified under subsection (b)(1)(B). As part of the recommendations, the task force shall identify the Internet sites of appropriate programs, services, and organizations, both public and private, to which the Internet website should link.

(d) EDUCATION PROGRAMS.—The task force shall make recommendations to the Administrator relating to developing additional education materials and programs with respect to the needs identified under subsection (b)(1)(A).

(e) EXISTING MATERIALS.—The task force shall organize and distribute existing materials that inform and educate with respect to the needs identified under subsection (b)(1)(A) and the programs and services identified under subsection (b)(1)(B).

(f) COORDINATION WITH PUBLIC AND PRIVATE SECTOR.—In carrying out its responsibilities under this section, the task force shall coordinate with, and may accept materials and assistance as it determines appropriate from—

(1) any subordinate officer of the Administrator;

(2) any organization authorized by the Small Business Act to provide assistance and advice to small business concerns;

(3) other Federal agencies, their officers, or employees; and

(4) any other organization, entity, or person not described in paragraph (1), (2), or (3).

(g) CHAIR AND VICE-CHAIR.—The task force shall have—

(1) a Chair, appointed by the Administrator; and

(2) a Vice-Chair, appointed by the Administrator, in consultation with appropriate nongovernmental organizations, entities, or persons.

(h) MEMBERS.—

(1) CHAIR AND VICE-CHAIR.—The Chair and the Vice-Chair shall serve as members of the task force.

(2) ADDITIONAL MEMBERS.—

(A) IN GENERAL.—The task force shall have additional members, each of whom shall be appointed by the Chair, with the approval of the Administrator.

(B) NUMBER OF MEMBERS.—The number of additional members shall be determined by the Chair, in consultation with the Administrator, except that—

(i) the additional members shall include, for each of the groups specified in paragraph (3), at least 1 member appointed from within that group; and

(ii) the number of additional members shall not exceed 13.

(3) GROUPS REPRESENTED.—The groups specified in this paragraph are—

(A) subject matter experts;

(B) users of information technologies within small business concerns;

(C) vendors of information technologies to small business concerns;

(D) academics with expertise in the use of information technologies to support business;

(E) small business trade associations;

(F) Federal, State, or local agencies engaged in securing cyberspace; and

(G) information technology training providers with expertise in the use of information technologies to support business.

(i) MEETINGS.—

(1) FREQUENCY.—The task force shall meet at least 2 times per year, and more frequently if necessary to perform its duties.

(2) QUORUM.—A majority of the members of the task force shall constitute a quorum.

(3) LOCATION.—The Administrator shall designate, and make available to the task force, a location at a facility under the control of the Administrator for use by the task force for its meetings.

(4) MINUTES.—

(A) IN GENERAL.—Not later than 90 days after each meeting, the task force shall publish the minutes of the meeting and shall submit to Administrator any findings or recommendations approved at the meeting.

(B) SUBMISSION TO CONGRESS.—Not later than 60 days after the date that the Administrator receives minutes under subparagraph (A), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives such minutes, together with any comments the Administrator considers appropriate.

(5) FINDINGS.—

(A) IN GENERAL.—Not later than the date that the task force terminates under subsection (m), the task force shall submit to the Administrator a final report on any findings and recommendations of the task force approved at a meeting of the task force.

(B) SUBMISSION TO CONGRESS.—Not later than 90 days after the date that the Administrator receives the report under subparagraph (A), the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives the full text of the report submitted under subparagraph (A), together with any comments the Administrator considers appropriate.

(j) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the task force shall serve without pay for their service on the task force.

(2) TRAVEL EXPENSES.—Each member of the task force shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(3) DETAIL OF SBA EMPLOYEES.—The Administrator may detail, without reimbursement, any of the personnel of the Administration to the task force to assist it in carrying out its duties. Such a detail shall be without interruption or loss of civil status or privilege.

(4) SBA SUPPORT OF THE TASK FORCE.—Upon the request of the task force, the Administrator shall provide to the task force the administrative support services that the Administrator and the Chair jointly determine to be necessary for the task force to carry out its duties.

(k) NOT SUBJECT TO FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the task force.

(l) STARTUP DEADLINES.—The initial appointment of the members of the task force shall be completed not later than 90 days after the date of enactment of this Act, and the first meeting of the task force shall be not later than 180 days after the date of enactment of this Act.

(m) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the task force shall terminate at the end of fiscal year 2012.

(2) EXCEPTION.—If, as of the termination date under paragraph (1), the task force has not complied with subsection (i)(4) with respect to 1 or more meetings, then the task force shall continue after the termination date for the sole purpose of achieving compliance with subsection (i)(4) with respect to those meetings.

(n) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $200,000 for each of fiscal years 2009 through 2012.

By Mr. BIDEN (for himself and Mr. LUGAR) (by request):

S. 3103. A bill to amend the Iran, North Korea, and Syria nonproliferation Act to allow certain extraordinary payments in connection with the International Space Station; to the Committee on Foreign Relations.

Mr. BIDEN. Today Senator LUGAR and I introduce, by request, the International Space Station Payments Act of 2008. This measure would enable the National Aeronautics and Space Administration to continue payments to Russia related to the International Space Station after 2011.

As with any legislation proposed by request, we introduce this bill for the purpose of placing the Executive branch's proposals before Congress and the public without expressing our own views on the substance of the proposals. As chairman and ranking member of the Committee on Foreign Relations, we intend to give the administration's requested legislation careful review and consideration.

The Administrator of NASA, Michael Griffin, has submitted this legislation to the committee, along with a section-by-section analysis that helps to explain why NASA wants this legislation and what they believe it will achieve. Mr. President, I ask unanimous consent that a letter of support and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, DC, April 11, 2008.

Hon. JOSEPH R. BIDEN,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The National Aeronautics and Space Administration (NASA) proposes the enclosed amendment to the Iran, North Korea, and Syria Nonproliferation Act (50 USC 1701 note). The purpose of the amendment is to permit NASA to continue to procure Russian support for the International Space Station (ISS) until suitable U.S. capabilities are in place. We urge enactment of this important amendment.

The amendment provides a balanced approach, maintaining both U.S. nonproliferation principles and objectives as well as a U.S. presence on ISS. The justification and purpose for this proposed amendment are stated more fully in the enclosed sectional analysis. As an overview, NASA has procured Soyuz services through the fall of 2011, consistent with existing authority under the Act. However, U.S. obligations to provide crew transportation and emergency services to the ISS continue beyond 2011, and Soyuz will be the only viable option for the United States to meet these obligations until the U.S. Orion Crew Exploration Vehicle or U.S. commercial providers can provide such transportation and rescue services. Fabrication of Soyuz vehicles must begin approximately 36 months prior to launch, according to the responsible Russian entities. Thus, unless contractual arrangements for the provision of crew rescue and rotation services beyond 2011 are concluded in 2008, the production of Soyuz vehicles for U.S. crew transportation requirements will be at risk. This, in turn, means that prompt legislative action is needed to provide further relief beyond 2011 and allow for the negotiation of these arrangements.

The Office of Management and Budget advises that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely,

MICHAEL D. GRIFFIN,
Administrator.

AMENDMENT TO THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT

SECTIONAL ANALYSIS

The Administration remains committed to the important objective of persuading the Russian Government and Russian entities to improve their nonproliferation efforts regarding Iran, North Korea, and Syria. Accordingly, the proposed amendment to the Iran, North Korea, and Syria Nonproliferation Act (the Act) would maintain key existing U.S. nonproliferation tools while allowing payments to Russian entities that support U.S. obligations to the International Space Station (ISS) beyond December 31, 2011.

The provision would extend the Act's exception to the prohibition on ''extraordinary payments'' to the Russian government and Russian entities for goods or services relating to the ISS from January 1, 2012 to the end of the life of the ISS. It would exclude from the exception any payments after December 31, 2011 for cargo services provided by a Progress vehicle. The new provision would also exclude from the exception payments for crew transportation or rescue services provided by a Soyuz vehicle once (1) the U.S. Orion Crew Exploration Vehicle reaches Full Operational Capability or (2) a U.S. commercial provider of crew transportation and rescue services demonstrates the capability to meet ISS mission requirements.

An international partnership governed by an Intergovernmental Agreement (IGA) among the United States, Canada, multiple European States, Japan and Russia established the ISS. This partnership is a long-standing and interdependent one, with roles and responsibilities outlined in the IGA and subordinate agreements for design, development and operations of the program. Pursuant to the IGA and subordinate agreements, NASA has an obligation to its non-Russian ISS Partners to provide crew rotation and rescue services during the life of the ISS. Currently, the Russian vehicle Soyuz is the sole provider of rescue services, with the Space Shuttle providing crew transportation. After Shuttle retirement, the partnership will be dependent on Russia to provide both crew transportation and rescue services with Soyuz until the U.S. Orion Crew Exploration Vehicle (CEV) achieves Full Operational Capability (currently projected for 2016) and can provide crew transportation and rescue services, or a U.S. commercial provider can demonstrate the capability to provide crew transportation and rescue services to meet ISS mission needs.

NASA has procured Soyuz services through the fall of 2011, consistent with existing authority under the Act. Fabrication of Soyuz vehicles must begin approximately 36 months prior to launch based upon information provided by the Russian entities responsible for manufacturing these vehicles. Thus, unless contractual arrangements for rescue and crew rotation services after 2011 are concluded in 2008, the production of Soyuz vehicles for U.S. crew transfer and rescue will be at risk. This in turn means that prompt legislative action is needed to provide further relief beyond 2011 and allow for the negotiation of these arrangements.

Absent the proposed relief, the United States will be unable to meet one of its most critical partner obligations: providing crew transportation and rescue services to European, Japanese and Canadian crews. The United States would not have an American ''presence'' aboard the ISS, either in terms of astronauts or access to research facilities for the U.S. scientific community, if we could not purchase crew transportation and rescue services from Russia, as no non-Russian crew transfer vehicles will be available until the CEV reaches full operational capability or a U.S. commercial provider demonstrates the capability to meet ISS crew transportation and rescue needs. Given NASA's operational, engineering, safety and other responsibilities for the ISS, NASA is concerned whether the ISS could remain fully operational for any significant time period absent an American presence.

Moreover, the authority under the present exception to the Act has been used to obtain ancillary goods and services from Russia in addition to crew transport and rescue. For example, although purchased from Russia, the Zarya module is legally a U.S. element under the Space Station agreements and NASA must purchase unique tools and engineering support, such as sustaining software, from Russia for the continued operation of the module. NASA will have a continuing requirement to procure certain goods and services where Russia offers unique capabilities, such as those related to Russian space suits, software and hardware engineering support, and Extravehicular Activity tools and training, which are required for effective operations onboard the ISS. This amendment will allow NASA to continue to purchase such goods and services that are necessary to meet U.S. responsibilities under the Space Station Agreements.

In addition, this limited relief being requested (i.e., through the life of the ISS) may be necessary even after a U.S. commercial capability is available, because some potential U.S. commercial providers of cargo services and of crew transportation and rescue services have Russian contractors or other relationships with Russian entities that, without this amendment, could trigger the Act's ''extraordinary payment'' prohibition.

With respect to furthering the United States' nonproliferation objectives and tools, in addition to the positive incentive provided by prudent, closely monitored space cooperation in areas of great benefit to the United States, the proposed amendment would not affect the current nonproliferation framework. The first five sections of the Act establish a requirement to report to Congress on every foreign person that transfers controlled items to, or acquires controlled items from, Iran, Syria or North Korea and authorizes sanctions against such foreign persons. These key reporting and sanctions provisions would not be affected by the proposed amendment. In addition, the amendment leaves in place the ban on any United States government agency making extraordinary payments in connection with the ISS or other human space flight to any persons (including entities) subject to sanctions under the Act or the Proliferation of Weapons of Mass Destruction Executive Order (E.O. 12938, as amended by E.O. 13094) or if the U.S. government agency (in consultation with other interested U.S. government agencies) anticipates that such payments will be passed on to such persons. Finally, specific proposals for cooperation with Russia would continue to be subject to review under relevant mechanisms such as the State Department's Circular 175 process for interagency review of international agreements. Likewise, export and import licensing regulations would ensure that U.S. nonproliferation objectives are maintained.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 87—CONGRATULATING THE REPUBLIC OF LATVIA ON THE 90TH ANNIVERSARY OF ITS DECLARATION OF INDEPENDENCE

Mr. SMITH (for himself and Mr. DURBIN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 87

Whereas, on November 18, 1918, in the City of Riga, the members of the People's Council proclaimed Latvia a free, democratic, and sovereign nation;

Whereas, on July 24, 1922, the United States formally recognized Latvia as an independent and sovereign nation;

Whereas Latvia existed for 21 years as an independent and sovereign nation and a fully recognized member of the League of Nations;

Whereas Latvia maintained friendly and stable relations with its neighbors, including the Soviet Union, during its independence, without any border disputes;

Whereas Latvia concluded several peace treaties and protocols with the Soviet Union, including a peace treaty signed on August 11, 1920, under which the Soviet Union ''unreservedly recognize[d] the independence and sovereignty of the Latvian State and forever renounce[d] all sovereign rights . . . over the Latvian people and territory'';

Whereas, despite friendly and mutually productive relations between Latvia and the Soviet Union, on August 23, 1939, Nazi Germany and the Soviet Union signed the Molotov-Ribbentrop Pact, which contained a secret protocol assigning Latvia, Estonia, and Lithuania to the Soviet sphere of influence;

Whereas, under the cover of the Molotov-Ribbentrop Pact, on June 17, 1940, Latvia, Estonia, and Lithuania were forcibly incorporated into the Soviet Union in violation of pre-existing peace treaties;

Whereas the Soviet Union imposed upon the people of Estonia, Latvia, and Lithuania a communist political system that stifled civil dissent, free political expression, and basic human rights;

Whereas the United States never recognized this illegal and forcible occupation, and successive United States presidents maintained continuous diplomatic relations with these countries throughout the Soviet occupation, never accepting them to be ''Soviet Republics'';

Whereas, during the 50 years of Soviet occupation of the Baltic states, Congress strongly, consistently, and on a bipartisan basis supported a United States policy of legal non-recognition;

Whereas, in 1953, the congressionally-established Kersten Commission investigated the incorporation of Latvia, Estonia, and Lithuania into the Soviet Union and determined that the Soviet Union had illegally and forcibly occupied and annexed the Baltic countries;

Whereas, in 1982, and for the next nine years until the Baltic countries regained their independence, Congress annually adopted a Baltic Freedom Day resolution denouncing the Molotov-Ribbentrop Pact and appealing for the freedom of the Baltic countries;

Whereas, in 1991, Latvia, Estonia, and Lithuania regained their de facto independence and were quickly recognized by the United States and by almost every other country in the world, including the Soviet Union;

Whereas, in 1998, the United States and the three Baltic nations signed the U.S.-Baltic Charter of Partnership, an expression of the importance of the Baltic Sea region to United States interests;

Whereas the 109th Congress resolved (S. Con. Res. 35 and H. Res. 28) that ''it is the sense of Congress that the Government of the Russian Federation should issue a clear and unambiguous statement of admission and condemnation of the illegal occupation and annexation by the Soviet Union from 1940 to 1991 of the Baltic countries of Estonia, Latvia and Lithuania, the consequences of which will be a significant increase in good will among the affected people'';

Whereas Latvia has successfully developed as a free and democratic country, ensured the rule of law, and developed a free market economy;

Whereas the Government of Latvia has constantly pursued a course of integration of that country into the community of free and democratic nations, becoming a full and responsible member of the United Nations, the Organization for Security and Cooperation in Europe, the European Union, and the North Atlantic Treaty Organization;

Whereas the people of Latvia cherish the principles of political freedom, human rights, and independence; and

Whereas Latvia is a strong and loyal ally of the United States, and the people of Latvia share common values with the people of the United States: Now, therefore, be it

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

(1) congratulates the people of Latvia on the occasion of the 90th anniversary of that country's November 18, 1918, declaration of independence;

(2) commends the Government of Latvia for its success in implementing political and economic reforms, for establishing political, religious and economic freedom, and for its strong commitment to human and civil rights;

(3) recognizes the common goals and shared values of the people of Estonia, Latvia, and Lithuania, the close and friendly relations and ties of the three Baltic countries with one other, and their tragic history in the last century under the Nazi and Soviet occupations;

(4) calls on the President to issue a proclamation congratulating the people of Latvia on the 90th anniversary of the declaration of Latvia's independence on November 18, 1918;

(5) respectfully requests the President to congratulate the Government of Latvia for its commitment to democracy, a free market economy, human rights, the rule of law, participation in a wide range of international structures, and security cooperation with the United States Government; and

(6) calls on the President and Secretary of State to urge the Government of the Russian Federation to acknowledge that the Soviet occupation of Latvia, Estonia, and Lithuania under the Molotov-Ribbentrop Pact and for the succeeding 51 years was illegal.

Mr. SMITH. Mr. President, I rise today to introduce a bill with my distinguished colleague, the senior Senator from Illinois, commemorating the 90th anniversary of Latvia's independence.

This past century saw more than its share of tragedy, as the twin evils of fascism and communism seeded mankind with misery unknown to earlier generations. Nazi and Soviet totalitarianism did their best to stamp out the individualistic spirit among their adherents, and forge them instead into a single mailed fist suited only for war, plunder, and oppression. Though the struggle against both was long and often dark, rays of light continually pierced the clouds. One such ray was the establishment of Israel, whose 60th anniversary we are commemorating this year. Another was the independence, sporadic though it began, of independent Baltic republics like Latvia. The modern state of Latvia was born in days of hope after the calamity of the Great War, days when so many of the subjugated peoples of Europe achieved independence. On November 18, 1918, Latvia became free. The U.S. recognized Latvia less than 4 years later.

It is both Latvia's blessing and its curse to sit on a historical crossroads. The Baltic region has been an important trading hub for hundreds of years, stretching back to the days of Vikings and Byzantium. Latvians, surrounded by powerful neighbors and wealthy trading states, have thus led a perilous existence. Tragically, but not fatally, Latvia's post-1918 existence was to be similarly perilous. Through a secret protocol with the Nazis, the U.S.S.R. occupied Latvia in the beginning of World War II, and retained control until the final collapse of the Soviet state in 1991. At that moment, ravished by communism and beset by historical injustice, Latvians made a bold choice to build a free, democratic, and prosperous Western-oriented society. They have since succeeded brilliantly, achieving high levels of economic and political freedom, and enjoying one of the highest living standards among ex-communist countries. Latvia today stands as a model of Western, free-market democracy, and America stands with it.

I am very proud that Latvia is no longer in peril. It is a valuable member of NATO, and leads a new wave of pro-growth nations in the European Union. I am honored to introduce this resolution with Senator DURBIN, and commend Latvia on its 90th anniversary of independence.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public an addition to a previously announced hearing before the Committee on Energy and Natural Resources, Subcommittee on National Parks.

The hearing will be held on June 17, 2008, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the subcommittee will also consider S. 3096, a bill to amend the National Cave and Karst Research Institute Act of 1998 to authorize appropriations for the National Cave and Karst Research Institute.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to rachel_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Rachel Pasternack at (202) 224–0883.

SIGNING AUTHORIZATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the majority leader, Senator REID of Nevada, be authorized to sign duly enrolled bills and joint resolutions through June 16, 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 10, 2008

Mrs. MURRAY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Tuesday, June 10; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the motion to proceed to S. 3044, the Consumer-First Energy Act; that there be 1 hour for debate prior to the cloture vote, equally divided and controlled between the two leaders or their designees, with the final 20 minutes equally divided between the two leaders or

their designees, with the majority leader controlling the final 10 minutes prior to the cloture vote on the motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mrs. MURRAY. Mr. President, tomorrow Senators should expect that the first rollcall vote will begin shortly after 11 a.m. and that vote will be on the motion to invoke cloture on the motion to proceed to the Consumer-First Energy Act.

ORDER FOR ADJOURNMENT

Mrs. MURRAY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order, following the remarks of Senator BAUCUS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY PACKAGE WITH EXTENDERS

Mr. BAUCUS. Mr. President, last Friday a cloture motion was filed on H.R. 6049, the Renewable Energy Job Creation Act of 2008. This bill contains a robust energy package, with about $17 billion in incentives for alternative energy, for efficiency, and for clean coal. This package is important for our environment, for energy security, and to facilitate the transition to a carbon-controlled economy.

It extends expiring individual provisions. These include the teacher expense deduction and the qualified tuition deduction. The bill also extends expiring business provisions. These include the research and development tax credit and the active finance expensing provision. These business provisions help keep America competitive in the global economy. These business provisions help maintain and create jobs. If these individual and business provisions are not extended, millions of families and businesses would have a huge tax increase. This is all paid for with two revenue raisers that no one has a problem with, revenue raisers that are sound tax policy.

Some might argue we should not increase taxes to pay for tax cuts, but these revenue raisers are not tax increases. The first provision is an extension of the effective date of the worldwide allocation of interest, delaying application of that provision. This section of the code is scheduled to take effect for tax years beginning after December 31, 2008. Many of the companies that will benefit from this provision have told me they would rather have business extenders, including R&D, active financing, and CFC look through, in exchange for a delayed application of the worldwide allocation of interest. These companies realize that in order to get extenders done now, they, along with the Congress, must pay for these provisions. These companies have made a choice. I believe it is a sound choice.

The second provision is offshore deferred compensation. This provision prevents hedge fund managers from deferring income. This is not an increase in tax on hedge fund managers; rather, it is a change in the timing of when income tax will be applied. This is a timing issue, not a tax increase, and the proposal is sound tax policy. Some argue we should not pay to extend current tax benefits. This is a new one. When the other side was in the majority, several bills passed extending provisions, and they were paid for.

So this week the Senate is faced with a choice, a choice that, in my opinion, is relatively easy. We need to decide whether we will develop new jobs and new medications or we can continue to allow hedge fund managers to defer without limitation their compensation for investing other people's money. I believe the choice is easy. We must pass this package of expiring provisions.

I also believe the substitute I will offer will include fixing the AMT, taxes American taxpayers would otherwise have to pay—a so-called AMT patch. That prevents Americans from having to increase their tax liability in a way which I think would not be fair. As I said earlier, the extenders package will be paid for. The AMT patch will not be paid for. Why, some might ask. That is basically because I think it is important to recognize the reality that at the end of day, it will not be paid for, so I, therefore, believe it is important to include the AMT patch in something that is going to be fixed. It is not going to be paid for at the end; whereas, other provisions will be. That is the reason for including both in this bill. The extenders paid for, the AMT patch not paid for.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:39 p.m., adjourned until Tuesday, June 10, 2008, at 10 a.m.

EXTENSIONS OF REMARKS

TRIBUTE TO COLONEL KENNETH O. McCREEDY

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Colonel Kenneth O. McCreedy, Installation Commander at Fort Meade in Maryland. Colonel McCreedy holds a bachelor's degree in history from Washington and Lee University, master's and doctorate degrees from University of California, Berkeley, a Master of Military Arts and Sciences degree from the U.S. Army Command and Staff College, and a Master of Strategic Studies from the Army War College. He is also a graduate of both the Army's School of Advanced Military Studies and the Advanced Strategic Art Program.

After over twenty years in the service, Colonel McCreedy took command of Fort Meade in June 2005. Since then, Colonel McCreedy has worked closely with business leaders and elected officials, to consider how his decisions would affect the communities both inside and outside of the Fort Meade gates.

Fort Meade, located halfway between Baltimore and Washington, DC, is the fourth largest army installation base in the continental United States with approximately 40,000 military, civilian, and contractor personnel. The base thrives not only as a military installation, but also as a leading contributor to Maryland's economy.

Colonel McCreedy has played a large role in planning and preparing for the Base Realignment and Closure (BRAC) process, which will cause a projected 25 percent population increase and 5,700 jobs at Fort Meade alone. He also has worked closely with the Fort Meade Alliance, an advocacy membership organization created to promote and support Fort Meade as an economic asset and resource to the region.

Among his countless awards and decorations, Colonel McCreedy has earned the Defense Meritorious Service Medal, Meritorious Service Medal, Joint Service Commendation Medal, Army Commendation Medal, Army Achievement Medal, National Defense Service Medal, and the NATO Medal.

Madam Speaker, I ask that you join with me today to honor Colonel Kenneth O. McCreedy in his retirement from the position of Fort Meade Installation Commander. His legacy as a brilliant military commander will be forever remembered in his service to one of our nation's largest military installations. It is with great pride that I congratulate Colonel McCreedy on his exemplary military career and his outstanding leadership at Fort Meade.

CONFERENCE REPORT ON S. CON. RES. 70, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

SPEECH OF

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 5, 2008

Mr. RUSH. Mr. Speaker, I rise today in strong support of S. Con. Res. 70, the Concurrent Budget Resolution Conference Report for 2009. I want to commend Chairman SPRATT for his outstanding work in moving this blueprint for fiscal responsibility to fruition.

This budget is a recipe for fiscal integrity, reaching balance in 2012 while maintaining a smaller deficit in 2009 and over the next 5 years as opposed to the Bush Administration proposal. With the adoption of this budget resolution, this Congress will reject the misplaced priorities of the Administration by restoring funding to vital programs for our Nation's citizens.

Mr. Speaker, as a member of the Energy and Commerce Committee, I have been an ardent supporter of the Low Income Housing Energy Assistance Program, LIHEAP, and I am particularly pleased that this budget takes significant and necessary steps to strengthen the safety-net for those families most in need, including boosting funding for home energy assistance to help millions of low-income families and funding housing assistance for low-income families, the elderly, and the disabled.

I am further pleased that we increase funding to make college more affordable, thereby reversing the Administration's underfunding of education in our Nation. This budget substantially increases veterans' funding, invests in renewable energy and energy efficiency initiatives, provides funding for green collar jobs, rejects the Administration's cuts to Medicare and Medicaid, expands children's health insurance coverage and accommodates additional middle class tax relief.

Mr. Speaker, S. Con Res. 70 will serve as an important guide as we set spending priorities for our Nation over the next few years and I am pleased to join in support of it.

CELEBRATING FRANKLIN COUNTY, NEW YORK'S BICENTENNIAL

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. McHUGH. Madam Speaker, I rise today to extend my sincere congratulations to the fine people of Franklin County, New York, as they celebrate the county's bicentennial. I am proud to represent them and to have the opportunity to take a moment to reflect upon the county's characteristics and rich history, which includes the War of 1812 and the Underground Railroad.

Franklin County was formed on March 11, 1808, from Clinton County, when it became apparent that travel to Plattsburgh to conduct legal business was too burdensome. Franklin County, which encompasses 1,631.49 square miles, was named after Benjamin Franklin. Its neighbors are Quebec, Canada to the north, Clinton County to the east, Essex and Hamilton Counties to the south, and St. Lawrence County to the west. Franklin County's nearly 51,000 residents live in 19 townships: Bangor, Bellmont, Bombay, Brandon, Brighton, Burke, Chateaugay, Constable, Dickinson, Duane, Fort Covington, Franklin, Harrietstown, Malone, Moira, Santa Clara, Tupper Lake, Waverly, and Westville. In addition to the County seat, Malone, Franklin County is home to five other villages: Brushton, Burke, Chateaugay, Saranac Lake, and Tupper Lake.

Potash production was the earliest industry in the county; other early industries included agriculture, iron ore mining, logging, mills, sanitariums, and tourism. Today, agriculture continues to play a vital part in the county's economy; in 2002, Franklin County's 530 farms produced agricultural products with a market value of about $48 million including dairy, cattle and calves, vegetables, aquaculture, and nursery and greenhouse. Likewise, the world class Trudeau Institute, which was originally founded in 1884 as a tuberculosis sanitarium, is still making breakthrough discoveries to improve human health as the incredible Adirondack Mountains continue to draw tourists who enjoy bird-watching, camping, canoeing, fishing, hiking, hunting, and other outdoor activities.

Franklin County's residents are known to be generous, independent, proud, resourceful, and resilient. Perhaps its most notable native son is William Almon Wheeler, who was born in Malone on June 30, 1819, and was elected as our nation's Vice President in 1876 after serving as District Attorney, State Assemblyman, State Senator, and U.S. Representative. Other noteworthy former residents include Tom Browning, who pitched a perfect game and won a World Series game for the Cincinnati Reds, and Almanzo Wilder, whose boyhood on a Burke farm later became known to the world through Farmer Boy, which was written by his wife, Laura Ingalls Wilder. Again, it is a great honor to have the opportunity to join with the residents of Franklin County, New York, as they celebrate their bicentennial.

HONORING ANTHONY BORBA

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Anthony Borba upon his retirement as the superintendent of Salida Unified School District. Superintendent Borba will be honored at a reception on May 31, 2008.

Superintendent Anthony Borba graduated from California State University, Stanislaus, in

1975 with a bachelor's of arts degree in Spanish, a minor in political science and a California elementary teaching credential. Immediately after completing college, he taught at Tuolumne School for 3 years. It was during this time he spent a summer at the University of California, Santa Barbara, completing an intensive Portuguese study program. This program allowed Superintendent Borba to become a language program facilitator for the Office of Merced County Superintendent of Schools. As he completed additional educational programs he was able to advance through the ranks of the school districts. In 1980, Superintendent Borba earned a masters of arts degree in school administration from California State University, Stanislaus. In 2003 he earned an educational doctorate in education administration from University of the Pacific.

Superintendent Borba worked for the Office of Merced County Superintendent of Schools as a language program facilitator for 4 years. He then taught and became the assistant principal at Selima Herndon School. After just 2 years, he became principal of the school. He served as principal for 4 years. In 1988 he became the director of instructional services and staff development for the Merced City School District. Two years later, he was a superintendent. He served as a superintendent for two districts, Chatom Union Elementary School District and Salida Union School District. In addition to his employment with the schools, Superintendent Borba was also a part-time English-as-a-second language teacher at Modesto Junior College, he worked with the California State Department of Education as a facilitator for Portuguese and Asian minority languages group. He was the principal at a migrant summer school and has been an adjunct faculty member at California State University, Stanislaus, in the Department of Advanced Studies. Superintendent Borba is retiring to become an associate professor for advanced studies at the university.

Superintendent Borba has been, and continues to be, involved in numerous organizations. A few of the organizations include: community advisory board for the doctoral program in instructional leadership at California State University, Stanislaus; he is a member of three doctoral dissertation committees for University of the Pacific; Central Regions Schools Insurance Group; Superintendents' Council of Stanislaus County; Association of Low Wealth Schools; and Stanislaus County Superintendents of Schools. Superintendent Borba has been awarded with the Educator of the Year Award in 1998 by the Portuguese Chamber of Commerce in San Jose, Outstanding Alumnus Award in 1999 by the Professional Administrative Services Credential Program at California State University, Stanislaus, the Outstanding Vocational Award for 2000–2001 by the Rotary Club of Salida; the Ethics in Public Service Award in 2007 by the Modesto Bee and California State University, Stanislaus; and the Educator of the Year Award in 2007 by the Portuguese Education Foundation for central California.

Madam Speaker, I rise today to commend and congratulate Superintendent Anthony Borba upon his achievements and retirement from Salida Unified School District. I invite my colleagues to join me in wishing Superintendent Borba many years of continued success.

CONGRATULATING MICHAEL J. MOCEK ON HIS RETIREMENT

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. GRANGER. Madam Speaker, I want to congratulate Mr. Michael J. Mocek on his upcoming retirement and thank him for his 37 years of Federal service to the U.S. Army Corps of Engineers, the State of Texas, and our Nation.

Mike has a long and distinguished history with the Corps of Engineers. Most of his Corps service has been with the Fort Worth Engineer District, where he served the last 12 years as the senior civilian and as the deputy district engineer and the chief of the Programs and Project Management Division.

Among his many significant accomplishments in Texas was the successful completion of Jim Chapman and Ray Roberts Lakes in the 1980s. Mike's technical expertise and planning efforts on those projects provided those communities with vital flood protection and water supply. He also played an invaluable role in the successful approval of the Dallas Floodway Extension project, currently under construction, which will greatly improve the flood protection for that city.

In recent years, Mike has been instrumental in getting Corps approval for one of my top priorities, the Central City Project in Fort Worth. This project will revitalize a portion of the downtown area and provide much needed recreation and park lands, ecosystem restoration, and future flood protection for our citizens. In addition, Mike has provided exceptional leadership for the Corps of Engineers in developing a partnership with the Texas Water Development Board to improve cooperation between the State and Federal government for water resource projects to meet the State's future water needs.

Mike has also guided and overseen the management of one of the largest and most challenging military programs in the Corps, supporting flag ship installations such as Fort Hood, Fort Bliss, and Fort Sam Houston, as well as Lackland and Dyess Air Force Bases. His extraordinary leadership, dedication, and commitment led to the successful completion of many projects that have greatly improved the readiness of our forces and the quality of life for our soldiers, airmen and their families. He did all of this while concurrently serving in the Army Reserves, and retired at the rank of lieutenant colonel.

In 2005, Mike was selected as the top civilian for the Corps of Engineers for achieving the highest overall standards of excellence and for his many significant contributions to the missions, prestige and reputation of the entire Corps. He was very deserving of this honor.

He has mentored many senior military officers and continues to be sought out for his expertise, wise counsel, and advice. Though he received many offers for senior executive promotions throughout the years that would have taken him from Texas, Mike elected to remain in his home State where he felt his efforts would best serve his fellow Texans.

In the Fort Worth community, Mike has been a well-known and trusted leader and public servant. Both he and his wife, Betty, have served their community well. As an ordained deacon at Holy Family Catholic Church, he provides counsel and spiritual guidance to those who seek it. Betty has taught elementary school students for many years and is currently teaching 4th grade at Tanglewood Elementary School in Fort Worth

I am indeed honored to have worked with Mike over the last several years as a Member of Congress, and before that as mayor of Fort Worth. I appreciate Mike's long, dedicated, and faithful service to the Fort Worth community, the State of Texas and our Nation. I wish him all the best in his retirement.

HONORING THE 10TH ANNIVERSARY OF THE BROOKSVILLE, FLORIDA ART GALLERY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise to honor the 10th anniversary of the Brooksville Art Gallery. Conceived of by two community stalwarts, Mary Alice Queiros and Karen Phillips, 10 years ago this month, the gallery has been an artistic pillar of the community for its entire existence.

Following the completion of Brooksville City Hall in 1996, Clerk of the Court Karen Phillips and longtime champion of the arts Mary Alice Queiros looked for ways to brighten the hallways and fill much of the empty space. Starting in 1998, they reached out to the Hernando County community to find examples of outstanding art from local residents. One painting at a time, they slowly but surely covered the hallways and walls with fine examples of Florida artistry.

Once the bare walls of city hall were filled with bright and beautiful artwork, the duo worked to make the area friendly to other forms of art, including poetry readings and sculpture. Today, Brooksville City Hall hosts an annual fall art show to showcase the work of area artisans. I also sponsor the annual congressional art competition, a contest for Fifth District high school artists to display their finest artwork and compete to have their piece hung in the United States Capitol. With hundreds of students exhibiting in city hall, Hernando County residents have truly been exposed to some of the finest artwork in our State.

In addition to their love of art, both Mary Alice and Karen have been involved in the Brooksville community for many years. Karen Phillips has given back through her long service as Brooksville City Clerk, and Mary Alice has been honored as the 2005 Great Brooksvillian for her work on behalf of the greater community. Both these women have done so much to promote art in Hernando County, and deserve to be recognized for their dedication and commitment. I would like to congratulate them both on making the Brooksville City Hall Art Galley a haven for artists and a beautiful addition to our city government building.

IN HONOR OF FRANK THOMPSON

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. UDALL of New Mexico. Madam Speaker, I rise today in honor of Frank Thompson, who passed away last week. Thompson served as a code talker in World War II. He and other Navajo soldiers used their native language to craft a nearly unbreakable code. We don't know how many American soldiers survived that war because of Thompson's gift, nor do we know how many civilians were liberated because Thompson and his fellow code talkers helped America achieve success. What we do know is that Thompson and others like him are owed a debt of gratitude we will never fully pay back.

With all of the injustice that Native Americans have experienced at the hands of the U.S. Government, they have always given their all to defend this country. When Thompson joined the Marine Corps, the U.S. Government had only recognized Indians as American citizens for 18 years. Yet 45,000 of the 350,000 Native Americans in this country joined Thompson in America's Armed Forces during that conflict. Native Americans have the highest rate of service of any ethnic group, and today there are more than 181,000 Native American veterans.

The code talkers brought unique skills and a unique cultural heritage to the Allied cause in World War II. As Americans who faced bigotry and injustice, they eagerly signed up to free Europe from oppression. As individuals who had lived with the legacy of aggression against their people, they felt keenly the need to prevent other acts of aggression, even if these acts were being perpetrated on the other side of the world. In a sense, the Allied fight against tyranny was as much a Navajo struggle as a European one. The values of the Navajo soldiers played a crucial role in liberating Europe and Asia.

Code talkers like Frank Thompson showed that courage has no color. Our respect for their service is increased by our recognition that they risked everything for a nation that too often failed to show them the same loyalty. Their actions should remind us that when we treat any group of Americans as second class citizens we dishonor the memory of all those brave soldiers who died to defend American values, including that sacred creed that "all men are created equal."

By recognizing those who have bravely served this country, we encourage ourselves to be just a little bit better. We remind ourselves to celebrate the values that make America a beacon of hope to men and women around the world. Today, I recognize Frank Thompson. His heroism has won him immortality. For his service and his sacrifice, he will live forever in our hearts.

RECOGNIZING THE HEALTHY LAKES, HEALTHY LIVES CAMPAIGN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. HIGGINS. Madam Speaker, I rise today to recognize the Healthy Lakes, Healthy Lives tour. The Healthy Lakes, Healthy Lives tour, organized by the Healing our Waters-Great Lakes Coalition, is designed to raise awareness and call for action on the problems facing our lakes. Healing Our Waters is lead by the National Wildlife Federation and the National Parks Conservation Association and includes over 100 fishing, boating hunting, birding, conservation and environmental organizations. I would like to congratulate them for their continuing work to improve the health of the Great Lakes.

To start the historic tour, the *Earth Voyager*, one of the fastest sailing vessels on the Great Lakes, made its first stop in Buffalo, New York at the newly developed site along the historic Erie Canal. As a main water route to the mid-West the Great Lakes shaped the demographics of our nation. When the Erie Canal first opened in 1825 it connected the East to the Great Lakes and brought a surge in population and commerce which lead Buffalo to incorporate as a city in 1832. Buffalo's strategic position on the Great Lakes contributed significantly to its early rise to prominence; at the turn of the last century Buffalo was America's largest inland port and the leader in the transshipment of grain and several other commodities. The Western New York Division of Citizens Campaign for the Environment helped lead coordination of events during the Earth Voyager's 5 day stop in Buffalo, NY.

Containing over twenty percent of the world's fresh water, the Great Lakes are an enormous natural asset to this nation. Nearly two centuries ago the Lakes shaped this nation by providing for the early movement of settlers and commerce in America. Now we are at a critical point in history where we must take action today to protect and preserve the Great Lakes as a means to shape this nation's environmental and economic future.

The ship departs Buffalo, NY for stops in Erie, PA, Toledo, OH, Detroit MI, Port Huron MI, Sarnia, Ontario, Chicago, IL, Traverse City, MI, Grand Haven, MI, Milwaukee, WI, Bay City MI, Cleveland, OH and Rochester, NY. On its tour, the *Earth Voyager* will help carry our message and emphasize the importance of revitalizing the Great Lakes.

TRIBUTE TO MAJOR GENERAL BRUCE F. TUXILL

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Major General Bruce F. Tuxill, Adjutant General for the State of Maryland. After graduating in 1967 from Salem College in West Virginia with a bachelor's degree in business administration, General Tuxill underwent undergraduate pilot training at Williams Air Force Base in Arizona. For the next fourteen years, General Tuxill rose through the ranks at the Martin State Airport in Maryland. From 1994 until 2000, he served as the assistant adjutant general for air, Headquarters, Maryland Air National Guard in Baltimore. He then served as the Air National Guard assistant to the Commander of the United States Air Forces Europe in Germany until he was appointed Adjutant General for the State of Maryland in 2003.

In his role as Adjutant General, General Tuxill was responsible for formulating, developing and coordinating all policies, programs, and plans affecting more than nine thousand men and women in Maryland's military department. The military department includes the Maryland Army National Guard, Maryland Air National Guard, Maryland Emergency Management Agency and the Maryland Defense Force. In the event of mobilization, if the state were to receive a presidential call to duty in times of war, national emergency, or operational contingency, General Tuxill would exercise command responsibilities and provide a force in readiness. As the Adjutant General, he served as the official liaison between the governor and the National Guard Bureau, and served as a member of the governor's cabinet.

Among his countless awards and decorations, General Tuxill has earned the Air Force Distinguished Service Medal, the Legion of Merit Medal, the Meritorious Service Medal, the Combat Readiness Medal, the National Defense Service Medal, the Armed Forces Reserve Medal, State of Maryland Distinguished Service Cross, Meritorious Service Cross, and Commendation Medal.

Madam Speaker, I ask that you join with me today to honor Major General Bruce Tuxill in his retirement from the position of Adjutant General for the State of Maryland. His legacy as an experienced and capable military leader and his service to the State of Maryland will be forever remembered. It is with great pride that I congratulate General Tuxill on his exemplary military career and his outstanding leadership of Maryland's military department.

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. RUSH. Madam Speaker, unfortunately I have been out on medical leave. I have been unable to cast votes; however, I would like the record to reflect my intentions had I been present to vote.

Had I been present for rollcall No. 387, I would have voted "aye." Had I been present for rollcall No. 386, I would have voted "aye." Had I been present for rollcall No. 385, I would have voted "nay." Had I been present for rollcall No. 384, I would have voted "nay." Had I been present for rollcall No. 383, I would have voted "aye." Had I been present for rollcall No. 382, I would have voted "aye." Had I been present for rollcall No. 381, I would have voted "aye." Had I been present for rollcall No. 380, I would have voted "aye." Had I been present for rollcall No. 379, I would have voted "aye." Had I been present for rollcall No. 378, I would have voted "nay." Had I been present for rollcall No. 377, I

would have voted ''aye.'' Had I been present for rollcall No. 376, I would have voted ''aye.'' Had I been present for rollcall No. 375, I would have voted ''nay.'' Had I been present for rollcall No. 374, I would have voted ''aye.'' Had I been present for rollcall No. 373, I would have voted ''aye.'' Had I been present for rollcall No. 372, I would have voted ''aye.'' Had I been present for rollcall No. 371, I would have voted ''aye.'' Had I been present for rollcall No. 370, I would have voted ''aye.'' Had I been present for rollcall No. 369, I would have voted ''aye.'' Had I been present for rollcall No. 368, I would have voted ''aye.'' Had I been present for rollcall No. 367, I would have voted ''aye.''

INTRODUCTION OF THE HOME OFFICE DEDUCTION SIMPLIFICATION ACT OF 2008

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. MCHUGH. Madam Speaker, I rise today to introduce legislation, the Home Office Deduction Simplification Act of 2008, which is designed to reduce the complexity of the tax code and provide Americans with the ability to take a standard deduction for home office expenses.

The tax code currently allows a deduction for home office expenses for self-employed taxpayers and employees who must use their home for business purposes at their employer's request. However, according to the Internal Revenue Service's Office of the Taxpayer Advocate, only 2.7 million of the nearly 20 million Schedule C filers in tax year 2003 took a deduction for home office expenses, despite the fact that some 8.4 million Americans indicated they had one or more rooms used only for business.

The Office of Taxpayer Advocate reports that the data raises the question as to whether or not eligible taxpayers are taking the deduction to which they are entitled. In addition, the Taxpayer Advocate notes that private industry has indicated that the rules and related forms regarding the home office deduction are too complex.

As is often noted, our Nation's nearly 27 million small businesses are the backbone of our Nation's economy. They provide 51 percent of our Nation's private sector employment and 45 percent of its payroll and produce approximately 50 percent of the Nation's private, nonfarm GDP. Without question, they certainly are vital to the economy of New York's 23rd Congressional District, which I have the privilege of representing.

To ensure that my constituents and those other Americans who are eligible to deduct home office expenses but have been deterred by the complexity of the current tax code actually take a deduction, I now introduce the Home Office Deduction Simplification Act. This bill would provide a standard deduction of $1,500, indexed to inflation, for home office expenses. Accordingly, I ask my colleagues to join with me to enact this important measure.

HONORING ROSTEEN STRASSNER

HON. GEORGE RADANOVICK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Rosteen Strassner upon her 106 birthday. Mrs. Strassner's birthday will be celebrated on Friday, June 6, 2008.

Mrs. Strassner was born March 20, 1902 in Newark, Arkansas. In her long life she has witnessed many historical events that not only shaped the United States, but the world as well. She has been able to achieve amazing things in her lifetime. In 1940 she moved to Fresno, California. She became a member of the Fresno Temple COGIC, and remains a member of the church. In 1974 Mrs. Strassner opened her heart and her home to mentally challenged adults when the Central Valley Regional Center was recruiting foster parents. She was one of the first African-Americans to engage in this type of work. She remained a foster parent until 2005, when her physical health began to decline. Mrs. Strassner also has an extensive background as a healthcare professional and businesswoman. She is a retired dietitian from St. Agnes Hospital. She also owned and operated two cafés in the Fresno area.

Madam Speaker, I rise today to commend and congratulate Rosteen Strassner on 106 years of life. I invite my colleagues to join me in wishing Mrs. Strassner health and happiness.

HONORING THE USS PONCHATOULA SHIPMATES ASSOCIATION

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. SESTAK. Madam Speaker, I rise today to recognize the 2008 gathering of the USS Ponchatoula Shipmates Association. As these remarkable Sailors, their families and friends spend time together this week, they represent over sixty years of dedication to the Navy's core values of Honor, Courage and Commitment.

These patriotic Americans keep alive the memory of their courageous predecessors who sailed into harms way aboard namesakes of USS *Ponchatoula* from 1944 until 1992. In that timeframe Sailors of that proud ship fought in WWII, the Vietnam War, the Cold War and other crises around the world. It is important that we all pause to imagine the courage and stamina it took to sail AOG–38 almost immediately from shakedown cruise into the battle of Okinawa. Carrying over a thousand tons of highly flammable fuel and limited to a maximum speed of ten (10) knots, the crew of only 62 brave souls spent days defending their precious cargo, and one another so that innumerable ships and small craft could support the invasion of Okinawa. All the while they knew that a torpedo, Kamikaze attack, or a simple electrical or propulsion fire could cause their ship and all onboard to be quickly lost in a conflagration of the most devastating form. With her mission complete AOG–38 got underway 14 December 1945 to transit home to the United States for deactivation.

Thankfully, it is a custom of our great Navy to reward the courageous performance of a ship and crew in combat by renaming a successor to that ship. And so it was, when USS *Ponchatoula* (AOG–38 and later T–AO–148) was built by proud craftsmen, some no doubt from the 7th Congressional District of Pennsylvania, in Camden, NJ and commissioned in January 1956. From 1956 until 1992 new generations of U.S. Navy Sailors and Military Sealift Command Mariners served proudly over most of the globe in supporting the ever expanding striking power of our naval forces.

In my thirty-one years of naval service, I was often reminded that ''tactics are for amateurs and logistics are for experts.'' It has been ships and crews like the USS *Ponchatoula* who have been the foundation of our nation's sea power by affording naval commanders and planners the logistics, mobility, flexibility and persistence necessary to win every engagement and deter many more.

Madam Speaker it gives me great pleasure to acknowledge the efforts of my constituent and Navy Veteran, Mr. John J. Bury of Media, PA and the officers of the USS Ponchatoula Shipmates Association for their commitment to their ship, one another and the future Sailors who will answer our nation's call to go down to the sea in defense of our precious freedoms.

To the USS Ponchatoula Shipmates Association our nation says ''Bravo Zulu'' and God Speed.

RECOGNIZING VICTORIA MANFREDI ON HER RETIREMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. LIPINSKI. Madam Speaker, I rise today to honor Mrs. Victoria Manfredi on the occasion of her retirement from St. Louis de Montfort School in Oak Lawn, Illinois. An outstanding educator and a resident of Oak Lawn, Illinois, Vicky now celebrates over 35 years of involvement in her school and community.

Today, with the support of family: Frank, Lisa, John, and Anna Victoria, we honor Vicky for her outstanding contribution to the field of Catholic education. Over the past 35 years, Mrs. Manfredi has proven a trusted colleague, an active volunteer, a Christian role model, and a teacher who has opened hearts, touched lives, and enlightened the young minds of countless students.

Vicky Manfredi began her work while her daughter attended St. Louis de Montfort over 30 years ago. Vicky served as a volunteer coach, instructional aide, and Eucharistic minister. Seven years ago, Vicky accepted a new challenge: working as a kindergarten teacher. In her new role she earned the praise of the administration, colleagues, parents and students alike. Her classroom was a happy place, a safe haven for children and an environment where students excelled academically.

Madam Speaker, it is my honor to recognize Mrs. Victoria Manfredi, an exceptional teacher and pillar in my community. I am honored to

have such an exceptional educator in my district. We offer heartfelt congratulations to Vicky for a job well done as we wish Vicky and her family a joyous celebration of this milestone as she begins a new chapter in her life.

RECOGNIZING THE 2008 EXPLORAVISION AWARD WINNERS

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. KNOLLENBERG. Madam Speaker, I want to congratulate Timothy Zako, Enzo Fantin-Yusta, and Ahsan Mahmood for their outstanding performance in the 2008 ExploraVision Award. These seventh graders from West Hills Middle School in West Bloomfield, Michigan, along with their coaches Paul Sanchez and Amy Burke embody the innovative spirit of America. Together this team succeeded in capturing second place in this prestigious regional competition.

The ExploraVision Awards, which are sponsored by Toshiba and the National Science Teachers Association, are awarded to students of all ages for combining their imaginations with the tools of science to create and explore a vision of tomorrow's technology. Students of different interest, ability, and skill levels develop new technologies utilizing their creative thinking and problem solving skills.

The students from West Hills Middle School sought out to find a new method for treating lazy eye and strabismus, a condition where ones' eyes are misaligned. These conditions, which affect roughly four percent of children in America, are often treated with eye-patches or in some instances surgery. These treatments limit the activities that children can participate in, can lower the child's self esteem, and in the most severe cases require extremely invasive surgery.

Utilizing existing technologies, the students were able to develop a prototype that could be worn like eyeglasses, and could be turned on and off as needed so that the child could use both eyes together and see in three dimensions at least some of the time. The Strabismus Glasses, as they named them, would help a child's self-esteem by allowing them to treat their condition without having to use an eye-patch.

Madam Speaker, I wish to congratulate these students for their amazing and creative work. I am proud of the initiative these young people have shown. Theirs is a shining example of what we are all capable of achieving with just a little imagination and some hard work.

ONE WORLD NOW

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. McDERMOTT. Madam Speaker, I submit the following:

WHAT I CAN DO

(By Philmon Haile)

First of all I would like to thank Kirstin Hayden and all of the One World Now folks for inviting me to speak here today; and for bringing me home from our nation's capitol.

When I was a younger man I dreamt I could change the world. However, as I grew older and wiser I realized that the world was too big and immovable and would not change. Consequently, I decided to take on a narrower target and change my country. However, as I grew older and wiser, I realized my country was too big, too fixed in its way of doing things, immovable and would not change. I therefore decided to address my city and community. However, once again as I grew older and wiser I realized that my city and community were too large and immovable and would not change. So, I decided that one last time I would try and change those nearest to me: my friends and family. But, as I had learned so many times before, those nearest to me—my friends and family—would not change. The problems I saw in the world included violence, intolerance, and racism. Broken and divided schools and cities, racial slurs, being spoken and glorified through the media. Growing up I heard phrases like ''you're not black enough'', to any African-American who stepped outside the circle and made white friends and listened to any other music other than Rap, or played any other sports besides basketball. I think ''you're not black enough'' is just another way to say you don't have sufficient hate for others. If being black means to hate, then I would rather be green. Of course this isn't what it means to be black. I've heard of genocide and gang violence. When I was born, my home country Eritrea had just finished a thirty-year war for independence from Ethiopia. A war is still going on today between the two countries, with a tense border conflict plaguing the people. I am close to this war because both parents were involved in it, a facet of my personal and family history. These problems are so real to me I pray every night for the safety of grandparents, who—as I speak—continue to live in a war torn country run by a dictator. Because these issues are so real, I spend a lot of time thinking about why this happens.

I found the problem. People hurt each other because they had no idea what it felt to be the other party. I knew the answer too, and I thought the best way to end all of this was through education; uniting people through education; giving them a chance to learn about each other so they can coexist peacefully.

Now, as I stand here, old and tired at the ripe old age of 17, I finally get it. Perhaps if I abolished my own stereotypes, I could have impacted my friends and family. Their change in turn may have influenced more people and could have changed my city and community and—who knows—maybe even my country and the world: a ripple effect like a pebble in the pond.

Let's be honest with ourselves—anyone who grows in this world has certain established mind sets and we all need to tear them down before we can progress and accept people for who they are.

In order to be a successful leader, one must be willing to give up certain ideas, decisions and a degree of popularity in order to negotiate, mediate and decide what is in the best interest of the whole. The persona you create around you is how people perceive you. Without a positive attitude I've learned the ability to lead others confidently and work together is greatly diminished. Qualities of tolerance, openness, and optimism are what One World Now represents and instills in all their students, qualities that will reside and resonate forever.

When I came to Garfield High School, I never thought that I could take Chinese especially for free, or much less use those skills and afford to study abroad. You know, my brother studied abroad just as I hope to. I know my family couldn't afford to send both my brother and me abroad. I know this is the case for many other people traveling on a One World Now! Scholarship. After my older brother, Robel discovered One World Now! I wanted to do it. We have a ''typical'' older-younger brother relationship, so he tells me that only upper classmen can be involved, so being the gullible freshman I was, I believed him, only to learn my sophomore year that freshmen were enrolled in One World Now! classes. It is amazing what One World Now! is doing, offering high school students classes in the two most critical world languages: Arabic and Chinese. Believe me, in my position as a Congressional Page, I hear about the Middle East and China in debates almost every day. If our leaders knew Chinese and Arabic and understood their cultures, this world would be a much different place. If they could have been involved in One World Now, they would have a better understanding. One World Now is more than just Chinese and Arabic classes and the free food at Friday leadership meetings: it is a melting pot—a place where I was exposed to many different cultures, races, and religions; a place where I made many good friends. Every week that I went to One World Now classes, I grew a little bit. I sometimes got tired of them saying ''get out of your comfort zone'' and ''be passionate'', but that was what really happened, at every meeting I felt I was stripped of all the walls I put up and just showed the bare and true Philmon. That's how you really gain social skills and grow as a person. There are so many different types of people you don't know how to act, so just act like yourself. That's how you really build character. The change that has occurred in me is something I can't describe, something deep within has changed. I am now able to communicate my ideas better, more powerfully. The only thing I can't communicate is the change that has occurred because it so deep within me, but resonates and I can always feel it. This is all because of One World Now and the opportunities offered me from their influence. Through One World Now, I've really walked a thousand miles. I am a different person than when I was a sophomore.

When I was invited to be a U.S. House of Representatives Page and I accepted, I felt both sad and happy. The sadness came when I realized I would not be able to take One World Now classes every other day. Before I accepted, I went to the One World Now office and asked how this would affect my membership at One World Now. They told me that I will always be a part of the One World Now family, and that I could even apply to go to China with them this summer. I came to DC sad that I wouldn't be able to take Chinese in a formal Chinese class setting provided by One World Now, but I was determined I would not give up. I found the Chinese Cultural Center, and learned I could take Chinese there. So I went over there and they asked questions like ''how long have you been taking Chinese?'' and I told them one year, so they gave their second year test because they only offered up to Chinese level the level I should have been at. I took the test and they told me that I was too advanced to take their classes, so Teacher Sun (find her in the audience) if you're in the room, you taught me well. So I decided to become a volunteer and asked if they could only speak to me in Chinese. While in DC I still called my old Chinese classmates and teacher, to make sure I was caught up to where I needed to be. I was now ready to reap the benefits of the Congressional Page program.

In this program I am able watch the debates of our country's architects. I think it

is a blessing to watch the people who serve our country pass legislation. I have a newfound respect for the Congress of this nation. This program is perfect for me. Young people are asked what they want to be when they grow up, and I always had no idea, so I would fabricate one of the many formulated answers and say something like a doctor or a lawyer, not really knowing exactly what I was saying. Now I think I know. Just like Members of Congress, I want to devote my life to service and make a difference in the world. I would to be an Ambassador and work with different institutions around the world to make a change. Change to bring my home country of Eritrea, and bring its people, my people out of the straggling chokehold of poverty, to bring peace to the border conflict between Eritrea and Ethiopia. People of these countries are the same: they share the same religion, culture, and values, divided only by politics.

A quote from George Bernard Shaw describes exactly how I feel:

''This is the true joy in life, the being used for a purpose recognized by yourself as a mighty one: the being a force of nature instead of a feverish selfish little clod of ailments and grievances complaining that the world will not devote itself to making you happy. I am of the opinion that my life belongs to the whole community and as long as I can live it is my privilege to do for it whatever I can. I want to be thoroughly used up when I die, for harder I work the more I live, I rejoice in life for its sake''.

All this would not be possible without One World Now. Ms. Kristin Hayden nominated me to Congressman Jim McDermott, Democrat from the Seventh Congressional District of Washington State. When I was lucky enough to get into the program, I was then one of ten Pages selected to stay for a second semester to be a role model for the new Pages who were coming in for the Spring Session.

While in DC, I have thought about my summer a great deal. I would like to travel to China on a One World Now scholarship. I know this will be a fantastic. I am truly excited about traveling this summer. I will never forget what One World Now scholarships have offered me. Opportunities like these don't come every day, and One World Now isn't just an every day occurrence. I can guarantee you that Kirstin Hayden is talented and passionate; able to speak Russian and being a great entrepreneur that started this extraordinary program from scratch.

This program started five years ago at Ingram High School, with one language, Chinese, and twelve students. Now this program has extended itself to Garfield, Cleveland, Roosevelt, Rainier Beach, and Franklin High Schools—six different schools! I hope that it can continue to spread and impact many other high school students and make the difference in their lives as it has made in my life.

This reminds me of an anecdote. It is about a young man who tries to make a difference in the world:

It was high tide and there were thousands of Starfishes washed up ashore, and a man saw a young man throwing star fish back into the sea, and asked

''What are you doing?''

The young man paused, looked up and replied, ''Throwing Starfish back into the ocean.''

''I guess I should have asked; why are you are throwing Starfish into the ocean?'' said the bystander.

''The sun is up and the tide is going out and if I don't throw them in they'll die.''

The young man said.

''But don't you realize that there are miles and miles of beach and Starfish all along it, you can't possibly make a difference!''

The young man listened politely, then bent down, picked up another Starfish and threw it into the sea, past the breaking waves. ''It made a difference for that one.''

One World Now is the young man making a difference in students' lives. I am an example of that difference being made. And guess what? I am going to make a difference in others lives also. One World Now makes its difference in a very unique way, I think this is why One World Now is so great! It empowers those, like me, who have found their commitment in life. One World Now is worth supporting. One World Now is worth attending. It's lasting legacy, it's gifts to Seattle and to the Nation, are the gifts of students like me. As I grow older and wiser, I realize that the more I serve my community, I change myself for the better, and I am also changing the world.

INTRODUCTION OF H.J. RES. 90, COMMENDING THE BARTER THEATRE ON THE OCCASION OF ITS 75TH ANNIVERSARY

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. BOUCHER. Madam Speaker, I rise today to introduce a resolution commending the Barter Theatre on the occasion of its 75th anniversary. It is the longest continuously functioning live stage theater in the U.S.

The Barter Theatre is located in my hometown of Abingdon, Virginia. It was founded in 1933. In the midst of the Great Depression, money was difficult to obtain, and families were reluctant to use it on such a luxury as a theater performance. Yet founder Robert Porterfield offered a novel solution: Patrons could view live theater performances in exchange for fresh produce or livestock. This successful ''ham for Hamlet'' arrangement inspired the name, ''Barter Theatre.''

In its 75 years of existence, the Barter Theatre has established itself as a favorite destination for regional, national, and international visitors. Its popularity prompted the Virginia General Assembly in 1946 to designate the Barter Theatre as the State Theater of Virginia.

As a premiere tourist attraction in southwest Virginia, the theatre makes a significant economic and cultural contribution to the region. The town of Abingdon and its surrounding localities benefit from the theatre's ability to attract more than 145,000 guests annually to its productions.

The Barter Theatre is also a valuable educational resource, reaching thousands of children each season through its productions at Barter and Barter Stage II. Additionally, the Barter Players, the touring company of the theatre, travels to eight States each year performing at schools and community venues. Recently, Barter has created and implemented an innovative internet educational program which teaches students about artistic and technical theatrical elements using a Web-based interactive program available to classrooms across the region. This program exposes students to a side of a theatrical production that they might not have experienced otherwise.

I commend and congratulate the Barter Theatre for its contributions to our region and for its many successes over the past 75 years. Passage of the resolution I have introduced commending the theater will be a fitting tribute to its many years of cultural contribution.

INTRODUCTION OF THE COMMERCIAL ADVERTISEMENT LOUDNESS MITIGATION ACT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. ESHOO. Madam Speaker, most Americans are not overjoyed to watch television commercials, but they are willing to tolerate them to sustain free over-the-air television. What annoys all of us is the sudden increase of volume when commercials are aired.

While the FCC does not specifically regulate the volume of TV programs or TV commercials, broadcasters are required to have equipment that limits the peak power they can use to send out their audio and video signals. This means the loudest TV commercial can never be louder than the loudest part of any TV program.

A TV program has a mix of audio levels. There are loud parts and soft parts. Nuance is used to build the dramatic effect. Most advertisers don't want nuance. They want to grab our attention, and to do this, they record every part of it as loud as possible. The peak levels of commercials are no higher than the peak levels of program content, but those peaks are sustained for longer periods in commercials.

I've introduced the Commercial Advertisement Loudness Mitigation Act, CALM Act, to address the volume of commercials. The bill would mandate that the FCC within one year enact rules requiring that advertisements not be excessively noisy and that they must be at the same volume as the television programming they accompany.

I urge my colleagues to cosponsor this sensible bill.

RECOGNIZING THE RETIREMENT OF POLICE LIEUTENANT MONTY A. SHIPP FROM THE FAIRFIELD POLICE DEPARTMENT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Police Lieutenant Monty A. Shipp who faithfully served the residents of the cities of Fairfield and Concord since 1981.

Prior to becoming a police officer, Lieutenant Shipp served 4 years in the United States Air Force from December 1977 to December 1981. Upon receiving an honorable discharge with an Air Force Commendation Medal and a Good Conduct Medal, Lieutenant Shipp continued his service to his country and community by joining the Concord Police Department.

Lieutenant Shipp served with the Concord Police Department for 4 years before being hired by the Fairfield Police Department. He showed considerable talent and promise and was promoted to Police Sergeant on March 23, 1990. His contributions to the police department could be seen in a variety of ways

as he performed supervisor duties in patrol, training, and investigations.

Lieutenant Shipp continued to distinguish himself showing superb moral character and a commitment to helping his community through his role with SAFE Team from 1987 to 1999. His hard work with such a worthy cause is just one of many admirable and laudable accomplishments of Lieutenant Shipp's career.

Lieutenant Shipp's decades of service and endless hard work culminated in his being granted the prestigious Distinguished Service Medal in December of 2001.

His well deserved promotion to lieutenant occurred on July 9, 2004. As a lieutenant, he became a well known role model for the patrol officers and investigation detectives with whom he worked. Lieutenant Shipp's strong character and positive influence were evident every day he was on the force.

Lieutenant Shipp embodies so many of the qualities that make for the best police officers. He is a loyal representative of the law enforcement community and will always be remembered and admired for work ethic, dedication, and impact on our cities.

A TRIBUTE TO STUART G. MOLDAW

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. ESHOO. Madam Speaker, I rise today to honor the life and legacy of my good friend Stuart G. Moldaw who passed away at the age of 81 on Saturday, May 24, 2008. Stuart is survived by his beloved wife, Phyllis, daughters Carol and Susan Moldaw, and four grandchildren.

A native of Boston and the son of a Russian immigrant, Stuart enlisted in the Navy in 1944 before using the G.I. Rill to attend Syracuse University where he met his future wife, Phyllis Israelson of Portland, Maine. After graduating in 1949 with a Bachelor's Degree in Marketing and Economics, Stuart began his retail career at Le Bon Marche, a department store in Lowell, Massachusetts, and married Phyllis in 1950.

He then moved to California to work for another retailer, Lerner Shops, where he became a district manager and oversaw the opening of more than 20 Lerner stores, including ones in Oakland and the Stanford Shopping Center. In 1958, Stuart opened his first retail business, Country Casuals, in Palo Alto.

He also started Pic-a-Dilly, one of the country's earliest off-price apparel chains in 1973, and co-founded Athletic Shoe Factory in 1979, which featured national brands at discounted prices. Both chains were later sold. He also co-founded V.S. Venture Partners, a Mendo Park-based venture capital firm.

Stuart was a longtime Bay Area resident, pioneer entrepreneur and philanthropist who helped transform a small chain of local department stores into the Pleasanton-based retail giant Ross Dress for Less. Ross Stores Inc., acquired by Stuart in 1982, is a Fortune 500 company with $6.1 billion in sales over the last 12 months, more than 900 stores in 27 states and more than 40,000 employees. The original investors in the Ross venture included another Bay Area retail pioneer, Mervin G. Morris, the founder of Mervyns, who had recently retired before becoming one of the Ross investors.

In a career that spanned more than a half-century, Stuart, a resident of Atherton, also helped launch several other retail ventures, including Sail Francisco-based Gymboree, a children's clothing retail chain launched in 1986. At the time of his death, Stuart was chairman emeritus of both Ross Stores and San Francisco-based Gymboree Corp.

Stuart Moldaw cared deeply about people and directed himself to make the world a better place. He was well-respected for his passion and commitment to improving the lives of those around him and was appointed by President Bill Clinton as a Public Delegate to the U.S. Mission at the United Nations in 1993 and as Chairman of the White House Commission on Presidential Scholars in 1996. In 2000, Governor Gray Davis appointed him to chair California's World Trade Commission, and 2 years later he was appointed to California's Little Hoover Commission. He also served on the boards of many Bay Area nonprofits, including the Boys and Girls Club of the Peninsula, the Palo Alto Medical Foundation, the Jewish Community Endowment Fund and the San Francisco Museum of Modern Art. He gave tirelessly of himself to his family, friends, colleagues and community and set the highest standard for others to follow.

Madam Speaker, I ask the entire House of Representatives to join me in honoring the life and accomplishments of Stuart G. Moldaw. His decades of contributions to his community and his country stand as lasting legacies of a life lived well. How privileged I am to have known him, represented him and to have had him as my friend. America is better because of him.

HONORING THE LIFE AND SERVICE OF BRIAN EMERICK

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. FOXX. Madam Speaker, one of my constituents Brian Emerick, paid me a visit last year to relate the story of his fight against ALS, or Lou Gehrig's disease. He left me with these words, "Future generations must not face this disease with no known cause or cure. For the Emerick family, the challenge to strike out Lou Gehrig's disease comes with the highest imaginable significance—to honor the lives of past generations who died of the disease like my father, to improve the well-being of individuals currently living with the disease like myself, and to protect the health of future generations, like my children."

On Easter Sunday of this year, Brian finished his courageous battle with ALS with the same dignity with which he lived his entire life. It is his life that we are here to honor and his commitment to finding a cure for this disease that we are here to remember and pursue. Brian's story represents great hope that helps move us toward action to defeat ALS.

Brian's life was not and can not be defined solely by his courageous fight against ALS, because he lived a full life that touched many before and after his diagnoses. Brian worked his way through school and college and later flew helicopters in the U.S. Army. He then went on to become a respected worker and leader at Rock-Tenn Paper Corporation. Brian had a well-known work ethic and never missed a day of work because of sickness. He continued working after his diagnosis and even when he visited the ALS clinic at Baptist Hospital he would tell doctors, "I really don't get sick, I'm actually as healthy as anyone could be if it weren't for this disease that keeps slowing me down."

The man who was a loving husband was also an amazing father. The man who was a tireless worker was also loved and honored in his work, his community and his church. And finally, that man who did all of those wonderful things, was also the man who fought ALS with courage for the past 3 years.

Brian, who never liked to take so much as a Tylenol, eventually took 27 pills a day and participated in five different clinical drug studies to help fight that deadly disease. Brian, who tried never to ask people for help unless he absolutely needed it, raised more than $25,000 in the last 2 years on ALS walks with his family and friends. Brian, who had never before been in a congressional meeting, tirelessly walked the halls of Congress to advocate on behalf of those suffering with this deadly disease.

Brian ended his remarkable life journey and began a final journey when he finished his battle with ALS on Easter Sunday of this year. But Brian would have reminded us today that the battle to defeat ALS is still ongoing. Brian's life story reminds us what it means to live each day with love and in pursuit of ideals that truly matter. We honor Brian's life by facing the challenge to defeat ALS, with honesty and commitment to action that improves the lives of others.

MARY BAUMANN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Mary Baumann, of Savannah, Missouri. Mary recently retired as Andrew County Youth Program Assistant.

Mary Baumann began her dedicated service to the 4–H Program in 1976, after serving 15 years as secretary to the Andrew County Extension Council. Mary's leadership and teaching has helped many youths as they learned through programs sponsored by the 4–H program. Mrs. Baumann is well respected and recognized as a leader throughout the Northwest Missouri University Extension region.

Madam Speaker, I proudly ask you to join me in recognizing Mary Baumann, whose dedication and service to the community has been truly outstanding. I commend Mary on an exceptional career, and I am honored to serve her in the United States Congress.

RECOGNIZING THE RETIREMENT OF POLICE OFFICER ROBERT LOWN FROM THE FAIRFIELD POLICE DEPARTMENT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Police Officer Robert Lown, who faithfully served the city of Fairfield for over 35 years.

Officer Lown began his distinguished career with the Fairfield Police Department on August 1, 1969. During that time, he worked a variety of assignments including patrol and investigation. His work as a committed robbery and burglary investigator from 1988 to 2005 led to the solving of many cases, to the benefit of the entire community. The skills Officer Lown possessed in this field were second to none in the department.

Officer Lown's experience and dedication as an investigator earned him a Distinguished Service Award in June 1999.

His commitment to law enforcement and investigation will always be remembered and admired by the Fairfield community for his work ethic, dedication, and impact on our cities.

RECOGNIZING THE ACHIEVEMENTS OF CAPTAIN CHARLES L. STUPPARD FOR HIS OUTSTANDING TOUR OF DUTY IN THE WAR IN THE MIDDLE EAST

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. DAVIS of Illinois. Madam Speaker, I rise today to congratulate Captain Charles L. Stuppard, United States Navy for his outstanding tour of duty in the war in the Middle East. As of today, he is completing one full year of military service as the Commander of Task Group 56.6 based in Kuwait. Over the past 12 months, Captain Stuppard supported over 10,000 individual sailors during their deployment in Kuwait, Iraq, or Afghanistan. He supervised in-processing for over 17,000 Navy, Air Force, and Department of Defense civilian personnel as they are deployed to the Middle East. Captain Stuppard visited many forward deployed forces throughout Iraq, Afghanistan and Africa.

Captain Stuppard Task Group coordinated the training of over 3,000 sailors in High Mobility Multi-Purpose Wheeled Vehicles Egress, Tactical Movement, Counter and Close Quarters Marksmanship in order to meet current requirements. Such training ensured that deploying sailors have the most up-to-date information on the current situation, particularly in a desert environment. Captain Stuppard fought tirelessly to acquire up-to-date armored vehicles for use by sailors traveling outside of the protected areas. Such action had a direct and positive impact on the level of protection given to the sailors from improved explosive devices, rocket propelled grenade, mines, and small arms fire. Consequently, he enhanced the sailors' war fighting capabilities and survivability as forward deployed units.

Captain Stuppard graduated from Cornell University in 1982 with a bachelor of science degree in mechanical and aerospace engineering. In 1998, Captain Stuppard obtained his master's degree in national security and strategic studies at the Naval War College in Newport, RI. He is currently a doctoral student at Salve Regina University in Newport, RI.

Captain Stuppard's accomplishments and achievements are truly outstanding and serve as an example to all citizens throughout our country, the United States of America. Captain Stuppard is a true gentleman and an outstanding American. I congratulate Captain Charles L. Stuppard for a job well done while serving in the Middle East.

HONORING THE RETIREMENT OF CLYDE SMYTH

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. McKEON. Madam Speaker, it is a great privilege for me to rise today to recognize the contributions of Clyde Smyth, a member of my staff since 1994. Clyde has generously served the United States and the Santa Clarita community over the years by identifying worthy students in the 25th Congressional District of California for appointment to the military academies. After years of offering his leadership and expertise and effecting change throughout the district, it is a great pleasure to recognize Mr. Smyth on the occasion of his retirement.

Clyde's story is one of absolute service at every turn. He is a man of honor and integrity who has given of himself for the betterment of those around him. Clyde first came to the Santa Clarita Valley in 1969 to serve as principal of Placerita Junior High and later served the William S. Hart High School district as superintendent from 1974 until 1992. He is a true American hero who also served in the United States Army during the Korean war. After our community of Santa Clarita incorporated, Clyde was elected to the city council in 1994 where he served with honor for 4 years and as mayor for a year.

Clyde Smyth has instilled strong core values and the desire to give back in his family as well as in his community. He is an example for his sons and also for all those who meet him. To know Clyde is to be inspired to be a better person. While Clyde is retiring from his current position on my staff, I am certain that he is not done working. I know Clyde as a man who, through his words and deeds, has demonstrated his desire to lend a helping hand, and I can't imagine that retirement would change that.

On behalf of myself and the many young men and women who have been helped directly by his work, I offer sincere gratitude to Mr. Clyde Smyth and wish him and his wife Sue all the best in his retirement years.

TRIBUTE TO SHEILA MARY SULLIVAN PETERSON

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. ESHOO. Madam Speaker, I rise today to honor the life and legacy of Sheila Mary Sullivan Peterson who passed away on May 22, 2008 in her home in Menlo Park, California. She leaves behind her beloved husband Ronald C. Peterson and her children, Molly, Kathleen, and Michael.

The eldest daughter of justice Raymond L. Sullivan and Winifred Carreras Sullivan of San Francisco, Shelia dedicated her life to education and the improvement of the lives of others. A former trustee of Sacred Heart Schools in Atherton and a recipient of the St. Madeleine Sophie Award for service to the schools, she was a blue-ribbon graduate of the Convent of the Sacred Heart in Atherton and a graduate of Lone Mountain, the San Francisco College for Women. She taught at Winfield Scott and Alamo schools in San Francisco and was a member of the Catholic Community at Stanford.

In addition to all those who loved her in the community and in the classrooms, she was the beloved sister of R. Lawrence Sullivan, Jr., Philip Sullivan, Mary Ward, and Mother Agnes of the Cross O.C.D. (Patricia Sullivan), a wonderful sister-in-law and aunt to numerous Peters, Sullivans, and Wards; a close cousin to members of the Wade, Carreras, and Sullivan families.

Madam Speaker, I ask the entire House of Representatives to join me in honoring the life of Sheila Mary Sullivan Peterson and extend our sympathy to her family. Through her many contributions to her family, friends, students, and community she has left a lasting legacy of love, faith, and mentorship which will never be forgotten and which will live forever in all of us blessed to have known her. She graced our lives and our community, made our country better and now enhances the heavens with her presence.

PROVIDING FOR CONSIDERATION OF H.R. 3021, 21ST CENTURY GREEN HIGH-PERFORMANCE PUBLIC SCHOOL FACILITIES ACT

SPEECH OF

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 4, 2008

Ms. FOXX. Madam Chairman, as a member of the Education and Labor Committee I would like to address an issue of concern with H.R. 3021, the 21st Century Green High-Performing Public School Facilities Act. Specifically, I bring to my colleagues' attention the fact that one of our Nation's most sustainable, renewable, and environmentally positive industries may be unfairly disadvantaged in the legislation that came before the House, June 4, 2008. The U.S. hardwood industry, which is prevalent in my own North Carolina district, but also extends 13,959 total facilities throughout the country, may not be adequately recognized by any of the requirements we are putting into law for our Nation's schools. It would

be a travesty to have our prized native hardwoods effectively removed from new building projects only to be substituted with materials from foreign sources or less suitable alternative materials, often at higher costs.

The United States Government is required under Federal law to undertake a nationwide inventory of forest resources. The most recent inventory published in 2007 by the U.S. Forest Service and referred to as the ''RPA Assessment,'' shows that hardwood growth has consistently exceeded harvest for the last 50 years. Between 1953 and 2007, the volume of U.S. hardwood growing stock has more than doubled. This solid growth in America's hardwood resource, coupled with the forest laws in the United States, provide strong evidence of good governance and efficient forest regulations.

Specifically, I would ask that any green building standard required by H.R. 3021 give adequate consideration to a number of criteria:

First, forest certification requirements included in green building standards still have very low participation amongst U.S. hardwood family forest owners. The vast majority of American hardwoods are grown in the eastern United States, where around 73 percent of hardwood forest land is privately owned by families whose ownership stretches back several generations. There are approximately 4 million private forest owners in the U.S. with an average parcel of land 50 acres in size which may be harvested only a few times in any generation of owners. When considering green building legislation, I would ask that the record reflect that we recognize the environmental credentials of American hardwoods in addition to any specific green building standards.

Second, a typical American hardwood mill buys timber from approximately 1,800 forest owners in a single year. Those set of forest owners can differ completely from year to year. The certification requirements that are referenced in H.R. 3021 do not adequately address the challenges hardwood manufacturers face when working with thousands of owners to in effect ''prove'' the origin of the wood. It is understandable that finding certified hardwood is difficult at best. Any green building legislation should not discriminate against this proven renewable and viable resource in the United States on the basis of certification challenges.

Lastly, any geographical limitations should be broad enough to allow U.S. products manufactured in one vicinity to be used in another part of the country. I am proud of the many Fifth District constituents who make products such as flooring and wood trim for projects throughout the world. Eastern or Midwestern manufacturers should not be prohibited from supplying their West Coast markets, nor vice versa, due to arbitrary geographical limitations put in place by green building requirements. Hardwoods are a natural product and cannot suddenly be produced in the proximity of the target market.

It is my understanding that efforts are underway to assure that hardwoods are given full consideration in green building standards. As we consider mandating these requirements I urge that full consideration be given to these needed adjustments and that no new school construction project be forced to ignore one of our vital, beautiful, environmentally beneficial, and native material such as hardwoods.

DR. JIM SCANLON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Dr. Jim Scanlon, of St. Joseph, Missouri. Dr. Scanlon, who has served as President of Missouri Western State University since 2001, will be retiring at the end of June following a distinguished 30-year career devoted to students in higher education. Dr. Scanlon has been a great visionary for Missouri Western State University and a fine leader in building the University's vision for the future.

Dr. Scanlon leaves behind a number of accomplishments. Under his leadership, Missouri Western attained University status and added new master's programs in applied sciences and applied arts. During his tenure three new buildings were added to the campus, one building currently under construction, one building renovation and addition in the planning stages, a new university plaza and several remodeled campus spaces for students. Dr. Scanlon has also championed a regional university plan, focusing Western's resources for both the good of the student as well as the community and region.

Dr. Scanlon came to St. Joseph and Missouri Western around the time I was first elected to Congress. I have had the wonderful opportunity to work with Dr. Scanlon on a number of occasions, and I can attest to his honesty, integrity, and vision. I know Dr. Scanlon's leadership will truly be missed, but I am very thankful for the time we were able to share together, and wish him the best in his future endeavors.

Madam Speaker, I proudly ask you to join me in recognizing Dr. Jim Scanlon, a true visionary and tremendous leader who dedicated his career to higher education. I commend Dr. Scanlon on an exceptional career, and I am honored to serve him in the United States Congress.

RECOGNIZING THE RETIREMENT OF POLICE CAPTAIN THOMAS G. GIUGNI FROM THE FAIRFIELD POLICE DEPARTMENT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Police Captain Thomas G. Giugni, who faithfully served the residents of the cities of Walnut Creek and Fairfield since 1978.

Prior to becoming a police officer, Captain Giugni served as a civilian communications dispatcher and clerk for the City of Fairfield. Captain Giugni went on to work for the Walnut Creek Police Department in 1978.

Captain Giugni served with the Walnut Creek Police Department for 9 years before returning to work with the Fairfield Police Department. His work and dedication in patrol and investigations allowed Captain Giugni to become a field training officer in 1993. His contributions, as well as his promise, led to his promotion to police sergeant on January 20, 1995.

Captain Giugni continued to serve as a positive role model for his fellow officers in patrol and investigations leading to his promotion to police lieutenant on June 30, 2000. His leadership success in this position led to Giugni's promotion to police captain on May 3, 2002.

Captain Guigni's 31 years of law enforcement service exemplify the many qualities of great police officers. He is a loyal representative of the law enforcement community and leader for both sworn and civilian employees and he will always be remembered and admired for his hard work, dedication and impact on our cities.

RECOGNIZING THE ACHIEVEMENTS AND ACCOMPLISHMENTS OF STEPHEN BARR DURING HIS TENURE AS AN EDITOR AND REPORTER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. DAVIS of Illinois. Madam Speaker, I would like to take this opportunity to recognize the significant contributions of Stephen Barr, noted columnist and journalist that paved the way for today's journalistic generation.

Throughout his career at the Washington Post Stephen Barr has served as an anchor to both the columnist writing community and the avid readers of the newspaper. During his 20 years at the Washington Post he has worked as an editor and reporter serving in the Metro News, Style, National News, and the Column departments of the newspaper.

In May 2000, he was selected as the Federal Diary Columnist after serving 7 years as a national staff writer covering Federal management and personnel issues, ''reinventing government,'' the U.S. Postal Service, veterans'' affairs, the congressional appropriations process, and government technology challenges, including the widely known Year 2000 computer glitch.

Steve Barr was born and raised in Nocona, Texas, a 1967 graduate of Nocona High School and a 1971 graduate of the University of Texas at Austin where he received his bachelor's degree in journalism. He also served 2 years in the U.S. Army, including one year with the 1st Infantry Division in Vietnam.

With deep appreciation and admiration for his continued service, I thank Mr. Stephen Barr and wish him the very best in his future endeavors.

A TRIBUTE TO HONOR ''GOLDEN CIRCLE DAY''

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. TOWNS. Madam Speaker, I rise today in recognition of Bethany Baptist Church of Brooklyn, its Pastor Dr. David A. Hampton, first lady Hope Hampton and its congregants in honor of ''Golden Circle Day.''

Dr. David A. Hampton is the tenth Pastor-elect of Bethany Baptist Church. Hailing from

Indianapolis, Indiana, he is a former scholar from Christian Theological Seminary in Indianapolis, where he graduated Summa Cum laude. As described by his congregants, Pastor Hampton is a dynamic speaker who can reach and encourage persons of all ages. As indicated by his receipt of numerous awards, including the Martin Luther King Human Rights Award, Pastor Hampton demonstrates immense dedication and service to his congregants and the Brooklyn community. He has also been acknowledged by the Center of Leadership Development for his outstanding leadership skills.

Pastor Hampton is fortunate to have a warm-hearted congregation composed of avid Baptists. With his congregants' strong faith and his infallible ability to deliver inspiring messages, Pastor Hampton has encouraged members of Bethany Baptist to continue in their faith and service to their community, which establishes Bethany Baptist as an invaluable community resource. As such, the commitments of Bethany Baptist Church and its congregants transcend their faith and is deserving of due recognition.

Further, the members of Bethany Baptist Church demonstrate devotion to their faith, which is visible in their undying commitment to remaining active members of the church for over 50 years. In an effort to commemorate their contributions, the church has planned "Golden Circle Day," which is dedicated to honoring those who are a part of the esteemed "Golden Circle." This is a tradition that many look forward to because it offers a chance to pay homage to members of the Bethany Baptist Church family. In keeping with the traditions, there will be a host of special services slated for June 8, 2008 at Bethany Baptist Church, located at 460 Marcus Garvey Boulevard in Brooklyn, New York.

The following members are duly recognized as members of Bethany Baptist Church's "Golden Circle."

Marian Alexander; Annie Anderson; Charles Allen; Margaret Allen; Norma Applewhite; Virgie Baldwin; Bettie Barbour; Louise Barton; Linda Bascombe; and Patricia Belk.

Gaither Bellamy; Josephine Blaizes; Daisy L. Bryant; Essie M. Brooks; Helen Brown; Mabel Burroughs; Phyllis M. Bynum; Mary Carpenter; and Edith L. Carson.

Pearl Clarke; Wilbert Clarke; Adeline Clinton; Darnley Crichlow; Barbara D. Crosby; Lynda F. Dandridge; Louise Daniels; Gladys C. Drake; Willie Edmond; and Ozie Edmond.

Gloria Ellis; Tommy Felton; Helen Fierce; Ethel M. Folk; Frances Ford; Frances Frayer; Maurice L. Fredericks; Winifred Fredericks; Jusselyn James Gittens; Hyacinth Golden; and Fredrick Gordon.

Katie Graham; Bernice Graves; Iris Hall; Elizabeth Halyard; Malcolm Halyard; Richard Harris, Sr.; Shirley Harris; Miriam C. Hassell; Helen Hill; and Marcia Hill.

Alberta Holt; Willie Holt; Annie Hubbard; Inez B. Hunt; J. Frank Hunt; Thomas O. Irby; Amanda M. Jackson; Daniel Jackson; Donza James-Frasier; and Jusselyn James-Gittens.

Mabel Jenkins; Joyce E. Jiggetts; Eddie Johnson; Girlene Johnson; Alberta Jones; Delores C. Jones; Evelyn P. Jones; Margaret Jones-Chaplin; Kay B. Jordan; and Betty Keith.

Rosa M. Key; Mabel Kellogg; Florence O. King; Ronald King; Harriet H. Kinebrew; Wade N. Lassiter; Lillie B. Lawrence; Jaynette Lawson-Jordan; Juanita Lewis; and Lauriano Green.

Priscilla Lucas; Evelyn J. Lymus; Fannie Marcus; Joseph F. Mariner; Willie Belle Mariner; Norva T. S. Matthews; Clarence McDonald; Joseph H. McDowere; Frances McDuffie; and Eleanor McIntosh.

Ruth McKie; Mona McLaughlin; Emma Miller; Arnold Neckles; Molly Neckles; Netty Brown-Nembhard; Oswald Nembhard; Jacqueline Norris; Dorothy Odle; Herbert Oestricher; and Sidney Oestricher.

Jeff Palmer; Bertha Patton; Mildred Peoples; Jasper E. Peyton; Mildred D. Pittman; Alfred Porter; Fannie Porter; Benjamin Pugh; and Earnest Randolph.

Evelyn Randolph; Juanita Randolph; Leona Rhodes; Mary Alice Ridley; Dorothy Rudisel; Rosa Sawyer; Helen Seaberry; Alberta Scott; Janet Small; and Kittie Sneed.

Esther Smith; Dorothy Spain; Hazel R. Speer; Sadie Stewart; Marie Sullivan; Gertrude Sumter; Mamie R. Thomas; Lula Turner; Eleanor Warren; and Josephine Washington.

Frances Watkins; Virgie Whitaker; Doris Williams; Julia Williams; Teesdale P. Wilson; Jacqueline Winstead; Patricia Wynn; and Ernest Wynn.

HONORING REVEREND DR. REGINALD FLYNN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. KILDEE. Madam Speaker, I rise to day to honor Reverend Dr. Reginald Flynn as he is installed as the new pastor of Foss Avenue Baptist Church. The Installation Service will take place on Sunday, June 22nd, in my hometown of Flint, Michigan.

Reverend Dr. Flynn was raised in the Flint area, graduating from Beecher High School in 1984. He attended Kalamazoo Valley Community College and served in the United States Navy. After receiving his honorable discharge he relocated to Columbia SC. He received his bachelor of arts degree in political science from the University of South Carolina. He was the executive assistant at the United Way of South Carolina. He was picked by the South Carolina Department of Social Services and the W.K. Kellogg Foundation to coordinate a statewide faith-based foster care and adoption program called South Carolina Families for Kids and he went on to become the recruitment director of the adoption advocacy program, One Church, One Child of South Carolina. He went on to work for IAP Worldwide Services, an international emergency management firm, and for Merck and Company. He is the founder and president of CourTay Properties, LLC, a real estate investment company.

Pastor Flynn received his license to preach the gospel from Reverend Dr. Charles B. Jackson, Sr., at Brookland Baptist Church in Columbia and earned his master of divinity degree from Erskine Theological Seminary. He was ordained by the Gethsemane Baptist Association and has completed pastoral assignments at Beulah Baptist Church, and Temple Zion Baptist Church. He was elected by his colleagues to serve as vice president and principal training instructor for the Mt. Hebron Progressive Association's Congress of Christian Education. He has also served as the adjunct professor of religious studies at Benedict College. In December 2008 he will receive his doctor of ministry degree in pastoral leadership and Urban Studies from Columbia International University, graduating with honors. Married to First Lady Deloris Flynn, the couple has two children, Courtney and Taylor.

Madam Speaker, please join me in congratulating Reverend Dr. Reginald Flynn as he is installed as pastor of Foss Avenue Baptist Church. The sacred and solemn Installation Service is the joining of a pastor and congregation to fulfill God's holy will. May Pastor Flynn and Foss Avenue Baptist Church serve Our Lord, Jesus Christ, for many, many years to come.

RECOGNIZING THE RETIREMENT OF POLICE LIEUTENANT MICHAEL L. HILL FROM THE FAIRFIELD POLICE DEPARTMENT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Police Lieutenant Michael L. Hill who faithfully served the residents of the cities of Los Angeles and Fairfield for 36 years.

Prior to becoming a police officer, Lieutenant Hill served as a sleeper fireman with the City of Fairfield beginning in 1974. He worked in various civilian positions for the city before becoming a sworn police officer on September 10, 1979. Lieutenant Hill began his work with the Los Angeles Police Department in April 1982, before returning to the Fairfield Police Department in May 1985.

Lieutenant Hill continued to demonstrate loyalty and dedication to the department earning his promotion to Police Sergeant on August 26, 1988. He served as an inspirational leader for the personnel in Patrol, Investigations, Training and the Professional Standers Unit. His commitment to this position resulted in his being named Manager of the Year for 1996.

His years of service and leadership led to his promotion to Acting Police Lieutenant on May 3, 2002 and then to his formal appointment as Police Lieutenant on October 18, 2002.

Lieutenant Hill will always be remembered and admired for his commitment to the community as well as his dedication as a leader. He is a loyal representative of the law and has made a lasting, positive impact on our cities.

THE ABILITYONE PROGRAM

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. BROWN of Georgia. Madam Speaker, unemployment among people with disabilities is a serious matter and one that is all too often overlooked. Many Americans do not know the depth of this crisis—only 35 percent of people with disabilities are able to find jobs. Those people with disabilities who are not as fortunate are left to grapple with numerous obstacles to work and are often not provided the

opportunity to become independent, self-sufficient wage earners.

For almost all Americans, employment focuses on ability. But for people with disabilities, it is often the disability that takes precedence. We all have abilities and as responsible citizens, it is our imperative to apply them for the greater good. When all Americans work, communities will benefit as people with disabilities become self-sufficient, tax-paying citizens. I commend people with disabilities for their tireless efforts to share their abilities in the American workplace despite barriers, and hope that someday the high unemployment rate will be a thing of the past.

I am proud to support a program that helps us reach the goal of employment for all: the AbilityOne Program. The AbilityOne Program provides much-needed employment opportunities by using the purchasing power of the Federal Government to buy products and services from participating community-based nonprofit agencies that are dedicated to training and employing individuals with disabilities. In this program, people who are blind or who have other severe disabilities have the opportunity to acquire job skills and training, receive good wages and benefits and gain greater independence and quality of life.

In the United States, the program serves nearly 38,000 people with disabilities and generated approximately $369 million in wages earned and $1.6 billion in products sold. In Georgia alone, over 900 people with disabilities earned $8.7 million in wages last year as a result of AbilityOne. I am proud that Georgia's 10th congressional district is home to brand-new AbilityOne contract at the Charlie Norwood VA Medical Center. The Honorable Charlie was an AbilityOne Congressional Champion during his years in office and I am proud to carry on his tradition of supporting people with disabilities and the fine work they do.

It is with great pleasure that I extend my support to the AbilityOne Program, its supporters, and its workers for making a difference in unemployment among people with disabilities in this country.

REGARDING THE LAND USE RESTRICTION PROVISION OF H.R. 2963, THE PECHANGA LAND TRANSFER BILL

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. ISSA. Madam Speaker, I rise today to speak on an important piece of legislation that I have authored, H.R. 2963, The Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2007. This legislation will place 1,178 acres of land currently maintained by the Bureau of Land Management, BLM, into trust for the Pechanga Band of Luiseno Mission Indians to manage and maintain. These lands are part of the Pechanga tribe's ancestral lands and contain numerous cultural, historical, and religious elements of importance to them.

Specifically, I want to discuss Section 2(h) of the bill, which is entitled "Restricted Use of Transferred Lands."

(h) RESTRICTED USE OF TRANSFERRED LANDS.—

(1) IN GENERAL.—The lands transferred under subsection (a) may be used only for the protection, preservation, and maintenance of the archaeological, cultural, and wildlife resources thereon.

(2) NO ROADS.—There shall be no roads other than for maintenance purposes constructed on the lands transferred under subsection (a).

When the restrictive language in this section was initially added to H.R. 4908, the original version of the bill I introduced in the 108th Congress, it was at the request of former House Resources Committee Chairman Richard Pombo. It was added during the markup of the bill on September 22, 2004, with the purpose of ensuring that no commercial, casino or gaming related development would take place on the lands designated for transfer within the bill, and that those lands would be maintained as open space for the preservation, protection, and maintenance of the archaeological, cultural and wildlife resources thereon. The development restrictions were added with the assent of representatives of the Pechanga tribal government and myself as author of the legislation

Since I reintroduced this bill in the 110th Congress, my intent for this section has not changed. In fact, development restrictions within the bill were strengthened further with the addition of a prohibition of the construction of any roads upon the transferred land other than for the purpose of maintenance of archaeological, cultural and wildlife resources.

It is my intention as the author of H.R. 2963 that the legislation prohibit commercial, casino or gaming related construction or development on the lands designated in this bill, and that they be preserved as open space. I believe that the restrictions on the use of transferred lands included in this bill are a clear expression of this intent. Additionally, I have conferred with the Solicitor General's Office of the Department of the Interior who state that the wording of Section 2(h) implements this intent and the land use restrictions are enforceable by the Department of the Interior.

RECOGNIZING THE RETIREMENT OF POLICE OFFICER ANDREW CROSS FROM THE FAIRFIELD POLICE DEPARTMENT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Police Officer Andrew Cross who faithfully served in the California police force since 1980.

Officer Cross's service to our community began when he joined the Seaside Police Department in January 1980. From there, he transitioned to the Monterey Police Department. After 18 years of service to Monterey, Officer Cross came to the Fairfield Police Department in December 2000.

During his time with the Fairfield Police Department, Officer Cross served as a highly regarded active patrol officer.

Officer Cross's commitment to his community was evident on a daily basis. He was a loyal representative of the law enforcement community, admired for his hard work and dedication, and his presence will be missed.

HONORING MR. AUSTIN SIMON

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Ms. LEE. Madam Speaker, I rise today to honor the extraordinary life of Mr. Austin Simon. A pioneer and man of great distinction, Mr. Simon was the first African-American Postmaster in the 9th Congressional District. We lost our beloved Austin Simon on May 5, 2008. Known as "Si" to his loved ones, Mr. Simon lived a full and vibrant 81 years, and although his presence will be sorely missed among his family and friends, his legacy will continue far into the future.

Austin Simon was born in 1926 in Lake Charles, Louisiana, to Seymour and Mary Simon. Mr. Simon was a retired M.S.C. Postmaster in the Bay Area and was the first African-American to head both the Richmond and Oakland, California offices. The sheer substance of such an incredible life accomplishment attests to Mr. Austin's vitality and energy. He experienced firsthand some of the most important and dynamic moments in the struggles of African-Americans in our country throughout the last century. Mr. Austin was indeed on the frontlines of history, breaking the glass ceiling for generations of African-Americans pursuing careers in the United States Post Office.

In addition to a distinguished career in the postal service, Mr. Simon served his country in the United States Army during World War II. In his community, Mr. Simon participated as an active and committed Mason for more than 50 years and served as the Honorary Grand Master of the Hiram of Tyree Grand Lodge of California. He was also a member of the Stars of Love No. 22 Order of the Eastern Star for 50 years.

Even in his retirement, Mr. Simon was incredibly energetic and proved to be an inspiring role-model throughout his life. Mr. Simon knew the importance of community stewardship and creating lasting relationships with his fellow man. After moving to Las Vegas in 1996, Mr. Simon was quick to become engaged in his new community and search out new ways to contribute to society. In Las Vegas, Mr. Simon became a member of the Alpha Lodge No. 75, which he helped establish into a reputable and impressive organization. He led his fellow Alpha Lodge No. 75 members, dedicating his time and efforts as District Deputy Grand Master.

It is obvious that Mr. Simon's lifelong profession was to help others achieve their dreams and accomplish their goals. A dedicated family man, Mr. Simon balanced his personal, professional, and political dedications so that all who were fortunate enough to know this great man could benefit from his compassion and warmth.

A pillar of strength and historic figure in our community, Mr. Simon will be sorely missed. However, we are thankful for the opportunities he gave us to come together and celebrate the hope and love in our lives. As we say goodbye to him, we have been given yet another opportunity to reflect on the rich past of the African-American community and the tumultuous American century which defined our heritage, diligence, and hopes for the future.

Austin Simon's legacy will surely live on through all who knew him, and all who know

of his great accomplishments. Today, California's 9th Congressional District salutes and honors Mr. Austin Simon. We extend our deepest condolences to his family, especially his wife of 39 years, Mrs. Bertha L Simon, his daughter Linda Duhon, and his sons Austin Jr., Ricky, Anthony, Aaron, Christopher, Marcus, Gregory, Cedric, and Kevin. His legacy will live on through his siblings, grandchildren, great-grandchildren, nephews, nieces, godchildren, in-laws, and loving friends. May his soul rest in peace.

IN MEMORY OF WILLIAM ''BILL'' EDWARDS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. ROSS. Madam Speaker, I rise today to honor the memory of my dear friend William ''Bill'' Edwards of Hot Springs, Arkansas, who passed away June 1, 2008, at the age of 79.

I will forever remember Bill Edwards as a good friend, a devoted public servant and someone who cared deeply about improving the quality of life in Hot Springs and Garland County Arkansas. As a natural born leader, he excelled at every task he took on and was an inspiration to all of us who knew him.

Bill Edwards served the people of Hot Springs as Alderman and City Director for more than 35 years, however, most people just knew him as a caring friend. He was one of those rare individuals who never forgot the importance of maintaining a high degree of customer service to ensure that all those he worked with over the years were in good hands. From his very first day on the job working for the people of Hot Springs and Garland County, his number one priority was always the person he was talking with, and he would not stop working until he had exhausted every possibility to help out that individual.

Bill Edwards's leadership in Hot Springs was guided by his dedication to the city and to all of those who work and reside in our beloved state. I truly believe the Hot Springs Sentinel Record, the local paper which covered him over the years, said it best in their editorial on June 3, 2008, by stating, ''It is not an exaggeration to say that this director had a 'heart for Hot Springs.' '' Whether it was helping a constituent, promoting tourism in the city, or simply putting a big smile on a friend's face, he knew only one way to do it—with a big heart.

Bill Edwards will always be known for his outstanding service to Hot Springs and the surrounding communities. I extend my deepest condolences to his two daughters, Brenda Deaton of Texarkana, Texas, and Laura Rivera of Leander, Texas; his two sisters, Margaret Bennett of Hot Springs, Arkansas, and Martha Young of Hot Springs, Arkansas; his three brothers Jimmy Edwards, Charles Edwards and Mike Edwards, all of Hot Springs, Arkansas; and to his nieces, nephews, and numerous friends. Bill Edwards will be greatly missed in Hot Springs, and I am truly saddened by this loss.

THE SPARTANS ARE SOFTBALL CHAMPIONS

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. COBLE. Madam Speaker, on behalf of the citizens of the Sixth District of North Carolina, we wish to congratulate the girls' softball team of Central Davidson High School for winning the North Carolina 2–A championship. The Spartans won the title on Saturday, May 31. The team was led by seniors Allison Barnak, Lindsay Thore, Hannah Buie, Alison Lohr, and Gina Antonucci, who were an integral part of back-to-back championships along with a 54-game winning streak.

This year's title, which was won at the Walnut Creek Softball Complex in Raleigh, culminated an outstanding season for the Spartans, who were led by Head Coach Gene Poindexter. Not only did they win a State championship, the Spartans finished the year ranked 8th in a national poll of high school softball teams.

The championship contest began and ended quickly. Chelsea Leonard led the way, pitching a one-hit shutout to lead the Spartans to a 7–0 win against formidable South Lenior. The team was led with 2 hits each from Kara Lohr, Whitney Lohr, Hannah Buie, and Nicole Perry.

While there were many strong efforts, the championship win was a team effort including juniors Carrie Jernigan, and Chelsea Leonard, sophomores Leanna Hildebrand, Whitney Lohr, Haley Hanes, Nicole Perry, Laura Fritts, Emily Mills, Mindi Morris, and Haley Thore, along with freshmen Kara Lohr and Emma Comer. And just as important as the players on the field were the leaders off the field. We would like to recognize, head coach Gene Poindexter and his able assistants Jim Welborn, Bryan Starnes, Greg Leonard, Sterling Charles, Steve Hayes, Mike Pickett, Jordan Stogner, Brittney Taylor, and Richard Cid.

Also assisting the team during this incredible season were scorekeeper Ernie Antonucci, public announcer Stewart Koonts, as well as team managers Chris Keel and Brandon Gilchrist.

Again, on behalf of the Sixth District, we would like to congratulate Principal Emily Lipe, Athletic Director and Head Coach Gene Poindexter and everyone affiliated with the Central Davidson Spartans on having another great season and for winning the North Carolina 2–A softball championship for the second year in a row.

TRIBUTE TO ANNE LOMEDICO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mr. ENGEL. Madam Speaker, Anne LoMedico has reached the ranks of the growing number of centenarians in the United States. As she reaches 100 years, on July 26, 2008, she can look back with pride. Anne has lived through the most prolific era in world history.

Anne was born in our very own Bronx, New York. She is a mother of two, grandmother of 7, great-grandmother of 16, and great-great grandmother of 9.

She is a hard worker who isn't afraid to say what's on her mind. From the age of 18 to 67 Anne worked at a bookbinder company. She entered the field as a machine operator and in no time worked her way to a supervisory position. Anne was never one to sit and wait for things to happen. She took initiative and in by doing so, as a union delegate she was once honored with a gold pin from the Bookbinder Union.

Anne is a very active member of her Senior Club at the Nyack Senior Center; she raised the most money out of anyone in the 2007 Walkathon fundraiser. She can also be accredited for helping women in her community who have recently been widowed, get out of the house and into the center of life.

Anne attributes her long life to her strong faith in God, the fact that she believes in eating right, exercising, and not smoking. Before she started driving, Anne would walk from the West Side of Manhattan to the East Side twice a day to go to work. She has watched her children grown and has seen the world change. We thank God for allowing Ms. LoMedico to remain with us and share her years of experience with us all.

I offer her my sincere wishes for the happiest of birthdays and congratulate her for a long and successful life.

RECOGNIZING THE RETIREMENT OF POLICE SERGEANT TIMOTHY P. GRACE FROM THE FAIRFIELD POLICE DEPARTMENT

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2008

Mrs. TAUSCHER. Madam Speaker, I rise to recognize Police Sergeant Timothy P. Grace who faithfully served the residents of the city of Fairfield for 31 years.

Sergeant Grace began his service with the Fairfield Police Department on September 27, 1975, where he worked in several capacities including drunk driving enforcement grants, the traffic unit, patrol, investigations and the training and communications unit. Sergeant Grace continued to serve as a defensive tactics instructor as well as a field training officer.

Sergeant Grace earned his well-deserved promotion to the position of police sergeant in 2000. He worked as a valiant leader in both the patrol and the professional standards unit, where his dedication to these units made a valuable impact on the operations of the overall department.

Sergeant Grace evidenced a commitment to his community on a daily basis. He served as a loyal representative of the law and is admired by his community for his hard work, dedication and positive influence on the entire department.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 10, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 11

9:30 a.m.
Foreign Relations
To hold hearings to examine sovereign wealth funds, focusing on foreign policy consequences in an era of new money.
SD–419

10 a.m.
Judiciary
To hold hearings to examine short-change for consumers and short-shrift for Congress, focusing on the Supreme Court's treatment of laws that protect Americans health, safety, jobs, and retirement.
SD–226

2 p.m.
Judiciary
To hold hearings to examine the nominations of Paul G. Gardephe, and Cathy Seibel, both to be a United States District Judge for the Southern District of New York, Kiyo A. Matsumoto, to be United States District Judge for the Eastern District of New York, and Glenn T. Suddaby, to be United States District Judge for the Northern District of New York.
SD–226

3 p.m.
Commerce, Science, and Transportation
To hold hearings to examine the impact and policy implications of spyware on consumers and businesses.
SR–253

JUNE 12

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the condition of our nation's infrastructure, focusing on perspectives from our nation's mayors.
SD–538

Finance
To hold an oversight hearing to examine the United States Trade Preference programs.
SD–215

Judiciary
Business meeting to consider S. 2979, to exempt the African National Congress from treatment as a terrorist organization, H.R. 5690, to remove the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, S. 2892, to promote the prosecution and enforcement of frauds against the United States by suspending the statute of limitations during times when Congress has authorized the use of military force, H.R. 3480, to direct the United States Sentencing Commission to assure appropriate punishment enhancements for those involved in receiving stolen property where that property consists of grave markers of veterans, S. 1211, to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors, S. Res. 576, designating August 2008 as ''Digital Television Transition Awareness Month'', and the nominations of Helene N. White, of Michigan, and Raymond M. Kethledge, of Michigan, each to be United States Circuit Judge for the Sixth Circuit, and Stephen Joseph Murphy III, of Michigan, to be United States District Judge for the Eastern District of Michigan.
SD–226

Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee
To hold hearings to examine supply chain security, focusing on the secure freight initiative and the implementation of 100 percent scanning.
SR–253

Joint Economic Committee
To hold hearings to examine the future costs of funding the war in Iraq.
SD–106

2:15 p.m.
Energy and Natural Resources
To hold an oversight hearing to examine the relationship between United States fuels policy and food prices.
SD–366

2:30 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine addressing the United States-Pakistan strategic relationship.
SD–342

Foreign Relations
To hold hearings to examine energy from Central Asia to Europe, focusing on oil, oligarchs, and opportunity.
SD–419

JUNE 17

9:30 a.m.
Armed Services
To hold hearings to examine the origins of aggressive interrogation techniques, focusing on Part I of the Committee's inquiry into the treatment of detainees in U.S. custody.
SD–106

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 1774, to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, S. 2255, to amend the National Trails System Act to provide for studies of the Chisholm Trail and Great Western Trail to determine whether to add the trails to the National Trails System, S. 2359, to establish the St. Augustine 450th Commemoration Commission, S. 2943, to amend the National Trails System Act to designate the Pacific Northwest National Scenic Trail, S. 3017, to designate the Beaver Basin Wilderness at Pictured Rocks National Lakeshore in the State of Michigan, S. 3010, to reauthorize the Route 66 Corridor Preservation Program, S. 3045, to establish the Kenai Mountains-Turnagain Arm National Forest Heritage Area in the State of Alaska, H.R. 1143, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and S. 3096, to amend the National Cave and Karst Research Institute Act of 1998 to authorize appropriations for the National Cave and Karst Research Institute.
SD–366

JUNE 18

10 a.m.
Rules and Administration
To hold hearings to examine improving energy efficiency, focusing on increasing the use of renewable sources of energy, and reducing the carbon footprint of the Capitol complex.
SR–301

2 p.m.
Energy and Natural Resources
To hold hearings to examine the preparedness of federal land management agencies for the 2008 wildfire season.
SD–366

JUNE 19

10 a.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Infrastructure, Safety and Security Subcommittee
To hold hearings to examine cruise ship safety, focusing on potential steps for keeping Americans safe at sea.
SR–253

JUNE 24

10:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine climate change impacts on the transportation sector.
SR–253

JUNE 26

9:30 a.m.
Veterans' Affairs
Business meeting to markup pending calendar business.
SR–418

POSTPONEMENTS

JUNE 11

9:30 a.m.
Commerce, Science, and Transportation
Interstate Commerce, Trade, and Tourism Subcommittee
To hold hearings to examine imbalance in the United States-Korea automobile trade.
SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5377–S5395

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 3102–3103, and S. Res. 87. **Page S5390**

Measures Considered:

Consumer-First Energy Act: Senate resumed consideration of the motion to proceed to consideration of S. 3044, to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices.

Pages S5378–80

A unanimous-consent-time agreement was reached providing on Tuesday, June 10, 2008, at approximately 10 a.m., Senate continue consideration of the motion to proceed to consideration of the bill; and that there be one hour of debate prior to the vote on the motion to invoke cloture on the motion to proceed to its consideration equally divided and controlled between the two Leaders or their designees, with the final twenty minutes equally divided between the Majority Leader and the Republican Leader, with the Majority Leader controlling the final ten minutes prior to the vote on the motion to invoke cloture on the motion to proceed. **Pages S5394–95**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, Senator Reid, be authorized to sign duly enrolled bills or joint resolutions through Monday, June 16, 2008. **Page S5394**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13405 of June 16, 2006, with respect to Belarus, as received during adjournment of the Senate on June 6, 2008; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–51) **Page S5389**

Nominations—Agreement: A unanimous-consent-time agreement was reached providing that on Tuesday, June 10, 2008, after the cloture votes with respect to S. 3044, Consumer-First Energy Act, and H.R. 6049, Energy and Tax Extenders Act, regardless of the outcome and notwithstanding rule XXII, that Senate begin consideration of the nominations of Mark S. Davis, to be United States District Judge for the Eastern District of Virginia, David Gregory Kays, to be United States District Judge for the Western District of Missouri, and Stephen N. Limbaugh, Jr., to be United States District Judge for the Eastern District of Missouri, that there be a total of 10 minutes equally divided and controlled between the Chair and Ranking Member of the Committee on the Judiciary, and that Senate vote on confirmation of each nomination in the order listed above; and that there be 2 minutes between each vote, and after the first vote, the vote time be limited to 10 minutes each. **Page S5383**

Messages from the House: **Page S5389**

Measures Placed on the Calendar: **Pages S5377, S5390**

Additional Cosponsors: **Pages S5390–91**

Statements on Introduced Bills/Resolutions: **Pages S5391–94**

Additional Statements: **Pages S5387–89**

Notices of Hearings/Meetings: **Page S5394**

Adjournment: Senate convened at 3:15 p.m. and adjourned at 6:39 p.m., until 10 a.m. on Tuesday, June 10, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5394–95.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 6206–6218; and 3 resolutions, H. Res. 1251–1252, 1254 were introduced. **Page H5110**

Additional Cosponsors: **Pages H5110–11**

Reports Filed: Reports were filed on June 6, 2008 as follows:

H.R. 1328, to amend the Indian Health Care Improvement Act to revise and extend that Act, with an amendment (H. Rept. 110–564, Pt. 1) and

H.R. 6028, to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, with an amendment (H. Rept. 110–673, Pt. 1).

Reports were filed today as follows:

H.R. 5618, to reauthorize and amend the National Sea Grant College Program Act, with an amendment (H. Rept. 110–701, Pt. 1);

H.R. 6063, to authorize the programs of the National Aeronautics and Space Administration, with an amendment (H. Rept. 110–702); and

H. Res. 1253, providing for the consideration of the bill (H.R. 6003) to reauthorize Amtrak (H. Rept. 110–703). **Pages H5109–10**

Speaker: Read a letter from the Speaker wherein she appointed Representative Perlmutter to act as Speaker Pro Tempore for today. **Page H5047**

Recess: The House recessed at 12:31 p.m. and reconvened at 2 p.m. **Page H5047**

Committee Resignation: Read a letter from Representative Boren, wherein he resigned from the Committee on Financial Services, effective today. **Page H5048**

Committee Resignation: Read a letter from Representative Lincoln Davis (TN), wherein he resigned from the Committee on Agriculture, effective today. **Page H5048**

Committee Resignation: Read a letter from Representative Wexler, wherein he resigned from the Committee on Financial Services, effective today. **Page H5048**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sequoia and Kings Canyon National Parks Wilderness Act of 2008: H.R. 3022, amended, to designate the John Krebs Wilderness in the State of California and to add certain land to the Sequoia-Kings Canyon National Park Wilderness; **Pages H5048–50**

Sabinoso Wilderness Act of 2008: H.R. 2632, amended, to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico; **Pages H5050–53**

California Desert and Mountain Heritage Act of 2008: H.R. 3682, amended, to designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, and to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument; **Pages H5053–57**

Recognizing the 100th anniversary of the establishment of the Ozark National Forest in Arkansas: H. Res. 1158, to recognize the 100th anniversary of the establishment of the Ozark National Forest in Arkansas; **Pages H5057–59**

Kendell Frederick Citizenship Assistance Act: S. 2516, to assist members of the Armed Forces in obtaining United States citizenship—clearing the measure for the President; **Pages H5059–60**

Extending for 5 years the EB–5 regional center pilot program: H.R. 5569, amended, to extend for 5 years the EB–5 regional center pilot program; **Pages H5060–63**

Agreed to amend the title so as to read: "To extend for 5 years the EB–5 regional center pilot program, and for other purposes." **Page H5063**

Former Vice President Protection Act of 2008: H.R. 5938, to amend title 18, United States Code, to provide secret service protection to former Vice Presidents; **Pages H5063–64**

Congressional Review Act Improvement Act: H.R. 5593, amended, to amend title 5, United States Code, to make technical amendments to certain provisions of title 5, United States Code, enacted by the Congressional Review Act; **Pages H5064–65**

Saluting the life and music of the late Otha Ellas "Bo Diddley" Bates, guitar virtuoso and rock and roll pioneer, whose music continues to influence generations of musicians: H. Res. 1251, to salute the life and music of the late Otha Ellas "Bo Diddley" Bates, guitar virtuoso and rock and roll pioneer, whose music continues to influence generations of musicians; **Pages H5065–67**

Expressing support for designation of June 2008 as "National Safety Month": H. Res. 1225, to express support for designation of June 2008 as "National Safety Month", by a ⅔ yea-and-nay vote of 379 yeas with none voting "nay," Roll No. 388;

Pages H5067–69, H5086–87

Reconnecting Homeless Youth Act of 2008: H.R. 5524, amended, to amend the Runaway and Homeless Youth Act to authorize appropriations;

Pages H5069–73

Josh Miller HEARTS Act: H.R. 4926, amended, to amend the Elementary and Secondary Education Act of 1965 to establish a grant program for automated external defibrillators in schools;

Pages H5073–75

Agreed to amend the title so as to read: "To establish a grant program for automated external defibrillators in elementary and secondary schools."

Page H5075

Recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day: H. Res. 1243, to recognize the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, by a ⅔ yea-and-nay vote of 373 yeas with none voting "nay," Roll No. 389; **Pages H5075–77, H5087–88**

Recognizing and celebrating the 50th anniversary of the entry of Alaska in the Union as the 49th State: H. Res. 127, to recognize and celebrate the 50th anniversary of the entry of Alaska in the Union as the 49th State, by a ⅔ yea-and-nay vote of 375 yeas with none voting "nay," Roll No. 390;

Pages H5077–80, H5088

Government Accountability Office Act of 2008: H.R. 5683, amended, to make certain reforms with respect to the Government Accountability Office;

Pages H5080–84

District of Columbia Water and Sewer Authority Independence Preservation Act: H.R. 5778, amended, to preserve the independence of the District of Columbia Water and Sewer Authority; and

Pages H5084–85

Reforming mutual aid agreements for the National Capital Region: S. 1245, to reform mutual aid agreements for the National Capital Region—clearing the measure for the President.

Pages H5085–86

Recess: The House recessed at 5:56 p.m. and reconvened at 6:30 p.m. **Page H5086**

Privileged Resolution—Intent to Offer: Representative Kucinich announced his intention to offer a privileged resolution. **Pages H5088–H5107**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Belarus is to continue in effect beyond June 16, 2008—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 110–121). **Page H5048**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5108.

Senate Referrals: S. 2482 was referred to the Committee on Transportation and Infrastructure.

Page H5108

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H5086–87, H5087, H5088. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:55 p.m.

Committee Meetings

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008

Committee on Rules: Granted, by a voice vote, a rule providing for consideration of H.R. 6003, the "Passenger Rail Investment and Improvement Act of 2008," under a structured rule. The resolution provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule makes in order the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure as the original bill for the purpose of further amendment and considers the committee amendment as read. The rule waives all points of order against the committee amendment except those arising under clause 10 of rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report and waives all points of order against such amendments except those arising under clause 9 or 10 of rule XXI. The amendments made in order shall be considered as read, shall be debatable for the time specified in the Rules Committee report equally divided by the proponent and an opponent, shall not be subject to

amendment, and shall not be subject to a demand for a division of the question. The rule provides one motion to recommit with or without instructions. Finally, notwithstanding the operation of the previous question, the Chair may postpone further consideration until a time designated by the Speaker.

Testimony was heard from Chairman Oberstar and Representatives Brown of Florida, Van Hollen, Mica, Shuster and Tom Davis of Virginia.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D679)*

H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections. Signed on June 6, 2008. (Public Law 110–244)

COMMITTEE MEETINGS FOR TUESDAY, JUNE 10, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to receive a closed briefing on the status of the United States-Iraq negotiations, focusing on a strategic framework agreement and status of forces agreement, 2:30 p.m., S–407, Capitol.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold hearings to examine national strategies for efficient freight movement, 2:30 p.m., SR–253.

Committee on Finance: to hold hearings to examine issues relative to the 47 million Americans without healthcare insurance, focusing on the current health care marketplace, 10 a.m., SD–215.

Committee on the Judiciary: to hold hearings to examine the efficacy of coercive interrogation techniques, focusing on the Federal Bureau of Investigation's (FBI) role, 9:30 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled "Safety of Phthalates and Bisphenol-A in Everyday Consumer Products," 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled "Status of the DTV Transition: 252 Days and Counting," 9:30 a.m., 2123 Rayburn

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing on H.R. 5840, Insurance Information Act of 2008, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on International Organizations, Human Rights and Oversight, hearing on Diplomatic Assurances and Rendition to Torture: The Perspective of the State Department's Legal Adviser, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on H.R. 6126, Fairness in Nursing Home Arbitration Act of 2008, 2 p.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on Addressing Gangs: What's Effective? What's Not? 1 p.m., followed by markup of H.R. 3546, To authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012, 3 p.m., 2237 Rayburn.

Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, hearing on Electronic Employment Verification Systems: Impact of U.S. Workers, 9 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, oversight hearing on How Should the Federal Government Address the Health and Environmental Risks of Coal Combustion Waste? 10 a.m., 1334 Longworth.

Subcommittee on Fisheries, Wildlife and Oceans, oversight hearing on the annual International Whaling Commission meeting to be held in Santiago, Chile from June 23–27, 2 p.m., 1324 Longworth.

Subcommittee on Insular Affairs, oversight hearing on the Implementation of the Compact of Free Association Amendments Act of 2003 between the United States and the Federated States of Micronesia, 11 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled "An Examination of Federal Employment Practices/Policies on Hiring Ex-offenders," 2 p.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 6063, National Aeronautics and Space Administration Authorization Act of 2008, 4 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on Hybrid Technologies for Medium-to Heavy-Duty Commercial Trucks, 10 a.m, 2318 Rayburn.

Committee on Transportation and Infrastructure, hearing on Financing Infrastructure Investments, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Health, hearing on Addressing Disparities in Health and Healthcare, 10 a.m, 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on China, 1 p.m., H–405 Capitol.

Next Meeting of the SENATE

10 a.m., Tuesday, June 10

Senate Chamber

Program for Tuesday: Senate will continue consideration of the motion to proceed to consideration of S. 3044, Consumer-First Energy Act, and vote on the motion to invoke cloture thereon at approximately 11 a.m. Additionally, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 6049, Energy and Tax Extenders Act; following which, Senate will vote on certain judicial nominations.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, June 10

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H. Res. 1063—Marking the 225th anniversary of the Treaty of Paris of 1783; (2) H. Res. 1127—Condemning the endemic restrictions on freedom of the press and media and public expression in the Middle East and the concurrent and widespread presence of anti-Semitic material, Holocaust denial, and incitement to violence in the Arab media and press; (3) H. Con. Res. 318—Supporting the goals and ideals of the International Year of Sanitation; (4) H. Con. Res. 332—Recognizing the 60th Anniversary of the Universal Declaration of Human Rights; (5) H. Con. Res. 337—Honoring the Seeds of Peace for its 15th anniversary; (6) H. Con. Res. 336—Honoring the sacrifices and contributions made by disabled American veterans; (7) H. Res. 1235—Expressing support for National D-Day Remembrance Day; (8) H. Res. 1010—Recognizing the importance of manufactured housing; (9) S. 682—Edward William Brooke III Congressional Gold Medal Act; (10) H. Res. 1145—Recognizing the 100 year anniversary of the establishment of St. Mary's Cooperative Credit Association; (11) S. 254—Constantino Brumidi Congressional Gold Medal Award; (12) H.R. 3229—National Infantry Museum and Soldier Center Commemorative Coin Act; (13) H.R. 2268—Mother's Day Centennial Commemorative Coin Act; (14) H.R. 1553—Conquer Childhood Cancer Act of 2007; (15) H. Res. 977—Expressing the sense of the House of Representatives that rebate checks would better stimulate the economy if spent on American-made products and services from American-owned companies; (16) S. 2146—To authorize EPA to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects; and (17) H. Res. 1236—Expressing the sympathy of the House of Representatives to the citizens of Black Hawk, Buchanan, Butler, and Delaware Counties, Iowa, who were victims of the devastating tornado that struck their communities on May 25, 2008. Consideration of H.R. 6003—Passenger Rail Investment and Improvement Act of 2008 (Subject to a Rule).

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